

Decision of the Administrative Council of 27 October 2005 clarifying Article 2 of decision CA/D 3/05 reducing the fee for the supplementary European search where the international search report was drawn up by the Austrian Patent Office, by the National Board of Patents and Registration of Finland, by the Spanish Patent and Trademark Office or by the Swedish Patent and Registration Office CA/D 6/05

THE ADMINISTRATIVE COUNCIL OF THE EUROPEAN PATENT ORGANISATION,

Having regard to the European Patent Convention, and in particular Article 157, paragraphs (3)(b) and (4), thereof,

On a proposal from the President of the European Patent Office,

Desiring to clarify decision CA/D 3/05 of 10 June 2005,

Having regard to the opinion of the Committee on Patent Law,

HAS DECIDED AS FOLLOWS:

Article 1

Article 2 of decision CA/D 3/05 of the Administrative Council of 10 June 2005 shall be amended to read as follows:

***(1)** This decision shall enter into force on 1 July 2005 and shall apply to international applications entering the European phase

(a) which are filed from 1 April 2005 up to and including 30 June 2008 and for which the international search report was drawn up by the National Board of Patents and Registration of Finland, and

(b) which are filed from 1 July 2005 up to and including 30 June 2008 and for which the international search report was drawn up by the Austrian Patent Office, by the Spanish Patent and Trademark Office or by the Swedish Patent and Registration Office.

(2) The decision of 21 December 1978 (OJ EPO 1979, 4, Corr. 50), in so far as it relates to international applications for which the international search report was drawn up by the Swedish Patent and Registration Office, and the decisions of 17 May 1979 (OJ EPO 1979, 248) and of 9 June 1995 (OJ EPO

1995, 511) shall, in respect of international applications filed on or after 1 July 2005, be rescinded."

Article 2

This decision shall enter into force with retrospective effect on 1 July 2005.

Done at Munich, 27 October 2005

For the Administrative Council
The Chairman

Roland GROSSENBACHER