

its receipt. If no power of attorney is received before the expiration of the time limit for filing a withdrawal, the request for withdrawal will not be processed.

Moreover, the EPO will only process unqualified and unambiguous notices of withdrawal. If in doubt, the EPO will seek clarification of the applicant's or applicants' intention before any action is undertaken.

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## **2.2 Withdrawal of the international application**

An applicant may address a notice of withdrawal of his international application to the IB, the RO or, where a demand has been filed, to the IPEA, and may do so at any time prior to the expiration of 30 months from the priority date.

Rule 90bis.1

The EPO as RO or IPEA will mark the notice of withdrawal of the international application with the date on which it was received and promptly transmit it to the IB.

PCT AI sections 326 and 609

For information on the refund of the international filing fee in the event of withdrawal of the international application, see GL/PCT-EPO A-III.9.1; for information on the refund of the international search fee, see GL/PCT-EPO A-III.9.2.

### **2.2.1 Conditional withdrawal**

An applicant may request the withdrawal of his international application on condition that the international publication can be prevented ("conditional withdrawal"). In such a case, the withdrawal does not become effective if the condition cannot be met, that is, if the IB has already completed the technical preparations for the international publication. It is recommended that conditional withdrawals be submitted direct to the IB, especially if the date of completion of the technical preparations is imminent.

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## **2.3 Withdrawal of designations**

An applicant may address a notice of withdrawal of any designations to the IB, the RO or, where a demand has been filed, the IPEA, and may do so at any time prior to the expiration of 30 months from the priority date. Withdrawal of the designation of all designated states is treated as withdrawal of the international application (see GL/PCT-EPO A-IV.2.2). Withdrawal of a designated state which has been elected entails withdrawal of the corresponding election (see GL/PCT-EPO A-IV.2.6). If the withdrawal of a designation reaches the IB prior to completion of the technical preparations for publication, the designation in question is not published.

Rule 90bis.2

## **2.4 Withdrawal of priority claims**

An applicant may address a notice of withdrawal of one or more priority claims to the IB, the RO or, where a demand has been filed, to the IPEA, and may do so at any time prior to the expiration of 30 months from the priority date.

Rule 90bis.3

Where the priority date of the international application has changed following withdrawal of a priority claim, any time limit which is computed

Rule 90bis.3  
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