

3.2 Filing via a competent national authority

The national law of an EPC contracting state may stipulate that, for national security reasons, an international application must be filed with the EPO as receiving Office via a competent authority of that state.

*Art. 75(2), 151 EPC
R. 157(1), (3) EPC
GL/RO Chapter III*

In such cases, the national authority will act as the "filing office" for the EPO acting as receiving Office. The date of receipt of the application by the national authority will be considered to be the international filing date, provided that the application meets the PCT requirements for a filing date to be accorded (see GL/PCT-EPO A-II, 4.1).

The national authority must ensure that the application reaches the EPO not later than two weeks before the end of the 13th month from filing or, if priority is claimed, from the earliest date of priority. For further details, see GL/RO Chapter III.

4. Examination on filing

4.1 Minimum requirements for according an international filing date

The international filing date of an international application is the date on which it is received at one of the EPO's filing offices, or at a national authority in an EPC contracting state (see GL/PCT-EPO A-II, 3.2), provided that the following minimum requirements are fulfilled at the time of receipt:

*Art. 11
GL/RO 39-44*

- The applicant is a resident or national of an EPC contracting state.
- The application (description and claim(s)) is in English, French or German.
- The application contains at least the following elements:
 - an indication that it is intended as an international application (this indication is in the header of the request form, PCT/RO/101)
 - a request which constitutes the designation of a state bound by the PCT on the international filing date (filing the request form, PCT/RO/101, automatically designates all PCT contracting states)
 - the name of the applicant
 - a part which on the face of it appears to be a description
 - a part which on the face of it appears to be a claim or claims

If these requirements have been fulfilled, the purported international application will be accorded its actual date of receipt as the international filing date; the applicant will be notified accordingly (Form PCT/RO/105).