

power of attorney be attached to the PCT request, the PCT demand or a separate notice (see GL/PCT-EPO A-VIII, 1.13).

1.13 Waivers – exceptions to applicability

The waiver by the EPO with regard to the requirement under Rule 90.4(b) that a separate power of attorney be submitted to appoint a (common) agent or a common representative does not apply if the (common) agent or the common representative submits any notice of withdrawal referred to in Rules 90bis.1 to 90bis.4.

*R. 90.4(e), 90.5(d)
OJ EPO 2010, 335*

The waiver by the EPO with regard to the requirement under Rule 90.5(a)(ii) that a copy of the general power of attorney be attached to the PCT request, the PCT demand or the separate notice does not apply if the (common) agent submits any notice of withdrawal referred to in Rules 90bis.1 to 90bis.4.

Furthermore, the EPO acting as receiving Office, ISA, SISA or IPEA may require the filing of a separate power of attorney or a copy of a general power of attorney if necessary in the circumstances of a particular case, for example if:

- a procedural act is performed by a purported agent who is not the agent of record, unless the purported agent belongs to the same office as the agent of record, or both the purported agent and the agent of record are employees of the applicant or, if there is more than one applicant, of the common representative;
- there is doubt as to whether the agent or common representative is entitled to act.