

7.5 Late payment fee

Where the IPEA/EP finds that the amount paid to it is insufficient to cover the handling fee and the international preliminary examination fee or that no fees were paid within the time limit for payment, the IPEA/EP invites the applicant to pay to it the amount required to cover those fees together with a late payment fee, within one month from the date of the invitation (Form PCT/IPEA/440).

Rule 58bis.1(a),
58bis.2
OJ EPO 1998, 282

The late payment fee is 50% of the amount of the unpaid fees as specified in the invitation or, if the resulting amount is less than the handling fee, an amount equal to the handling fee. The amount of the late payment fee may not, however, exceed double the amount of the handling fee.

If the applicant complies with the invitation within the specified time limit, payment is deemed to have been made in time (Form PCT/IPEA/440).

If the applicant pays the fees after the time limit for payment expires but before the IPEA/EP has despatched the invitation (Form PCT/IPEA/440) to the applicant, the payment is considered to have been received in time.

Rule 58bis.1(c)

Failure to pay the missing amount and the late payment fee within the time limit set in the invitation (Form PCT/IPEA/440) will result in the demand being considered as if it had not been submitted, and the EPO will so declare (Form PCT/IPEA/407).

Rule 58bis.1(b)

If the applicant pays the fees after the time limit set in the invitation expires (Form PCT/IPEA/440) but before the IPEA/EP has despatched the notification that the demand is considered not to have been submitted (Form PCT/IPEA/407), the payment is considered to have been received in time and the demand will not be considered as if it had not been submitted.

Rule 58bis.1(d)

8. Reduction of fees

8.1 Reduction of the international filing fee

If one or more of the reductions mentioned below apply, the reduced amount should be indicated on the Fee Calculation Sheet which forms part of the PCT request form (PCT/RO/101).

8.1.1 Reduction for applications filed in electronic form

The amount of reduction of the international filing fee is set by the IB and is applicable on the date of receipt of the international application.

Point 4 PCT Schedule
of Fees
OJ EPO 2018, A101

For international applications submitted in electronic form, three different levels of reduction apply, depending on the format in which the application is filed, namely:

8.1.1.1 Web-form filing (WFF) reduction

This reduction applies if both the request form (PCT/RO/101) and the specification (description, claims and abstract) are filed in PDF.