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Comment:

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- Secretariat -

WORKING DOCUMENT

Proposal by the French Delegation

Article b, paragraph (2)

European patent applications which are before the European Patent Office on the date of entry into force of the revised text shall be dealt with in full on the basis of the provisions of the Convention applicable prior to the entry into force of the revised Convention.

Such applications shall, however, be subject to the revised provisions of the Convention where the nature of the amendments does not prejudice the right acquired by the applicant to obtain the grant of a European patent.

Where such applications designate a State which has not ratified the revised text, it shall be for the applicant either to withdraw his application or to request its transfer to the competent national office of that State, or to request that the European Patent Office/^{continue to}deal with the application on the basis of the provisions of the Convention applicable prior to the entry into force of the revised Convention.