Europäisches Patentamt
European Patent Office
Office européen des brevets

Notes on EPA/EPO/OEB Form 1200 for entry into the European phase (EPO as designated or elected Office)

I. General instructions

These notes explain how to complete EPA/EPO/OEB Form 1200. To file international applications under the Patent Cooperation Treaty (PCT) Form PCT/RO/101 should be used. The appropriate form to request the grant of a European patent is EPA/EPO/OEB Form 1001.

The requirements for entry into the European phase are laid down in the European Patent Convention (EPC) and its Implementing Regulations.

Accelerated prosecution

For those seeking faster examination for their applications, the "PACE" programme for accelerated prosecution of European patent applications offers effective options for shortening the processing time.

PACE requests filed before the end of the international phase will not be effective unless accompanied by an express request for early processing under Article 23(2) or 40(2) PCT (see point 12.1).

For other ways to expedite the European grant procedure, see the notice from the EPO dated 30 November 2015 (OJ EPO 2015, A94) and point 12.

Entry into the European phase – Form 1200

Under Rule 159(1) EPC, on entry into the European phase before the EPO as designated or elected Office applicants must perform the acts specified in Rules 159(1) EPC within 31 months of the filing date or, if priority has been claimed, the (earliest) priority date.

Use of EPA/EPO/OEB Form 1200 is recommended. This form is available in the EPO's online filing tools (see (a) below) and for download from epo.org for those who prefer to file by post (see (b) below).

If there is not enough space on the form for the required information, an additional sheet should be filed, indicating the number and heading (e.g. "2 - Additional representative(s)"; "6 - Documents intended for proceedings before the EPO").

Applicants should indicate their internal reference in the box above section 1 and in the corresponding box at the bottom of each page.

Filing of documents

EPA/EPO/OEB Form 1200 and attachments must be filed direct with the EPO.

(a) Online

EPA/EPO/OEB Form 1200, attached translations and amendments to the application documents may be filed in electronic form, i.e. via Online Filing 2.0 or the EPO Contingency Upload Service. The online filing fee is less than the fee for filing on paper. For more details go to epo.org/en/applying/myepo-services.

(b) By post or in person

EPA/EPO/OEB Form 1200 need only be filed in one copy. The same applies to attached translations and amendments to the application documents. Special rules apply to sequence listings (see II.9).

II. Filling in the form

The numbering below corresponds to the sections of the form.

1. Applicant

Third checkbox

For the purposes of Rules 160(3) and 39(2a), which were introduced in view of Article 5s(3) of Regulation (EU) No 833/2014 as amended, the nationality or nationalities and residence or place of business of all applicants must always be indicated on a separate sheet on entry into the European phase.

If the address is missing for any of the applicants on entry into the European phase (as may occur under Rule 26.2*bis*(b) PCT), this information must also be filed on a separate sheet.

Fourth checkbox: declaration under Rule 7b(1) EPC of status as a natural person or entity under Rule 7a(2) EPC – language-based fee reduction

For applicants entitled to file the request for examination in an admissible non-EPO language (Article 14(4) – see section 4.1), the examination

fee is reduced by 30% provided they are a microenterprise, an SME, a natural person, a non-profit organisation, a university or a public research organisation (Rule 7a(2) EPC , Article 14(1) RFees).

Applicants wishing to benefit from the reduction of the examination fee under Rule 7a(1) EPC must, in addition to fulfilling the requirements of Article 14(4), declare that they are an entity or natural person covered by Rule 7a(2) EPC. They must file this declaration at the latest by the time of payment of the examination fee, either by selecting this checkbox or separately (e.g. using EPA/EPO/OEB Form 1011 available for download from epo.org). If there are multiple applicants, for the reduction to apply, each one must be an entity or a natural person within the meaning of Rule 7a(2) EPC. In such cases, it is however sufficient for only one of them to be entitled to file documents in an admissible non-EPO language (Article 14(4), Rule 7a(1) EPC). For more details see OJ EPO 2024, A8.

Fifth checkbox: declaration under Rule 7b(1) of status as a natural person or entity under Rule 7a(3) EPC– micro-entity fee reduction

Applicants wishing to benefit from the fee reduction under Rule 7a(3) EPC must declare that they are an entity or natural person covered by Rule 7a(3) EPC. They must file this declaration at the latest by the time of payment of the fee concerned, either by selecting this checkbox or separately (e.g. using EPA/EPO/OEB Form 1011 available for download from epo.org). If there are multiple applicants, for the reduction to apply, each one must be an entity or natural person within the meaning of Rule 7a(3) EPC. In addition, the same applicant(s) may not have filed five or more applications (EP and Euro-PCT) in the five preceding years (Rule 7a(4) EPC).

Applicants may qualify for both fee reductions under Rules 7a(1) and 7a(3). These are then calculated sequentially (Article 14(3) RFees). For more details see OJ EPO 2024, A8.

Address for correspondence

An address for correspondence may be given only by applicants who are not obliged to appoint a professional representative authorised to act before the EPO (Article 133 EPC) and have not appointed one. It must be the applicant's own address, and in an EPC contracting state. Addresses for correspondence accepted for proceedings in the international phase but which do not fulfil those conditions will not be accepted in proceedings before the EPO in the European phase (see OJ EPO 2014, A99).

2. Representative (Articles 133 and 134 EPC)

Applicants not having their residence or principal place of business in an EPC contracting state must be represented by a professional representative and act through them in all proceedings established by the EPC (Article 133(2) EPC). Section 2 must always be completed if a professional representative or a legal practitioner entitled to act as such (Article 134(1) and (8)) is appointed.

3. Authorisation (Rule 152 EPC)

Professional representatives (Article 134 EPC), legal practitioners (Article 134(8) EPC), and associations of representatives (Rule 152(11) EPC) are in principle exempt from having to file an authorisation in proceedings before the EPO (see OJ EPO 2025, A45). A filed authorisation will not be checked, unless required in proceedings. Since 1 December 2025, this group of representatives may no longer refer to the registration number of a previously registered general authorisation (OJ EPO, 2025, A47).

Employees acting for an applicant under Article 133(3) EPC, first sentence, who are neither professional representatives nor legal practitioners under Article 134(8) EPC, must always file a signed authorisation or refer to the registration number of a general authorisation. The registration number of a general authorisation can be inserted in the second checkbox for section 3. In case a general authorisation for an employee has already been filed for registration with the EPO but is not yet registered, the third checkbox for section 3 should be selected.

4. Request for examination (Articles 150(2) and 94 and Rule 70 EPC)

4.1 The request for examination is not deemed to be filed until the examination fee has been paid (Article 94(1) and Rule 70(1) EPC). The checkbox beside the request for examination is selected by default in section 4.1.

The request for examination (i.e. written request plus payment of the examination fee) must be filed either up to six months from the date on which the international search report (or the declaration under Article 17(2)(a) PCT) was published (Article 153(6) EPC) or within 31 months of the filing date or, where applicable, the (earliest) priority date, whichever period ends later. In practice this means that the request for examination must be submitted within the 31-month period (Rule 159(1)(f) EPC) unless the international search report was published late.

Request for examination in an admissible non-EPO language

Persons having their residence or principal place of business in an EPC contracting state with an official language other than English, French or German, and nationals of that state who are resident abroad, may file the request for

examination in an admissible non-EPO language (Article 14(4) EPC), using the space provided.

The request for examination is available in all admissible non-EPO languages at epo.org.

6. Documents intended for proceedings before the EPO (Rule 159(1)(b) EPC)

When an application enters the European phase applicants must specify the application documents, as originally filed or as amended, on which the European grant procedure is to be based (Rule 159(1)(b) EPC). Section 6 allows them to clarify whether they wish to proceed with

- the **published documents,** whereby any amended claims filed with the International Bureau under Article 19 PCT replace the originally filed claims, unless expressly stated to the contrary – in proceedings before the EPO as **designated Office** (section 6.1), or
- the documents on which the **international preliminary examination report is based** – in proceedings before the EPO as **elected Office** under PCT Chapter II (section 6.2).

If the PCT application as originally filed contains drawings in colour or greyscale, processing in the European phase will be based on them provided they are available on PATENTSCOPE and the international publication mentions this on its cover sheet under "Published".

Sections 6.1 and 6.2 also provide the possibility to indicate that amended documents filed on entry into the European phase are to form the basis for the grant procedure.

Whenever amendments are filed, the applicant must identify them and indicate the basis for them in the application as filed (Rule 137(4) EPC), preferably in a separate letter (see Guidelines for Examination in the EPO, A-XIV, 2.1.2 and H-III, 2.1 and 2.1.1).

6.3 Copies of the search results (Rule 141(1) EPC)

For each of the previous applications whose priority is claimed, a copy of the search results produced by the authority with which the application was filed (Rule 141(1) EPC) has to be supplied.

This checkbox is to be selected only if the copies of the documents are indeed supplied when filing the form for entry into the European phase. If, however, a copy of the search results is included in the file by the EPO (Rule 141(2) EPC), no action is required on the part of the applicant (see Guidelines for Examination in the EPO, A-III, 6.12).

7. Translations

7.1 Translation of the international application

If the international application was **not** published in an EPO official language, the applicant must furnish the EPO with a translation of that application in such a language within 31 months of the filing date or, where applicable, the (earliest) priority date.

The proceedings in the European phase will be conducted in the language of the translation. The translation must include the description, the claims as originally filed, any text in the drawings, and the abstract. It must also include any indications under Rule 13*bis*.3 and 13*bis*.4 PCT in the case of inventions relating to biological material and any published request for rectification (Rule 91.3(d) PCT). For a complete list of possible translation items, see Guidelines for Examination in the EPO, A-XIII, 3.1.

7.2 Translation of the priority application

Under Rule 53(3) EPC, applicants may be invited by the EPO to file a translation of the previous (priority) application (see also OJ EPO 2013, 150).

Alternatively, they can submit a declaration under Rule 53(3) that the European patent application is a complete translation of the previous application. They can do this by selecting the checkbox in section 7.3. In this case, no invitation to file a translation of the priority application will be issued.

7.4 Claims amended under Article 19 PCT

If the applicant wishes the subsequent proceedings to be based on the claims as amended under Article 19 PCT, the translation must also include those claims, together with any explanatory statement (Rule 49.5(a)(ii), 49.5(c) and (c-*bis*) PCT).

7.5 Translation of annexes

Where **PCT Chapter II** applies, applicants must prepare and file translations of all annexes to the international preliminary examination report (Article 36(2)(b) and (3)(b), Rule 70.16(a) PCT, Rule 74.1 PCT), regardless of whether they are seeking patent protection for the same version of the application documents as was the subject of that report.

8. Biological material

To enable the EPO to check compliance with the requirements under Rule 13*bis* PCT in conjunction with Rule 31(1)(c) EPC, applicants should indicate the name and address of the depositary institution and the accession number of the deposited biological material in section 8. In

addition, the identification reference of the biological material can be specified.

Applicants should also indicate where in the description the information required under Rule 31(1)(c) EPC (depositary institution and the deposit accession number) or the depositor's identification reference can be found.

To further enable the EPO to check compliance with Rule 31 EPC, the deposit receipt issued by the depositary institution is to be submitted to the EPO. Applicants are strongly advised to submit the deposit receipt when filing this form.

Waiver under Rule 33(1) and (2) EPC

Applicants may waive their right under Rule 33(1) and (2) EPC to an undertaking from the requester to issue a sample of the biological material, provided that they are the depositor of the biological material concerned. This waiver must be expressly declared to the EPO in the form of a separate, signed statement. It must specify the biological material concerned (depositary institution and accession number or depositor's reference number as shown in the application documents). It may be submitted at any time.

9. Nucleotide and amino acid sequences

9.1 If the application discloses one or more nucleotide and/or amino acid sequences, a sequence listing in electronic form complying with WIPO Standard ST.26 and the Administrative Instructions under the PCT is normally available to the EPO as designated/elected Office if such sequence listing was contained in the international application in accordance with Rule 5.2(a) PCT, furnished to the EPO as International Authority under Rule 13*ter*.1(a) PCT, or otherwise made available to it, e.g. by WIPO.

9.2 If the application discloses one or more nucleotide and/or amino acid sequences and a sequence listing in electronic form complying with WIPO Standard ST.26 is not available to the EPO as designated/elected Office, a standardised electronic sequence listing must be filed on entry into the European phase. Otherwise, the EPO will invite the applicant to file the sequence listing (Rule 163(3) EPC). In this case, a late furnishing fee is payable. For further information, see the decision of the President and the notice of the EPO dated 14 November 2025 concerning the filing of sequence listings (OJ EPO 2025, A64 and A66), as well as the notice from the EPO dated 9 December 2021 OJ EPO 2021, A97).

If the standardised sequence listing is submitted on entry into the European phase, the applicant must declare that the subsequently filed sequence listing does not include matter which goes beyond the content of the application as originally filed. The declaration can be made by selecting the relevant checkbox in section 9.2.

10. Designation of contracting states

All the contracting states designated in the international patent application and party to the EPC at the time of its filing are deemed to be designated (see Article 79(1) EPC). Thus, the EPC contracting states that can be validly designated on entry into the European phase are already specified in the international phase (Rule 4.9(a) PCT). Payment of the flat-rate designation fee covers all the EPC contracting states, unless individual designations are expressly withdrawn (Article 2, item 3, RFees) (see OJ EPO 2009, 118).

11. Extension/validation

The application and the European patent granted in respect of it are extended or validated to or in those non-EPC contracting states designated for a national patent in the international application with which extension or validation agreements were in force on the date of filing of the international application.

The request for extension or validation for a state is deemed withdrawn if the extension/validation fee is not paid to the EPO within the time limit laid down in the EPC for paying the designation fee (Rule 159(1)(d) EPC) (see Guidelines for Examination in the EPO, A-III, 12).

11.1 Extension of European patent applications and the resulting European patents may be requested for countries with which the EPO has extension agreements (as at June 2026: Bosnia and Herzegovina).

11.2 Validation of European patent applications and the resulting European patents may be requested for countries with which the EPO has validation agreements (as at June 2026: Morocco, Tunisia, Cambodia, Georgia and The Lao People’s Democratic Republic). The EPO publishes the necessary information about such agreements on its website and in its Official Journal in good time before their entry into force. With regard to Cambodia, please note that pharmaceutical products are excluded from patent protection until 2033 (OJ EPO 2018, A16).

12. Acceleration of procedure

The ways in which the European grant procedure can be expedited in addition to the "PACE" request are listed in the notice from the EPO dated 30 November 2015 (OJ EPO 2015, A94); further information is also available at epo.org under **Applying for a patent** > **International route (PCT)** > **Accelerating your PCT application**.

12.1 Early processing

Request for the early start of processing in the European phase ("early entry")

Applicants who wish the EPO as designated or elected Office to start processing an application before expiry of the 31-month time limit under Rule 159(1) EPC must file an express request for early processing. The request can be made by selecting checkbox 12.1.

A request for early processing is effective on the date of its filing only if the requirements of Rule 159(1) EPC applicable on that date have been complied with. The nature of the requirements to be met depends on the date on which the request for early processing is filed (see the notice from the EPO dated 21 February 2013 concerning the request for early processing, OJ EPO 2013, 156, II.7 and 8, and Guidelines for Examination in the EPO, A-XII, 7.1).

Applicants must take note of the **consequences** of an effective request for early processing (see OJ EPO 2013, 156, III.9 and 10). Selecting checkbox 12.1 must therefore be carefully considered.

12.2 Waivers

Waiver of communication pursuant to Rules 161 and 162 EPC

The time limit under Rules 161 and 162 EPC is **six months**.

In order to accelerate the European grant procedure applicants can, in addition to filing a "PACE" request, expressly **waive their right to the communication under Rules 161(1) or (2) and 162 EPC** by selecting the first checkbox in section 12.2.

For the waiver to be valid, the applicant has to fulfil all the requirements of Rules 161 and 162 EPC (i.e. payment of any claims fees due and filing a response under Rule 161(1) EPC), as required. If the waiver is effective, the application proceeds directly to search or examination.

Where the right to the communication under Rules 161(1) or (2) and 162 EPC has not been validly waived, the communication will be issued and the application will be processed only after expiry of the six-month period provided for under those rules, even if a request under the PACE programme has been filed.

See also OJ EPO 2015, A94.

Waiver of the invitation under Rule 70(2) EPC

Applicants who file the request for examination before receiving the supplementary European search report are asked by the EPO, after the search report has been sent, to confirm within a six-month period that they wish to proceed further with the application (Rule 70(2) EPC). Where they also have to respond to the search opinion, their response is required within this same period (Rule 70a(2) EPC). To accelerate the procedure, they can waive their right to be asked for such confirmation by selecting the second checkbox in section 12.2, in which case the application proceeds directly to examination after the supplementary European search report has been transmitted to them.

13. Payment

Fees due in respect of a patent application can be paid by debiting a deposit account held with the EPO, by credit card or by bank transfer. For more information, including information on how to claim refunds, see Fee payments and refunds at epo.org.

Debiting a deposit account/automatic debiting

The procedure for paying by debiting a deposit account or by automatic debiting is set out in detail in the Arrangements for deposit accounts (ADA), the Arrangements for the automatic debiting procedure (AAD, Annex A.1 to the ADA) and the Information from the EPO concerning the automatic debiting procedure (Annex A.2 to the ADA) published on the EPO website (**epo.org**).

Careful attention should be paid to the conditions applicable to the filing of debit orders.

Payment by credit card

Payments by credit card must be made via the Central Fee Payment service available at epo.org, using a credit card accepted by the EPO (American Express, Master Card and VISA).

Bank transfers

Payments by bank transfer can be prepared using the Central Fee Payment service available at epo.org. The procedure is set out in detail in OJ EPO 2022, A81.

Payments by bank transfer must be made in euros to the following account with the Commerzbank in Germany:

Account No. 3 338 800 00 / Sort code 700 800 00

IBAN DE20 7008 0000 0333 8800 00

BIC DRESDEFF700

Commerzbank AG
Leopoldstrasse 230
80807 Munich
Germany

For the fee amounts, see the publication "Schedule of fees and expenses" or the "Interactive schedule of fees" available at epo.org under **Applying for a patent** > **Fees** > **European fees (EPC)**.

III. Table for section 6 of Form 1200.3 – Documents intended for proceedings before the EPO

The table is used for calculating the additional fee for applications comprising more than 35 pages (Article 2, item 1a, RFees).