

which is a Contracting State to the Cooperation Treaty and which has concluded an agreement with the Organisation whereby the European Patent Office acts as a receiving Office, in accordance with the provisions of the Cooperation Treaty, in place of the national office of that State.

(3) Subject to the prior approval of the Administrative Council, the European Patent Office may also act as a receiving Office for any other applicant, in accordance with an agreement concluded between the Organisation and the International Bureau of the World Intellectual Property Organization.

#### Article 152

##### *Filing and transmittal of the international application*

(1) If the applicant chooses the European Patent Office as a receiving Office for his international application, he shall file it directly with the European Patent Office. Article 75, paragraph 2, shall nevertheless apply *mutatis mutandis*.

(2) In the event of an international application being filed with the European Patent Office through the intermediary of the competent central industrial property office, the Contracting State concerned shall take all necessary measures to ensure that the application is transmitted to the European Patent Office in time for the latter to be able to comply in due time with the conditions for transmittal under the Cooperation Treaty.

(3) Each international application shall be subject to the payment of the transmittal fee, which shall be payable on the filing of the application.

#### Article 153

##### *The European Patent Office as a designated Office*

(1) The European Patent Office shall act as a designated Office within the meaning of Article 2(xiii) of the Cooperation Treaty

konvention, men som er part i samarbejds-traktaten og har afsluttet en overenskomst med Organisationen, i henhold til hvilken Den europæiske Patentmyndighed i overensstemmelse med samarbejds-traktatens bestemmelser fungerer som modtagende myndighed i stedet for den pågældende stats nationale myndighed.

3) Med forbehold af forudgående godkendelse fra Administrationsrådet kan Den europæiske Patentmyndighed også fungere som modtagende myndighed for andre ansøgere i henhold til en overenskomst afsluttet mellem Organisationen og Det internationale Bureau for Verdensorganisationen for intellektuel ejendomsret.

#### Artikel 152

##### *Indlevering og fremsendelse af den internationale ansøgning*

1) Vælger ansøgeren Den europæiske Patentmyndighed som modtagende myndighed for sin internationale ansøgning, skal han indlevere denne direkte til Den europæiske Patentmyndighed. Artikel 75, stk. 2, finder dog tilsvarende anvendelse.

2) Såfremt en international ansøgning indleveres til Den europæiske Patentmyndighed gennem den kompetente centrale myndighed for industriel ejendomsret, træffer den pågældende kontraherende stat alle nødvendige foranstaltninger for at sikre, at ansøgningen fremsendes til Den europæiske Patentmyndighed så betids, at denne rettidigt kan opfylde forpligtelsen med hensyn til ansøgningens fremsendelse i henhold til samarbejds-traktaten.

3) For enhver international ansøgning skal der betales en fremsendelsesafgift, som forfalder ved ansøgningens indlevering.

#### Artikel 153

##### *Den europæiske Patentmyndighed som designeret myndighed*

1) Den europæiske Patentmyndighed fungerer som designeret myndighed som angivet i samarbejds-traktatens artikel 2, xiii),