

for those Contracting States to this Convention in respect of which the Cooperation Treaty has entered into force and which are designated in the international application if the applicant informs the receiving Office in the international application that he wishes to obtain a European patent for these States. The same shall apply if, in the international application, the applicant designates a Contracting State of which the national law provides that designation of that State shall have the effect of the application being for a European patent.

(2) When the European Patent Office acts as a designated Office, the Examining Division shall be competent to take decisions which are required under Article 25, paragraph 2(a), of the Cooperation Treaty.

Article 154

The European Patent Office as an International Searching Authority

(1) The European Patent Office shall act as an International Searching Authority within the meaning of Chapter I of the Cooperation Treaty for applicants who are residents or nationals of a Contracting State in respect of which the Cooperation Treaty has entered into force, subject to the conclusion of an agreement between the Organisation and the International Bureau of the World Intellectual Property Organization.

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

(3) The Boards of Appeal shall be responsible for deciding on a protest made by an applicant against an additional fee charged by the European Patent Office under the provisions of Article 17, paragraph 3(a), of the Cooperation Treaty.

for de i den internationale ansøgning designerede stater, som er parter i denne konvention, og for hvilke samarbejdsstraktaten er trådt i kraft, såfremt ansøgeren i den internationale ansøgning har meddelt den modtagende myndighed, at han ønsker at få meddelt et europæisk patent for disse stater. Det samme gælder, såfremt ansøgeren i den internationale ansøgning har designeret en kontraherende stat, hvis nationale lovgivning foreskriver, at designering af denne stat har virkning som en ansøgning om et europæisk patent.

2) Afgørelser, som Den europæiske Patentmyndighed i sin egenskab af designeret myndighed skal træffe i henhold til samarbejdsstraktatens artikel 25, stk. 2, a), henhører under prøvningsafdelingerne.

Artikel 154

Den europæiske Patentmyndighed som international nyhedsundersøgende myndighed

1) Med forbehold af afslutningen af en overenskomst mellem Organisationen og Det internationale Bureau for Verdensorganisationen for intellektuel ejendomsret fungerer Den europæiske Patentmyndighed for ansøgere, som har bopæl eller sæde eller er statsborgere i en kontraherende stat, for hvilken samarbejdsstraktaten er trådt i kraft, som international nyhedsundersøgende myndighed som angivet i samarbejdsstraktatens kapitel I.

2) Med forbehold af Administrationsrådets forudgående godkendelse fungerer Den europæiske Patentmyndighed også som international nyhedsundersøgende myndighed for andre ansøgere i henhold til en overenskomst afsluttet mellem Organisationen og Det internationale Bureau for Verdensorganisationen for intellektuel ejendomsret.

3) Afgørelser vedrørende en af ansøgeren nedlagt protest mod en af Den europæiske Patentmyndighed i henhold til samarbejdsstraktatens artikel 17, stk. 3, a), fastsat til lægsafgift henhører under appelkamrene.