

**RULES RELATING TO FEES OF THE EUROPEAN PATENT CONVENTION
of 20 October 1977**

**as adopted by decision of the Administrative Council
of the European Patent Organisation
of 29 June 2016**

Article 1

Article 11 of the Rules relating to Fees shall read as follows:

"Article 11
Refund of examination fee

The examination fee provided for in Article 94, paragraph 1, of the Convention shall be refunded:

- (a) in full if the European patent application is withdrawn, refused or deemed to be withdrawn before substantive examination has begun;
- (b) at a rate of 50% if the European patent application is withdrawn after substantive examination has begun and
 - before expiry of the time limit for replying to the first invitation under Article 94, paragraph 3, of the Convention issued by the Examining Division proper or,
 - if no such invitation has been issued by the Examining Division, before the date of the communication under Rule 71, paragraph 3, of the Convention."

Article 2

1. This decision shall enter into force on 1 July 2016.

2. Article 11(a) of the Rules relating to Fees as amended by this decision shall apply to all European patent applications which are withdrawn, refused or deemed to be withdrawn on or after 1 July 2016.

3. Article 11(b) of the Rules relating to Fees as amended by this decision shall apply to all European patent applications for which substantive examination starts on or after 1 November 2016.

Done at Munich, 29 June 2016