

	EPC	PCT
Who can file?	Anyone (Art.58 EPC)	Any resident or national of a contracting state (Art.9(1) PCT) (For example, an Argentinean alone cannot file a PCT application.) However, if there are two or more applicants, it is sufficient if one of them is a resident or national of a contracting state (R.18.3 PCT).
Language of filing	Any language (Art.14(2) EPC)	Any language that the receiving Office (rO) accepts (R.12.1(a) PCT). If filed with the International Bureau (IB), any language is accepted. If filed with the EPO as rO, only EN/DE/FR is accepted (R.157(2) EPC).
Confirmation copy if filed by fax	Not required (only in case of inferior quality, if EPO sends invitation) (OJ 2019, Art.18, Art.6 and 7)	If an international application is filed with the EPO by fax, a confirmation copy is to be filed (OJ 2019, Art.19). (International applications may be filed by fax, if the receiving Office allows R.92.4 PCT and AG-IP 6.003)
Filing date	Claims are not required to accord a filing date (R.40(1) EPC).	Claims are required to accord a filing date (Art.11(1) PCT).
Translation	If application not filed in EN/DE/FR (Art.14(1) EPC), a translation is required within 2 months (Art.14(2) and R.6(1) EPC).	If the language of filing is not accepted by the International Searching Authority (ISA), a translation is to be filed within 1 month of date of receipt (R.12.3(a) PCT). If the language of filing is accepted by the ISA but is not a language of publication, a translation is to be filed within 14 months of the priority date (R.12.4 PCT).
Remedies	Depending on the situation: - further processing (Art.121 EPC) or - re-establishment (Art.122 EPC).	There are no remedies during international phase (but some acts, such as payment of fees at filing or filing of translation can be done during an additional period after the expiry of the time limit provided that a late fee is paid). Furthermore, there is no provision for appeal under PCT (AG-IP 6.054).
Filing by reference to a previously filed application	It is possible (R.40(1)(c) and R.40(2) EPC).	Filing by reference is not possible in PCT.
Renewal fees	Yes, at first for the 3rd year (Art.86 EPC).	There are no renewal fees during the international phase.

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Representative needed for filing	No (Art.133(1) EPC)	Depends on the receiving Office (rO) (Art.27(7) PCT) See Annex C of any rO if agent is required.
Missing parts vs. missing elements	Only missing parts are allowed (R.56(1) EPC). Claims are never missing parts under the EPC.	Even full missing elements can be filed, such as the entire description and/or complete set of claims and/or all drawings (R.20.5 PCT).
Prior art	Everything made available to the public before filing (Art.54(2) EPC) (written or oral description, use, or any other way)	Only written disclosures that are made public prior to the international filing date (R. 33.1 PCT)
Technical preparations for publication	End of the day that comes 5 weeks before the expiry of the 18th month (from the earliest priority) (OJ 2007, SE3, D.1).	The technical preparations for publication are completed by the 15th day prior to the date of publication (AG-IP 9.014).
Further search fee (non-unity)	Further search fee payable within 2 months (R.64(1) EPC) (Only payable if applicant wants the other invention(s) to be covered by a search.)	Additional fee is payable within 1 month (R.40.1(ii) PCT) from the invitation, directly to the ISA. Can be paid under protest. (Only payable if applicant wants the other invention(s) to be covered by a search.) (If not paid, and Euro-PCT phase is entered, EPO will send another invitation under R.164 EPC.)
Date of notification	Deemed to be delivered on the 10th day following its handover to the postal service provider (R.126(2) EPC). <i>(This rule will be abolished from 1 Nov 2023, but you can still apply it in EQE 2024 if you indicate it.)</i>	Date on document , unless applicant proves that document was received more than 7 days from that date (R.80.6 PCT).
Amount applicable in case of fee increase	Due date is irrelevant; the date of payment is set as the relevant date for determining the amount of the fees (GL A-X 5.1.2) -> If due date is 15 March, and there is a fee increase on 1 April, and the fee is only paid 10 April, the new, increased fee is payable.	For filing, search, transmittal and additional search fee: Date of receipt of PCT application is relevant ; actual date of payment is not relevant. (R.14.1(c), R.15.3 and R.40.2 PCT) -> If date of receipt is 15 March, and there is a fee increase on 1 April, and the fee is only paid 10 April, the old fee is payable.
Third party observations	Although lack of novelty and/or inventive step are the most common, third-party observations may also be directed to clarity (Art. 84), sufficiency of disclosure (Art. 83), patentability (Art. 52, 53 or 57) and unallowable amendments (Art. 76, 123). (GL E-VI 3.)	Can only relate to novelty and/or inventive step (AG-IP 11.109).