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WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

**INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)**

**MEETING OF INTERNATIONAL AUTHORITIES
UNDER THE PATENT COOPERATION TREATY (PCT)**

Tenth Session

Geneva, September 13 to 15, 2004

ELECTRONIC EXCHANGE OF DOCUMENTS

Document prepared by the International Bureau

1. Part 7 of the Administrative Instructions Under the PCT, providing instructions relating to the electronic filing and processing of international applications, came into effect as of January 7, 2002. As regards the electronic filing of international applications, in the first half of 2004, 8% of international applications were filed in electronic form, with the proportion rapidly increasing.
2. However, as yet, the electronic processing of international applications, whether filed in electronic form or in paper form, is fairly limited, in particular, as regards the exchange of documents in electronic form between the receiving Offices, the International Authorities and the International Bureau. For example, no International Searching Authority has yet notified the International Bureau in accordance with PCT Rule 89*bis*.1(d) that it is prepared to process international applications in electronic form. Consequently, in accordance with Section 713(c) of the Administrative Instructions, the search copies related to all international applications, including those which have been filed in electronic form, are sent on paper to the International Searching Authorities.

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3. Other communications of documents which often exist in electronic form but which are usually printed out and sent on paper (and often then converted back into electronic form by way of scanning) include:

(i) international search reports and international preliminary reports on patentability (Chapter II of the Patent Cooperation Treaty) (PCT/MIA/10/7, paragraphs 10 to 12);

(ii) priority documents requested under PCT Rules 43*bis*.1(b) and 66.7 (PCT/MIA/10/6, Annex II); and

(iii) the various Forms which are used to pass information and requests between the International Bureau and the International Authorities.

4. In order to make the PCT system as a whole more efficient, it would be desirable if international applications, whether filed in electronic form or in paper form, could increasingly be processed in electronic form and exchanged in electronic form between the International Bureau and International Authorities.

5. Consultations are expected to begin shortly on modifications of the Administrative Instructions to extend the provisions on electronic processing of applications to cover international applications which were filed on paper and subsequently converted (by way of scanning) into electronic form, and to liberalize the standards so that Offices are better able to exchange PCT documents electronically in any format and by any means of transmittal acceptable to both the sender and the receiver. This will allow procedural and technical arrangements to be agreed bilaterally between the International Bureau and any Authority wishing to make use of electronic communication of documents in the near future.

6. The International Bureau will make a presentation concerning the systems which are available and under development for the secure electronic transfer of documents between the International Bureau and International Authorities.

7. The Meeting is invited to consider what further steps may be required to promote electronic exchange of documents between the International Bureau and the International Authorities.

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