

# **International Search and International Preliminary Examination**

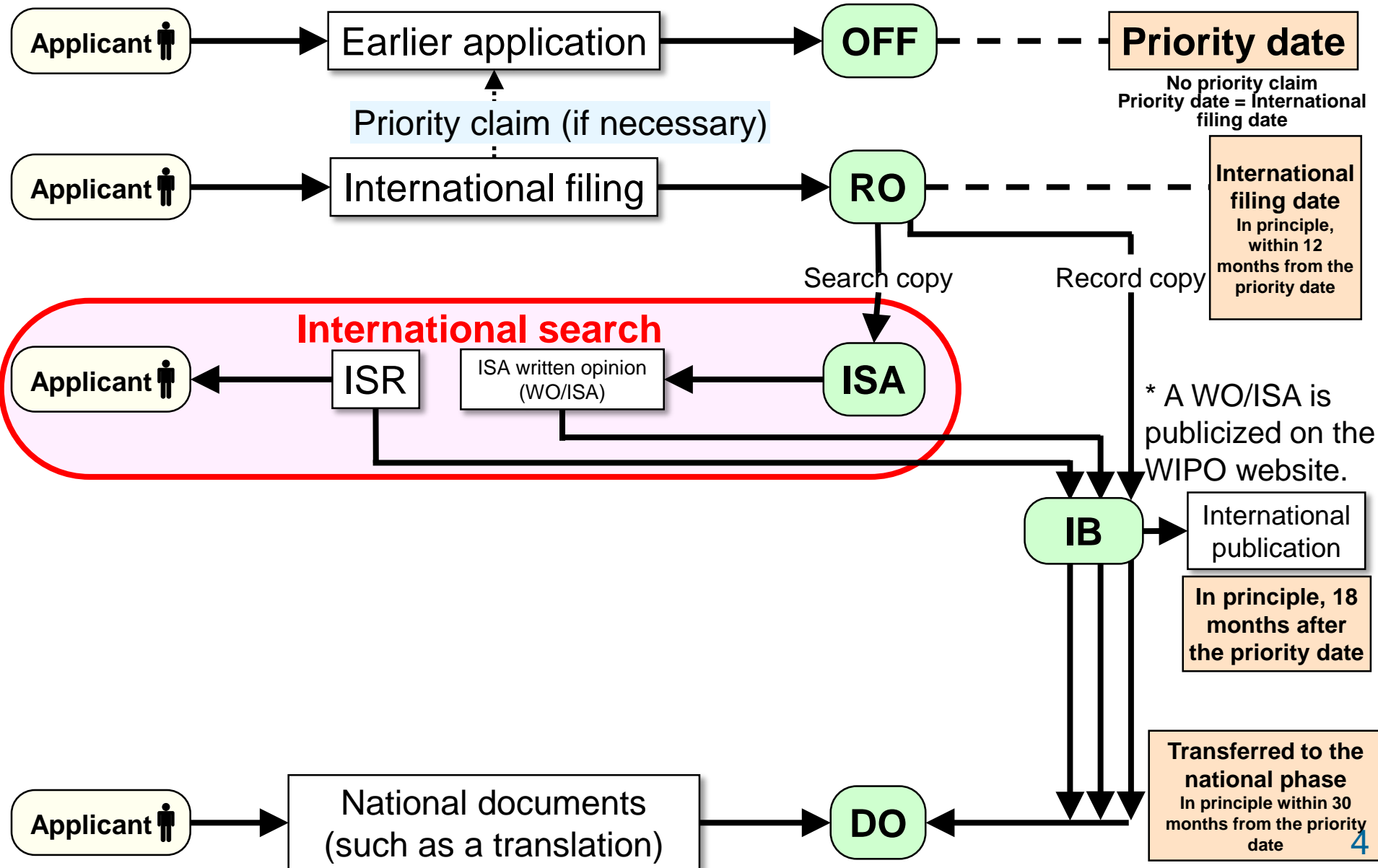
**December 2018  
Japan Patent Office**

1. Overall procedure for PCT applications
2. What is International Search?  
Opinion on novelty and an inventive step  
Functions of a written opinion
3. What is International Preliminary Examination?  
Opinion based on the amendments
4. How to read an international search report (ISA/210)  
Sample
5. How to read a written opinion (ISA/237)
6. How to read an international preliminary examination report (IPEA/409)
7. PCT Handbook

# 1. OVERALL PROCEDURE FOR PCT APPLICATIONS

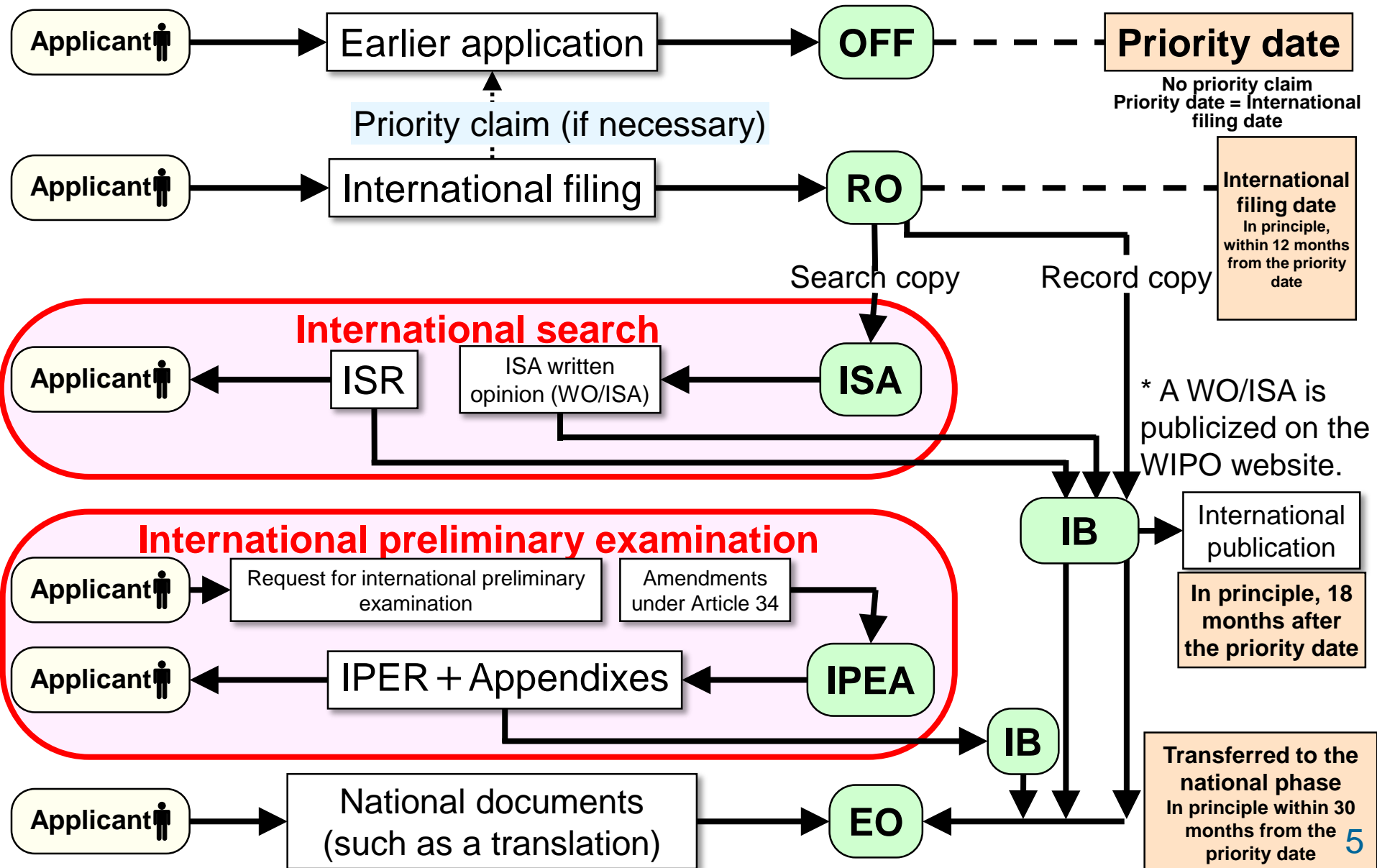
# Overall procedure for PCT applications

(if the applicant requests international preliminary examination)

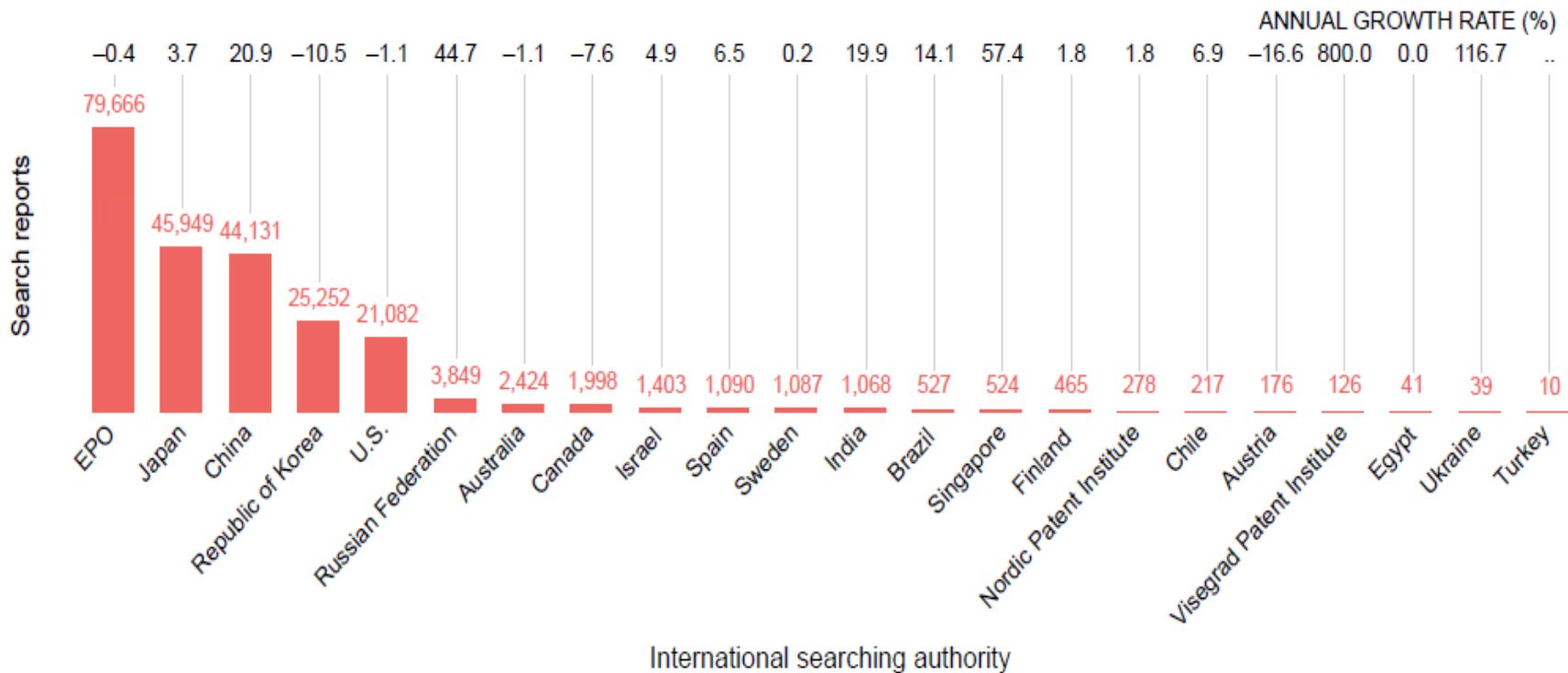


# Overall procedure for PCT applications

(if the applicant requests international preliminary examination)



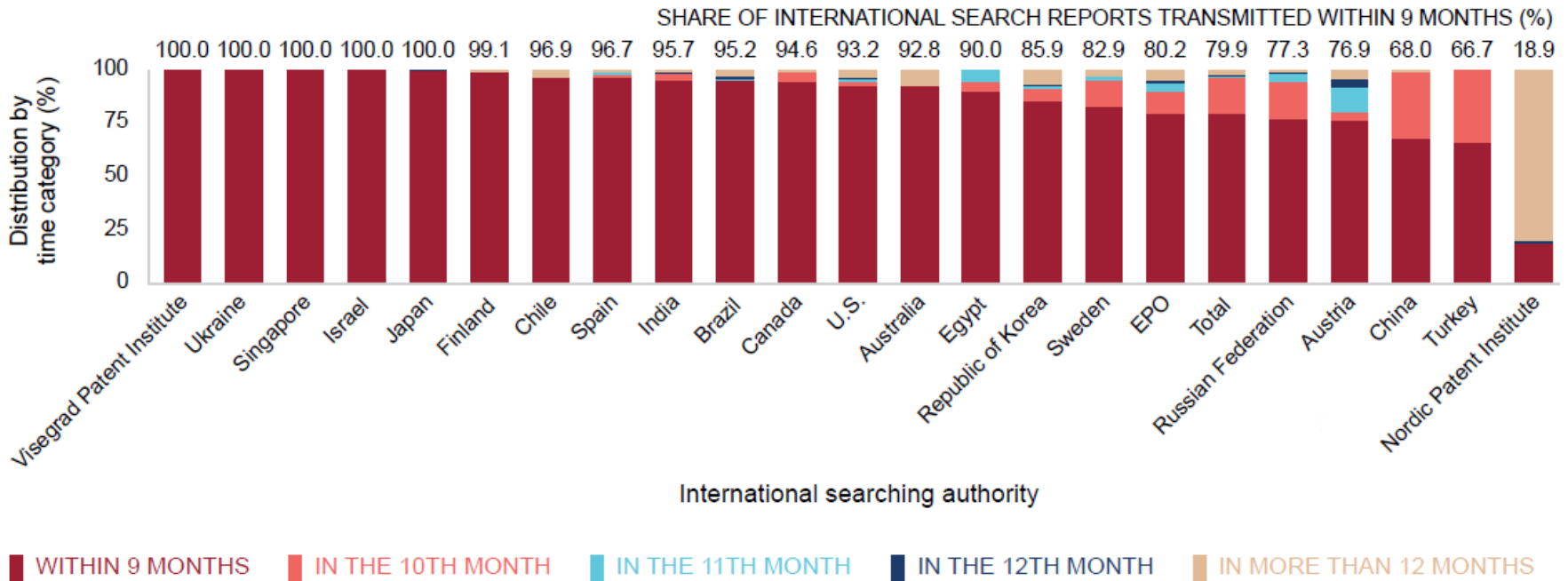
Japan issued more than 45,000 international search reports in 2017.  
 Japan established 19.9% of all ISRs in 2017.



n.a. indicates not applicable.

Source: WIPO Statistics Database, March 2018.

In 2017, the JPO transmitted all ISRs to the IB within the time limit of 9 months from the priority date.



## (1) Types of amendment

- Amendment under Article 19
  - The applicant may make an amendment **to the claims only once** after receiving an ISR.
  - Amendment period: a period until two months after the dispatch of an ISR or 16 months after the priority date, whichever comes later
  - Amendment method: By filing amendments with the IB
  - Restrictions on amendment: Amendments may be made only to the information presented in the description, claims, and drawings as of the time of filing of the international application.
- Amendment under Article 34
  - An applicant who requests international preliminary examination may make amendments to **the description, claims, or drawings** within the prescribed period of time.
  - Amendment period: a period from the time of filing of a request for international preliminary examination until the commencement of the preparation of an IPER or a period prescribed by an examiner for the applicant to submit a written reply.
  - Restrictions on amendment: Amendments may be made only to the information presented in the description, claims, and drawings as of the time of filing of the international application.



## (2) Amendment procedure

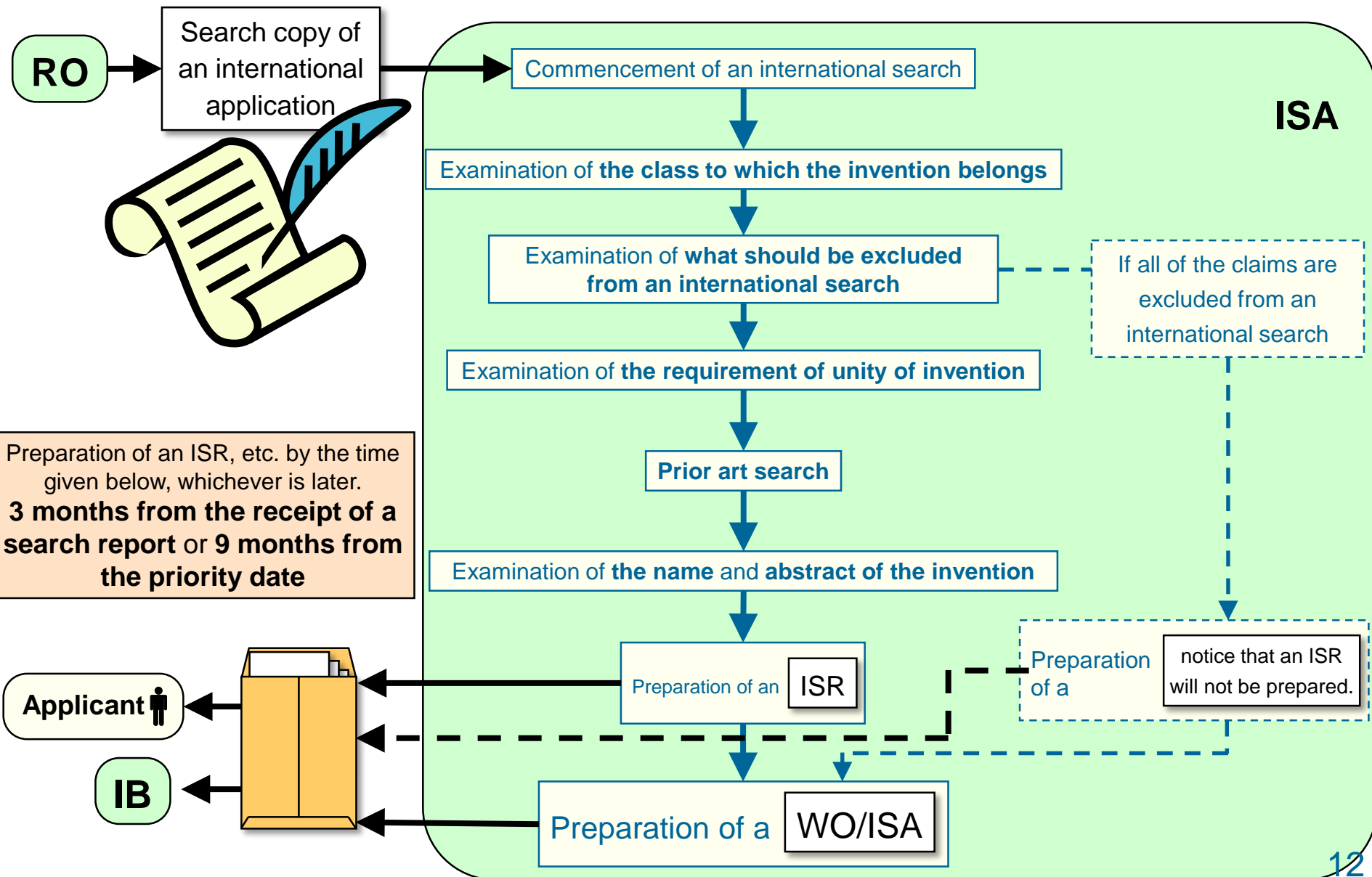
- **Replacement sheets** will be used to make amendments.
- Those sheets need to be numbered. For example, if Sheet 19 is amended and expanded to three sheets, those sheets must be numbered as 19, 19/1, 19/2 (the sheet number 19 would not disappear). If the applicant cancels an entire sheet, the applicant does not have to submit a replacement sheet, but needs to state to that effect on a cover letter (the cover sheet of written amendments).
- If amendments are made to the claims, **the replacement sheet(s) covering the entire set of claims** should be submitted.
- If amendments are made to any section other than the claims, the replacement sheet(s) covering only the amended sheet(s) should be submitted.

## **2. WHAT IS INTERNATIONAL SEARCH?**

**Objective:** To discover **relevant prior art**, in other words, the prior art which is relevant for the purpose of determining whether the claimed invention has novelty or an inventive step (Article 15 (2), Article 18 (1), Rule 33.1 (a))

- Upon receipt of a search copy from the RO, the ISA will conduct an international search and prepares an **ISR (ISA/210)** and a **WO/ISA** and sends them to the applicant and the IB.
- **ISR (ISA/210)** should list the documents disclosing the aforementioned relevant prior art (Rule 43.5 (a)).
- The ISA must also prepare a **WO/ISA (ISA/237)** in addition to an ISR and state its opinion as to whether the claimed invention has novelty, inventive step, and industry applicability and its opinion on other requirements (Rule 43bis. 1 (a)).

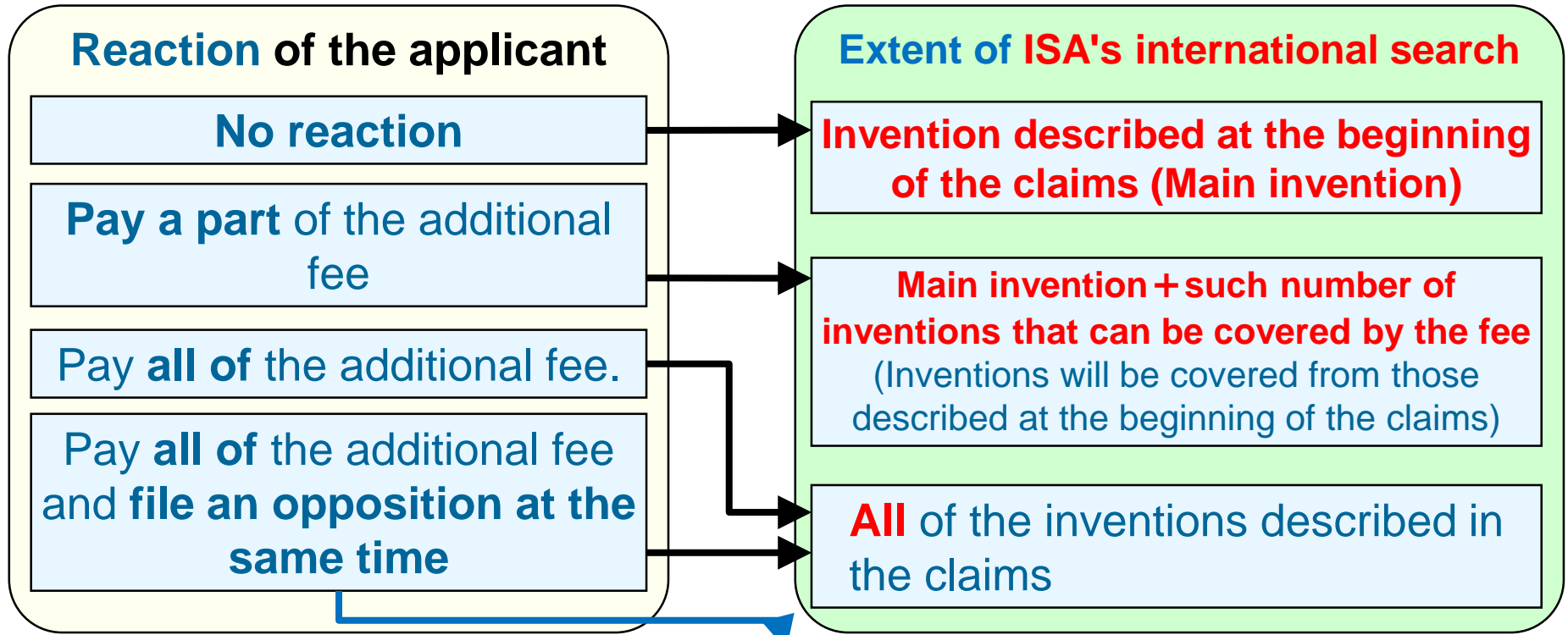
# Basic procedure of international search



# Unity of invention in an international search

If an international application does not satisfy **the requirement of unity of invention**, the ISA would request the applicant to pay an **additional fee**.

→ If the applicant does not comply with the request, the **ISA would conduct only a part of an international search.**



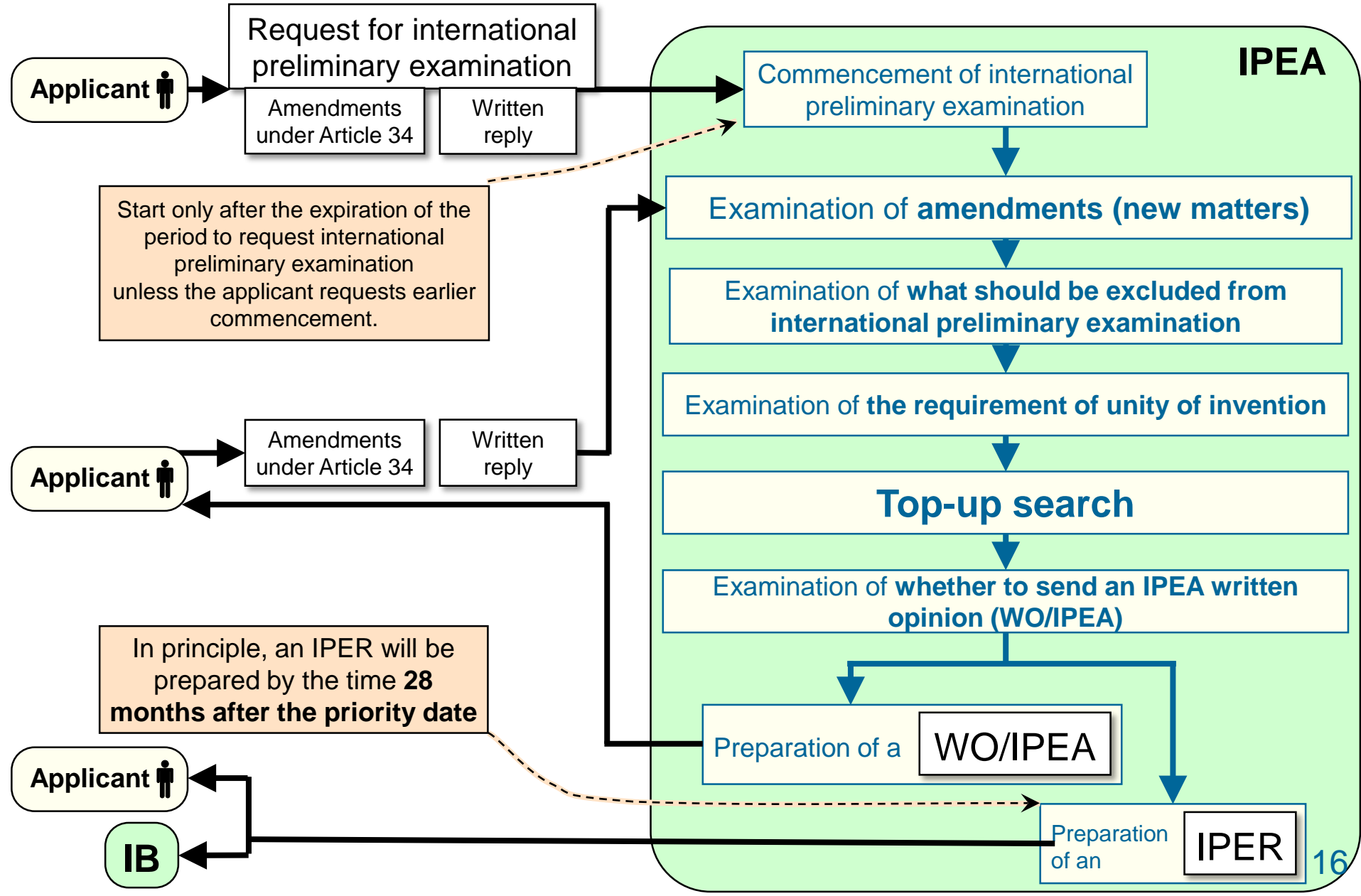
**If an opposition against a request for payment of an additional fee is filed**  
→ **A panel of three examiners** will examine the opposition and make a **decision**.  
(If the panel makes a decision that all or a part of the additional fee should be returned, the applicant needs to follow the procedure for return of the fee.)

# **3. WHAT IS INTERNATIONAL PRELIMINARY EXAMINATION?**

**Objective:** To formulate a **preliminary and non-binding opinion** on the questions as to whether the claimed invention appears to be novel, to involve an inventive step and to be industrially applicable (Article 32 (1), Article 33 (1), and Article 35 (1)).

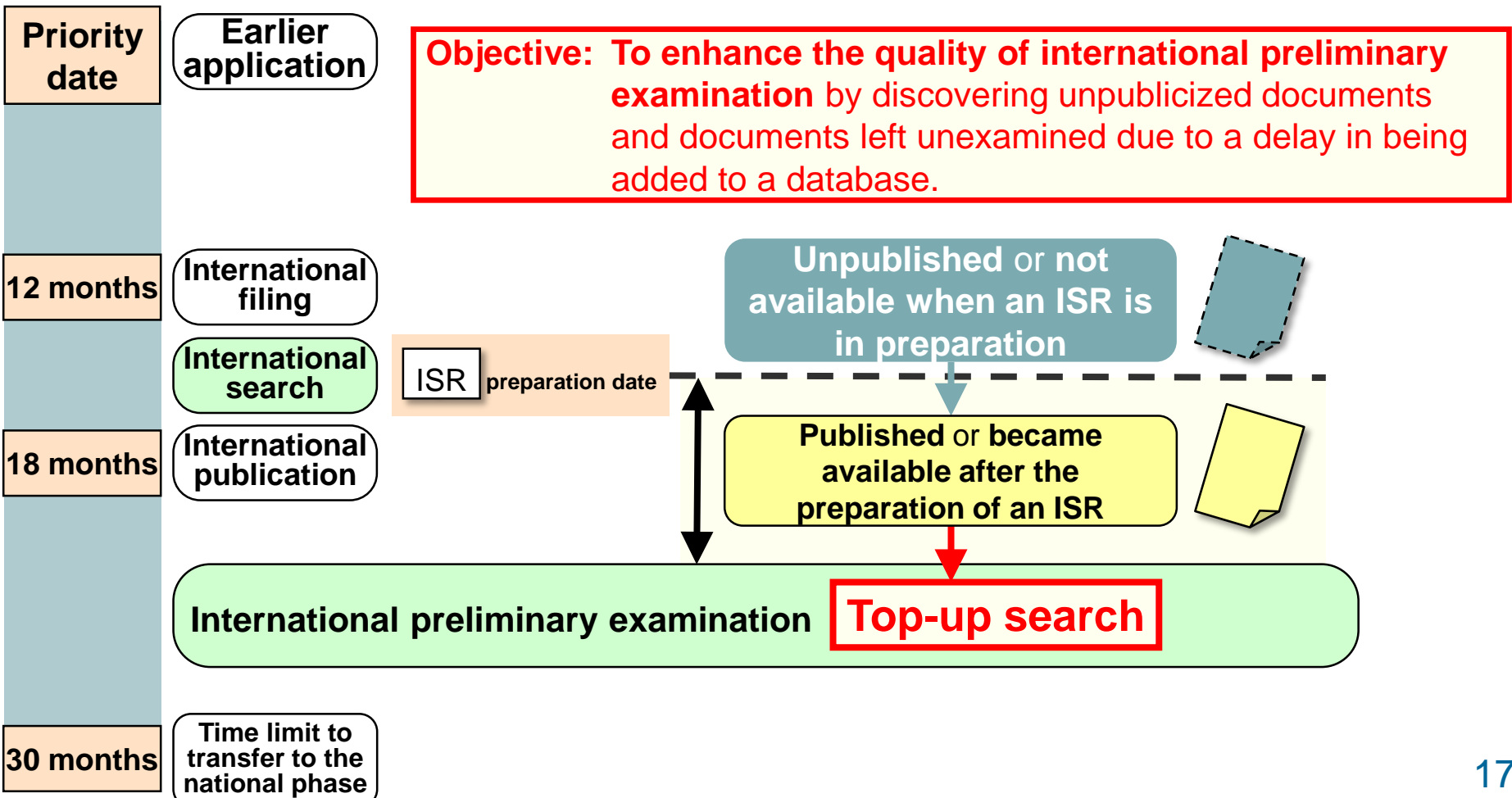
- International preliminary examination is conducted when an applicant filed a request with the IPEA.
  - ✓ An applicant can decide whether to file a request.
  - ✓ An applicant is permitted to make amendments under Article 34.
  - ✓ An applicant is permitted to submit a written reply.
- The IPEA prepares an **IPEA/409** and sends it to the applicant and the IB.
- An IPEA must state, in relation to each claim, whether the claim appears to satisfy the criteria of novelty, inventive step, and industrial applicability, and also satisfy other requirements (Article 35 (2))

# Basic procedure of international preliminary examination





## Top-up search: Search for documents that were issued or became available for an IPEA search after the ISR preparation date



# **4. HOW TO READ AN INTERNATIONAL SEARCH REPORT (PCT/ISA/210)**

## List of sheets constituting an ISR

Sheet	Main description	Conditions for employment
First sheet	<ul style="list-style-type: none"> <li>• Bibliographic items</li> <li>• Basis of the ISR</li> <li>• Examiner's determination about the title of invention, abstract and drawings</li> </ul>	Always employed.
Continuation of the first sheet (1)	<ul style="list-style-type: none"> <li>• Sequence listing used as a basis for the international search (Box No. I)</li> </ul>	Employed where nucleotide or amino-acid sequence is disclosed in the international application.
Continuation of the first sheet (2)	<ul style="list-style-type: none"> <li>• Claims <b>excluded</b> from international search (Box No. II)</li> <li>• Observations of an examiner who determined that the requirement of unity of invention is not satisfied (Box No. III)</li> </ul>	Employed where specified claims are excluded, or when determining that requirement of unity of invention is not satisfied.
Continuation of the first sheet (3)	Abstract written by the examiner (Box No. IV)	Employed where examiner has established the abstract.
Second sheet	<ul style="list-style-type: none"> <li>• Classification of the technical field to which the invention pertains</li> <li>• Field covered by the search</li> <li>• <b>Documents considered to be relevant</b></li> </ul>	Always employed.
Continuation of the second sheet	<ul style="list-style-type: none"> <li>• <b>Documents considered to be relevant</b> (continuation)</li> </ul>	Employed where all citation documents cannot be written in Box C of the second sheet.
Patent family annex	<ul style="list-style-type: none"> <li>• Information related to patent family members</li> </ul>	Employed where all the information on patent family members of citation documents is provided in an annex.
Extra sheet	<ul style="list-style-type: none"> <li>• Continuation of any other sheet</li> <li>• The claims for which the scope of an international search was limited</li> </ul>	Employed where the continuation of any other sheet is stated, or when the scope of the search for particular claims are limited, and so on.

## If certain claims are excluded

- If a checkmark is placed in Item 2 of the first sheet of the ISR, necessary information would be inserted into Box No. II of the continuation sheets of the first sheet.

### Example

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claim No.: 1

because they relate to subject matter not required to be searched by this Authority, namely:

Claim 1 is about a calculation method and related to a scientific or mathematical theory. Such matter does not need to be subject to a search conducted by this International Searching Authority under Article 17 (2)(a)(i) of the PCT and PCT Rule 39.1 (i).

2.  Claims Nos.:

because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

## Claims to be excluded

- If any of the following is included in a claim, such claim may be excluded.
  - (1) Matters that are not required to be covered by a search
    - (i) Scientific or mathematical theories
    - (ii) Schemes, rules or methods of doing business, performing purely mental acts or playing games,
    - (iii) Mere presentations of information
  - (2) An invention about which a **meaningful search could not be carried out** because the description, the claims, or the drawings fail to satisfy the description requirements
  - (3) An invention about which a meaningful search cannot be carried out because no sequence listing is available

**Example**

**International Patent Classification (IPC) of the field to which the invention belongs**  
**Fields covered by this survey, etc.**

**Cited document section**  
 → Explained in the next slide

**Completion date of international search**  
**ISA in charge of the international search**

**Date of sending an ISR**  
**Examiner in charge**

INTERNATIONAL SEARCH REPORT		International application No. PCT/JP2015/999999
<b>A. CLASSIFICATION OF SUBJECT MATTER</b>		
Int.Cl. H04M3/00(2006.01)i		
<b>B. FIELDS SEARCHED</b>		
Minimum documentation searched (classification system followed by classification symbols)		
Int.Cl. H04M3/00		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched <small>Published examined utility model applications of Japan 1922-1996                  Published unexamined utility model applications of Japan 1971-2015                  Registered utility model specifications of Japan 1996-2015                  Published registered utility model applications of Japan 1994-2015</small>		
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)		
WPI & Keywords: lithium, battery, mobile		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2010/876543 A1 (XX CO., LTD.)	1-7
Y	2010.07.15, paragraphs [0020] to [0025], Fig. 7	9-10
A	& JP 2010-555555 A & US 2010/9876543 A1 & EP 9988776 A1	11-20
Y	JP 8-799999 A (XX INCORPORATED) 1996.06.25, paragraphs [0040] to [0055], Fig. 1 & CN 8999999 A & KR 10-0699999 B1	9-10
Y	JP 3333333 U (XX SANGYO CO., LTD.) 2014.01.16, paragraphs [0006] to [0016], Figs. 1-2 (Family: none)	10
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex.		
<small>* Special categories of cited documents:                      "A" document defining the general state of the art which is not considered to be of particular relevance                      "E" earlier application or patent but published on or after the international filing date                      "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)                      "O" document referring to an oral disclosure, use, exhibition or other means                      "P" document published prior to the international filing date but later than the priority date claimed                      "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention                      "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone                      "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art                      "&amp;" document member of the same patent family                 </small>		
Date of the actual completion of the international search 25.04.2015		Date of mailing of the international search report
Name and mailing address of the ISA/JP <b>Japan Patent Office</b> 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan		Authorized officer <b>SHINSAKI, Jun</b> Telephone No. +81-3-3581-1101 Ext. ****

# Cited document section of an ISR

## Example

C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2010/876543 A1 (XX CO., LTD.)	1-7
Y	2010.07.15, paragraphs [0020] to [0025], Fig. 7	9-10
A	& JP 2010-555555 A & US 2010/9876543 A1 & EP 9988776 A1	11-20
Y	JP 8-799999 A (XX INCOPORATED) 1996.06.25, paragraphs [0040] to [0055], Fig. 1 & CN 8999999 A & KR 10-0699999 B1	9-10
Y	JP 3333333 U (XX SANGYO CO., LTD.) 2014.01.16, paragraphs [0006] to [0016], Figs. 1-2 (Family: none)	10

Further documents are listed in the continuation of Box C.       See patent family annex.

**Category of the cited document**

→ Explained later

**Name of the cited document**

→ Explained in the next slide

**Relevant claim No.**

→ Explained later

# Indication of the cited documents (patent documents) in an ISR

## Document No.

## Applicant or inventor

Publishing company

No.

Type of document

In parentheses

Example

WO 2010/876543 A1

(XX CO., LTD.)

2010.07.15, paragraphs [0020] to [0025], Fig. 7

& JP 2010-555555 A & US 2010/9876543 A1

& EP 9988776 A1

Publication date

Important part of the document

## Patent-family document

Start with "&" as a mark to indicate a patent-family document  
Specify the **important part of at least one patent-family document written in English.**



Example

C. DOCUMENTS CONSIDERED	
Category*	Citation of
X	WO 2010/870
Y	2010.07.15,
A	& JP 2010-5
	& EP 998877

Example

Relevant passages	Relevant to claim No.
	1-7
Fig. 7	9-10
	11-20

## Cited document categories

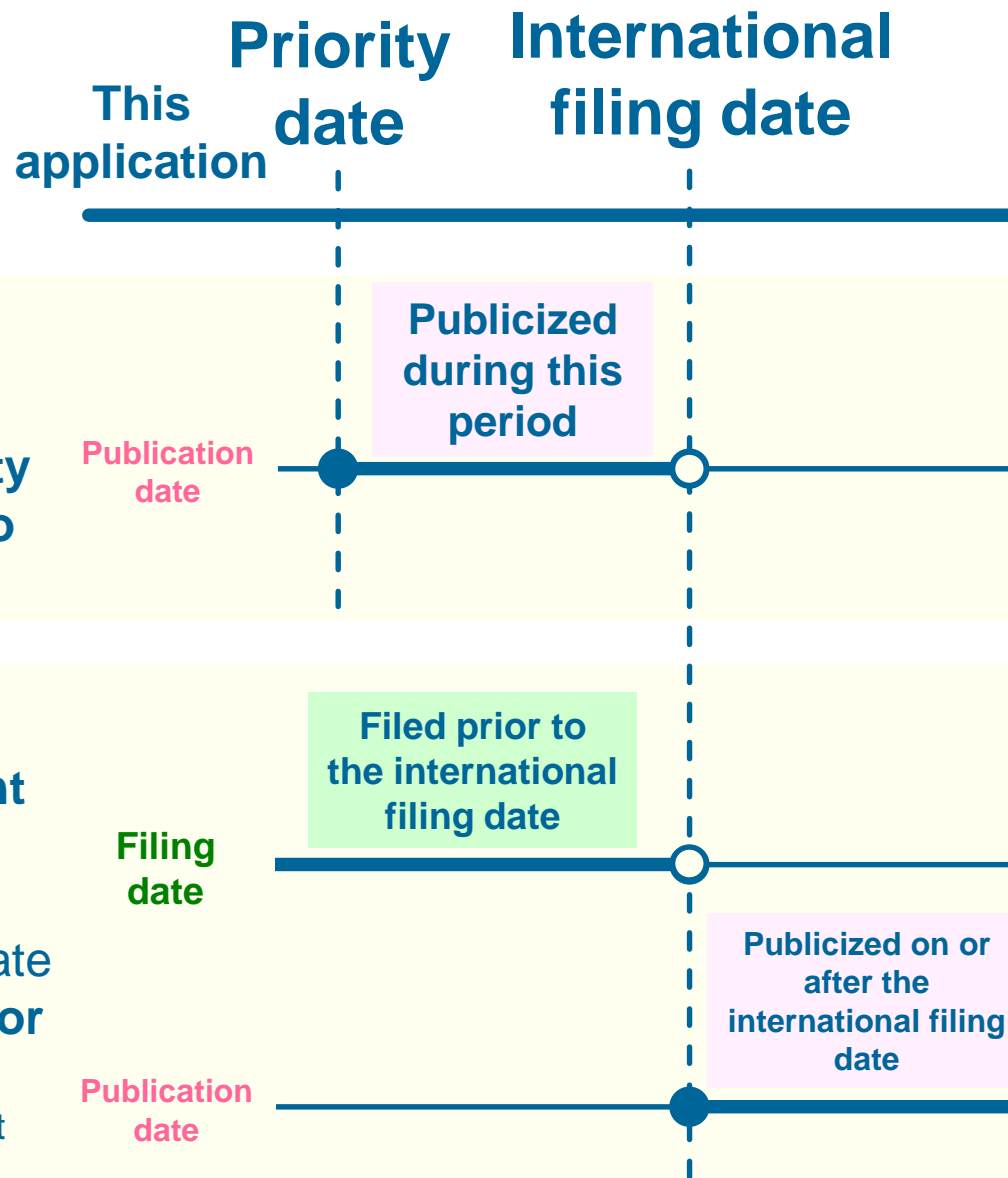
**X:** A single document proves non-existence of novelty and inventive step

**Y:** A combination of documents prove non-existence of inventive step

**A:** This document shows a general technical standard.

**Relevant claim No.** ... Specify for each category

In the case of this example, Claim 1-7 → X, Claim 9-10 → Y, Claim 11-20 → A



## ● Category P

The **publication date** of the cited document is **on or after the priority date** of this application and **prior to the international filing date**

## ● Category E

The **filing date\*** of the cited patent document is **prior to the international filing date** of this application, while the publication date of the cited patent document is **on or after the international filing date**.

\* the priority date if the cited patent document claims priority

# 5. HOW TO READ A WRITTEN OPINION (PCT/ISA/237)

## List of sheets constituting a WO/ISA

Sheets	Main description	Conditions for employment
Cover sheet	Bibliographic items	Always employed.
Box No. I	Basis of the opinion	Always employed.
Box No. II	Determination of priority claim	Employed for the particular matters to be pointed out with regard to the priority claim if any.
Box No. III	Grounds for non-establishment of opinion with regard to novelty, inventive step and industrial applicability	Employed where particular claims are excluded from international search.
Box No. IV	Observations with regard to unity of invention	Employed where a notice ISA/206 is sent as an intermediate invitation, or where a notice ISA/206 is not sent, but it is determined that the requirement of unity of invention is not satisfied when preparing an ISR.
Box No. V	Reasoned statement with regard to novelty, inventive step, etc. citations supporting such statement and explanations	Normally employed, but not employed where a notice ISA/203 (decision to not prepare an ISR) is prepared.
Box No. VI	Certain documents cited	Employed where Document "E" or "O" in the WO/ISA is cited.
Box No. VII	Defects in the form or content	Employed where defects in the form or contents is pointed out.
Box No. VIII	Violation of the description requirements involving "important and relevant issues"	Employed where a violation of the description requirements involving "significant and pertinent issues" is pointed out.
Supplementary box	Supplement for other sheets	Employed where the continuation of any other sheet is described.

- Prepare at **the same time as an ISR**
- Present **ISA's opinion** on the **novelty, inventive step, and industry applicability** of the claimed invention
- **Relationship with international preliminary examination**
  - If international preliminary examination is not requested
    - The IB prepares "**International Preliminary Report on Patentability (Chapter 1 of the PCT)**" (**IPRP (I)**), which contains the same information as the WO/ISA, and sends it to each DO.
  - If international preliminary examination is requested
    - A WO/ISA would be deemed as a WO/IPEA in international preliminary examination
    - An IPRP (I) will be neither prepared nor sent based on the WO/ISA
    - Instead, the IB prepares an IPER as an "**International Preliminary Report on Patentability (Chapter 2 of the PCT)**" (**IPRP (II)**) and sends it to each EO.

## Example

### Opinion

Examine each claim and indicate the existence or non-existence of novelty, inventive step, industry applicability

### Indicate the cited documents

The same as an ISR

### Explanation

State the **reasons** for finding the existence or non-existence of novelty, etc.

- To prove the non-existence of novelty or inventive step, describe the technical features of the prior art to provide grounds.
- To prove the existence of novelty or inventive step, present the prior art that provides grounds and describe the grounds in detail.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY		International application No.
Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		PCT/JP2015/999999
1. Statement		
Novelty (N)	Claims 9-20	YES
	Claims 1-7	NO
Inventive step (IS)	Claims 11-20	YES
	Claims 1-7, 9-10	NO
Industrial applicability (IA)	Claims 1-7, 9-20	YES
	Claims	NO
2. Citations and explanations:		
D1: WO 2010/876543 A1 (XX CO., LTD.) 2010.07.15, paragraphs [0020] to [0025], Fig. 7 & JP 2010-55555 A & US 2010/9876543 A1 & EP 9988776 A1 &		
D2: JP 8-799999 (XX INCORPORATED) 1996.06.25, paragraphs [0040] to [0055], Fig. 1 & CN 8999999 A & KR 10-0699999 B1		
D3: JP 3333333 U (XX SANGYO CO., LTD.) 2014.01.16, paragraphs [0006] to [0016], Figs. 1-2 (Family: None)		
D4: US 2014/777777 A1 (XX KABUSHIKI KAISHA) 2014.02.20, paragraphs [0010] to [0020], Fig. 1 & JP 2014-987321 A		
D5: CD-ROM of the specification and drawings annexed to the request of Japanese Utility Model Application No.12222/1992 (Laid-open No.23333/1993) (XX INDUSTRY CORP.) 1993.10.19, whole document, Figs. 1-3 (Family: None)		
The subject matter of claim 1 is .....		
D1 cited in the ISR describes .....		

# **6. HOW TO READ A REPORT OF THE INTERNATIONAL PRELIMINARY EXAMINATION (PCT/IPEA/409)**

## List of sheets constituting a WO/IPEA or IPER

Sheets	Main description	Conditions for employment
Cover sheet	Bibliographic items	Always employed.
Box No. I	<ul style="list-style-type: none"> <li>• Basis of the opinion or report</li> <li>• Result of the Top-up search (only for an IPER)</li> </ul>	Always employed.
Box No. II	Determination of priority claim	Employed for the particular matters to be pointed out with regard to the priority claim if any.
Box No. III	Grounds for non-establishment of opinion with regard to novelty, inventive step, etc.	Employed where particular claims are excluded.
Box No. IV	Observations with regard to unity of invention	Employed where a notice IPEA/405 is sent as an intermediate invitation, or a notice IPEA/405 is not sent but it is determined that the requirement of unity of invention is not satisfied when preparing a WO/IPEA or IPER.
Box No. V	Reasoned statement with regard to novelty, inventive step, etc. citations supporting such statement and explanations	Normally employed, but not employed where all of the claims are excluded from the international preliminary examination.
Box No. VI	Certain documents cited	Employed where Document "E" or "O" in the WO/IPEA or IPER is cited.
Box No. VII	Defects in the form or content	Employed where deficiency in the form or contents is pointed out.
Box No. VIII	Violation of the description requirements involving "important and relevant issues"	Employed where a violation of the description requirements involving "important and relevant issues" is pointed out.
Supplementary box for sequence listing	Basis of the opinion regarding sequence listing	Employed where the international application contains nucleotide and/or amino acid sequence.
Supplementary box	Supplement for other sheets	Employed where the continuation of any other sheet is described.



Example

**Box No. V**  
**Opinion regarding novelty, inventive step, and industrial applicability**  
 → The same format is used to prepare a WO/ISA, WO/IPEA, and IPER  
 In a WO/IPEA and IPER, an **explanation** is presented in consideration of the content of the **written reply**.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY		International application No. PCT/JP2013/888888
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement		
<b>Opinion</b>		
1. Statement		
Novelty (N)	Claims 1, 3-7, 11- Claims _____	
Inventive step (IS)	Claims 14-15 Claims 1, 3-7, 11-	
Industrial applicability (IA)	Claims 1, 3-7, 11-15	YES NO
<b>Indication of the cited documents</b>		
2. Citations and explanations (Rule 70.7)		
D1: US 2005/777777 A1 (SMITH 2005.06.15, paragraphs [ & JP2005-987654 A & CN 8888888 A		
D2: EP 9999999 A1 (XX CO., L/ 2010.12.15, Claim 1, Fig & US 2008/9999999 A1		
D3: Microfilm of the specific of Japanese Utility Model 24444/1987) (ABC CO., LT page 7, line 10 to page (Family: none)		
<b>Explanation</b>		
The subject matter of claim 1 is....		
D1 cited in the ISR disclos		
D2 discovered in the top-up search discloses.....		
Form PCT/IPEA/409 (Box No. V) (January 2015)		

## (2) Basis of the written opinion and report

### Example

### IPER Box No. I

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as “originally filed” and are not annexed to this report):

- the international application as originally filed/furnished, or
- the description: pages 1-9, 11-32 as originally filed/furnished.  
pages 10, 10/1, 10/2 received by this Authority on 03.08.2009  
pages 33-38 received by this Authority on 20.11.2009
- the claims: Nos. \_\_\_\_\_ as originally filed/furnished.  
Nos. \_\_\_\_\_ as amended (together with any statement) under Article 19  
Nos. 20 received by this Authority on 03.08.2009  
Nos. 1, 3-19 received by this Authority on 20.11.2009

- the drawings: pages 1-7  
pages \_\_\_\_\_  
pages \_\_\_\_\_
- Cancelled claim (Claim 2)
  - The latest amendments concerning all of the claims excluding the newly added claim (Claim 20) constitute the basis of the report

The same applies to Box No. I of a WO/IPEA.

## If an amendment cannot be found to satisfy the substantive requirements

- Place a checkmark in Item 4 of Box No. I and identify the part that cannot be found to satisfy the requirements. Also, describe the grounds for such finding in a supplementary box.

### Example

### IPER Box No. I

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since either they are considered to go beyond the disclosure as filed, or they were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in the Supplemental Box (Rules 70.2(c) and (c-bis)):
- the description, pages \_\_\_\_\_
  - the claim, No. 20 \_\_\_\_\_
  - the drawings, sheets/figs \_\_\_\_\_
  - the sequence listing (specify): \_\_\_\_\_

The same applies to Box No. I of a WO/IPEA.

## Correction of obvious mistakes and careful consideration of an SISR

### Example

### IPER Box No. I

5.  This report has been established:
- taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rules 66.1(d-bis) and 70.2(e)).
  - without taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91(Rules 66.4bis and 70.2(e)).
6. (Omitted)
7.  Supplementary international search report(s) from Authority(ies) \_\_\_\_\_ has/have been received and taken into account in establishing this report (Rule 45bis.8(b) and (c)).
- Place a checkmark in both boxes in the case where the IPEA permitted a correction of an obvious mistake or where a correction of an obvious mistake was notified to the IPEA, if such correction has been taken into consideration.

## The same applies to Box No. I of a WO/IPEA.

- No checkmark should be placed in Item 5 if the ISA permits correction of obvious mistakes.
- A supplementary international search is conducted under a system specified in PCT Rule 45bis. Under this system, an applicant who files a request with the IB can benefit from a supplementary international search by a supplementary international search authority (SISA). If a supplementary international search is conducted, the IB will send a supplementary international search report (SISR) to the IPEA. If such report is sent, the content of the report will be taken into consideration in international preliminary examination.

## Top-up search (only for an IPER)

Example

IPER Box No. I

6. With regard to top-up searches (Rules 66.1ter and 70.2(f)):

- (a) ->  A top-up search was carried out by this Authority on 31.07.2014
- (b) ->  Additional relevant documents have been discovered during the top-up search.
- (c) ->  No top-up search was carried out by this Authority because it would serve no useful purpose.

- (a) If a top-up search is conducted, check the box and state the date as follows.  
(If a top-up search is conducted multiple times, the latest date should be stated)
- If a search is conducted when a WO/IPEA is prepared: the date of preparing the WO/IPEA
  - If a search is conducted when an IPER is prepared: the date of preparing the IPER
- (b) Check the box if a document not cited in an ISR was discovered and cited in Box No. V or No. VI of an IPER.
- (c) Check the box if no top-up search was conducted (**if all of the claims are excluded from international preliminary examination**).

# 7. PCT HANDBOOK

- On October 1, 2015, the JPO newly prepared and publicized the "**Handbook for PCT International Search and Preliminary Examination in the Japan Patent Office**" (**PCT Handbook**) as detailed and comprehensive guidelines unique to Japan in order to explain, graphically when necessary, the procedure and criteria for PCT applications
- The Handbook is expected to encourage applicants to use the PCT system by increasing the transparency of JPO's practices under the international search and international preliminary examination systems and also expected to increase the trust of foreign patent offices in JPO's international searches and international preliminary examination.

- (1) **Graphic** explanation of the **overall PCT system** and the **examiner's workflow to conduct an international search and international preliminary examination**
  - (2) Explanation of the **documents** sent to an applicant in connection with an international search and international preliminary examination
  - (3) Explanation of the **examiner's determination criteria** in light of the "Examination Guidelines for Patent and Utility Model"
- 
- Available on the JPO website  
[http://www.jpo.go.jp/tetuzuki\\_e/t\\_tokkyo\\_e/pct\\_handbook\\_e.htm](http://www.jpo.go.jp/tetuzuki_e/t_tokkyo_e/pct_handbook_e.htm)

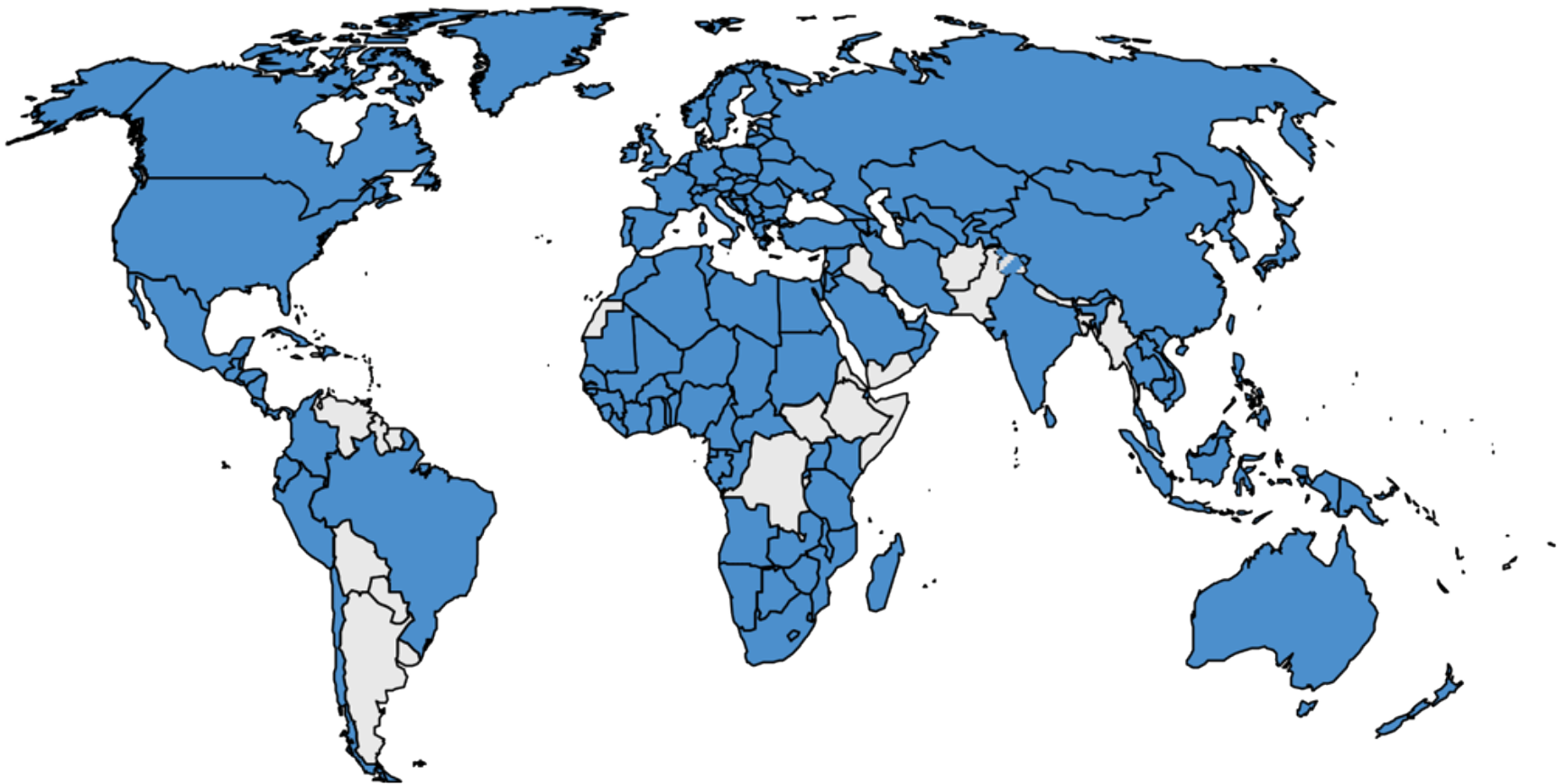


## Contents of the PCT Handbook

- The Handbook provides detailed information about the PCT

Chapter	Title	Contents
Chapter 1	Outline of the PCT System	Basic explanation
Chapter 2	International Search Work	Work related to international searches
Chapter 3	International Preliminary Examination Work	Work related to international preliminary examination
Chapter 4	Criteria for Substantive Requirements in the International Phase	Criteria to determine the satisfaction of the substantive requirements
Chapter 5	Other Work in the International Phase	Special work (e.g., an order to pay an additional fee)
Appendix A	Categories of Cited Documents	Definition, etc. of each category (X, Y, A, P, and E)
Appendix B	Manner for Identification of Cited Documents	Guidelines for presenting each type of cited documents (patent documents, books, etc.)
Appendix C	Decision of the Basis of the International Preliminary Examination in the Cases Where Amendments Have Been Made	Explanation of the case where an amendment fails to satisfy the substantive requirements and relevant examples
Appendix D	Case Examples of Annexes Attached to the IPER	Example cases where an appendix should be attached when an amendment is made

**Thank you for your attention.**



PCT Contracting States [Source: WIPO Website]