



Recent and Future Developments in the PCT System

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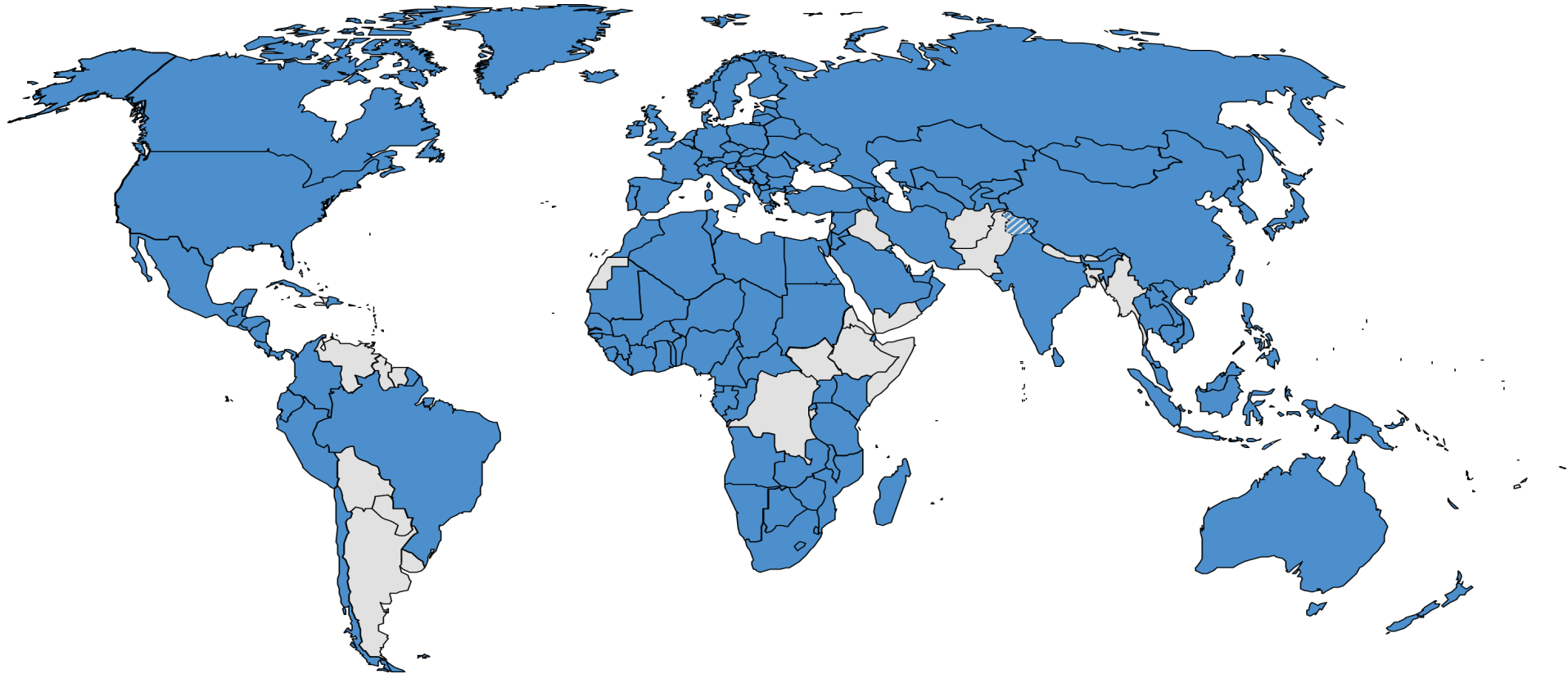
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The International
Patent System



Recent Statistics

PCT Coverage Today



PCT Contracting States (154)

States designated for regional protection and also, unless otherwise indicated, national protection

EA Eurasian Patent

AM Armenia
AZ Azerbaijan
BY Belarus
KG Kyrgyzstan
KZ Kazakhstan
RU Russian Federation
TJ Tajikistan
TM Turkmenistan

EP European Patent

AL Albania¹
AT Austria
* BE Belgium
BG Bulgaria
CH Switzerland
* CY Cyprus
CZ Czech Republic
DE Germany
DK Denmark
EE Estonia
ES Spain
FI Finland
* FR France
* GB United Kingdom
* GR Greece
HR Croatia¹
HU Hungary
* IE Ireland
IS Iceland

IT Italy²
LI Liechtenstein
* LT Lithuania
LU Luxembourg
* LV Latvia
* MC Monaco
MK North Macedonia¹
* MT Malta
* NL Netherlands
NO Norway
PL Poland
PT Portugal
RO Romania
RS Serbia¹
SE Sweden
* SI Slovenia
SK Slovakia
* SM San Marino
TR Turkey

* Regional patent only

1 Extension agreement continues to apply to applications filed before 1 January 2008 (for HR), 1 January 2009 (for MK), 1 May 2010 (for AL) or 1 October 2010 (for RS)

2 For international applications filed on or after 1 July 2020

PCT Contracting States (154) (continued)

States designated for regional protection and also, unless otherwise indicated, national protection

AP ARIPO Patent

BW	Botswana
GH	Ghana
GM	Gambia
KE	Kenya
LR	Liberia
LS	Lesotho
MW	Malawi
MZ	Mozambique
NA	Namibia
RW	Rwanda
SC	Seychelles (as of 01.01.2022)
SD	Sudan
SL	Sierra Leone
ST	Sao Tome and Principe
* SZ	Eswatini
TZ	United Republic of Tanzania
UG	Uganda
ZM	Zambia
ZW	Zimbabwe

OA OAPI Patent

* BF	Burkina Faso
* BJ	Benin
* CF	Central African Republic
* CG	Congo
* CI	Côte d'Ivoire
* CM	Cameroon
* GA	Gabon
* GN	Guinea
* GQ	Equatorial Guinea
* GW	Guinea-Bissau
* KM	Comoros
* ML	Mali
* MR	Mauritania
* NE	Niger
* SN	Senegal
* TD	Chad
* TG	Togo

* Regional patent only

PCT Contracting States (154) (continued)

States designated for national protection only except where otherwise indicated

AE	United Arab Emirates	ID	Indonesia	NI	Nicaragua
AG	Antigua and Barbuda	IL	Israel	NZ	New Zealand
AO	Angola	IN	India	OM	Oman
AU	Australia	IR	Islamic Republic of Iran	PA	Panama
* BA	Bosnia and Herzegovina	JM	Jamaica (as of 10.02.2022)	PE	Peru
BB	Barbados	JO	Jordan	PG	Papua New Guinea
BH	Bahrain	JP	Japan	PH	Philippines
BN	Brunei Darussalam	** KH	Cambodia	QA	Qatar
BR	Brazil	KM	Union of the Comoros	SA	Saudi Arabia
BZ	Belize	KN	Saint Kitts and Nevis	SC	Seychelles
CA	Canada	KP	Democratic People's Republic of Korea	SG	Singapore
CL	Chile	KR	Republic of Korea	ST	Sao Tome and Principe
CN	China	KW	Kuwait	SV	El Salvador
CO	Colombia	LA	Lao People's Democratic Republic	SY	Syrian Arab Republic
CR	Costa Rica	LC	Saint Lucia	TH	Thailand
CU	Cuba	LK	Sri Lanka	** TN	Tunisia
DJ	Djibouti	LY	Libya	TT	Trinidad and Tobago
DM	Dominica	** MA	Morocco	UA	Ukraine
DO	Dominican Republic	** MD	Republic of Moldova	US	United States of America
DZ	Algeria	* ME	Montenegro	UZ	Uzbekistan
EC	Ecuador	MG	Madagascar	VC	Saint Vincent and the Grenadines
EG	Egypt	MN	Mongolia	VN	Viet Nam
GD	Grenada	MX	Mexico	WS	Samoa
GE	Georgia	MY	Malaysia	ZA	South Africa
GT	Guatemala	NG	Nigeria		
HN	Honduras				

* Extension of European patent possible

** Validation of European patent possible

Countries not yet PCT Contracting States (39)

Afghanistan

Andorra

Argentina

Bahamas

Bangladesh

Bhutan

Bolivia

Burundi

Cabo Verde

Democratic Republic of Congo

Eritrea

Ethiopia

Fiji

Guyana

Haiti

Iraq

Kiribati

Lebanon

Maldives

Marshall Islands

Mauritius

Micronesia

Myanmar

Nauru

Nepal

Pakistan

Palau

Paraguay

Solomon Islands

Somalia

South Sudan

Suriname

Timor-Leste

Tonga

Tuvalu

Uruguay

Vanuatu

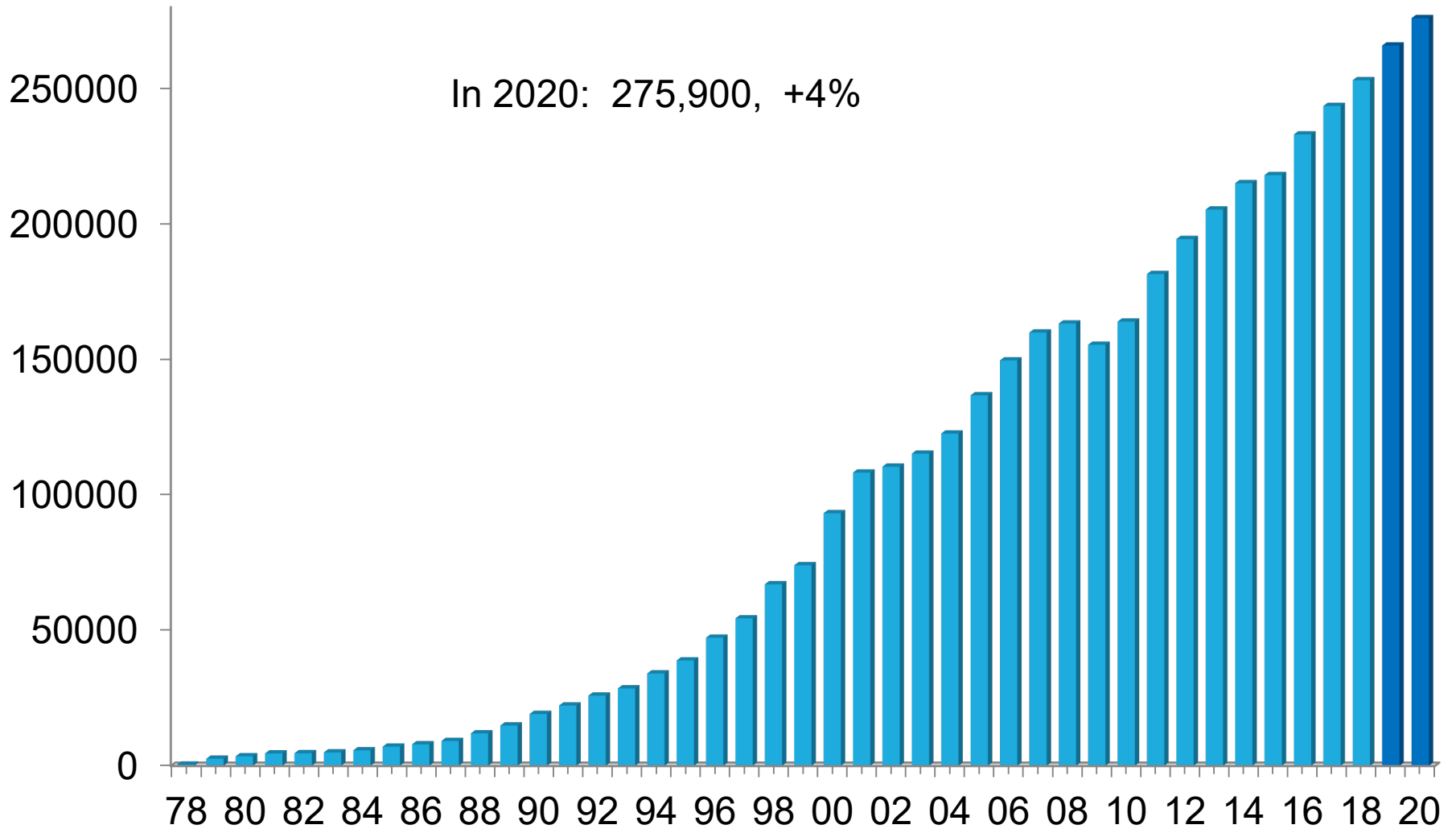
Venezuela

Yemen

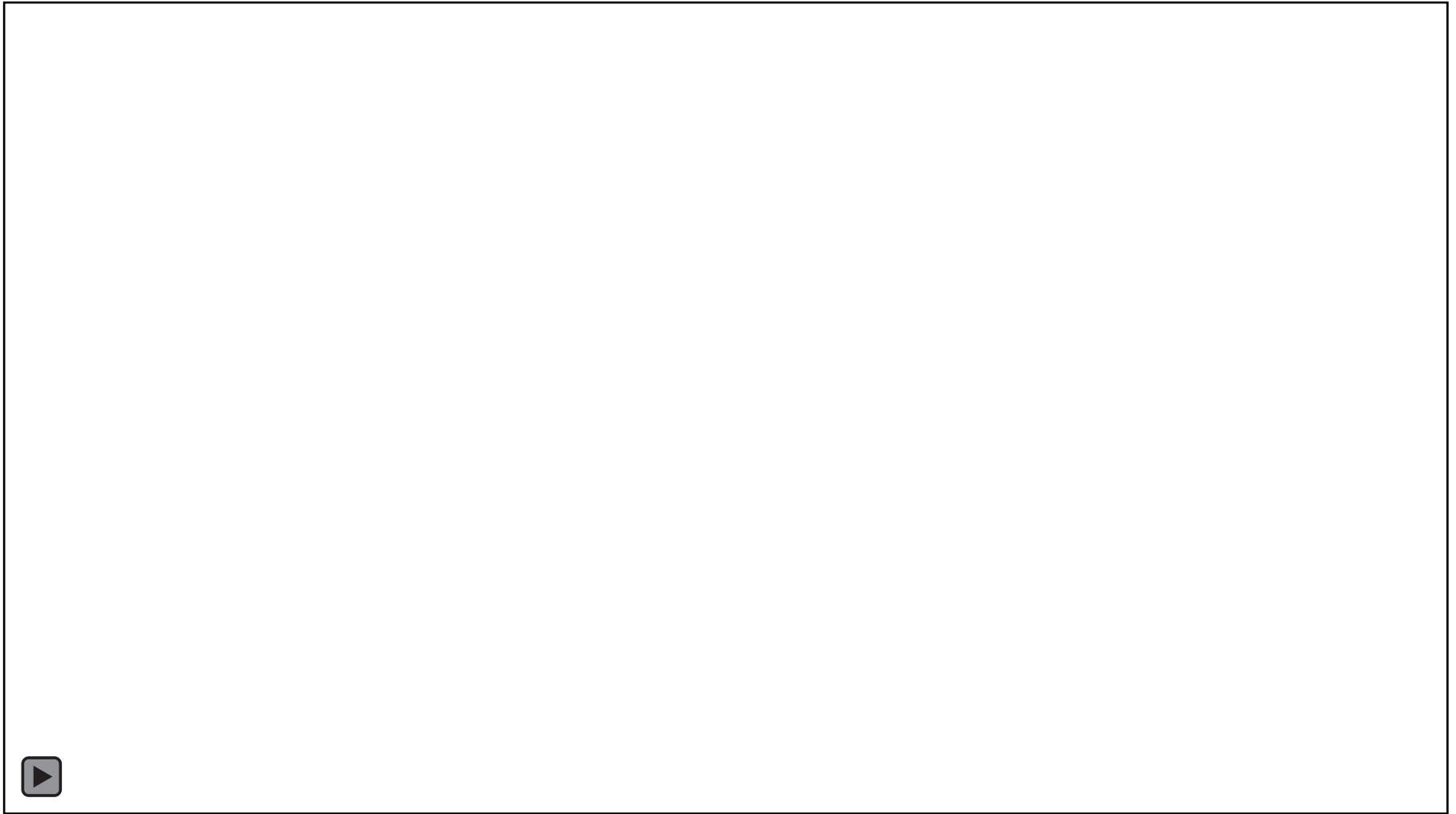
Current ISAs/IPEAs (24)

- AT – Austria
- AU – Australia
- BR – Brazil
- CA – Canada
- CL – Chile
- CN – China
- EG – Egypt
- ES – Spain
- FI – Finland
- IL – Israel
- IN – India
- JP – Japan
- KR – Republic of Korea
- PH – Philippines
- RU – Russian Federation
- SE – Sweden
- SG – Singapore
- TR – Turkey
- UA – Ukraine
- US – United States of America
- EP – European Patent Office
- XN – Nordic Patent Institute
(Denmark, Iceland, Norway)
- XV – Visegrad Patent Institute (VPI)
(Czech Republic, Hungary, Poland, Slovakia)
- EA – just appointed but not yet in operation

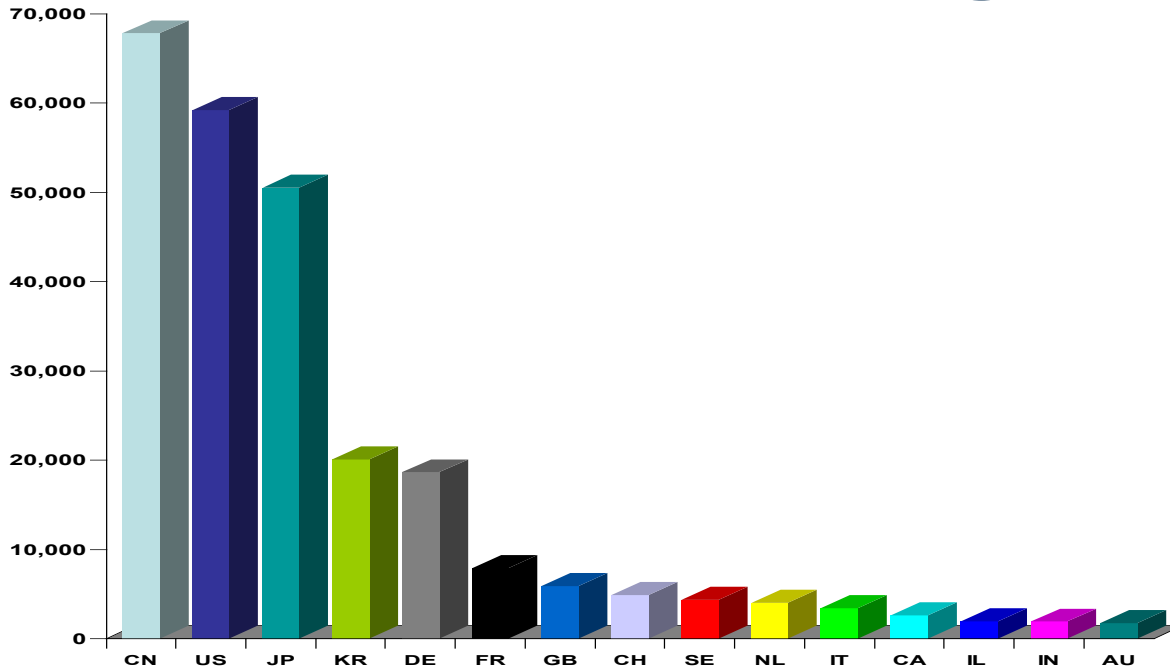
PCT Filings



PCT Filings by country 2001-2020



International applications in 2020 by country of origin



CN: +16.1%
KR: +5.2%
US: +3%

SA: +73.2%
MY: +26.2%
CL: +17%
SG: +14.9%
BR: +8.4%

Asia: 53.7%

- 25% originating in China, 21% in US, 18% in Japan
- 64% from the top 3 countries, 79% from top 5 countries, 93% of filings from top 15 countries
- https://www.wipo.int/multimedia-video/en/pressroom/services_top10_2020-720p.mp4

Top PCT applicants in 2020

1. Huawei Technologies—CN (5,464)
2. Samsung—KR (3,093)
3. Mitsubishi Electric—JP (2,810)
4. LG Electronics—KR (2,759) (+67.6%)
5. Qualcomm—US (2,173)
6. Ericsson—SE (1,989)
7. BOE Technology Group—CN (1,892)
8. Guang Dong Oppo Mobile Telecom—CN (1,801)
9. Sony—JP (1,793)
10. Panasonic—JP (1,611)
11. Hewlett-Packard—US (1,595)
12. Microsoft—US (1,529)
13. Bosch—DE (1,375)
14. LG Chem, Ltd.—KR (1,374)
15. Nippon Telegraph & Telephone—JP (1,372)

*() of published
PCT applications*

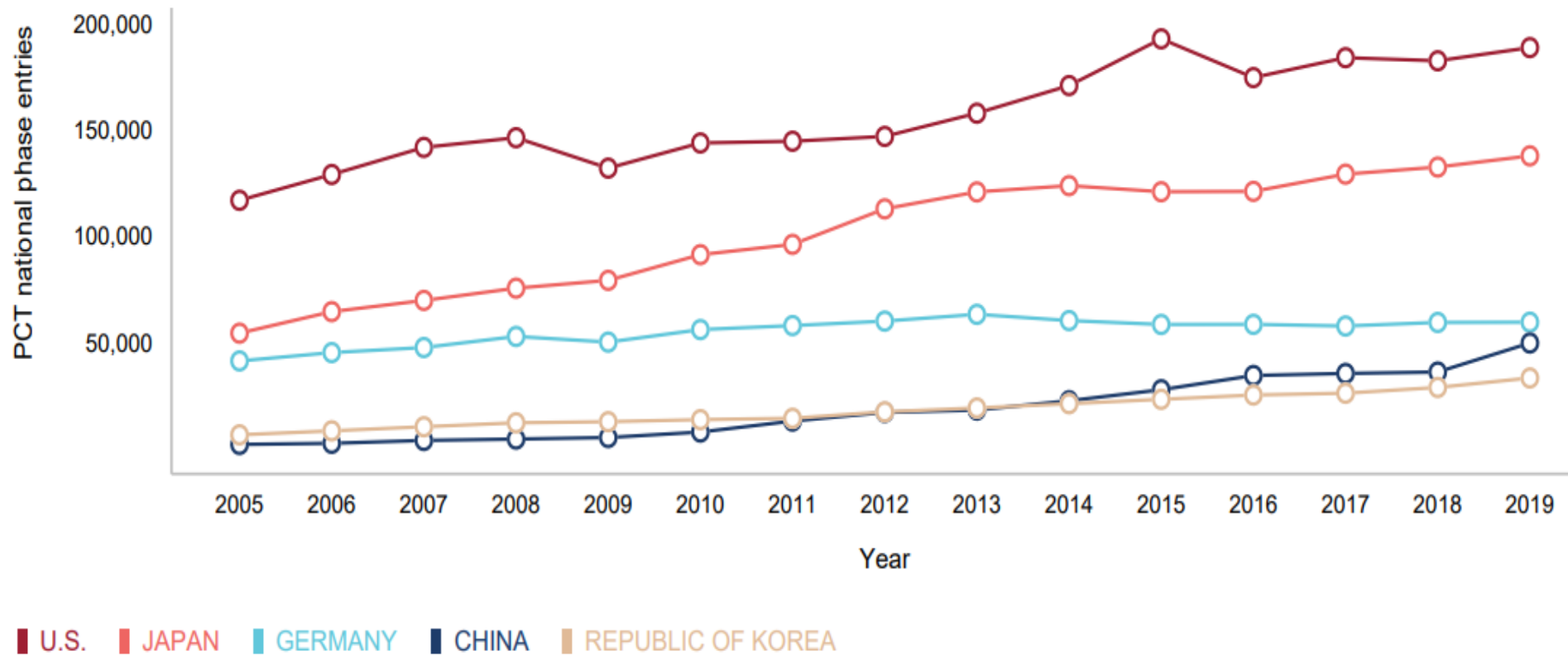
PCT National Phase Entries



Note: These are WIPO estimates. National phase data from patent offices are available only up to 2019.

■ In 2019, about 675,200 PCT national phase entries (+4.3%), wherein about 83.5% non-resident filings

Top five origins for national phase entries



Source: WIPO Statistics Database, March 2021.



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Changes to PCT Rules and Administrative Instructions

PCT Rule changes as of 1 July 2022 (1)

- Amendment of PCT Rules 5, 12, 13*ter*, 19.4 and 49
 - ST.26 will replace ST.25 as the standard on sequence listings
 - No need to repeat the free text in the main part of the description
 - In the sequence listing, language-dependent free text may be filed in more than one language (to mainly also meet the requirements of publication and international search)
 - Application may be transferred to RO/IB where language or electronic format is not accepted by the Office
 - Extensive modifications of the Administrative Instructions and complete revision of Annex C
- Applying to international applications filed on or after July 1, 2022

PCT Rule changes as of 1 July 2022 (2)

■ WIPO application tools:

- *WIPO Sequence* (for applicants)

(<https://www.wipo.int/standards/en/sequence/index.html>) to help author standard-compliant SLs, and

- *WIPO Sequence Validator* (for offices) to verify compliance

■ ST.26 Webinars: Introduction and Advanced

https://www.wipo.int/meetings/en/details.jsp?meeting_id=62848

https://www.wipo.int/meetings/en/details.jsp?meeting_id=62851

■ The new Standard should also be used for the filing of regional and national applications as of the same date

PCT Rule changes as of 1 July 2022 (3)

- Amendment of PCT Rule 82*quater*
 - “Epidemic” added as one of the emergencies listed
 - Allowing Offices to waive the requirement to provide evidence in excusing delays under Rule 82*quater*.1
 - Authorization for Offices to extend time limits in the case of *general disruptions*
- Applying to any time limit fixed in the Regulations that expires on or after July 1, 2022

Modifications of AIs and Forms as of 1 January 2022

- New versions (as of 1 January 2022) of the Request/Demand/SIS Form sets sending of notifications by email as the default, if Office provides this service

* **E-mail authorization:** Indicating an e-mail address above authorizes the receiving Office, the International Searching Authority and the International Bureau, if they provide such a service, to send notifications exclusively by e-mail to that address, unless the following box is marked:

notifications are requested to be sent exclusively by postal mail.

State (that is country) of nationality:

State (that is country) of residence:

- Section 102(h): certain flexibility for Offices to design online filing interfaces: e.g., optional online retrieval of documents instead of sending of notifications; ePCT is being developed to provide for this option

- Section 705ter: legal basis for permitting international applications to be converted from one electronic format (e.g., PDF) to another electronic format (XML) for further processing



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Other Developments

Electronic communication with the IB

- Decommissioning of the PCT-SAFE by July 2022: users are encouraged to switch to ePCT
 - RO/IB and some other ROs have stopped accepting the filing of international application via PCT-SAFE
- ePCT: best means of communication with the IB
 - Filing new applications (ePCT-Filing)
 - Submit post-filing documents
 - Receive notifications by email or via online access
- IB would like to move to all electronic communications with applicants in the future

PATENTSCOPE

- Information on national phase entry for more than 84 countries
- “Documents” tab includes a new section “Search and Examination-Related Documents”
- In addition to PCT applications, access to more than 73 searchable national and regional patent collections; around 100 million documents in total now
- Chemical compound search extended and Markush claims search
- Patent families and search of non-patent literature included

1. WO2018002018 - COMPOSITION FOR CONTROLLING GASTROESOPHAGEAL REFLUX DISEASES



PCT Biblio. Data Description Claims Drawings ISR/WOSA/A17(2)[a] **National Phase** Notices Documents

[PermaLink](#)

Available information on National Phase entries [\[more information\]](#)

Office	Entry Date	National Number	National Status
Mexico	19.12.2018	MX/a/2018/016372	Published: 10.05.2019
China	25.12.2018	201780039420.2	Published: 12.02.2019
Australia	09.01.2019	2017291188	Published: 24.01.2019
European Patent Office	29.01.2019	2017740627	
Russian Federation	29.01.2019	2019102199	Published: 29.07.2020
Republic of Korea		1020197001217	Published: 06.03.2019 Withdrawn: 28.07.2020

WIPO Translate

■ WIPO Translate

- ❑ an AI-powered, instant patent translation tool, designed specifically to translate patent texts
- ❑ based on neural machine translation technology that enables it to convert highly technical patent documents into a second language
- ❑ available in 18 language pairs.
- ❑ seamlessly built in PATENTSCOPE system
- ❑ access is free-of-charge

See further: <https://www.wipo.int/wipo-translate/en/>

WIPO Pay

- WIPO Pay (in WIPO IP Portal), online service available for payment of all transactions with WIPO including PCT fees: <https://www3.wipo.int/epayweb/public/index.xhtml>
- Payment methods
 - Current account at WIPO
 - Credit/Debit Card
 - Paypal
 - Bank transfer
- Easy, Fast and Safe
- Payments may be grouped
- Payment history in record

Patent Prosecution Highway (PPH) and PCT

- Accelerated examination in the national phase based on a positive work product of an International Authority (written opinion of the ISA or the IPEA, IPRP (II))
- More bilateral agreements
- Some multilateral agreements
 - Global PPH, currently 27 participating Offices
 - IP5 PPH
 - PROSUR PPH
 - Alianza del Pacífico PPH
- Another round of discussions in the PCT Working Group (June 2021) to integrate it into the PCT (no consensus reached)

Other matters

■ Collaborative search and examination pilot

- A pilot project among the IP5 Offices, for the establishment of ISR and WO/ISA under the PCT

- Operational phase (1 July 2018 to 30 June 2020) has closed; now effects under evaluation

- [\(<https://www.wipo.int/pct/en/filing/cse.html>\)](https://www.wipo.int/pct/en/filing/cse.html)

■ ePCT Office Profiles

- Advanced information on processing settings of Offices (beyond those offering ePCT filing):

- [\(<https://pct.wipo.int/ePCTExternal/pages/OfficeProfile.xhtml>\)](https://pct.wipo.int/ePCTExternal/pages/OfficeProfile.xhtml)

■ PCT User Survey

- Launched on 1 December 2021

- [\(\[https://www3.wipo.int/contact/en/customer_feedback/\]\(https://www3.wipo.int/contact/en/customer_feedback/\)\)](https://www3.wipo.int/contact/en/customer_feedback/)

PCT training options

- Exploring the PCT Webinar Series (new in 2021)
(www.wipo.int/pct/en/seminar/webinars/index.html)
 - Free webinars on PCT topics for companies/law firms are also available on request
- “Learn the PCT” Video Series
(www.wipo.int/pct/en/training/index.html)
 - A series of 29 short videos designed to provide a basic introduction to important aspects and issues in the PCT system (in English, with several episodes also with Chinese, Japanese, Korean and Russian subtitles)
- PCT Distance Learning Course available in the 10 publication languages
(www.wipo.int/pct/en/distance_learning/index.html)
- More information on the PCT resources website:
www.wipo.int/pct

PCT Resources/Information

- For general questions about the PCT, contact the PCT Information Service at:

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Questions?

