



C.PCT 826
-01.0

March 6, 2002

Madam,
Sir,

1. This circular is addressed to your Office in its capacity as receiving Office, International Searching Authority, International Preliminary Examining Authority and/or designated or elected Office under the Patent Cooperation Treaty (PCT), in order to provide information concerning recent developments in the international publication of international applications which contain large nucleotide and/or amino acid sequence listings in electronic form. It is also addressed to certain non-governmental organizations as well as PCT data subscribers.

Background

2. Under Sections 801 to 806 of the Administrative Instructions under the PCT which entered into force on January 11, 2001 (*PCT Gazette* No. 02/2001, of January 11, 2001, pages 818 et al. and *PCT Newsletter* No. 01/2001 of January 2001, pages 1, 4-5; see also Circular C. PCT 762 of December 21, 2001), it became possible for PCT applicants to file, under Section 801, *for the purposes of all steps of the international phase*, international applications the nucleotide and/or amino acid sequence listing part of which is *either* only on an electronic medium in computer readable form *or* both on an electronic medium and on paper in written form. It has also become possible for the International Bureau, under Section 805, not only to *publish such international applications, in whole or in part, in electronic form as determined by the Director General*, but also to *communicate to designated Offices and furnish to third parties* copies of such international applications, in such form.

3. Since the date of entry into force of Sections 801 to 806, i.e., January 11, 2001, approximately 100 international applications filed under Section 801 with a sequence listing part in computer readable form have been published in accordance with the system described below.

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Publication of sequence listings in electronic form

4. In cooperation with WIPO's Intellectual Property Digital Library (IPDL) project, the first 50 such international applications were published on August 2, 2001 (in accordance with Article 21, Rules 48 and 89bis and Sections 406 and 805), and others were published in subsequent weeks. These applications have been published in a new way—the paper portion of the application has been published via the usual means (that is, a paper pamphlet for all parts other than the sequence listing part of the description), while the sequence listing part of the description has been published electronically, on the date of publication of the remainder of the application, on the WIPO Internet Service of Published Sequence Listings.

5. That service is accessible at <http://www.wipo.int/pct/en/sequences/index.htm>. In addition to explanatory information concerning the service, users may access from this page a list of all sequence listings published in accordance with Section 805 (<http://www.wipo.int/pct/en/sequences/listing.htm>). Users may download compressed copies of listings and/or, by clicking on the publication number, view information in the *PCT Gazette* concerning the published international application of which the listing is a part; the service does not provide for searching the collection of listings.

6. The listings are also available for bulk download via anonymous ftp from ftp://ftp.wipo.int/pub/published_pct_sequences/. The sequence listings available through this service are designed for download only; the service does not provide for searching the collection of listings.

7. Indications to the effect that a given international application, as published, contains a sequence listing part published in electronic form have been included on the first page of the corresponding pamphlet and in the corresponding entries in the *PCT Gazette*, both on paper and in electronic form. In respect of the front page of the pamphlet, the indication appears under "Published" as follows: "with sequence listing part of description published separately in electronic form and available upon request from the International Bureau." In respect of the *PCT Gazette* (both on paper and in electronic form), the entry in Section I contains a new code "q2" as follows: "Sequence listing part of description published separately in electronic form and available upon request from the International Bureau."

Dissemination of sequence listings in electronic form

8. In relation to international applications the sequence listing parts of which are published in accordance with Section 805, the content of the application corresponding to the paper portion that was filed will be available via the normal means, both under Article 20 and Rule 87: published paper pamphlets,

indications in the *PCT Gazette*, and images of the published applications available on the ESPACE-WORLD CD/DVD series, etc.

9. Where designated or elected Offices (under Article 20), national Offices (under Rule 87) or third parties, wish to obtain copies of the sequence listings in electronic form, those listings are available on the ESPACE-WORLD CD/DVD series (produced by the European Patent Office) which the Offices already receive or, as described in paragraph 5, above, they can be downloaded directly from the WIPO Published Sequence Listings site.

10. For third parties, the International Bureau is prepared, upon request and subject to the payment of a fee, to provide copies of the sequence listings in electronic form on CD-R.

Sincerely yours,



Francis Gurry
Assistant Director General