



C. PCT 1022

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March 24, 2005

Madam,
Sir,

In accordance with Rule 89.2(a) of the Regulations under the Patent Cooperation Treaty (PCT), modifications to Section 406 of the Administrative Instructions under the PCT are hereby promulgated.

This follows consultation under Rule 89.2(b) of the Regulations under the PCT with your Office in its capacity as receiving Office, International Searching Authority (ISA), International Preliminary Examining Authority (IPEA), and designated and elected Office under the PCT, and with interested intergovernmental organizations, as well as certain non-governmental organizations representing users of the PCT system, by means of Circular C. PCT 1010. The text of modified Section 406 (with effect from April 1, 2005) is set out in enclosed document PCT/AI/2 Rev.3, dated March 24, 2005. The modifications are as proposed by Circular C.PCT 1010 (dated December 3, 2004).

This modification of Section 406 of the Administrative Instructions will enable the International Bureau to fulfill its legal obligation of publication under Article 21 by publishing international applications in electronic form, once the technical systems are in place. The exact date the International Bureau will commence electronic publication will be determined by the Director General and will be published in the *PCT Gazette*.

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./ The Annex to this Circular contains further explanations on how the International Bureau intends to implement electronic publication.

Sincerely yours,



Francis Gurry
Deputy Director General

Enclosures: Annex – Technical Format and Methods for electronic Publication
of PCT International Applications
document PCT/AI/2 Rev.3

*Technical Format and Methods for Electronic Publication
of PCT International Applications
(with effect from April 1, 2005)*

Data Coverage

Initially, all PCT international applications published from January 1997, and where applicable, republished from April 1998, will be available via the electronic publication system. This collection will be progressively completed to include published PCT international applications from 1978 to the present.

Access Methods and User Interface

As of entry into force of fully electronic publication, published international applications will be made available on the WIPO Internet site via the PCT Electronic Gazette which is available today at the following address:
<http://www.wipo.int/ipdl/en/search/pct/search-struct.jsp>

It is intended that the user interface of the PCT Electronic Gazette would be modified to provide at least the following features:

- Search by PCT International Application Number, International Publication Number or any other criteria currently available in the PCT Electronic Gazette.
- Results view – list of published PCT international applications matching the specified search criteria.
- View the complete document in PDF format.
- Print the complete document.
- Download the complete document (formats described below).

Note that, with the exceptions of the ability to print or download a complete document, these features are already available in the PCT Electronic Gazette. Other features, which will be progressively made available as the International Bureau's technical systems are ready to support them, will include the ability to view application status information and to retrieve, where available, other documents from the file of a published international application that will normally be available via a request for access to the file under PCT Rule 94.

Technical Formats

Published international applications will be made available for download in two technical formats: PDF and XML.

Initially, the XML format will be compliant with the formats described in Annex F of the PCT Administrative Instructions, in particular the DTD will be compliant with the “wo-published-application dtd” which is available at the following internet address:

<http://www.wipo.int/pct-safe/epct/schemaDocs/1.1/schemaDocs.htm>.

It is intended that WIPO’s electronic products will eventually be upgraded to the newly approved WIPO Standard ST.36. When that occurs, published applications will be made available in ST.36 compliant XML format. Further information will be provided as the implementation of ST.36 progresses.

Electronically Filed Applications

The technical format of the electronic publication will be the same regardless of whether the application was originally filed electronically or filed on paper and later converted to electronic form. For those applications filed electronically in fully character-coded format (XML), the conversion of page images to XML using OCR software will of course be avoided to the extent possible.

Sequence Listings

Presently, sequence listings filed in electronic form (under Part 8 of the Administrative Instruction or filed electronically under Part 7 of the Administrative Instructions) are made available on the WIPO Internet site for download in electronic form and are not printed as part of the paper pamphlet.

This functionality will be further integrated into the PCT Electronic Gazette so that links to electronic sequence listings are available directly from the published international applications to which they relate. The sequence listing files will be available for download separately from the other components of the published international application.

For consistency and ease-of-use, the method described above will also be applied to sequence listings filed only on paper. In other words, paper sequence listings will be scanned and will be made available from the PCT Electronic Gazette for viewing or separate download.

Weekly Collection

The complete collection of all published and re-published PCT international applications for a given publication week will also be made available on DVD and, eventually, for Internet download using FTP. While these products will be made available to PCT Contracting States free of charge, they will be subject to a fee for private subscribers.

Applicants' Copies

The International Bureau presently sends one paper copy of every published PCT pamphlet to the applicant. This copy is not provided for in the Regulations or Administrative Instructions but is provided as a service to the applicant.

The paper copy will be replaced by a simple notification that the application has been published and a reference to the Internet address of the online publication system, where the published application can be found. Paper copies will of course continue to be available on request at no additional charge to the applicant.

Other Paper Copies

Paper copies are presently available to the public on request for a fee of 15 CHF per copy plus postage costs. In addition, certified paper copies are available for 35 CHF plus postage costs.

This service will continue to be available with no change to the fee.

Service Levels

Since electronic publication will become the legal and authoritative form of publication under the PCT, certain service levels must be met. The publication system will be available 24 hours per day, 7 days per week, with minimal planned outages for maintenance purposes as necessary. Published international applications will be made available via the system on the publication date.

[End of Annex]

WIPO



PCT/AI/2 Rev.3

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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

PATENT COOPERATION TREATY (PCT)

ADMINISTRATIVE INSTRUCTIONS UNDER THE PATENT COOPERATION TREATY

as in force from April 1, 2005

1. This document contains the text of modifications, with effect from April 1, 2005, of Section 406 of the Administrative Instructions under the Patent Cooperation Treaty (PCT), (see document PCT/AI/2 dated June 17, 2004). The modifications contained in this document are promulgated after consultation with the interested Offices and Authorities pursuant to Rule 89.2 of the Regulations under the PCT.
2. The present modifications will be published in *PCT Gazette* No. 13/2005 on March 31, 2005. The text of the Administrative Instructions is available on WIPO's Website at www.wipo.int/pct/en/texts/index.htm; paper copies are available from the International Bureau of WIPO upon request.

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MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS
(with effect from April 1, 2005)

Section 406
Pamphlets

- (a) [No change]
- (b) Pamphlets may be published, for the purposes of Article 21, on paper or wholly or partly in electronic form.
- (c) Details concerning the publication of pamphlets, and the form and particulars of the front page of each pamphlet, shall be decided by the Director General.

[End of document]