



C. PCT 1127
– 76

December 21, 2007

Madam,
Sir,

1. This Circular is sent to your Office in its capacity as a receiving Office, International Searching Authority, International Preliminary Examining Authority and/or designated/elected Office under the Patent Cooperation Treaty (PCT). It is also addressed to certain intergovernmental and non-governmental organizations representing users of the PCT system and to commercial subscribers to PCT publications.

2. The purpose of this Circular is to inform you of changes in the structure of the publication of international applications, applicable to international applications filed on or after January 1, 2008, and of envisaged changes in the technical format of the publication of international applications as from July 1, 2008.

*Changes in the structure of the publication of international applications
filed on or after January 1, 2008*

3. As part of an ongoing effort to improve the availability of patent information, the International Bureau will publish international applications with an international filing date on or after January 1, 2008, in a slightly different manner. In respect of those international applications, certain documents which, under PCT Rule 48.2(a), are to be “contained” in the publication of the international application, will be presented and disseminated as separate documents, available through WIPO’s PATENTSCOPE® Search Service and on PCT Article 20 and PCT Rule 87 DVDs. In respect of those international applications, the publication of the international application will consist of the following documents:

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- (a) a single document, containing:
 - (i) the standardized front page;
 - (ii) description, claims and drawings (if any);
 - (iii) the international search report, or the declaration under Article 17.2(a);
 - (iv) amended claims and the associated statement filed under Article 19, if any; and

(b) the following documents which form part of the publication of international application but which are presented and disseminated as separate documents:

- (v) the sequence listing part of the description, whether filed on paper or filed in electronic form;
- (vi) indications relating to the deposited biological material filed separately from the description;
- (vii) requests from the applicant under Rule 91.3(d) to publish information concerning the request for the rectification of an obvious mistake where the International Searching Authority has refused to authorize the rectification;
- (viii) requests from the applicant under Rule 26*bis*.2(e) to publish information concerning priority claims which the applicant wished to correct or add but for which the time limit under Rule 26*bis*.1 had expired;
- (ix) declarations under Rule 4.17;
- (x) information concerning a priority claim referred to in Rule 26*bis*.2(d);
- (xi) information concerning a request under Rule 26*bis*.3 for the restoration of right of priority;
- (xii) information concerning incorporation by reference of missing parts and/or elements (Form PCT/RO/114);
- (xiii) information concerning one or more priority claims considered void (Form PCT/IB/318);
- (xiv) information concerning authorization of rectification of an obvious mistake under Rule 91.1.

4. All of the documents listed above for an international application will be made available on the “Documents” tab in WIPO’s PATENTSCOPE® Search Service.

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5. It should be noted that, while the changes are applicable to international applications filed on or after January 1, 2008, the majority of those applications will, pursuant to the normal PCT publication timeline, not be published before the expiration of 18 months from the priority date, that is, not before July 1, 2008. However, in the exceptional case that the applicant requests early publication under PCT Article 21(2)(b), the International Bureau would publish the international application before July 1, 2008, using the revised structure.

Envisaged changed publication format following proposals for change affecting the Annex F DTD specifying “wo-published-application.xml”

6. In addition, the International Bureau wishes to give notice that certain modifications of the XML publication DTD for “wo-published-application.xml” are expected to be agreed upon by the Annex F Consultative Group in early 2008, and with effect from July 1, 2008. Some of the changes will be applicable to international applications published on or after that date and others only to international applications filed on or after that date.

7. It is envisaged that the XML publication DTD will be modified to contain additional elements and attributes with relation to the mark-up of changes within XML-filings and that it will contain certain new elements. It is envisaged that those changes in the content will be implemented both in changes to the XML content in instances of “wo-published-application.xml” and in rendered views of the information, notably, in the front page information. Furthermore, it is envisaged that republication codes will also be addressed in this release.

8. The following WIPO products will be affected by the changes outlined above:

- (a) publication of international applications on PATENTSCOPE[®] Search Service;
- (b) PCT Rule 87 and PCT Article 20 DVDs;
- (c) communication on request (COR) downloads of international publication information; and
- (d) downloads from the FTP services utilized by Offices and subscribers.

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9. This Circular, as well as revised WIPO Standard ST.36, together with “*wo-published-application.dtd*”, the guidance notes relating to changes implemented and a set of sample PCT published international application front pages will be posted on the WIPO website, as they become available, in early 2008, at:

http://www.wipo.int/pct/edi/en/wo_publication_information/index.html.

10. We would like to remind you that the guidance notes and the fully populated XML samples will reflect the future utilization of the XML specified by the revised DTD.

Yours sincerely,



Francis Gurry
Deputy Director General