



C. PCT 1160

February 20, 2009

Madam,
Sir,

Transmission of Documents in Electronic Format

This Circular is addressed to your Office in its capacity as an International Searching Authority and/or International Preliminary Examining Authority under the Patent Cooperation Treaty (PCT). It concerns the transmission of documents from your Office to the International Bureau in electronic form and by electronic means.

One of the International Bureau's mid term objectives is that all PCT documents will be transmitted between the International Bureau, Offices and Authorities in a text based electronic form, using network transfer rather than physical data carriers. In order to make progress towards this objective, this Circular proposes certain actions with the aim of improving the efficiency of the processing of documents received from International Authorities, notably, improving the way in which documents are being transmitted to the International Bureau, improving the quality of the information provided in those documents by improving the page image quality of the documents concerned, and improving the translation processes at the International Bureau by gradually increasing the availability of text based content of the documents to be translated.

This Circular is divided into two parts. The first part concerns a general request for the transmission of PCT related documents in electronic format and by electronic means, preferably Internet based secure transmission. The second part concerns a request for the transmission of documents in text format and is related only to a subset of the different types of documents which are transmitted by your Office to the International Bureau, namely, those which are to be translated (into English and/or French) by the International Bureau.

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Transmission of documents in electronic format and by electronic means

The International Bureau has recently made significant progress in the area of transmittal by receiving Offices to the International Bureau of documents in electronic form and by electronic means. At present, about 75% of all documents transmitted to the International Bureau by receiving Offices are transmitted in electronic form, the majority via PCT Electronic Data Interchange (PCT-EDI), see below. The International Bureau is now seeking to make similar progress in the transmittal to the International Bureau of documents in electronic form and by electronic means from the same Offices in their capacity as International Authorities.

While, eventually, as soon as this is feasible, the International Bureau would like to receive all PCT related documents from all International Authorities in XML format, it is recognized that the specifications for most of those documents in XML remain under development and that, even once finalized, the technology necessary for the communication of XML documents by all Authorities will take time to be established.

Pending the XML related developments, and so as to enhance the efficiency of its PCT operations (which, for applications filed on paper or in an electronic image format, are almost entirely based on image processing), the International Bureau would like to request your Office, if it is not already doing so, to transmit all documents to the International Bureau in an image format with the contents, packaging and file naming in compliance with the specifications contained in the document entitled “The Minimal Specifications for the Transmission of Documents to the International Bureau”, a copy of which is available from WIPO’s website (see: <http://www.wipo.int/patentscope/en/pct-edi/documents/>). Preferably, such transmission should take place by electronic means, specifically, PCT-EDI (internet based secure transmission), instead of physical electronic data carriers.

Transmission of Particular Documents in Text format

Furthermore, pending the transmission of documents in XML format, the International Bureau would like to request your Office to transmit a number of particular types of documents in text format, in addition to the requested transmission of those documents in an image format. This request concerns all documents which the International Bureau is required to translate, in particular: international search reports; declarations under Article 17(2)(a); written opinions established by the International Searching Authority; Form PCT/ISA/205, containing any modified or newly established text of the abstract; supplementary international search reports; and international preliminary examination reports,

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including any annexes thereto. Transmittal of those documents in a commonly agreed text format, usable by translation-assistance software, in addition to, and at the same time as, a copy of those documents in an image format, would greatly enhance the efficiency of the International Bureau's translation process. Image-based copies will still be needed so as to avoid rendering and archiving problems. As already mentioned, such transmission should preferably take place by electronic means, specifically, PCT-EDI, and in compliance with "The Minimal Specifications for the Transmission of Documents to the International Bureau" referred to above.

The International Bureau would be grateful if you would advise by March 10, 2009, whether your Office in its capacity as an International Authority: (i) would be in a position to transmit all PCT related documents in image format and by electronic means (PCT-EDI); and/or (ii) whether it would also be in a position to transmit the subset of document types referred to above (for which translation may be required) in a text format, in addition to the simultaneous transmission of those documents in the image format.

Should your reply be positive with regard to one or both of the requests outlined above, the International Bureau will invite your Office in its capacity as an International Authority to participate in a pilot project, with a view to implementing the new procedure in the first half of 2009. Noting the likely productivity gains in the International Bureau's translation process, should prioritization be required by your Office in planning to fulfill the International Bureau's requests for transmittal of documents in electronic form, the International Bureau would appreciate it if your Office would assign a higher priority to the request for transmittal of the specific subset of translation-related documents in a text format.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Francis Gurry", is centered on the page.

Francis Gurry
Director General