

C. PCT 1474

March 29, 2016

Madam,
Sir,

Proposed modifications to the Administrative Instructions under the PCT (including certain Forms annexed thereto) (“the Administrative Instructions”), the PCT Receiving Office Guidelines (“the RO Guidelines”) and the PCT International Search and Preliminary Examination Guidelines (“the ISPE Guidelines”)

This Circular is addressed to your Office in its capacity as a receiving Office (RO), an International Searching Authority (ISA) (also, where applicable, in its capacity as Authority specified for supplementary search), an International Preliminary Examining Authority (IPEA) and/or a designated or elected Office (DO/EO) under the Patent Cooperation Treaty (PCT) for the purposes of consultation under PCT Rule 89.2(b). It is also addressed to certain non-governmental organizations representing users of the PCT System.

The main purpose of this Circular is to consult on the implementation of amendments to the Regulations under the PCT, adopted by the PCT Assembly at its forty-seventh session in October 2015 (see document PCT/A/47/9, dated February 5, 2016; see also PCT Working Group document PCT/WG/8/26 dated December 1, 2015) which will enter into force on July 1, 2016.

The amendments to the Regulations include (i) the omission of certain information from publication and/or public file access (Rules 9.2, 48.2 and 94); (ii) the transmittal to the International Bureau of copies of documents received by the RO in the context of a request for restoration of the right of priority (Rules 26*bis*.3 and 48.2); (iii) excuse of delays in meeting time limits caused by force majeure events in connection with electronic communications (Rule 82*quater*.1) and (iv) language(s) of communication with the International Bureau (Rule 92.2(d)).

This Circular also addresses one additional matter pursuant to the recommendations from the PCT Working Group, at its eighth session held in Geneva in May 2015, whereby the

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Working Group agreed that the International Bureau should consult with ROs on proposed modifications to the RO Guidelines to clarify the continuing divergent practices of ROs in relation to incorporation by reference (see document PCT/WG/8/26, paragraph 330, dated December 1, 2015).

I. *Proposed modifications of certain Forms annexed to the Administrative Instructions*

Forms PCT/RO/112, PCT/RO/118, PCT/RO/159, PCT/ISA/218, PCT/IB/375 and PCT/IPEA/401 are proposed to be modified and nine new Forms are proposed to be adopted (PCT/RO/130, PCT/ISA/215, PCT/IB/322, PCT/IB/383, PCT/IB/384, PCT/IB/385, PCT/IB/386 PCT/SISA/511 and PCT/SISA/512) to take into account the above-mentioned amendments to the Regulations.

Explanations of the proposed modifications of certain PCT Forms:

(i) *Forms PCT/RO/112 and PCT/ISA/218*

The proposed modifications are consequential to the amendments to Rule 9.2.

(ii) *Form PCT/RO/118*

Proposed modifications to item 6. are consequential to the amendments to Rule 26bis.3(h)(iv) and (h-bis).

(iii) *Form PCT/RO/159*

Proposed modifications are consequential to the amendments to Rule 26bis.3(h-bis).

(iv) *Forms PCT/IB/322 and PCT/SISA/511 (new Forms)*

The proposed new Forms to be issued by the International Bureau and the Authority specified for supplementary search, respectively, are consequential to the amendments to Rule 9.2.

(v) *Forms PCT/RO/130, PCT/ISA/215 and PCT/SISA 512 (new Forms)*

The proposed new Forms to be issued by the RO, the ISA and the Authority specified for supplementary search, respectively, are consequential to the amendments to Rule 48.2, paragraphs (l) and (m).

(vi) *Forms PCT/IB/383, PCT/IB/384, PCT/IB/385 and PCT/IB/386 (new Forms)*

The proposed new Forms to be issued by the International Bureau are consequential to the amendments to Rules 48.2(l), (m) and 94.1.

(vii) *Forms PCT/IB/375 and PCT/IPEA/401*

It is proposed to add a reference to Rule 82*quater* in both Forms.

./ The proposed modifications to the PCT Forms are set out in Annex I to this Circular.

To assist your Office in identifying the proposed modifications in the existing Forms, the International Bureau has prepared a set of marked-up versions to accompany this Circular.

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The mark-ups indicate deleted and new text on separate pages. Thus, on the first marked-up page, the deleted text appears in red with the text struck out. This is followed by the second marked-up page of the same form where new text is underlined in blue. Each page indicates clearly whether the modifications concern deleted or new text.

II. *Proposed modifications to the Administrative Instructions*

The proposed modifications to Section 111 are consequential to the amendments to Rule 82*quater*.1. It is proposed to modify paragraph (a) to clarify that the International Bureau should also communicate its decision made in relation to a request for the excuse of a delay in meeting a certain time limit to the interested party. It is also proposed to add a new paragraph (b) to reflect the understanding adopted by the PCT Assembly and the agreements reached by the Member States with regards to the interpretation of “a general unavailability of electronic communications services”, so as to set forth general provisions applying to all International Authorities.

The proposed addition of new Section 217 compiles all provisions in relation to Rule 9 which are currently contained in Sections 325, 413 and 501, and contains new provisions consequential to the amendments to Rule 9.2.

The proposed deletion of item 1.40 in Annex D of the Administrative Instructions is consequential to the amendments to Rule 26*bis*.3(f) and the deletion of Rule 48.2(b)(viii).

The proposed modifications to Section 104 are consequential to the amendments to Rule 92.2 and aim at permitting letters from the applicant to the International Bureau in the language of the publication of the international application (in addition to English or French, as at present) where the correspondence is submitted through ePCT. The enabling provision would also allow for the eventual extension of the language regime with regard to any other correspondence from the applicant to the International Bureau and in any other of the ten languages of publication.

./ The proposed modifications of the Administrative Instructions are set out in Annex II to this Circular.

III. *Proposed modifications to the RO Guidelines*

It is proposed to modify paragraph 30 of the RO Guidelines to streamline the conditions for excuse of delays in meeting time limits according to Rule 82*quater*. Detailed guidance is also provided in certain aspects to enable consistent application of the Rule among ROs, particularly in view of the new introduction of “general unavailability of electronic communications services” in this Rule.

The proposed modifications to paragraph 205F of the RO Guidelines are consequential to the recommendations from the PCT Working Group that the Guidelines be modified by the International Bureau to clarify the continuing divergent practices of ROs in the context of incorporation by reference, and to continue to raise awareness among the applicant community concerning the consequences of the continuing divergent practices in the matter.

The proposed modifications to paragraphs 211, 214 and 333 are consequential to the amendments to Rule 9.2.

./ The paragraphs of the RO Guidelines which are proposed to be modified are set out in Annex III to this Circular.

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IV. *Proposed modifications to the ISPE Guidelines*

The proposed modifications to paragraphs 4.32, 15.35 and proposed new paragraph 15.88A are consequential to the amendments to Rule 9.2.

It is proposed to add a reference to Rule 82*quater* in paragraph 19.50.

It is proposed to modify paragraphs 22.50 to 22.52 to clarify that the administrative procedures specified in Chapter 22 of these guidelines for the IPEA are equally applicable to the corresponding procedures before the ISA and the Authority specified for supplementary search.

It is also proposed to add new paragraphs 22.52A and 22.52B to streamline the conditions for excuse of delays in meeting time limits according to Rule 82*quater*. Detailed guidance is also provided in certain aspects to enable consistent application of the Rule among International Authorities, particularly in view of the new introduction of “general unavailability of electronic communications services” in this Rule.

./. The paragraphs of the ISPE Guidelines which are proposed to be modified or added are set out in Annex IV to this Circular.

Comments on the proposed modifications of certain PCT Forms, the Administrative Instructions under the PCT, the RO and ISPE Guidelines

Your Office is invited to provide comments, if any, to the International Bureau by April 25, 2016, by e-mail to: pct.legal@wipo.int.

Yours sincerely,



John Sandage
Deputy Director General

Enclosures: Annex I — Proposed modified PCT Forms PCT/RO/112, PCT/RO/118, PCT/RO/159, PCT/ISA/218, PCT/IB/375 and PCT/IPEA/401 (modified pages only) and (new Forms) PCT/RO/130, PCT/ISA/215, PCT/IB/322, PCT/IB/383, PCT/IB/384, PCT/IB/385, PCT/IB/386, PCT/SISA/511 and PCT/SISA/512

Annex II — Proposed modified Sections of the Administrative Instructions (modified Sections only)

Annex III — Proposed modified paragraphs of the RO Guidelines (modified paragraphs only)

Annex IV — Proposed modified paragraphs of the ISPE Guidelines (modified paragraphs only)

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

NOTIFICATION CONCERNING EXPRESSIONS,
ETC., NOT TO BE USED IN
THE INTERNATIONAL APPLICATION

(PCT Rule 9)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

REPLY DUE within _____ month/days
from the above date of mailing

International application No.

International filing date
(day/month/year)

Applicant

The applicant is hereby notified that the international application lacks compliance with Rule 9.1 because it contains:

1. expressions or drawings contrary to morality.
See page(s) _____ line(s) _____ figure(s) _____ .
2. expressions or drawings contrary to public order.
See page(s) _____ line(s) _____ figure(s) _____ .
3. statements disparaging the products or processes of any particular person other than the applicant.
See page(s) _____ line(s) _____ figure(s) _____ .
4. statements disparaging the merits or validity of applications or patents of any particular person other than the applicant.
See page(s) _____ line(s) _____ figure(s) _____ .
5. statements or matter obviously irrelevant or unnecessary under the circumstances.
See page(s) _____ line(s) _____ figure(s) _____ .

Further observations, if necessary:

Invitation to correct:

The applicant is hereby invited, within the time limit indicated above, to voluntarily correct the international application.

How to make the corrections? Correction must be submitted ~~by filing~~ a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. A correction may be stated in a letter only if it is of such a nature that it can be transferred from the letter to the record copy without adversely affecting the clarity and direct reproducibility of the sheet onto which the correction is to be transferred (Rule 26.4(a)).

If the applicant fails to make the corrections, the International Bureau may omit the above-noted expressions, drawings, and statements, from its publications, indicating the place and number of words or drawings omitted, and furnish upon request, individual copies of the passages omitted (see Article 21(6)).

A copy of this notification has been sent ~~to the International Searching Authority and~~ to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

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Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION CONCERNING EXPRESSIONS,
ETC., NOT TO BE USED IN
THE INTERNATIONAL APPLICATION

(PCT Rule 9)

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	REPLY DUE within _____ months/days from the above date of mailing
International application No.	International filing date (day/month/year)
Applicant	

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A copy of this notification has been sent to ~~the receiving Office and the International Bureau~~.

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION CONCERNING EXPRESSIONS,
ETC., NOT TO BE USED IN
THE INTERNATIONAL APPLICATION

(PCT Rule 9)

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Date of mailing
(day/month/year)

Applicant's or agent's file reference

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International application No.

International filing date
(day/month/year)

Applicant

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A copy of this notification has been sent to the International Bureau and to the receiving Office.

Name and mailing address of the ISA/

Facsimile No.

Authorized officer

Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION CONCERNING
DOCUMENTS TRANSMITTED

Date of mailing
(day/month/year)

The receiving Office transmits herewith the following documents:

(number)

1. _____ record copies (Article 12(1))
2. _____ search copies (Article 12(1))
3. _____ translations of international applications (Rule 12.3 or 12.4)
4. _____ copies of purported international applications (Rule 20.4(iv))
5. _____ translation of earlier application (Rule 20.6(a)(iii) and Administrative Instructions, Section 305ter)
6. _____ copies of the request from the applicant to restore the right of priority under Rule 26bis.3(a), ~~as required under Rule 26bis.3(h)(i)~~
7. _____ record copies and corrections not already transmitted in respect of the international applications which have been considered withdrawn (Rule 29.1(a)(i))
8. _____ (copies of the) letters of corrections or rectifications (Administrative Instructions, Section 325(b) and (c))
9. _____ (copies of) replacement sheets (Administrative Instructions, Section 325(b) and (c))
10. _____ (copies of) later submitted sheets (Administrative Instructions, Sections 309(b)(iv), 309(c)(iv), 310(b)(iv), 310bis(b)(v), or 310ter(iv))
11. _____ copy(ies) of the results of the earlier search(es) (Rule 12bis.1(a) and (c))
12. _____ other documents (*specify*):

The Annex contains a list identifying each document transmitted by the type of document, the corresponding international application number and, if necessary, other information.

This Notification is sent to the addressee in its capacity as:

- the International Searching Authority
- the International Bureau

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION CONCERNING
DOCUMENTS TRANSMITTED

Date of mailing
(day/month/year)

The receiving Office transmits herewith the following documents:

(number)

1. _____ record copies (Article 12(1))
2. _____ search copies (Article 12(1))
3. _____ translations of international applications (Rule 12.3 or 12.4)
4. _____ copies of purported international applications (Rule 20.4(iv))
5. _____ translation of earlier application (Rule 20.6(a)(iii) and Administrative Instructions, Section 305ter)
6. _____ copies of the request from the applicant to restore the right of priority under Rule 26bis.3(a) and any related document(s), with the exception of any document(s) or part(s) thereof found by the receiving Office to meet the criteria of Rule 26bis.3(h-bis)
7. _____ record copies and corrections not already transmitted in respect of the international applications which have been considered withdrawn (Rule 29.1(a)(i))
8. _____ (copies of the) letters of corrections or rectifications (Administrative Instructions, Section 325(b) and (c))
9. _____ (copies of) replacement sheets (Administrative Instructions, Section 325(b) and (c))
10. _____ (copies of) later submitted sheets (Administrative Instructions, Sections 309(b)(iv), 309(c)(iv), 310(b)(iv), 310bis(b)(v), or 310ter(iv))
11. _____ copy(ies) of the results of the earlier search(es) (Rule 12bis.1(a) and (c))
12. _____ other documents (*specify*):

The Annex contains a list identifying each document transmitted by the type of document, the corresponding international application number and, if necessary, other information.

This Notification is sent to the addressee in its capacity as:

- the International Searching Authority
- the International Bureau

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

ANNEX TO FORM PCT/RO/118

Type of document	International application No.	Other information

ANNEX TO FORM PCT/RO/118

Type of document	International application No.	Other information

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCTNOTIFICATION OF
DECISION ON REQUEST
TO RESTORE RIGHT OF PRIORITY

(PCT Rule 26bis.3(h)(iii))

Date of mailing
(day/month/year)

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

International application No.

International filing date/Date of receipt
(day/month/year)

Priority date (day/month/year)

Applicant

Upon the request of the applicant:

- included in Form PCT/RO/101 at the time of filing of this international application, or
 received on _____

to restore the right of priority in respect of the following priority claim(s) _____
this receiving Office has decided:

- to restore** the right of priority, based on the finding by this receiving Office that the criterion for restoration applied by it is **satisfied**, namely that the failure to file the international application within the priority period:
- occurred in spite of due care required by the circumstances having been taken for the reasons set out in the Annex.
 was unintentional the reasons are set out in the Annex.

- to refuse** the request to restore the right of priority, following issuance of the Notification of Intended Refusal of Request to Restore Right of Priority (Form PCT/RO/158) dated _____ for the following reason(s) set out below (and, where necessary, more fully in the Annex):

1. the request to restore the right of priority was not received within the applicable time limit under Rule 26bis.3(e).
2. the international application has an international filing date which is beyond two months from the expiration of the priority period (Rule 26bis.3(a)).
3. a priority claim in respect of an earlier application is not contained in the international application (Rule 26bis.3(c)).
4. the statement of reasons for the failure to file the international application within the priority period is missing (Rule 26bis.3(b)(ii)).
5. a required declaration and/or evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
6. lack of or late payment of the fee for restoration of the priority right (Rule 26bis.3(d)).
7. the criterion for restoring the priority right, as applied by this receiving Office (the due care and/or the unintentional criterion), is not met for the reasons set out in the Annex .

A copy of this Notification is being sent to the International Bureau.

Name and mailing address of the receiving Office

Authorized officer

Facsimile No.

Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

**NOTIFICATION OF
DECISION ON REQUEST
TO RESTORE RIGHT OF PRIORITY**

(PCT Rule 26bis.3(h)(iii))

Date of mailing
(day/month/year)

Applicant's or agent's file reference		IMPORTANT NOTIFICATION	
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)	
Applicant			

Upon the request of the applicant:

included in Form PCT/RO/101 at the time of filing of this international application, or

received on _____

to restore the right of priority in respect of the following priority claim(s) _____

this receiving Office has decided:

to restore the right of priority, based on the finding by this receiving Office that the criterion for restoration applied by it is **satisfied**, namely that the failure to file the international application within the priority period:

occurred in spite of due care required by the circumstances having been taken for the reasons set out in the Annex.

was unintentional the reasons are set out in the Annex.

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3. a priority claim in respect of an earlier application is not contained in the international application (Rule 26bis.3(c)).
4. the statement of reasons for the failure to file the international application within the priority period is missing (Rule 26bis.3(b)(ii)).
5. a required declaration and/or evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
6. lack of or late payment of the fee for restoration of the priority right (Rule 26bis.3(d)).
7. the criterion for restoring the priority right, as applied by this receiving Office (the due care and/or the unintentional criterion), is not met for the reasons set out in the Annex.

The applicant is hereby notified that this receiving Office has decided not to transmit the following document(s) or part(s) thereof to the International Bureau (Rule 26bis.3(h-bis):

The applicant is hereby notified that this receiving Office has considered the applicant's request not to transmit (a) document(s) or part(s) thereof to the International Bureau (Rule 26bis.3(h-bis), and has nevertheless decided to transmit this/these document(s) or part(s) thereof to the International Bureau.

A copy of this Notification is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

ANNEX TO FORM PCT/RO/159

International application No.

This receiving Office has made the above decision(s) for the following reasons:

ANNEX TO FORM PCT/RO/159

International application No.

This receiving Office has made the above decision(s) for the following reasons:

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING EXPRESSIONS,
ETC., NOT TO BE USED IN
THE INTERNATIONAL APPLICATION

(PCT Rule 9)

To:

Date of mailing (day/month/year)		
REPLY DUE within _____ month(s)/days from the above date of mailing		Applicant's or agent's file reference
International filing date (day/month/year)		International application No.
Applicant		

The applicant is hereby notified that the international application lacks compliance with Rule 9.1 because it contains:

1. expressions or drawings contrary to morality.
See page(s) _____ line(s) _____ figure(s) _____ .
2. expressions or drawings contrary to public order.
See page(s) _____ line(s) _____ figure(s) _____ .
3. statements disparaging the products or processes of any particular person other than the applicant.
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5. statements or matter obviously irrelevant or unnecessary under the circumstances.
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Further observations, if necessary:

Invitation to correct:

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If the applicant fails to make the corrections, the International Bureau may omit the above-noted expressions, drawings, and statements, from its publications, indicating the place and number of words or drawings omitted, and furnish, upon request, individual copies of the passages omitted (see Article 21(6)).

A copy of this notification has been sent to the receiving Office, to the International Searching Authority and to the Authority specified for supplementary search, if applicable.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer
Facsimile No. +41 22 338 82 70	Telephone No. +41 22 338 XX XX

PATENT COOPERATION TREATY

From the AUTHORITY SPECIFIED FOR
SUPPLEMENTARY SEARCH

PCT

NOTIFICATION CONCERNING EXPRESSIONS,
ETC., NOT TO BE USED IN
THE INTERNATIONAL APPLICATION

(PCT Rule 9)

To:	
	Date of mailing (day/month/year)
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The applicant is hereby invited, within the time limit indicated above, to voluntarily correct the international application.

How to make the corrections? Corrections must be submitted to this Authority specified for supplementary search. The applicant must file a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. A correction may be stated in a letter only if it is of such a nature that it can be transferred from the letter to the record copy without adversely affecting the clarity and direct reproducibility of the sheet onto which the correction is to be transferred (Rule 26.4).

If the applicant fails to make the corrections, the International Bureau may omit the above-noted expressions, drawings, and statements, from its publications, indicating the place and number of words or drawings omitted, and furnish upon request, individual copies of the passages omitted (see Article 21(6)).

A copy of this notification has been sent to the International Bureau, to the receiving Office and to the International Searching Authority.

Name and mailing address of the Authority/	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

INVITATION TO REQUEST OMISSION
OF INFORMATION FROM
INTERNATIONAL PUBLICATION

(PCT Rules 48.2(l) and (m))

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	TIME LIMIT see item 1
International application No.	International filing date (day/month/year)
Applicant	

This receiving Office has noted in the international application or in other documents which are to be published together with the international application what appears to be **information meeting the criteria of Rule 48.2(l)**:

as shown in the attached copy

as specified hereafter:

Further observations, if necessary:

1. The applicant is hereby **invited to request the International Bureau to omit from international publication** the information referred to above.

When? Prior to the completion of technical preparations for international publication (Rule 48.2(l)).

How? By submitting a reasoned request for omission (preferably by using Form PCT/IB/384), accompanied by (a) replacement sheet(s) from which the relevant information has been omitted, and an accompanying letter drawing attention to the differences between the replaced sheet(s) and the replacement sheet(s) (Rules 26.4 and 48.2(l)).

Where? Directly to the International Bureau of WIPO preferably through ePCT, or on paper to
34, chemin des Colombettes, 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

2. If the applicant does not request **omission from international publication within the time limit indicated above**, the International Bureau will publish the international application and any other document which is to be published together with the international application as filed.

3. A copy of this Invitation has been sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

INVITATION TO REQUEST OMISSION
OF INFORMATION FROM
INTERNATIONAL PUBLICATION

(PCT Rules 48.2(l) and (m))

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

TIME LIMIT see item 1

International application No.

International filing date
(day/month/year)

Applicant

This International Searching Authority has noted in the international application or in other documents which are to be published together with the international application what appears to be **information meeting the criteria of Rule 48.2(l)**:

- as shown in the attached copy
- as specified hereafter:

Further observations, if necessary:

1. The applicant is hereby **invited to request the International Bureau to omit from international publication** the information referred to above.

When? Prior to the completion of technical preparations for international publication (Rule 48.2(l)).

How? By submitting a reasoned request for omission (preferably by using Form PCT/IB/384), accompanied by (a) replacement sheet(s) from which the relevant information has been omitted, and an accompanying letter drawing attention to the differences between the replaced sheet(s) and the replacement sheet(s) (Rules 26.4 and 48.2(l)).

Where? Directly to the International Bureau of WIPO preferably through ePCT, or on paper to
34, chemin des Colombettes, 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

2. If the applicant does not request **omission from international publication within the time limit indicated above**, the International Bureau will publish the international application and any other document which is to be published together with the international application as filed.

3. A copy of this Invitation has been sent to the International Bureau.

Name and mailing address of the ISA/

Facsimile No.

Authorized officer

Telephone No.

PATENT COOPERATION TREATY

From the AUTHORITY SPECIFIED FOR
SUPPLEMENTARY SEARCH

PCT

INVITATION TO REQUEST OMISSION
OF INFORMATION FROM
INTERNATIONAL PUBLICATION

(PCT Rules 48.2(l) and (m))

To:		Date of mailing (day/month/year)
Applicant's or agent's file reference	TIME LIMIT	see item 1
International application No.	International filing date (day/month/year)	
Applicant		

This Authority specified for supplementary search has noted in the international application or in other documents which are to be published together with the international application what appears to be **information meeting the criteria of Rule 48.2(l)**:

as shown in the attached copy

as specified hereafter:

Further observations, if necessary:

1. The applicant is hereby **invited to request the International Bureau to omit from international publication** the information referred to above.

When? Prior to the completion of technical preparations for international publication (Rule 48.2(l)).

How? By submitting a reasoned request for omission (preferably by using Form PCT/IB/384), accompanied by (a) replacement sheet(s) from which the relevant information has been omitted, and an accompanying letter drawing attention to the differences between the replaced sheet(s) and the replacement sheet(s) (Rules 26.4 and 48.2(l)).

Where? Directly to the International Bureau of WIPO preferably through ePCT, or on paper to
34, chemin des Colombettes, 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

2. If the applicant does not request **omission from international publication within the time limit indicated above**, the International Bureau will publish the international application and any other document which is to be published together with the international application as filed.

3. A copy of this Invitation has been sent to the International Bureau.

Name and mailing address of the Authority/ Facsimile No.	Authorized officer Telephone No.
---	---

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

INVITATION TO REQUEST OMISSION OF
INFORMATION FROM INTERNATIONAL
PUBLICATION AND/OR PUBLIC FILE ACCESS

(PCT Rules 48.2(l), (m) and 94.1(e))

To:

Date of mailing (day/month/year)	
Applicant's or agent's file reference	REPLY DUE see item 2
International application No.	International filing date (day/month/year)
Applicant	

1. The International Bureau has noted in the international application or other documents what appears to be **information meeting the criteria of Rules 48.2(l) and 94.1(e)**:

as shown in the attached copy

as specified hereafter:

2. Concerning the above mentioned information, the applicant is hereby invited to file a request for omission from

publication **prior to the completion of technical preparations for international publication** (Rule 48.2(l));

public file access within **one month** from the date of mailing of this Invitation, or prior to the completion of technical preparations for international publication, whichever time limit expires later (Rule 94.1(e)).
(Note: If the applicant does not request omission from public file access within this time limit, the International Bureau will make the information referred to above publicly available. The applicant may, however, request omission of this information from public file access at any time after the expiration of the above mentioned time limit in which case the International Bureau may remove that information from public file access.)

How? By submitting a reasoned request for omission (preferably by using Form PCT/IB/384), accompanied by (a) replacement sheet(s) from which the relevant information has been omitted, and an accompanying letter drawing attention to the differences between the replaced sheet(s) and the replacement sheet(s) (Rules 26.4 and 48.2(l)).

Where? Directly to the International Bureau of WIPO preferably through ePCT, or on paper to
34, chemin des Colombettes, 1211 Geneva 20, Switzerland,
Facsimile No.: +41 22 338 82 70

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer
Facsimile No. +41 22 338 82 70	Telephone No. +41 22 338 XX XX

PATENT COOPERATION TREATY

PCT

REQUEST FOR OMISSION OF INFORMATION
FROM INTERNATIONAL PUBLICATION
AND/OR PUBLIC FILE ACCESS

(PCT Rules 48.2(l) and 94.1(e))

To:

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Facsimile No: +41 22 338 82 70

Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
Applicant	Priority date (day/month/year)

1. (a) In respect of the international application and any document to be published together with the international application under Rule 48.2, the applicant hereby requests the International Bureau **to omit from international publication*** the following information (*specify*):

(b) In respect of any other document contained in the file of the International Bureau, the applicant hereby requests the International Bureau **to omit from public file access**** the following information (*specify*):

2. State the reasons why (1) the information does not obviously serve the purpose of informing the public about the international application, (2) publication of and/or public access to this information would clearly prejudice the personal or economic interests of a person; and (3) there is no prevailing public interest to have access to that information:

3. Except where the omission of above mentioned information results in the omission of an entire sheet, the applicant must submit (a) replacement sheet(s) from which the relevant information has been omitted, and an accompanying letter drawing attention to the differences between the replaced sheet(s) and the replacement sheet(s) (see Rule 26.4).

4. Signature of applicant(s), agent or common representative:

ATTENTION

* The request to omit information from international publication must be received by the International Bureau **prior to the completion of technical preparations for international publication** (Rule 48.2(l)).

** The request to omit information from public file access may be submitted **at any time** (Rule 94.1).

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF DECISION TO OMIT
INFORMATION FROM INTERNATIONAL
PUBLICATION AND/OR PUBLIC FILE ACCESS

(PCT Rules 48.2(l) and 94.1(e))

From the INTERNATIONAL BUREAU

To:

Date of mailing (day/month/year)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
Applicant	

The International Bureau received on _____ a request from the applicant to omit certain information from

- international publication (Rule 48.2(l));
- public file access (Rule 94.1(e)).

The applicant is hereby notified that the International Bureau has omitted the requested information from

- international publication and public file access (Rules 48.2(l) and 94.1(d));
- public file access (Rule 94.1(e)).

Further observations, if necessary:

A copy of this Notification, including a copy of the replaced sheet(s) and the replacement sheet(s), is being sent to:

- the RO
- the ISA
- the SISA
- the IPEA

to inform the Office and/or Authority **NOT** to provide access to any document in its file which contains the omitted information.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Telephone No. +41 22 338 XX XX
Facsimile No. +41 22 338 82 70	

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF DECISION NOT TO
OMIT INFORMATION FROM INTERNATIONAL
PUBLICATION AND/OR PUBLIC FILE ACCESS

(PCT Rules 48.2(l) and 94.1(e))

To:

Date of mailing (day/month/year)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
Applicant	

The International Bureau received on _____ a request from the applicant to omit certain information from

international publication (Rule 48.2(l));

public file access (Rule 94.1(e)).

The applicant is hereby notified that the International Bureau has decided **NOT** to omit the requested information from international publication and public file access for the following reasons:

the request for omission from international publication was received after the completion of technical preparations for international publication;

no replacement sheet(s) was/were submitted;

no accompanying letter was submitted;

the request did not contain any reasons;

the reasoned request did not satisfy the International Bureau as to the criteria specified in Rules 48.2(l) or 94.1(e);

Other: _____

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer
Facsimile No. +41 22 338 82 70	Telephone No. +41 22 338 XX XX

The supplementary search request must be filed directly with the International Bureau. The full name or two-letter code of the Authority specified for supplementary search must be indicated by the applicant below:

AUTHORITY/_____

PCT

SUPPLEMENTARY SEARCH REQUEST

Under Rule 45bis.1, the undersigned requests that a supplementary international search be carried out in respect of the international application specified below:

For International Bureau use only	
Identification of Authority	Date of receipt of Request
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION	
International application No.	Applicant's or agent's file reference
International filing date (day/month/year)	(Earliest) Priority date (day/month/year)
Title of invention	
Box No. II APPLICANT	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	Telephone No.
	Facsimile No.
	Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>	
State (that is, country) of nationality:	State (that is, country) of residence:
Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
<p>The following person is <input type="checkbox"/> agent <input type="checkbox"/> common representative</p> <p>and <input type="checkbox"/> has been appointed earlier and represents the applicant(s) also for the supplementary international search.</p> <p><input type="checkbox"/> is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked.</p> <p><input type="checkbox"/> is hereby appointed, specifically for the procedure before this Authority specified for supplementary search, in addition to the agent(s)/common representative appointed earlier.</p>	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	Telephone No.
	Facsimile No.
	Agent's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>	

The supplementary search request must be filed directly with the International Bureau. The full name or two-letter code of the Authority specified for supplementary search must be indicated by the applicant below:

AUTHORITY/_____

PCT

SUPPLEMENTARY SEARCH REQUEST

Under Rule 45bis.1, the undersigned requests that a supplementary international search be carried out in respect of the international application specified below:

For International Bureau use only	
Identification of Authority	Date of receipt of Request
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION	
International application No.	Applicant's or agent's file reference
International filing date (day/month/year)	(Earliest) Priority date (day/month/year)
Title of invention	
Box No. II APPLICANT	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	Telephone No.
	Facsimile No.
	Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____</p>	
State (that is, country) of nationality:	State (that is, country) of residence:
Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
<p>The following person is <input type="checkbox"/> agent <input type="checkbox"/> common representative and <input type="checkbox"/> has been appointed earlier and represents the applicant(s) also for the supplementary international search. <input type="checkbox"/> is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked. <input type="checkbox"/> is hereby appointed, specifically for the procedure before this Authority specified for supplementary search, in addition to the agent(s)/common representative appointed earlier.</p>	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	Telephone No.
	Facsimile No.
	Agent's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____</p>	

Sheet No. . . .

International application No.

Continuation of Box No. III ADDRESS FOR CORRESPONDENCE

Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

Box No. IV BASIS FOR SUPPLEMENTARY INTERNATIONAL SEARCH

Language for the purposes of supplementary international search: _____

- which is the language in which the international application was filed
- which is the language of translation furnished for the purposes of international search
- which is the language of translation furnished for the purposes of international publication
- which is the language of the translation to be furnished for the purposes of supplementary international search

Following the finding by the International Searching Authority that the international application does not comply with the requirements of unity of invention, the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The numbers of the claims relating to this invention are:

Box No. V CHECK LIST

The supplementary search request is accompanied by the item(s) marked below:

1. translation of the international application for the purposes of the supplementary international search (Rule 45bis.1(c)(i))
2. fee calculation sheet
3. original separate power of attorney
4. original general power of attorney
5. copy of general power of attorney; reference number, if any:
6. sequence listing in the form of an Annex C/ST.25 text file (Rule 45bis.1(c)(ii))
7. statement confirming that the copy of the sequence listing in the form of an Annex C/ST.25 text file (see above) is identical to the sequence listing forming part of the international application as filed
8. other (*specify*):

For International Bureau use only

received not received

- | | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

Box No. VI SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading this request).

For International Bureau use only

1. Date of actual receipt of REQUEST:
2. The date of receipt is AFTER the expiration of 19 months from the priority date and items 3 and 4, below, do not apply.
3. The date of receipt of the request is WITHIN the time limit of 19 months from the priority date as extended by virtue of Rule 80.5.
4. Although the date of receipt of the request is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to ~~Rule 82.~~

Sheet No. . . .

International application No.

Continuation of Box No. III ADDRESS FOR CORRESPONDENCE

Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

Box No. IV BASIS FOR SUPPLEMENTARY INTERNATIONAL SEARCH

Language for the purposes of supplementary international search: _____

- which is the language in which the international application was filed
- which is the language of translation furnished for the purposes of international search
- which is the language of translation furnished for the purposes of international publication
- which is the language of the translation to be furnished for the purposes of supplementary international search

Following the finding by the International Searching Authority that the international application does not comply with the requirements of unity of invention, the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The numbers of the claims relating to this invention are:

Box No. V CHECK LIST

The supplementary search request is accompanied by the item(s) marked below:

1. translation of the international application for the purposes of the supplementary international search (Rule 45bis.1(c)(i))
2. fee calculation sheet
3. original separate power of attorney
4. original general power of attorney
5. copy of general power of attorney; reference number, if any:
6. sequence listing in the form of an Annex C/ST.25 text file (Rule 45bis.1(c)(ii))
7. statement confirming that the copy of the sequence listing in the form of an Annex C/ST.25 text file (see above) is identical to the sequence listing forming part of the international application as filed
8. other (*specify*):

For International Bureau use only

received not received

- | | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

Box No. VI SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading this request).

For International Bureau use only

1. Date of actual receipt of REQUEST:
2. The date of receipt is AFTER the expiration of 19 months from the priority date and items 3 and 4, below, do not apply.
3. The date of receipt of the request is WITHIN the time limit of 19 months from the priority date as extended by virtue of Rule 80.5.
4. Although the date of receipt of the request is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to Rules 82 or 82quater.

NOTES TO THE SUPPLEMENTARY SEARCH REQUEST FORM (PCT/IB/375)

These notes are intended to facilitate the filing of the supplementary search request form and to give some information concerning the supplementary international search. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, on WIPO's website: <http://www.wipo.int/pct/en/>. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the supplementary search request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The supplementary search request form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

The supplementary search request form and these Notes may be downloaded from WIPO's website at the address given above.

IMPORTANT GENERAL INFORMATION

Which International Searching Authority can be selected to carry out a supplementary international search? Only an International Searching Authority which has stated its preparedness to carry out supplementary international searches (Rule 45*bis*.1(e)), and which is not carrying out the international search under Article 16(1) ("main search"), can be selected (Rule 45*bis*.9(b)). Information about which Authorities are prepared to carry out such searches and about any possible limitations and conditions is provided in the *PCT Applicant's Guide*, Annex SISA.

If the applicant wishes more than one supplementary international search to be carried out (Rule 45*bis*.1(a)), a separate request form should be submitted for each supplementary search requested.

Where must the supplementary search request be filed? (Rule 45*bis*.1). A supplementary search request must be filed with the International Bureau and not with the Authority specified for supplementary search. The International Bureau transmits the request to the Authority selected by the applicant once the requirements under Rule 45*bis*.1(b), (c)(i), 45*bis*.2(c) and 45*bis*.3(c) have been complied with, but not before the date of receipt by the International Bureau of the international search report or the expiration of 17 months from the priority date, whichever occurs first.

The Authority specified for supplementary search chosen by the applicant should be identified, preferably by an indication of the name or two-letter code of the Authority, at the top of the first sheet of the supplementary search request in the space provided for that purpose.

When must the supplementary search request be filed? (Rule 45*bis*.1(a)). The supplementary search request must be filed with the International Bureau prior to the expiration of 19 months from the priority date.

In which language must the supplementary search request be filed? (Rule 92.2(d)). The supplementary search request must be filed in either English or French.

What is the language of correspondence? (Rule 92.2(d) and Section 104). Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

What must the supplementary search request be accompanied by? Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation

of the international application into a language which is accepted by that Authority should be submitted together with the request.

If applicable, a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions, if required by the Authority specified for supplementary search, should preferably be submitted together with the request.

Box No. I

Applicant's or Agent's file reference: A file reference may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded (Section 109).

Identification of the international application: The international application number must be indicated in Box No. I.

International filing date and (earliest) priority date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order, and separated by periods, slants or hyphens, for example, "24 March 2010 (24.03.2010)", "24 March 2010 (24/03/2010)" or "24 March 2010 (24-03-2010)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

Box No. II

Applicant (Rule 45*bis*.1(b)(i)): The applicant, or, if there is more than one applicant, at least one of the applicants must be indicated in the supplementary search request. Mark in Box No. II of the supplementary search request the same indications that are in Boxes No. II and III of the PCT Request. The Notes to the PCT Request apply *mutatis mutandis*.

Applicant's registration number with the Office: Where the applicant is registered with the national or regional Office that is acting as the Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the applicant is so registered.

Telephone, Facsimile Number and/or E-mail address should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

NOTES TO THE SUPPLEMENTARY SEARCH REQUEST FORM (PCT/IB/375)

These notes are intended to facilitate the filing of the supplementary search request form and to give some information concerning the supplementary international search. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, on WIPO's website: <http://www.wipo.int/pct/en/>. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the supplementary search request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The supplementary search request form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

The supplementary search request form and these Notes may be downloaded from WIPO's website at the address given above.

IMPORTANT GENERAL INFORMATION

Which International Searching Authority can be selected to carry out a supplementary international search? Only an International Searching Authority which has stated its preparedness to carry out supplementary international searches (Rule 45*bis*.1(e)), and which is not carrying out the international search under Article 16(1) ("main search"), can be selected (Rule 45*bis*.9(b)). Information about which Authorities are prepared to carry out such searches and about any possible limitations and conditions is provided in the *PCT Applicant's Guide*, Annex SISA.

If the applicant wishes more than one supplementary international search to be carried out (Rule 45*bis*.1(a)), a separate request form should be submitted for each supplementary search requested.

Where must the supplementary search request be filed? (Rule 45*bis*.1). A supplementary search request must be filed with the International Bureau and not with the Authority specified for supplementary search. The International Bureau transmits the request to the Authority selected by the applicant once the requirements under Rule 45*bis*.1(b), (c)(i), 45*bis*.2(c) and 45*bis*.3(c) have been complied with, but not before the date of receipt by the International Bureau of the international search report or the expiration of 17 months from the priority date, whichever occurs first.

The Authority specified for supplementary search chosen by the applicant should be identified, preferably by an indication of the name or two-letter code of the Authority, at the top of the first sheet of the supplementary search request in the space provided for that purpose.

When must the supplementary search request be filed? (Rule 45*bis*.1(a)). The supplementary search request must be filed with the International Bureau prior to the expiration of 19 months from the priority date.

In which language must the supplementary search request be filed? (Rule 92.2(d)). The supplementary search request must be filed in either English or French.

What is the language of correspondence? (Rule 92.2(d) and Section 104). Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

What must the supplementary search request be accompanied by? Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation

of the international application into a language which is accepted by that Authority should be submitted together with the request.

If applicable, a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions, if required by the Authority specified for supplementary search, should preferably be submitted together with the request.

Box No. I

Applicant's or Agent's file reference: A file reference may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded (Section 109).

Identification of the international application: The international application number must be indicated in Box No. I.

International filing date and (earliest) priority date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order, and separated by periods, slants or hyphens, for example, "24 March 2010 (24.03.2010)", "24 March 2010 (24/03/2010)" or "24 March 2010 (24-03-2010)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

Box No. II

Applicant (Rule 45*bis*.1(b)(i)): The applicant, or, if there is more than one applicant, at least one of the applicants must be indicated in the supplementary search request. Mark in Box No. II of the supplementary search request the same indications that are in Boxes No. II and III of the PCT Request. The Notes to the PCT Request apply *mutatis mutandis*.

Applicant's registration number with the Office: Where the applicant is registered with the national or regional Office that is acting as the Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the applicant is so registered.

Telephone, Facsimile Number and/or E-mail address should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the check-boxes is marked, the International Bureau and Authority specified for supplementary search may, if they wish to do so, send notifications in respect of the international application to the applicant, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail (for details about each Office's procedure, see *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient's side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the Authority specified for supplementary search will send e-mail communications only to the appointed agent or common representative.

Box No. III

Agent or Common Representative (Rules 45*bis*.1(b)(i), 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the supplementary search request* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the Authority specified for supplementary search* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the Authority specified for supplementary search, all notifications issued by that Authority will be addressed only to that additional person. A separate power of attorney must be filed with the Authority specified for supplementary search, the International Bureau or the receiving Office, if the person appointed at the time the supplementary search request is filed (i.e., was not appointed earlier) signs the supplementary search request on behalf of the applicant (Rule 90.4).

Agent's registration number with the Office: Where the agent is registered with the national or regional Office that is acting as Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the agent is so registered.

E- mail address (see Notes to Box. No. II)

Address for correspondence Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used. Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, of the applicant. However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No. III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-

Notes to the supplementary search request (PCT/IB/375) (page 2) (July 2015)

box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" in Box No. III has been marked).

Box No. IV

Language for the supplementary international search: The language for the purposes of supplementary international search should be indicated in Box No. IV and it should be specified whether that language is that of the international application as filed, the language of the translation furnished for the purposes of international search (Rule 12.3), the language of the translation furnished for the purposes of publication of the international application (Rule 12.4) and/or the language of the translation to be furnished for the purposes of supplementary international search.

Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation of the international application into a language which is accepted by that Authority must be furnished with the supplementary search request.

Limitation of the supplementary international search to certain claims: The check-box should be marked where the International Searching Authority has found that the international application does not comply with the requirement of unity of invention and the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The claims relating to the invention selected and, where applicable, the number of the invention as identified by the International Searching Authority, should be indicated in the space provided. Note that where the international search report is available to the Authority specified for supplementary search before it starts the search, the Authority may exclude from the supplementary search any claims which were not the subject of the international search (Rule 45*bis*.5(d)).

Box No. V

Check list: It is recommended that this Box be filled in carefully in order for the Authority specified for supplementary search to determine, as soon as possible, whether it is in possession of the documents on the basis of which the applicant wishes supplementary international search to start. Where a translation of the international application must be furnished for the purposes of supplementary international search (Rule 45*bis*.1(c)(i)), check-Box No. 1 should be marked.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in the form of an Annex C/ST.25 text file is required by the Authority specified for supplementary search, the applicant should preferably furnish the listing in that form to the International Bureau with the supplementary search request (Rule 45*bis*.1(c)(ii)). If this is the case, check-box No.6 should be marked.

Box No. VI

Signature of applicant, agent or common representative (Rules 90 and 92.1): The supplementary search request must be signed by one of the applicants, the agent or the common representative.

Important: Should a notice of withdrawal of the supplementary search request be filed, that notice will have to be signed by the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the request for supplementary search, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).

Unless one of the check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the check-boxes is marked, the International Bureau and Authority specified for supplementary search may, if they wish to do so, send notifications in respect of the international application to the applicant, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail (for details about each Office's procedure, see *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient's side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the Authority specified for supplementary search will send e-mail communications only to the appointed agent or common representative.

Box No. III

Agent or Common Representative (Rules 45*bis*.1(b)(i), 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the supplementary search request* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the Authority specified for supplementary search* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the Authority specified for supplementary search, all notifications issued by that Authority will be addressed only to that additional person. A separate power of attorney must be filed with the Authority specified for supplementary search, the International Bureau or the receiving Office, if the person appointed at the time the supplementary search request is filed (i.e., was not appointed earlier) signs the supplementary search request on behalf of the applicant (Rule 90.4).

Agent's registration number with the Office: Where the agent is registered with the national or regional Office that is acting as Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the agent is so registered.

E- mail address (see Notes to Box. No. II)

Address for correspondence Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used. Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, of the applicant. However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No. III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-

box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" in Box No. III has been marked).

Box No. IV

Language for the supplementary international search: The language for the purposes of supplementary international search should be indicated in Box No. IV and it should be specified whether that language is that of the international application as filed, the language of the translation furnished for the purposes of international search (Rule 12.3), the language of the translation furnished for the purposes of publication of the international application (Rule 12.4) and/or the language of the translation to be furnished for the purposes of supplementary international search.

Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation of the international application into a language which is accepted by that Authority must be furnished with the supplementary search request.

Limitation of the supplementary international search to certain claims: The check-box should be marked where the International Searching Authority has found that the international application does not comply with the requirement of unity of invention and the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The claims relating to the invention selected and, where applicable, the number of the invention as identified by the International Searching Authority, should be indicated in the space provided. Note that where the international search report is available to the Authority specified for supplementary search before it starts the search, the Authority may exclude from the supplementary search any claims which were not the subject of the international search (Rule 45*bis*.5(d)).

Box No. V

Check list: It is recommended that this Box be filled in carefully in order for the Authority specified for supplementary search to determine, as soon as possible, whether it is in possession of the documents on the basis of which the applicant wishes supplementary international search to start. Where a translation of the international application must be furnished for the purposes of supplementary international search (Rule 45*bis*.1(c)(i)), check-Box No. 1 should be marked.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in the form of an Annex C/ST.25 text file is required by the Authority specified for supplementary search, the applicant should preferably furnish the listing in that form to the International Bureau with the supplementary search request (Rule 45*bis*.1(c)(ii)). If this is the case, check-box No.6 should be marked.

Box No. VI

Signature of applicant, agent or common representative (Rules 90 and 92.1): The supplementary search request must be signed by one of the applicants, the agent or the common representative.

Important: Should a notice of withdrawal of the supplementary search request be filed, that notice will have to be signed by the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the request for supplementary search, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).

PCT

FEE CALCULATION SHEET

Annex to the supplementary search request

AUTHORITY International application No. Applicant's or agent's file reference	For International Bureau use only Date stamp of the International Bureau
Applicant	
CALCULATION OF PRESCRIBED FEES (Applicants may be entitled to a reduction of certain fees as indicated in the PCT Fee Tables (http://www.wipo.int/pct/en/fees.pdf))	
1. SUPPLEMENTARY SEARCH FEE <input style="width: 150px;" type="text"/> SS 2. SUPPLEMENTARY SEARCH HANDLING FEE . . . <input style="width: 150px;" type="text"/> SH 3. TOTAL OF PRESCRIBED FEES <input style="width: 150px; height: 20px;" type="text"/> <div style="border: 1px solid black; width: 150px; margin-left: 100px; text-align: center; padding: 2px;">TOTAL</div>	
MODE OF PAYMENT <input type="checkbox"/> credit card (<i>details should not be included on this sheet</i>) e-mail address for E-payment: _____ (<i>Leave blank if address is same as that indicated in Box No. II or III</i>) <input type="checkbox"/> authorization to charge deposit or current account with the International Bureau (see below) <input type="checkbox"/> bank transfer <input type="checkbox"/> postal money order <input type="checkbox"/> check	
AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT WITH INTERNATIONAL BUREAU <input type="checkbox"/> Authorization to charge the total fees indicated above. <input type="checkbox"/> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	
Deposit or Current Account No.: _____ Date: _____ Name: _____ Signature: _____	

PCT

FEE CALCULATION SHEET

Annex to the supplementary search request

AUTHORITY International application No. Applicant's or agent's file reference	<p style="text-align: center;">For International Bureau use only</p> Date stamp of the International Bureau
Applicant	_____ _____ _____
<p>CALCULATION OF PRESCRIBED FEES</p> <p><i>(Applicants may be entitled to a reduction of <u>the supplementary search fee and the supplementary search handling fee</u> as indicated in the PCT Fee Tables (http://www.wipo.int/pct/en/fees.pdf))</i></p> <p>1. SUPPLEMENTARY SEARCH FEE <input style="width: 150px;" type="text"/> SS</p> <p>2. SUPPLEMENTARY SEARCH HANDLING FEE . . . <input style="width: 150px;" type="text"/> SH</p> <p>3. TOTAL OF PRESCRIBED FEES <input style="width: 150px; height: 20px;" type="text"/></p> <div style="border: 1px solid black; width: 150px; margin-left: 100px; text-align: center; padding: 2px;">TOTAL</div>	
<p>MODE OF PAYMENT</p> <p><input type="checkbox"/> credit card <i>(details should not be included on this sheet)</i> e-mail address for E-payment: _____ <i>(Leave blank if address is same as that indicated in Box No. II or III)</i></p> <p><input type="checkbox"/> authorization to charge deposit or current account with the International Bureau (see below)</p> <p><input type="checkbox"/> bank transfer</p> <p><input type="checkbox"/> postal money order</p> <p><input type="checkbox"/> check</p>	
<p>AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT WITH INTERNATIONAL BUREAU</p> <p><input type="checkbox"/> Authorization to charge the total fees indicated above.</p> <p><input type="checkbox"/> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.</p> <p style="text-align: right;">Deposit or Current Account No.: _____</p> <p style="text-align: right;">Date: _____</p> <p style="text-align: right;">Name: _____</p> <p style="text-align: right;">Signature: _____</p>	

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/IB/375)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the supplementary search request. This will help the International Bureau to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for supplementary international search:

- (i) the supplementary search fee for the benefit of the Authority specified for supplementary search (Rule 45bis.3);
- (ii) the supplementary search handling fee for the benefit of the International Bureau (Rule 45bis.2).

Both fees must be paid to the International Bureau within one month from the date on which the request for supplementary search was received. Payments of the fees can only be accepted in Swiss francs. The amount payable shall be the amount applicable on the date of payment.

Information as to the amount of those fees can be obtained from the International Bureau. This information is also published in the *PCT Applicant's Guide*, Annex SISA, the *PCT Newsletter* and in *Official Notices (PCT Gazette)*.

Box SS: The amount of the supplementary search fee must be entered in Box SS.

Box SH: The amount of the supplementary search handling fee must be entered in Box SH.

Reductions: Some Offices have different supplementary search fees, depending upon the documentation to be searched, which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex SISA of the *PCT Applicant's Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. Applicants may also be entitled to a reduction to the supplementary search handling fee, which is explained further below.

Reduction of the supplementary search handling fee for applicants from certain States: An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the supplementary search handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the supplementary search handling fee will be

automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the supplementary search request.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the supplementary search handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the supplementary search handling fee in case of fee reduction: Where the applicant is (or all applicants are) entitled to a reduction of the supplementary search handling fee, the total to be entered in Box SH is 10% of the supplementary search handling fee.

Total Box (item 3): the total of the amounts inserted in Boxes SS and SH is the amount which must be paid to the International Bureau.

MODE OF PAYMENT

In order to help the International Bureau identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es). Credit card details should not be furnished with the request for supplementary search. Applicants who choose credit card payment will be sent an e-mail with a unique link to our secure E-payment system. Where an e-mail address has been indicated, in Box No. II or III, this address will be used. If no e-mail address has been indicated or the applicant wishes to use an alternative e-mail address for the purposes of E-payment, this should be indicated here.

**AUTHORIZATION TO CHARGE (OR CREDIT)
CURRENT ACCOUNT**

This mode of payment is only available if a current account has been opened with the International Bureau. Information on how to open such an account with the International Bureau can be found on WIPO's website: <http://www.wipo.int/pct/en/filing/account.htm>. Any current account with the receiving Office cannot be charged for the purpose of paying the supplementary search fee and the supplementary search handling fees due to the International Bureau.

The International Bureau will not charge fees to current accounts unless the current account authorization is signed and indicates the current account number.

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/IB/375)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the supplementary search request. This will help the International Bureau to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for supplementary international search:

- (i) the supplementary search fee for the benefit of the Authority specified for supplementary search (Rule 45bis.3);
- (ii) the supplementary search handling fee for the benefit of the International Bureau (Rule 45bis.2).

Both fees must be paid to the International Bureau within one month from the date on which the request for supplementary search was received. Payments of the fees can only be accepted in Swiss francs. The amount payable shall be the amount applicable on the date of payment.

Information as to the amount of those fees can be obtained from the International Bureau. This information is also published in the *PCT Applicant's Guide*, Annex SISA, the *PCT Newsletter* and in *Official Notices (PCT Gazette)*.

Box SS: The amount of the supplementary search fee must be entered in Box SS.

Box SH: The amount of the supplementary search handling fee must be entered in Box SH.

Reductions: Some Offices have different supplementary search fees, depending upon the documentation to be searched, which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex SISA of the *PCT Applicant's Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. Applicants may also be entitled to a reduction to the supplementary search handling fee, which is explained further below.

Reduction of the supplementary search handling fee for applicants from certain States: An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the supplementary search handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the supplementary search handling fee will be

automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the supplementary search request.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the supplementary search handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the supplementary search handling fee in case of fee reduction: Where the applicant is (or all applicants are) entitled to a reduction of the supplementary search handling fee, the total to be entered in Box SH is 10% of the supplementary search handling fee.

Total Box (item 3): the total of the amounts inserted in Boxes SS and SH is the amount which must be paid to the International Bureau.

MODE OF PAYMENT

In order to help the International Bureau identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es). Credit card details should not be furnished with the request for supplementary search. Applicants who choose credit card payment will be sent an e-mail with a unique link to our secure E-payment system. Where an e-mail address has been indicated, in Box No. II or III, this address will be used. If no e-mail address has been indicated or the applicant wishes to use an alternative e-mail address for the purposes of E-payment, this should be indicated here.

**AUTHORIZATION TO CHARGE (OR CREDIT)
CURRENT ACCOUNT**

This mode of payment is only available if a current account has been opened with the International Bureau. Information on how to open such an account with the International Bureau can be found on WIPO's website: <http://www.wipo.int/pct/en/filing/account.htm>. Any current account with the receiving Office cannot be charged for the purpose of paying the supplementary search fee and the supplementary search handling fees due to the International Bureau.

The International Bureau will not charge fees to current accounts unless the current account authorization is signed and indicates the current account number.

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ _____

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:
The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty.

For International Preliminary Examining Authority use only		
Identification of IPEA		Date of receipt of DEMAND
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION		Applicant's or agent's file reference
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority date (<i>day/month/year</i>)
Title of invention		
Box No. II APPLICANT(S)		
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		Telephone No.
		Facsimile No.
		Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.		

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ _____

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:
 The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty.

For International Preliminary Examining Authority use only		
Identification of IPEA		Date of receipt of DEMAND
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION		Applicant's or agent's file reference
International application No.	International filing date (day/month/year)	(Earliest) Priority date (day/month/year)
Title of invention		
Box No. II APPLICANT(S)		
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)</i>		Telephone No.
		Facsimile No.
		Applicant's registration No. with the Office
E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so. <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____		
State (that is, country) of nationality:		State (that is, country) of residence:
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)</i>		
State (that is, country) of nationality:		State (that is, country) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.		

Sheet No. . . .

International application No.

Continuation of Box No. II APPLICANT(S)

If none of the following sub-boxes is used, this sheet should not be included in the demand.

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Further applicants are indicated on another continuation sheet.

Sheet No. . . .

International application No.

Continuation of Box No. II APPLICANT(S)

If none of the following sub-boxes is used, this sheet should not be included in the demand.

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

Further applicants are indicated on another continuation sheet.

Sheet No. . . .	International application No.
Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
<p>The following person is <input type="checkbox"/> agent <input type="checkbox"/> common representative and <input type="checkbox"/> has been appointed earlier and represents the applicant(s) also for international preliminary examination. <input type="checkbox"/> is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked. <input type="checkbox"/> is hereby appointed, specifically for the procedure before the International Preliminary Examining Authority, in addition to the agent(s)/common representative appointed earlier.</p>	
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)</i>	Telephone No.
	Facsimile No.
	Agent's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	
Box No. IV BASIS FOR INTERNATIONAL PRELIMINARY EXAMINATION	
<p>Statement concerning amendments:*</p> <p>1. The applicant wishes the international preliminary examination to start on the basis of:</p> <p>the description <input type="checkbox"/> as originally filed, or <input type="checkbox"/> as amended under Article 34</p> <p>the sequence listing (if any) <input type="checkbox"/> as originally filed, or <input type="checkbox"/> as amended under Article 34: <input type="checkbox"/> in the form of an Annex C/ST.25 text file <input type="checkbox"/> on paper or in the form of an image file</p> <p>the claims <input type="checkbox"/> as originally filed, or <input type="checkbox"/> as amended under Article 19, and/or <input type="checkbox"/> as amended under Article 34</p> <p>the drawings (if any) <input type="checkbox"/> as originally filed, or <input type="checkbox"/> as amended under Article 34</p> <p>2. <input type="checkbox"/> The applicant wishes any amendment to the claims under Article 19 to be considered as reversed.</p> <p>3. <input type="checkbox"/> Where the IPEA wishes to start the international preliminary examination at the same time as the international search in accordance with Rule 69.1(b), the applicant requests the IPEA to postpone the start of the international preliminary examination until the expiration of the applicable time limit under Rule 69.1(d).</p> <p>4. <input type="checkbox"/> The applicant expressly wishes the international preliminary examination to start earlier than at the expiration of the applicable time limit under Rule 54bis.1(a).</p> <p>* Where no check-box is marked, international preliminary examination will start on the basis of the international application as originally filed or, where a copy of amendments to the claims under Article 19 and/or amendments of the international application under Article 34 are received by the International Preliminary Examining Authority before it has begun to draw up a written opinion or the international preliminary examination report, as so amended.</p>	
<p>Language for the purposes of international preliminary examination: _____</p> <input type="checkbox"/> which is the language in which the international application was filed. <input type="checkbox"/> which is the language of a translation furnished for the purposes of international search. <input type="checkbox"/> which is the language of publication of the international application. <input type="checkbox"/> which is the language of the translation (to be) furnished for the purposes of international preliminary examination.	
Box No. V ELECTION OF STATES	
The filing of this demand constitutes the election of all Contracting States which are designated and are bound by Chapter II of the PCT.	

Sheet No. . . .	International application No.
Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
<p>The following person is <input type="checkbox"/> agent <input type="checkbox"/> common representative and <input type="checkbox"/> has been appointed earlier and represents the applicant(s) also for international preliminary examination. <input type="checkbox"/> is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked. <input type="checkbox"/> is hereby appointed, specifically for the procedure before the International Preliminary Examining Authority, in addition to the agent(s)/common representative appointed earlier.</p>	
Name and address: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)</i>	Telephone No.
	Facsimile No.
	Agent's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	
Box No. IV BASIS FOR INTERNATIONAL PRELIMINARY EXAMINATION	
<p>Statement concerning amendments:*</p> <p>1. The applicant wishes the international preliminary examination to start on the basis of:</p> <p>the description <input type="checkbox"/> as originally filed, or <input type="checkbox"/> as amended under Article 34</p> <p>the sequence listing (if any) <input type="checkbox"/> as originally filed, or <input type="checkbox"/> as amended under Article 34: <input type="checkbox"/> in the form of an Annex C/ST.25 text file <input type="checkbox"/> on paper or in the form of an image file</p> <p>the claims <input type="checkbox"/> as originally filed, or <input type="checkbox"/> as amended under Article 19, and/or <input type="checkbox"/> as amended under Article 34</p> <p>the drawings (if any) <input type="checkbox"/> as originally filed, or <input type="checkbox"/> as amended under Article 34</p> <p>2. <input type="checkbox"/> The applicant wishes any amendment to the claims under Article 19 to be considered as reversed.</p> <p>3. <input type="checkbox"/> Where the IPEA wishes to start the international preliminary examination at the same time as the international search in accordance with Rule 69.1(b), the applicant requests the IPEA to postpone the start of the international preliminary examination until the expiration of the applicable time limit under Rule 69.1(d).</p> <p>4. <input type="checkbox"/> The applicant expressly wishes the international preliminary examination to start earlier than at the expiration of the applicable time limit under Rule 54bis.1(a).</p> <p>* Where no check-box is marked, international preliminary examination will start on the basis of the international application as originally filed or, where a copy of amendments to the claims under Article 19 and/or amendments of the international application under Article 34 are received by the International Preliminary Examining Authority before it has begun to draw up a written opinion or the international preliminary examination report, as so amended.</p>	
<p>Language for the purposes of international preliminary examination: _____</p> <input type="checkbox"/> which is the language in which the international application was filed. <input type="checkbox"/> which is the language of a translation furnished for the purposes of international search. <input type="checkbox"/> which is the language of publication of the international application. <input type="checkbox"/> which is the language of the translation (to be) furnished for the purposes of international preliminary examination.	
Box No. V ELECTION OF STATES	
The filing of this demand constitutes the election of all Contracting States which are designated and are bound by Chapter II of the PCT.	

Sheet No. . . .

International application No.

Box No. VI CHECK LIST

The demand is accompanied by the following elements, in the language referred to in Box No. IV, for the purposes of international preliminary examination:

- | | | |
|---|---|--------|
| 1. translation of international application | : | sheets |
| 2. amendments under Article 34 | : | sheets |
| 3. letter accompanying the amendments under Article 34 (Rule 66.8) | : | sheets |
| 4. copy (or, where required, translation) of amendments under Article 19 | : | sheets |
| 5. copy of the letter accompanying the amendments under Article 19 (Rules 46.5(b) and 53.9) | : | sheets |
| 6. copy (or, where applicable, translation) of any statement under Article 19 (Rule 62.1(ii)) | : | sheets |
| 7. other (<i>specify</i>) | : | sheets |

For International Preliminary Examining Authority use only

received	not received
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<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

The demand is also accompanied by the item(s) marked below:

- | | |
|--|--|
| 1. <input type="checkbox"/> fee calculation sheet | 5. <input type="checkbox"/> sequence listing in the form of an Annex C/ST.25 text file |
| 2. <input type="checkbox"/> original separate power of attorney | 6. <input type="checkbox"/> other (<i>specify</i>): _____ |
| 3. <input type="checkbox"/> original general power of attorney | _____ |
| 4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: | _____ |

Box No. VII SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the demand).

For International Preliminary Examining Authority use only

1. Date of actual receipt of DEMAND:	
2. Adjusted date of receipt of demand due to CORRECTIONS under Rule 60.1(b):	
3. <input type="checkbox"/> The date of receipt of the demand is AFTER the expiration of 19 months from the priority date and item 4 or 5, below, does not apply. <input type="checkbox"/> The applicant has been informed accordingly.	6. <input type="checkbox"/> The date of receipt of the demand is AFTER the expiration of the time limit under Rule 54bis.1(a) and item 7 or 8, below, does not apply.
4. <input type="checkbox"/> The date of receipt of the demand is WITHIN the time limit of 19 months from the priority date as extended by virtue of Rule 80.5.	7. <input type="checkbox"/> The date of receipt of the demand is WITHIN the time limit under Rule 54bis.1(a) as extended by virtue of Rule 80.5.
5. <input type="checkbox"/> Although the date of receipt of the demand is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to Rule 82 .	8. <input type="checkbox"/> Although the date of receipt of the demand is after the expiration of the time limit under Rule 54bis.1(a), the delay in arrival is EXCUSED pursuant to Rule 82 .

For International Bureau use only

Demand received from IPEA on:

Sheet No. . . .

International application No.

Box No. VI CHECK LIST

The demand is accompanied by the following elements, in the language referred to in Box No. IV, for the purposes of international preliminary examination:

- | | | |
|---|---|--------|
| 1. translation of international application | : | sheets |
| 2. amendments under Article 34 | : | sheets |
| 3. letter accompanying the amendments under Article 34 (Rule 66.8) | : | sheets |
| 4. copy (or, where required, translation) of amendments under Article 19 | : | sheets |
| 5. copy of the letter accompanying the amendments under Article 19 (Rules 46.5(b) and 53.9) | : | sheets |
| 6. copy (or, where applicable, translation) of any statement under Article 19 (Rule 62.1(ii)) | : | sheets |
| 7. other (<i>specify</i>) | : | sheets |

For International Preliminary Examining Authority use only

received	not received
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- | | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

The demand is also accompanied by the item(s) marked below:

- | | |
|--|--|
| 1. <input type="checkbox"/> fee calculation sheet | 5. <input type="checkbox"/> sequence listing in the form of an Annex C/ST.25 text file |
| 2. <input type="checkbox"/> original separate power of attorney | 6. <input type="checkbox"/> other (<i>specify</i>): _____ |
| 3. <input type="checkbox"/> original general power of attorney | _____ |
| 4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: | _____ |

Box No. VII SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the demand).

For International Preliminary Examining Authority use only

1. Date of actual receipt of DEMAND:

2. Adjusted date of receipt of demand due to CORRECTIONS under Rule 60.1(b):

3. The date of receipt of the demand is AFTER the expiration of 19 months from the priority date and item 4 or 5, below, does not apply.
 The applicant has been informed accordingly.
4. The date of receipt of the demand is WITHIN the time limit of 19 months from the priority date as extended by virtue of Rule 80.5.
5. Although the date of receipt of the demand is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to Rules 82 or 82quater.

6. The date of receipt of the demand is AFTER the expiration of the time limit under Rule 54bis.1(a) and item 7 or 8, below, does not apply.
7. The date of receipt of the demand is WITHIN the time limit under Rule 54bis.1(a) as extended by virtue of Rule 80.5.
8. Although the date of receipt of the demand is after the expiration of the time limit under Rule 54bis.1(a), the delay in arrival is EXCUSED pursuant to Rules 82 or 82quater.

For International Bureau use only

Demand received from IPEA on:

NOTES TO THE DEMAND FORM (PCT/IPEA/401)

These Notes are intended to facilitate the filling in of the demand form and to give some information concerning international preliminary examination under Chapter II of the Patent Cooperation Treaty (PCT). For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's website: <http://www.wipo.int/pct/en/>. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the demand form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The demand form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

The demand form and these Notes may be downloaded from WIPO's website at the address given above.

IMPORTANT GENERAL INFORMATION

Who May File a Demand? (Article 31(2)(a) and Rule 54): A demand (for international preliminary examination) may only be filed by an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II of the PCT; furthermore, the international application must have been filed with a receiving Office of, or acting for, a State bound by Chapter II. Where there are two or more applicants (for the same or different elected States) at least one of them must qualify.

Where Must the Demand Be Filed? (Article 31(6)(a)): The demand must be filed with a competent International Preliminary Examining Authority (IPEA). The receiving Office with which the international application was filed will, upon request, give information about the competent IPEA (or see the *PCT Applicant's Guide*, Annex C). If several IPEAs are competent, the applicant has the choice and the demand must be filed with (and the fees must be paid to) the IPEA chosen by the applicant. The IPEA chosen by the applicant may be identified, preferably by an indication of the name or two-letter code of the IPEA, at the top of the first sheet of the demand in the space provided for that purpose.

When Must the Demand Be Filed? (Article 39(1) and Rule 54bis.1): As long as certain designated Offices are still not bound by the 30-month time limit under Article 22 for entry into the national phase, the demand – because it contains the required election of designated States – must be filed within 19 months from the priority date if the applicant wishes to postpone entry into the national phase from 20 to 30 months from the priority date in respect of those designated Offices. For updated information about those Offices, see the *PCT Applicant's Guide*, National Chapters, Summaries, available on the WIPO website at the address indicated above. It is recalled that the time limit of 30 months from the priority date applies to all other designated Offices regardless of whether or not a demand is filed.

If the applicant wishes to file a demand, but not because of the reason explained above, the applicable time limit for filing such demand is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority or 22 months from the priority date, whichever expires later (see Rule 54bis.1(a)).

Any demand made after the expiration of the applicable time limit will be considered as if it had not been submitted and the IPEA shall so declare.

In Which Language Must the Demand Be Filed? (Rule 55.1): The demand must be filed in the language in which international preliminary examination will be carried out (see Notes to Box No. IV).

Notes to the demand form (PCT/IPEA/401) (page 1) (July 2015)

What is the Language of Correspondence? (Rules 55.3 and 92.2 and Section 104): Any letter from the applicant to the IPEA must be in the same language as the international application to which it relates. However, where the international preliminary examination will be carried out on the basis of a translation (see Notes to Box No. IV), any letter from the applicant to the IPEA must be in the language of the translation. The IPEA may authorize the use of other languages for letters which do not contain or relate to amendments of the international application. Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

BOX No. I

Applicant's or Agent's File Reference: A file reference may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded (Section 109).

Identification of the International Application (Rule 53.6): The international application number must be indicated in Box No. I. Where the demand is filed at a time when the international application number has not yet been notified by the receiving Office, the name of that Office must be indicated instead of the international application number.

International Filing Date and (Earliest) Priority Date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order, and separated by periods, slants or hyphens, for example, "26 October 2012 (26.10.2012)", "26 October 2012 (26/10/2012)" or "26 October 2012 (26-10-2012)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the Invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

BOX No. II

Applicant(s) (Rule 53.4): All the applicants for the elected States must be indicated in the demand. It should be noted that those persons named as "inventor only" in the request need not be named in the demand.

NOTES TO THE DEMAND FORM (PCT/IPEA/401)

These Notes are intended to facilitate the filling in of the demand form and to give some information concerning international preliminary examination under Chapter II of the Patent Cooperation Treaty (PCT). For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's website: <http://www.wipo.int/pct/en/>. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

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If the applicant wishes to file a demand, but not because of the reason explained above, the applicable time limit for filing such demand is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority or 22 months from the priority date, whichever expires later (see Rule 54bis.1(a)).

Any demand made after the expiration of the applicable time limit will be considered as if it had not been submitted and the IPEA shall so declare.

In Which Language Must the Demand Be Filed? (Rule 55.1): The demand must be filed in the language in which international preliminary examination will be carried out (see Notes to Box No. IV).

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BOX No. I

Applicant's or Agent's File Reference: A file reference may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded (Section 109).

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International Filing Date and (Earliest) Priority Date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order, and separated by periods, slants or hyphens, for example, "26 October 2012 (26.10.2012)", "26 October 2012 (26/10/2012)" or "26 October 2012 (26-10-2012)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the Invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

BOX No. II

Applicant(s) (Rule 53.4): All the applicants for the elected States must be indicated in the demand. It should be noted that those persons named as "inventor only" in the request need not be named in the demand.

Insert in Box No. II of the demand the required indications as in Boxes Nos. II and III of the request. The Notes to the request apply *mutatis mutandis*. If there are two or more applicants for the States elected in the demand, give the required indications for each of them; if there are more than three applicants, make the required indications on the “Continuation Sheet”.

If different applicants were indicated in the request for different designated States, there is no need to again indicate in the demand the States for which a person is applicant, because those indications have been made in the request.

Applicant’s registration number with the Office (Rule 53.4): Where the applicant is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the applicant is so registered.

An E-mail address should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the International Bureau and the International Preliminary Examining Authority may, if they wish to do so, send notifications in respect of the international application to the applicant by e-mail, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office’s procedure see the *PCT Applicant’s Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant’s responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient’s side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the International Preliminary Examining Authority will send e-mail communications only to the appointed agent or common representative.

BOX No. III

Agent or Common Representative (Rules 53.5, 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the demand* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the IPEA* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the IPEA, all notifications issued by the IPEA will be addressed only to that additional person.

A separate power of attorney must be filed with the IPEA, the International Bureau or the receiving Office, if the person appointed at the time the demand is filed (i.e., was not appointed earlier) signs the demand on behalf of the applicant (Rule 90.4). However, the receiving Office, the International Bureau or the IPEA may waive the requirement that a separate power of attorney be filed. For details, see the *PCT Applicant’s Guide*, Annex B(IB), Annex C and Annex E.

Agent’s registration number with the Office (Rule 53.5): Where the agent is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the agent is so registered.

E-mail address (see Notes to Box. No. II).

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No. III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes “agent” or “common representative” in Box No. III has been marked).

BOX No. IV

Statement Concerning Amendments (Rules 53.2(a)(iv), 53.9, 62, 66.1 and 69.1): The international preliminary examination will start on the basis of the international application as filed or, if amendments have been filed, as amended. Mark the appropriate check-box(es) to enable the IPEA to determine when and on what basis it can start international preliminary examination.

Mark the corresponding check-box(es) under No. 1 where the international preliminary examination should start on the basis of the international application as originally filed or where amendments are to be taken into account, as the case may be. Where amendments under Article 19 are to be taken into account, the applicant should preferably submit a copy of the amendments made under Article 19, the letter accompanying the amendments (Rules 62.1(ii) and 46.5(b)) and any statement (Rule 62.1(ii)). Where amendments under Article 34 are to be taken into account, the applicant must submit *with the Demand* the amendments of the international application under Article 34, together with a letter which must draw attention to the differences caused by the amendments and indicate the basis for the amendments in the application as filed and shall also explain the reasons for the amendments (Rule 66.8). If a check-box is marked but the demand is not accompanied by the

Insert in Box No. II of the demand the required indications as in Boxes Nos. II and III of the request. The Notes to the request apply *mutatis mutandis*. If there are two or more applicants for the States elected in the demand, give the required indications for each of them; if there are more than three applicants, make the required indications on the “Continuation Sheet”.

If different applicants were indicated in the request for different designated States, there is no need to again indicate in the demand the States for which a person is applicant, because those indications have been made in the request.

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Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No. III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes “agent” or “common representative” in Box No. III has been marked).

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Mark the corresponding check-box(es) under No. 1 where the international preliminary examination should start on the basis of the international application as originally filed or where amendments are to be taken into account, as the case may be. Where amendments under Article 19 are to be taken into account, the applicant should preferably submit a copy of the amendments made under Article 19, the letter accompanying the amendments (Rules 62.1(ii) and 46.5(b)) and any statement (Rule 62.1(ii)). Where amendments under Article 34 are to be taken into account, the applicant must submit *with the Demand* the amendments of the international application under Article 34, together with a letter which must draw attention to the differences caused by the amendments and indicate the basis for the amendments in the application as filed and shall also explain the reasons for the amendments (Rule 66.8). If a check-box is marked but the demand is not accompanied by the

documents referred to, the start of international preliminary examination will be delayed until the IPEA receives them.

Mark check-box No. 2 if amendments of the claims under Article 19 have been filed with the International Bureau during the Chapter I procedure, but the applicant wishes those amendments to be considered reversed by an amendment under Article 34 (Rule 53.9(a)(ii)).

Mark check-box No. 3 where the applicant wants to keep the option for the filing of amendments of the claims under Article 19 open and where the IPEA wishes to start the international preliminary examination at the same time as the international search in accordance with Rule 69.1(b). The applicant may request the IPEA to **postpone** the start of international preliminary examination until the expiration of the applicable time limit (Rules 46.1, 53.9(b) and 69.1(d)).

Mark check-box No. 4 if the applicant wishes that the international preliminary examination start earlier than at the expiration of the applicable time limit under Rule 54bis.1(a).

Where the ISA and IPEA are not the same Authority, examination will not commence until the IPEA is in possession of the international search report, or a notice of the declaration under Article 17(2)(a) and the written opinion established by the ISA.

The applicable time limit under Rule 54bis.1(a) is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority, or 22 months from the priority date, whichever expires later.

If no check-box is marked, refer to the footnote at the bottom of the Box.

Language for the Purposes of International Preliminary Examination (Rule 55.2): Where neither the language in which the international application is filed nor the language in which the international application is published is accepted by the IPEA that is to carry out the international preliminary examination, the applicant must furnish with the demand a translation of the international application into a language which is both a language accepted by that Authority and a language of publication.

Where such translation has already been furnished to the International Searching Authority for the purposes of carrying out international search and the IPEA is part of the same Office or intergovernmental organization as the International Searching Authority, the applicant need not furnish another translation. In such a case the international preliminary examination is carried out on the basis of the translation furnished for the purposes of international search.

The language for the purposes of international preliminary examination should be indicated in Box No. IV and the corresponding check-box should be marked.

Language of Amendments (Rule 55.3): Amendments, letters and statements relating thereto must be in the same language as that in which the international preliminary examination is carried out, as explained in the preceding paragraphs.

Time Limit for Furnishing Translation of the International Application (Rule 55.2): Any required translation of the international application should be furnished (by the applicant) together with the demand. If it is not so furnished, the IPEA will invite the applicant to furnish it within a time limit which shall not be less than one month from the date of the invitation. That time limit may be extended by the IPEA.

BOX No. V

Election of States (Rule 53.7): The making of a demand shall constitute the election of all States which have been designated and which are bound by Chapter II of the PCT.

BOX No. VI

Check List: It is recommended that this Box be filled in carefully in order for the IPEA to determine as soon as possible whether it is in possession of the documents on the basis of which the applicant wishes international preliminary examination to start.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in the form of an Annex C/ST.25 text file is required by the IPEA, the applicant may furnish the listing in that form to the IPEA with the demand. If this is the case, check-box No. 5 must be marked.

BOX No. VII

Signature (Rules 53.8, 60.1(a-ter) and 90): The demand must be signed by the applicant or by his agent; if there are several applicants, the demand must be signed by all of them, or by the common agent or the common representative of all of them. However, if the signature(s) of one or more applicants is missing, the IPEA will not invite the applicants to furnish the missing signature(s) provided that at least one of the applicants has signed the demand.

Where the signature on the demand is not that of the applicant, but that of the agent or the common representative, a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general power of attorney the original of which has already been deposited with the receiving Office or the competent Authority, must be furnished. The power of attorney must be signed by the applicant or, if there is more than one applicant, by at least one of them. If the power is not filed with the demand, the IPEA will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each IPEA, see the *PCT Applicant's Guide*, Annex E).

Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by the applicant or, if there are two or more applicant's by all of them (Rule 90bis.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).

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Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by the applicant or, if there are two or more applicant's by all of them (Rule 90bis.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).

PCT

FEE CALCULATION SHEET

Annex to the Demand

International application No. <hr/> Applicant's or agent's file reference <hr/> Applicant <hr/> <p style="text-align: center;">CALCULATION OF PRESCRIBED FEES</p> <p><i>(Applicants may be entitled to a reduction of certain fees as indicated in the PCT Fee Tables (http://www.wipo.int/pct/en/fees.pdf))</i></p> <p>1. PRELIMINARY EXAMINATION FEE <input style="width: 150px;" type="text"/> P</p> <p>2. HANDLING FEE <input style="width: 150px;" type="text"/> H</p> <p>3. TOTAL OF PRESCRIBED FEES Add the amounts entered at P and H and enter total in the TOTAL box</p> <div style="border: 1px solid black; width: 150px; margin-left: auto; margin-right: auto; padding: 5px; text-align: center;"> TOTAL </div>	<p style="text-align: center;">For International Preliminary Examining Authority use only</p> <hr/> <p style="text-align: center;">Date stamp of the IPEA</p> <hr/> <hr/> <hr/> <hr/> <hr/>								
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**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/IPEA/401)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the demand. This will help the International Preliminary Examining Authority (IPEA) to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for international preliminary examination:

- (i) the preliminary examination fee for the benefit of the IPEA (Rule 58.1);
- (ii) the handling fee for the benefit of the International Bureau (Rule 57).

Both fees must be paid to the IPEA within one month from the date on which the demand is submitted or 22 months from the priority date, whichever expires later. The amount payable is the amount applicable on the date of payment (Rules 57.3 and 58.1(b)). The fees must be paid in a currency acceptable to the IPEA.

Information about the amount of those fees or about equivalent amounts in other currencies can be obtained from the IPEA or the receiving Office. This information is also published in the *PCT Applicant's Guide*, Annex E, and from time to time in *Official Notices (PCT Gazette)*.

Box P: The amount of the preliminary examination fee must be entered in Box P.

Box H: The amount of the handling fee must be entered in Box H.

Reductions: Applicants may be entitled to reductions to the preliminary examination fees, which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex E of the *PCT Applicants Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. Applicants may also be entitled to a reduction to the handling fee, which is explained below.

Reduction of the Handling Fee for Applicants from Certain States: An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the handling fee

will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the demand.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the Handling Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the handling fee, the total to be entered at Box H is 10% of the handling fee.

Total Box: The total of the amounts inserted in Boxes P and H is the amount which must be paid to the IPEA.

MODE OF PAYMENT

In order to help the IPEA identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es). Credit card details should not be included on the fee calculation sheet. They should be furnished separately.

**AUTHORIZATION TO CHARGE
(OR CREDIT) DEPOSIT OR CURRENT ACCOUNT**

The applicant should check whether the IPEA allows the use of deposit or current accounts for payment of PCT fees. In addition, it is recommended that the applicant check what are the specific conditions applicable to the use of deposit or current accounts with the IPEA since not all IPEAs provide the same services.

Finally, if the IPEA is not the same national Office or intergovernmental organization as that with which the international application was filed, the deposit or current account with the receiving Office cannot be charged for the purpose of paying the preliminary examination and handling fees due to the IPEA.

The IPEA will not charge fees to deposit or current accounts unless the deposit or current account authorization is signed and indicates the deposit or current account number.

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/IPEA/401)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the demand. This will help the International Preliminary Examining Authority (IPEA) to verify the calculations and to identify any error in them.

CALCULATION OF PRESCRIBED FEES

Two fees must be paid for international preliminary examination:

- (i) the preliminary examination fee for the benefit of the IPEA (Rule 58.1);
- (ii) the handling fee for the benefit of the International Bureau (Rule 57).

Both fees must be paid to the IPEA within one month from the date on which the demand is submitted or 22 months from the priority date, whichever expires later. The amount payable is the amount applicable on the date of payment (Rules 57.3 and 58.1(b)). The fees must be paid in a currency acceptable to the IPEA.

Information about the amount of those fees or about equivalent amounts in other currencies can be obtained from the IPEA or the receiving Office. This information is also published in the *PCT Applicant's Guide*, Annex E, and from time to time in *Official Notices (PCT Gazette)*.

Box P: The amount of the preliminary examination fee must be entered in Box P.

Box H: The amount of the handling fee must be entered in Box H.

Reductions: Applicants may be entitled to reductions to the preliminary examination fees, which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex E of the *PCT Applicants Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. Applicants may also be entitled to a reduction to the handling fee, which is explained below.

Reduction of the Handling Fee for Applicants from Certain States: An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the handling fee

will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the demand.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the Handling Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the handling fee, the total to be entered at Box H is 10% of the handling fee.

Total Box: The total of the amounts inserted in Boxes P and H is the amount which must be paid to the IPEA.

MODE OF PAYMENT

In order to help the IPEA identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es). Credit card details should not be included on the fee calculation sheet. They should be furnished separately.

**AUTHORIZATION TO CHARGE
(OR CREDIT) DEPOSIT OR CURRENT ACCOUNT**

The applicant should check whether the IPEA allows the use of deposit or current accounts for payment of PCT fees. In addition, it is recommended that the applicant check what are the specific conditions applicable to the use of deposit or current accounts with the IPEA since not all IPEAs provide the same services.

Finally, if the IPEA is not the same national Office or intergovernmental organization as that with which the international application was filed, the deposit or current account with the receiving Office cannot be charged for the purpose of paying the preliminary examination and handling fees due to the IPEA.

The IPEA will not charge fees to deposit or current accounts unless the deposit or current account authorization is signed and indicates the deposit or current account number.

PROPOSED MODIFICATIONS
TO THE ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

Section 104

Language of Correspondence ~~[in Cases Not Covered by Rule 92.2]~~

(a) The language of any letter from the applicant to the receiving Office shall be the same as the language of the international application to which such letter relates, provided that, where the international application is to be published in the language of a translation required under Rule 12.3(a) or 12.4(a), any letter shall be in such language. However, the receiving Office may expressly authorize the use of any other language.

(b) The language of any letter from an Office or Authority to the International Bureau shall be English where the language of the international application is English, and it shall be French where the language of the international application is French. Where the language of the international application is neither English nor French, the language of any letter to the International Bureau shall be English or French, provided that any copy, sent to the International Bureau as a notification addressed to it, of a Form sent to the applicant by the receiving Office, the International Searching Authority or the International Preliminary

(c) Examining Authority, does not require translation into English or French.

(c) Any communication from the applicant to the International Bureau using ePCT shall be in English, French or the language of publication. The Director General may determine that communications in such languages may also be submitted through other means of communication, and may additionally expand the languages permitted. Any such decisions by the Director General shall be published in the Gazette.

Section 111

**Procedure and Considerations in the Case of Excuse of the Delay in Meeting
Certain Time Limits under Rule 82^{quater}**

(a) Where ~~an Office in its capacity as a~~ receiving Office, ~~an the~~ International Searching Authority, ~~an the~~ Authority specified for supplementary search ~~or an the~~ International Preliminary Examining Authority, or the International Bureau receives a request under Rule 82^{quater} for the excuse of a delay in meeting a time limit, it shall promptly:

(i) communicate its decision whether or not to excuse such a delay to the interested party; and

(ii) where applicable, transmit a copy of such a request, a copy of any evidence furnished and of its decision to the International Bureau.

(d) Applicants desiring to have delays excused due to general unavailability of electronic communications services, must establish that the outage of electronic communications services affected a widespread geographical area rather than being a localized problem, that it was unexpected or unforeseen, and that there was no alternative communication means available to him.

[NB: The understanding adopted by the PCT Assembly used the phrase “widespread geographical areas or many individuals” in comparison with the phrase “a particular building or single user”. However, it appears that the second option is not parallel with the first option and is thus abundant in both phrases.

The other conditions that the outage should be unexpected or unforeseen and that there was no alternative communication means are proposed based on the discussions in the eighth session of the PCT Working Group (see paragraphs 400-406 of document PCT/WG/8/26).]

Section 217
Corrections Concerning Expressions, Etc., Not to Be Used
in the International Application under Rule 9.2

(a) Where the receiving Office, the International Searching Authority or the Authority specified for supplementary search receives corrections aimed at complying with Rule 9.1, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words "SUBSTITUTE SHEET (RULE 9.2)" or their equivalent in the language of publication of the international application;

(iii) indelibly mark on the letter containing the correction or accompanying any replacement sheet the date on which that letter was received;

(iv) keep in its files a copy of the letter containing the correction or, when the correction is contained in a replacement sheet, the replaced sheet, a copy of the letter accompanying the replacement sheet, and a copy of the replacement sheet;

(v) unless the circumstances in item (vi) apply, promptly transmit any letter and any replacement sheet to the International Bureau and a copy thereof to the receiving Office, the International Searching Authority and the Authority specified for supplementary search, as applicable;

(vi) where transmittals under Article 12(1) have not yet been made, the receiving Office shall transmit any letter and any replacement sheet to the International Bureau together with the record copy and, except where the international application is considered withdrawn and Rule 29.1(iii) applies, a copy of the said letter or replacement sheet to the International Searching Authority together with the search copy. The record copy and the search copy shall contain any replaced sheet.

(b) Where the International Bureau receives corrections under paragraph (a) from the receiving Office, the International Searching Authority or the Authority specified for supplementary search, the International Bureau shall transfer the correction to the record copy, together with the indication of the date on which the Office or Authority received the letter, or shall insert the replacement sheet in the record copy. Any letter and any replaced sheet shall be kept in the file of the international application. Where the International Bureau receives corrections under paragraph (a) from the receiving Office or the International Searching Authority, it shall, where applicable, promptly transmit a copy of any letter and replacement sheet to the Authority specified for supplementary search.

(c) Where the International Bureau receives from the applicant corrections aimed at complying with Rule 9.1, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words "SUBSTITUTE SHEET (RULE 9.2)" or their equivalent in the language of publication of the international application;

(iii) indelibly mark on the letter containing the correction or accompanying any replacement sheet the date on which that letter was received;

(iv) keep in its files the letter containing the correction or, when the correction is contained in a replacement sheet, the replaced sheet, the letter accompanying the replacement sheet and, the replacement sheet;

(v) promptly transmit a copy of any letter and any replacement sheet to the receiving Office, the International Searching Authority and the Authority specified for supplementary search, as applicable.

Section 325
Corrections of Defects under Rule 26.4, and
Rectifications of Obvious Mistakes under Rule 91, and
~~and Corrections under Rule 9.2~~

(a) Where the receiving Office receives a correction of defects under Rule 26.4 or authorizes a rectification of an obvious mistake under Rule 91, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words "SUBSTITUTE SHEET (RULE 26)" (where the replacement sheet contains a correction of defects under Rule 26) or "RECTIFIED SHEET (RULE 91)" (where the replacement sheet contains the rectification of an obvious mistake under Rule 91) or their equivalent in the language of publication of the international application;

(iii) indelibly mark on the letter containing the correction or rectification, or accompanying any replacement sheet, the date on which that letter was received;

(iv) keep in its files a copy of the letter containing the correction or rectification or, when the correction or rectification is contained in a replacement sheet, the replaced sheet, a copy of the letter accompanying the replacement sheet, and a copy of the replacement sheet;

(v) subject to item (vi), promptly transmit any letter and any replacement sheet to the International Bureau, and a copy thereof to the International Searching Authority;

(vi) where transmittals under Article 12(1) have not yet been made, transmit any letter and any replacement sheet to the International Bureau together with the record copy and, except where the international application is considered withdrawn and Rule 29.1(iii) applies, a copy of the said letter or replacement sheet to the International Searching Authority together with the search copy. The record copy and the search copy shall contain any replaced sheet.

(b) Where the receiving Office refuses to authorize the rectification of an obvious mistake under Rule 91, it shall proceed as indicated under paragraph (a)(i), (iii) and (iv) and promptly transmit any letter and any proposed replacement sheet to the International Bureau. If the record copy has not yet been sent to the International Bureau, any letter and any proposed replacement sheet shall be transmitted together with the record copy.

~~(c) Where the receiving Office receives corrections aimed at complying with Rule 9.1, paragraphs (a) and (b) shall apply *mutatis mutandis*, provided that, where a sheet is marked as indicated in paragraph (a)(ii), the words "SUBSTITUTE SHEET (RULE 9.2)" shall be used.~~

Section 413
Incorporations by Reference under Rule 20, Corrections of Defects under Rule 26.4, and
Rectifications of Obvious Mistakes under Rule 91, and
~~and Corrections under Rule 9.2~~

(a) Where the International Bureau receives from the receiving Office a letter containing a correction of any defects under Rule 26.4, or a replacement sheet and the letter accompanying it, the International Bureau shall transfer the correction to the record copy, together with the indication of the date on which the receiving Office received the letter, or shall insert the replacement sheet in the record copy. Any letter and any replaced sheet shall be kept in the file of the international application.

(b) Paragraph (a) shall apply *mutatis mutandis* to rectifications of obvious mistakes under Rule 91 authorized by the receiving Office, by the International Searching Authority or, where a demand has been made, by the International Preliminary Examining Authority, and
~~to corrections submitted by the applicant to the receiving Office or the International~~

~~Searching Authority aimed at complying with the prescription of Rule 9.1 concerning certain expressions, drawings, statements or other matter.~~

(b-*bis*) Where the International Bureau receives from the receiving Office, under Sections 309(c)(iv), 310(b)(iv), or 310*bis*(b)(v), corrected sheets of the request or later submitted sheets, the International Bureau shall transfer any correction to the record copy and insert any later submitted sheets in the record copy.

(c) Where the International Bureau is notified by the International Searching Authority under Rule 43.6*bis*(b) that the rectification of an obvious mistake authorized under Rule 91 has not been taken into account for the purposes of the international search, the International Bureau shall notify the applicant, the designated Offices and, where a demand has been made, the International Preliminary Examining Authority accordingly.

(d) Where the International Bureau is notified by the International Preliminary Examining Authority under Rule 70.2(e) that the rectification of an obvious mistake authorized under Rule 91 has not been taken into account for the purposes of the international preliminary examination, the International Bureau shall notify the applicant and the elected Offices accordingly.

PART 5

INSTRUCTIONS RELATING TO THE INTERNATIONAL SEARCHING AUTHORITY

Section 501

~~Corrections Submitted to the International Searching Authority Concerning Expressions, Etc., Not to Be Used in the International Application~~

~~Where the International Searching Authority receives corrections aimed at complying with Rule 9.1, Section 511 shall apply *mutatis mutandis*, provided that, where a sheet is marked as indicated in Section 511(a)(ii), the words "SUBSTITUTE SHEET (RULE 9.2)" shall be used.~~

~~[Deleted]~~

ANNEX D
INFORMATION FROM FRONT PAGE OF PUBLISHED INTERNATIONAL
APPLICATION TO BE INCLUDED IN THE GAZETTE UNDER RULE 86.1(i)

The following information shall be extracted from the front page of the publication of the international publication for each published international application and shall, in accordance with Rule 86.1(i), appear in the corresponding entry of the Gazette:

1. as to the international publication:
 - 1.1 the international publication number
 - 1.2 the date of the international publication
 - 1.3 an indication whether the following items were published in the published international application:
 - 1.31 international search report
 - 1.32 declaration under Article 17(2)
 - 1.33 claims amended under Article 19(1)
 - 1.34 statement under Article 19(1)
 - 1.35 *[Deleted]*
 - 1.36 request for rectification under the first sentence of Rule 91.3(d)
 - 1.37 information concerning the incorporation by reference of an element or part as referred to in Rule 48.2(b)(v)
 - 1.38 information concerning a priority claim under Rule 26bis.2(d)
 - 1.39 information concerning a request under Rule 26bis.3 for restoration of the right of priority
 - ~~1.40 information on copies of any declaration or other evidence furnished under Rule 26bis.3(f)~~
 - 1.4 the language in which the international application was filed
 - 1.5 the language of publication of the international application
2. as to the international application:
 - 2.1 the title of the invention
 - 2.2 the symbol(s) of the International Patent Classification (IPC)
 - 2.3 the international application number
 - 2.4 the international filing date
3. as to any priority claim:
 - 3.1 the application number of the earlier application
 - 3.2 the date on which the earlier application was filed
 - 3.3 where the earlier application is:
 - 3.31 a national application: the country in which the earlier application was filed
 - 3.32 a regional application: the authority entrusted with the granting of regional patents under the applicable regional patent treaty and, in the case referred to in Rule 4.10(b)(ii), a country party to the Paris Convention for the Protection of Industrial Property for which that earlier application was filed
 - 3.33 an international application: the receiving Office with which it was filed
4. as to the applicant, inventor and agent:
 - 4.1 their name(s)
 - 4.2 their mailing address(es)

(...)

[End of Annex II]

PROPOSED MODIFICATIONS TO THE PCT RECEIVING OFFICE GUIDELINES

CHAPTER II -
GENERAL

Irregularities in the Mail Service and Excuse of Delay in Meeting Time Limits

30. ***Excuse of Delay in Meeting Time Limits.*** For actions to be performed before the receiving Office, any delay in meeting a time limit is to be excused under Rule 82^{quater} if the receiving Office is satisfied that the following conditions are met:

(a) the time limit was not met due to war, revolution, civil disorder, strike, natural calamity, general unavailability of electronic communications services or other like reason in the locality where the interested party resides, has his place of business or is staying;

(b) the relevant action has been taken as soon as reasonably possible;

(c) the evidence provided by the applicant is in a form acceptable to the receiving Office; and

(d) the evidence is received by the receiving Office not later than six months after the expiration of the time limit applicable in the given case.

~~any delay in meeting time limits is to be excused if it is proven to the satisfaction of the receiving Office that the delay was caused by war, revolution, civil disorder, strike, natural calamity, or other like reasons in the locality where the interested party resides or has his place of business or is staying, provided that the omitted action was taken as soon as reasonably possible (Rule 82^{quater}). The excuse of delay only applies to time limits fixed in the Regulations and not to the priority period since the priority period is set by Article 4C of the Paris Convention (for restoration of the right of priority, see paragraphs 166A to I).~~

In the particular case of general unavailability of electronic communications services, the applicant must establish that the outage affected a widespread geographical area or many individuals rather than being a localized problem associated with a particular building or a single user, that it was unexpected or unforeseen, and that there was no alternative communication means available to him. Actions to be performed include the submission of documents, responses to invitations and the payment of fees.

~~The request for the excuse of the delay and the relevant evidence must be submitted to the receiving Office "as soon as reasonably possible" and, in any case, not later than six months after the expiration of the time limit applicable in the given case.~~ Whether the applicant has taken the relevant action "as soon as reasonably possible" is to be judged by the receiving Office on the facts of the case. Commonly, this would mean within a short period of the cause of the delay ceasing to apply. For example, in cases where a strike prevented an agent from reaching his

Office, it would be expected that the action should in most cases be taken either the next working day or shortly thereafter, depending on how much preparatory work had been disrupted. On the other hand, where a disaster has resulted in the complete destruction of an agent's files, it would reasonably be expected to take longer to reassemble all the necessary documents and systems to allow the necessary action to be taken. Rule 82^{quater} does not specifically refer to the action being taken "as soon as reasonably possible after the removal of the cause of the delay", because an applicant should still be expected to take reasonable steps to overcome problems in cases where it can be seen that the relevant emergency situation will continue for a considerable period and the applicant is not himself prevented by the emergency from taking remedial action. As to the form of evidence acceptable to the receiving Office, for example, a news report from a reliable mass media outlet, or a statement or announcement from the relevant national authority should normally be acceptable for this purpose. In the case of general unavailability of electronic communications services, a statement from the provider of Internet services or the company providing electricity to the applicant may also be acceptable. The excuse of delay only applies to time limits fixed in the Regulations and not to the priority period (for restoration of

[the right of priority, see paragraphs 166A to I](#)). The receiving Office should promptly inform the ~~interested party~~[applicant](#) of its decision (Form PCT/RO/132). A copy of the request, any evidence furnished and ~~of its~~[the](#) decision should be sent to the International Bureau.

Incorporation by Reference Cannot Replace Elements/Parts of the International Application as Originally Filed

205F. Where the applicant wishes to completely replace an element or all elements of an international application as originally filed with different elements through incorporation by reference of missing parts, the receiving Office may only add any elements of the international application as missing parts but may not perform a substitution of the international application as filed with the subsequently furnished missing parts. The description, claims or drawings from the earlier application, which are to be incorporated by reference, cannot replace the description, claims or drawings of the international application as filed. The parts to be incorporated by reference (Rule 20.5) should be combined with the elements of the international application originally submitted¹ and should be checked for compliance with the physical requirements referred to in Rule 11 to the extent that compliance is necessary for the purpose of reasonably uniform international publication (Rule 26.3(b)(ii)), including image scanning and OCR by the International Bureau. The receiving Office should invite the applicant to, or, if at all feasible and if the Office so wishes, by way of an ex officio correction, order the pages of the combined international application in such a manner that the sheets incorporated by reference are placed first, sequentially followed by the pages which were originally filed such as in the following example:

Description incorporated from earlier application

Description as originally filed

Claims incorporated from earlier application

Claims as originally filed

Drawings incorporated from earlier application

Drawings as originally filed

CHAPTER VIII MISSING PARTS IN THE INTERNATIONAL APPLICATION

Other Replacement Sheets

211. If replacement sheets are submitted under Rule 9 (Expressions, Etc., Not to Be Used), see Section [217](#)~~325(e)~~.

Procedure in the Case of Correction of Defects under Rule ~~9, 26~~ ~~or 91~~ and Rectification of Obvious Mistakes under Rule 91

¹ [Differing Practice at certain Receiving Offices](#): Certain receiving Offices do not accept to combine parts incorporated by reference with elements of the international application originally submitted. Incorporation by reference of a "missing part" at those Offices requires that the "missing part" of the claims or description element (see Article 11(1)(iii)(d) and (e)) to be incorporated by reference "completes" that element as contained in the international application on the international filing date, rather than adding a new version of the element. As a result, those Offices may refuse such requests for incorporation by reference and proceed to a negative finding under paragraph 205D. Offices concerned may, in accordance with Rule 19.4(a)(iii), transmit the international application to the International Bureau (see paragraphs 278 ff).

214. The procedure to be applied in case of correction of defects under Rule 26.4; [and](#) rectification of obvious mistakes under Rule 91 ~~and corrections under Rule 9.2~~ is set out in detail in Section 325.

CHAPTER XIX MISCELLANEOUS

Expressions, [Etc.](#), Not to Be Used (Rule 9)

333. If the receiving Office notes that the international application contains expressions, drawings or statements not to be used as defined in Rule 9.1, such as statements disparaging the products or processes of any particular person other than the applicant, or the merits or validity of applications or patents of any such person, it may proceed in accordance with Rule 9.2. Form PCT/RO/112 is used for that purpose, copies being sent to the International Bureau and to the International Searching Authority.²

[End of Annex III]

² [Where applicable, the International Bureau informs any competent Authority specified for supplementary search.](#)

PROPOSED MODIFICATIONS
TO THE PCT INTERNATIONAL SEARCH AND EXAMINING GUIDELINES

Chapter 4
Content of the International Application (Other Than the Claims)

Expressions, Etc., Not to Be Used

4.32. ~~Generally, t~~The receiving Office (see the PCT Receiving Office Guidelines), ~~or the International Searching Authority (see paragraph 15.35),~~ the Authority specified for supplementary search (see paragraph 15.88A) or the International Bureau will deal with matter falling under Rule 9.1. ~~If any such matter has not been recognized at one of these earlier stages, the International Preliminary Examining Authority may also invite the applicant to remove such matter.~~The applicant should be informed of the category applied under which the prohibited matter is to be removed.

Chapter 15
The International Search

Cases Where No Meaningful Search Is Possible

Obvious Mistakes and ~~Matter Contrary to Public Order~~ Expressions, Etc., Not to be Used (Rule 9)

Rules 9.1, 9.2, 91.1, 33.3(b); Sections ~~217~~501, 511(a)(v)

15.35 Similarly, if the International Searching Authority notes matter not to be used as defined in Rule 9.1, such as matter contrary to public order (“*ordre public*”) or morality or disparaging statements which ought to be omitted from the international application as published, it suggests to the applicant, with Form PCT/ISA/218, that the applicant voluntarily correct the international application and notifies the receiving Office and the International Bureau accordingly³. Note that any such correction must not introduce new matter ~~(see Chapter 8)~~. If the applicant does not make the requested corrections within the indicated time limit, the examiner proceeds with international search and examination covering subject matter to which the claims might reasonably be expected to be directed after correction~~amendment~~. However, it should be recognized that if the applicant does not make the requested corrections, the International Bureau may omit the noted matter from the publication of the international application, in accordance with Article 21(6).

Supplementary International Search

Expressions, Etc., Not to Be Used

Rules 9.1, 9.2; Section 217

15.88A If the Authority specified for supplementary search notes matter not to be used as defined in Rule 9.1, such as matter contrary to public order (“ordre public”) or morality or disparaging statements which ought to be omitted from the international application as published, it suggests to the applicant, with Form PCT/SISA/511, that the applicant voluntarily correct the international application and notifies the receiving Office, the International Searching Authority and the International Bureau accordingly. Note that any such correction must not introduce new matter. If the applicant does not make the requested corrections within the indicated time limit, the examiner proceeds with supplementary international search covering subject matter to which the claims might reasonably be expected to be directed after correction. Any correction aimed at complying with Rule 9.1

³ Where applicable, the International Bureau informs any competent Authority specified for supplementary search.

must be transmitted to the receiving Office, the International Searching Authority and the International Bureau.

Determination of Time Limits

Rule 80

19.50 Any time limit fixed by the International Preliminary Examining Authority will usually be specified in full months, which should be calculated from the day following the date of mailing of a particular communication inviting a response by the applicant. Rules 80.1 to 80.4 provide precise details for the determination of the day of expiration of the prescribed time limit. Rule 80.5 contains provisions covering certain contingencies, for example, that the Office of the International Preliminary Examining Authority is not open on the day on which the time limit to respond by the applicant expires (or there is an official holiday in the locality of any branch of the Office, or in a part of the Contracting State for which the Office is the government authority, such that the national law of the Office provides that such periods for national applications expire on a subsequent working day). Rule 82 covers the situation where there is a general disruption in the postal service. Rule 82^{quater} provides for an excuse of delays in meeting time limits because of force majeure reasons.

Use of Facsimile Machine, Telegraph, Teleprinter, Etc.

Rule 92.4(d), (e)

22.50 Where the furnishing of the original of a document is required as confirmation by the International Searching Authority, the Authority specified for supplementary search, or the International Preliminary Examining Authority of the document that was transmitted by facsimile, telegraph, teleprinter or other like means of communication, but the original of a document signed by the applicant or his agent is not received, within 14 days, an invitation is sent to the applicant inviting him to comply with the requirement within a time limit which must be reasonable (optionally using Form PCT/ISA/230 or Form PCT/IPEA/434, as the case may be) ~~(see paragraph 18.01)~~. The original document does not need to be submitted as confirmation unless the original is required by the ~~International Preliminary Examining Authority~~.

Rule 92.1(b), 92.4(g)(ii)

22.51 If the applicant does not comply with the invitation within the time limit, the International Searching Authority, the Authority specified for supplementary search, or the International Preliminary Examining Authority notifies the applicant that the document is considered not to have been submitted (optionally using Form PCT/ISA/232 or Form PCT/IPEA/438, as the case may be).

Irregularities in the Mail Service

Rule 82

22.52 For the applicable procedure in case of delay or loss in the mail or in case of interruption in the mail service, reference is made to Rule 82. Rule 82 applies also if a delivery service is used to the extent that the International Searching Authority, the Authority specified for supplementary search, or the International Preliminary Examining Authority accepts evidence of the mailing of a document by a delivery service other than the postal authorities.

Excuse of Delay in Meeting Time Limits

Rule 82^{quater}

22.52A Any delay in meeting a time limit is to be excused under Rule 82^{quater} if the International Searching Authority, the Authority specified for supplementary search, or the International Preliminary Examining Authority, as the case may be, is satisfied that the following conditions are met:

(a) the time limit was not met due to war, revolution, civil disorder, strike, natural calamity, general unavailability of electronic communication services or other like reason in the locality where the interested party resides, has his place of business or is staying;

(b) the relevant action has been taken as soon as reasonably possible;

(c) the evidence provided by the applicant is in a form acceptable to the Authority; and

(d) the evidence is received by the Authority not later than six months after the expiration of the time limit applicable in the given case.

In the particular case of general unavailability of electronic communications services, the applicant must establish that the outage affected a widespread geographical area or many individuals rather than being a localized problem associated with a particular building or a single user, that it was unexpected or unforeseen, and that there was no alternative communication means available to him. Actions to be performed include the submission of documents, responses to invitations and the payment of fees. Whether the applicant has taken the relevant action "as soon as reasonably possible" is to be judged by the Authority on the facts of the case. Commonly, this would mean within a short period of the cause of the delay ceasing to apply. For example, in cases where a strike prevented an agent from reaching his office, it would be expected that the action should in most cases be taken either the next working day or shortly thereafter, depending on how much preparatory work had been disrupted. On the other hand, where a disaster has resulted in the complete destruction of an agent's files, it would reasonably be expected to take longer to reassemble all the necessary documents and systems to allow the necessary action to be taken. Rule 82^{quater} does not specifically refer to the action being taken "as soon as reasonably possible after the removal of the cause of the delay", because an applicant should still be expected to take reasonable steps to overcome problems in cases where it can be seen that the relevant emergency situation will continue for a considerable period and the applicant is not himself prevented by the emergency from taking remedial action. As to the form of evidence acceptable to the Authority, for example, a news report from a reliable mass media outlet, or a statement or announcement from the relevant national authority should normally be acceptable for this purpose. In the case of general unavailability of electronic communications services, a statement from the provider of Internet services or the company providing electricity to the applicant may also be acceptable.

22.52B The Authority should promptly inform the applicant of its decision (using Form PCT/ISA/224 or Form PCT/IPEA/424, as the case may be). A copy of the request, any evidence furnished and the decision should be sent to the International Bureau.

[End of Annex IV and of Circular]