

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

GENEVA

## **PATENT COOPERATION TREATY (PCT)**

ADMINISTRATIVE INSTRUCTIONS  
UNDER THE PATENT COOPERATION TREATY:

PROPOSED MODIFICATIONS RELATING TO THE  
ELECTRONIC FILING, PROCESSING, STORAGE AND  
RECORDS MANAGEMENT OF INTERNATIONAL APPLICATIONS

(ANNEX F, APPENDIX III: ELECTRONIC FILING USING PHYSICAL MEDIA)

*prepared by the International Bureau for consideration at a  
PCT informal consultation meeting on electronic filing,  
Geneva, July 11 to 14, 2000*

## INTRODUCTION

1. At its twenty-eighth (16th extraordinary) session, held in Geneva in March 2000, the PCT Union Assembly considered the implementation of electronic filing and processing of international applications. The Assembly's discussions were based on document PCT/A/28/3, which included proposed modifications of the Administrative Instructions under the PCT,<sup>1</sup> and the comments of delegations and user representatives on that document which were reproduced in documents PCT/A/28/3 Add.2 to Add.5. The discussions also took into account the documents reproduced in document PCT/A/28/3 Add.1 relating to the development of the necessary technical standard to enable implementation of electronic filing and processing of international applications. The Assembly agreed that proposed new Part 7 of the Administrative Instructions under the PCT (Instructions Relating to Electronic Filing, Processing, Storage and Records Management of International Applications) and draft Annex F of the Administrative Instructions (Standard for Electronic Filing, Processing, Storage and Records Management of International Applications) needed extensive redrafting, and that further consultations on the redrafted versions were necessary (see the Assembly's report, document PCT/A/28/5, paragraph 24).<sup>2</sup>

2. This and related documents<sup>3</sup> contain a redraft of the necessary implementing provisions of the Administrative instructions for the purposes of continuing the consultation under Rule 89.2(b) which was begun in conjunction with the twenty-eighth session of the Assembly. The documents are as follows:

PCT/AI/1 Add.2 Prov., containing redrafted Part 7;

PCT/AI/1 Add.3 Prov., containing redrafted Annex F, Introduction;

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<sup>1</sup> References in this document to "Articles," "Rules" and "Sections" are, respectively, to those of the Patent Cooperation Treaty (PCT), of the Regulations under the PCT ("the Regulations") and of the Administrative Instructions under the PCT ("the Administrative Instructions"), or to such provisions as proposed to be amended or added, as the case may be. The current texts are available on WIPO's Internet site at <http://www.wipo.int/eng/pct/texts/index.htm> References to "national law," "national applications," "national Offices," etc., include reference to regional law, regional applications, regional Offices, etc.

<sup>2</sup> The report and other documents for the Assembly's session are available on WIPO's Internet site at [http://www.wipo.int/eng/document/govbody/wo\\_pct/index\\_28.htm](http://www.wipo.int/eng/document/govbody/wo_pct/index_28.htm).

<sup>3</sup> This and other documents for consideration by the PCT informal consultation meeting on electronic filing are available on WIPO's Internet site at [http://www.wipo.int/eng/meetings/2000/pct\\_ef/index.htm](http://www.wipo.int/eng/meetings/2000/pct_ef/index.htm)

PCT/AI/1 Add.4 Prov., containing redrafted Annex F, Appendix I (Technical Standard for the On-Line Exchange of Industrial Property Documents in a PKI Environment);

PCT/AI/1 Add.5 Prov., containing redrafted Annex F, Appendix II (XML DTDs for Industrial Property Document Exchange);

PCT/AI/1 Add.6 Prov., containing redrafted Annex F, Appendix III (Electronic Filing Using Physical Media).

[Annex F, Appendix III, follows]

PROPOSED MODIFICATIONS OF THE  
ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

ANNEX F  
STANDARD FOR ELECTRONIC FILING, PROCESSING, STORAGE  
AND RECORDS MANAGEMENT OF INTERNATIONAL APPLICATIONS

**Appendix III**  
**Electronic Filing Using Physical Media**

TABLE OF CONTENTS

<b>1</b>	<b>BACKGROUND.....</b>	<b>2</b>
<b>2</b>	<b>REQUIREMENTS FOR ELECTRONIC FILING USING PHYSICAL MEDIA.....</b>	<b>2</b>
	<b>ATTACHMENT 1 - 3.5 INCH DISKETTE.....</b>	<b>5</b>
	<b>ATTACHMENT 2 - CD-ROM.....</b>	<b>5</b>
	<b>ATTACHMENT 3 - CD-R.....</b>	<b>5</b>
	<b>ATTACHMENT 4 - DVD.....</b>	<b>5</b>
	<b>ATTACHMENT 5 - DVD-R .....</b>	<b>5</b>
	<b>ATTACHMENT 6 - IOMEGA ZIP DISK.....</b>	<b>6</b>
	<b>ATTACHMENT 7 - IMATION SUPERDISK DISKETTE.....</b>	<b>6</b>

## 1 Background

This document defines the requirements for applicants in the submission of electronic filing using physical media. The acceptable physical media types and formatting requirements shall be limited to those described in attachments to this document. Document formats are limited to those described in APPENDIX I. Each receiving Office shall indicate the physical media types and document formats acceptable to it, and whether it will accept a filing where the application is partly on physical media.

## 2 Requirements for electronic filing using physical media

- (a) Each physical medium must conform to the relevant standards indicated in this document, and the contents of each physical medium must be encoded in a format as specified in Annex F.
- (b) An RO may limit the files written on the physical medium to be no larger than 15 megabytes each. If a single document needs to be divided into multiple files to comply with this requirement, then the file names must indicate the sequence of the files in relation to the document (e.g. "Sequence Listing XXX part 4 of 17.txt").
- (c) Each physical medium must be enclosed in a hard case within an unsealed padded and protective mailing envelope and accompanied by a transmittal letter on paper. The transmittal letter must list for each physical medium the machine format (e.g., IBM-PC, Macintosh), the operating system compatibility (e.g., MS-DOS, MS-Windows, Macintosh, Unix), a list of the files contained on the physical medium including their names, sizes in bytes, and dates of creation, plus any other special information that is necessary to identify, maintain, and interpret the information on the physical medium. Physical media submitted to the Office will not be returned to the applicant.
- (d) Any physical media may, on request of the Office, be required to be submitted in duplicate. The physical medium and duplicate copy must be labeled 'Copy 1' and 'Copy 2', respectively. The transmittal letter that accompanies the physical media must include a statement that the two physical media are identical. In the event that the two physical media are not identical, the Office will use the physical medium labeled 'Copy 1' for further processing.
- (e) Any amendment to the information on a physical medium must be by way of a replacement physical medium containing the substitute information, and must be accompanied by a statement that the replacement physical medium contains no new matter. The physical medium and copy must be labeled 'COPY 1 REPLACEMENT YYYY/MM/DD' (with the month, day and year of creation indicated), and 'COPY 2 REPLACEMENT YYYY/MM/DD', respectively.
- (f) The specification must contain an incorporation-by-reference of the material on the physical medium in a separate paragraph identifying each physical medium by the names of the files contained on each of the physical media, their date of creation and their sizes in bytes.

- (g) A physical medium must also be labeled with the following information:
  - (i) The name of each inventor (if known);
  - (ii) Title of the invention;
  - (iii) The docket number, or application number if known used by the person filing the application to identify the application; and
  - (iv) A creation date of the physical medium.
- (v) If multiple physical media are submitted, the label shall indicate their order (e.g. '1 of X').
  - (vi) An indication that the disk is 'Copy 1' or 'Copy 2' of the submission. See paragraph (2.4) above.

## References

ISO/IEC 9529-1:1989 Information processing systems -- Data interchange on 90 mm (3,5 in) flexible disk cartridges using modified frequency modulation recording at 15 916 ftprad, on 80 tracks on each side -- Part 1: Dimensional, physical and magnetic characteristics

ISO/IEC 9529-2:1989 Information processing systems -- Data interchange on 90 mm (3,5 in) flexible disk cartridges using modified frequency modulation recording at 15 916 ftprad, on 80 tracks on each side -- Part 2: Track format

ISO 9660:1988 Information processing -- Volume and file structure of CD-ROM for information interchange  
Standard ECMA-119, Volume and File Structure of CDROM for Information Interchange

ISO/IEC 13346 Information technology -- Volume and file structure of write-once and rewritable media using non-sequential recording for information interchange  
Standard ECMA-167, Volume and File Structure for Write-Once and Rewritable Media using Non-Sequential Recording for Information Interchange

Optical Storage Technology Association Universal Disk Format Specification (OSTA UDF)

ISO/IEC 10149:1995 Information technology -- Data interchange on read-only 120 mm optical data disks (CD-ROM)  
Standard ECMA-130, Data Interchange on Read-only 120 mm Optical Data Disks (CD-ROM)

ISO/IEC 16448:1999 Information technology -- 120 mm DVD -- Read-only disk  
Standard ECMA-267, 120 mm DVD - Read-Only Disk

Standard ECMA-279, 80 mm (1,23 Gbytes per side) and 120 mm (3,95 Gbytes per side) DVD-Recordable Disk (DVD-R)

## **Attachments**

### **Attachment 1 - 3.5 Inch Diskette**

**Type**

ISO/IEC 9529 Double-sided, high density, 135 TPI, 80 track, 3.5 inch diskette.

**Format Specification**

1.44MB IBM PC Compatible DOS Format.

### **Attachment 2 - CD-ROM**

**Type**

ISO/IEC 10149:1995, 120mm CD-ROM

**Format Specification**

ISO 9660, 650MB

### **Attachment 3 - CD-R**

**Type**

120mm CD-Recordable Disk

**Format Specification**

ISO 9660, 650MB

### **Attachment 4 - DVD**

**Type**

ISO/IEC 16448:1999, 120 mm DVD - Read-Only Disk

**Format Specification**

4.7GB, conforming to either ISO 9660 or OSTA UDF(1.02 and higher)

### **Attachment 5 - DVD-R**

**Type**

Standard ECMA-279, 120 mm (3,95 Gbytes per side) DVD-Recordable Disk (DVD-R)

**Format Specification**

3.95GB, conforming to either ISO 9660 or OSTA UDF(1.02 and higher)



**Attachment 6 - Iomega ZIP Disk**

**Type**

Iomega ZIP Disk

**Format Specification**

100MB or 250MB, Iomega format

**Attachment 7 - Imation SuperDisk Diskette**

**Type**

Imation SuperDisk Diskette

**Format Specification**

120MB, PC (IBM) format

[End of document]