

## **Patent Cooperation Treaty (PCT) Working Group**

**Eleventh Session  
Geneva, June 18 to 22, 2018**

### **SEQUENCE LISTING TASK FORCE: STATUS REPORT**

*Document prepared by the European Patent Office*

#### **SUMMARY**

1. This document contains a report prepared by the European Patent Office (EPO) as leader of the Task Force on Sequence Listings created by the Committee on WIPO Standards (CWS). In particular, it reports on the revision of WIPO Standard ST.25 and the transition from WIPO Standard ST.25 to ST.26.

#### **BACKGROUND**

2. The Task Force on Sequence Listings was created by the Committee on WIPO Standards (CWS), at its first session (October 25 to 29, 2010), to deal with Task No. 44 (see paragraph 29 of document CWS/1/10):

"Prepare a recommendation on the presentation of nucleotide and amino acid sequence listings based on eXtensible Markup Language (XML) for adoption as a WIPO standard. The proposal of the new WIPO standard should be presented along with a report on the impact of the said standard on the current WIPO Standard ST.25, including the proposed necessary changes to Standard ST.25."

3. The Task Force was also requested:

"To liaise with the appropriate PCT body with regard to the possible impact of such standard on Annex C to the Administrative Instructions under the PCT."

4. The European Patent Office (EPO) was assigned the role of Task Force Leader.

5. At its reconvened fourth session, held in Geneva from March 21 to 24, 2016, the Committee on WIPO Standards (CWS) adopted WIPO Standard ST.26 "Recommended standard for the presentation of nucleotide and amino acid sequence listings using XML (eXtensible Markup Language)", as reproduced in Annex II to document CWS/4/7 and further amended as set out in the Annex to document CWS/4/7 Add.

6. The CWS also approved the following Editorial Note to be included in WIPO Standard ST.26 (see paragraphs 52 and 53 of the Report of the session, document CWS/4BIS/16):

"The Committee on WIPO Standards (CWS) agreed to ask industrial property offices to postpone the preparations for implementation of this new WIPO Standard ST.26 until the recommendations for the transition from WIPO Standard ST.25 to the new Standard ST.26 is agreed on by the CWS at its next session to be held in 2017. Meanwhile, Standard ST.25 should continue to be used."

7. The CWS, at its reconvened fourth session, further noted a progress report on the work of the Sequence Listing (SEQL) Task Force established to handle Task No. 44 for the preparation of recommendations on the presentation of nucleotide and amino acid sequence listings based on XML (document CWS/4BIS/8). The CWS agreed to modify Task No. 44 and the work of the SEQL Task Force as follows (see paragraphs 83 and 84 of the Report of the session, document CWS/4BIS/16):

"83. As the new WIPO Standard ST.26 was adopted at this session, the CWS agreed to modify Task No. 44 as follows:

"Task No. 44: Prepare recommendations for the transition provisions from WIPO Standard ST.25 to ST.26; and a proposal for the revision of WIPO Standard ST.26, if needed."

## **STATUS REPORT**

8. At its fifth session, the CWS considered the proposal for the revision of WIPO Standard ST.26, version 1.1, including proposed modifications to the main body of ST.26 and its Annexes I to III and the addition of Annex VI (Guidance Document), as described in document CWS/5/6 and as reproduced in Annex II to document CWS/5/6.

9. The revised WIPO Standard ST.26, version 1.1, as reproduced in Annex II to document CWS/5/6 was adopted by the CWS with the editorial changes in Annex VI (Guidance Document) and in Annex II (DTD) to the revised ST.26 as suggested by the Delegation of the United States of America and the Secretariat, respectively (see paragraph 41 of the Report of the session, document CWS/5/22).

10. On request of the CWS, the Sequence Listing Task Force presented a proposal for the transition from WIPO Standard ST.25 to ST.26 for consideration and approval at the fifth session of the CWS. The proposal took into account the result of the consultation carried out by the International Bureau by means of the Circular C. PCT 1485/C. CWS. 75 and contained suggestions regarding:

- (a) the transition scenario;
- (b) the reference date for international applications filed after the transition date and claiming priority from an application with a sequence listing filed in ST. 25 format (see paragraphs 4 to 8 of document CWS/5/7 Rev.1); and
- (c) the transition date.

11. Following the discussions, the CWS reached an agreement on the "big bang" scenario as the option for the transition from WIPO Standard ST.25 to ST.26, the international filing date as the reference date and January 2022 as the transition date (see paragraph 44 of the Report of the session, document CWS/5/22).

12. The International Bureau also informed the CWS that it would develop the new common authoring and validation software tool to enable applicants to prepare sequence listings and verify that such sequence listings are in compliance with WIPO Standard ST.26 (to the extent determinable by a computer); this tool would also facilitate the processing of the application containing the sequence listings in IPOs (see paragraph 47 of the Report of the session, document CWS/5/22).

13. Finally, the CWS noted the draft high-level roadmap for the transition from WIPO Standard ST.25 to ST.26 proposed by the International Bureau; the roadmap included the proposed tentative timeline in relation to the revision of PCT Administrative Instructions, modification of national regulations (if needed) and upgrade of IPOs' IT systems, which covered the period from 2017 to 2021 (see paragraph 48 of the Report of the session, document CWS/5/22).

#### **ROADMAP**

14. At its fifth session, the CWS assigned the following task to the Sequence Listings Task Force (see paragraph 45 of the Report of the session, document CWS/5/22):

- (a) support the International Bureau by providing users' requirements and feedback on the ST.26 authoring and validation software tool;
- (b) support the International Bureau in the consequential revision of the PCT Administrative Instructions; and
- (c) prepare necessary revisions of WIPO Standard ST.26 upon request by the CWS.

15. The International Bureau plans to complete the project on the development of the software tool by the end of 2018 and distribute it to applicants and IPOs (see paragraph 48 of the Report of the session, document CWS/5/22).

*16. The Working Group is invited to note the contents of the present document.*

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