

Patent Cooperation Treaty (PCT) Working Group

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PCT ONLINE SERVICES

Document prepared by the International Bureau

SUMMARY

1. This document highlights priority and ongoing IT system initiatives to improve PCT electronic services, including moves to reinforce electronic communications for documents sent to applicants during the international phase, development of web services, receipt of information concerning national phase entries and the decommissioning of PCT-SAFE. Other key IT-related issues are set out in more detail in document PCT/WG/14/7 (WIPO Fee Transfer Service) and document PCT/WG/14/8 (processing international applications in full-text format).

ELECTRONIC COMMUNICATIONS

2. Since the start of the pandemic, the International Bureau has suspended the transmission of documents on paper to applicants and suspended the transmission of documents to Offices on paper or in media-based electronic formats. In a PCT Circular shortly to be issued, the International Bureau will propose a modification to the Administrative Instructions to pave the way for the International Bureau and other Offices to leverage the secure delivery mechanism provided by the ePCT system (and potentially other services offered by national Offices) to offer the official delivery of documents to applicants without the reliance on postal services. The International Bureau aims to avoid the reintroduction of paper delivery after the pandemic, except in exceptional circumstances where electronic delivery is not possible.

NATIONAL PHASE ENTRY INFORMATION, EARLIER SEARCH AND CHAPTER II DOCUMENTS

3. The International Bureau would like to remind Offices that recent rule changes required or encouraged additional data transfers from Offices to the International Bureau. However, the

International Bureau does not yet receive national phase event notifications consistently from all designated Offices as required by Rule 95.1. Moreover, fewer earlier search and classification results are received under Rule 23*bis*.2 than might be expected and the implementation of delivery of additional Chapter II documents under Rules 71.1(b) and 94.1(c) has been slow. The International Bureau invites any Offices requiring assistance on setting up the necessary process for transfer of documents and data for these highlighted transfers, to contact the PCT International Cooperation Division.

MACHINE-TO-MACHINE SERVICES

4. The International Bureau has been implementing and making available machine-to-machine web-services to enable Offices and applicants to integrate with national electronic processing systems and corporate patent management systems to enable secure automated transactions to retrieve information, documents and workflow information from the International Bureau's systems. Ideally, for large applicants able to use such systems, this would become the normal method of communication for documents, as referred to in paragraph 2, above. Up to now, there have been a growing number of ePCT machine-to-machine implementations by a small number of IP Offices and applicants. For this to be taken up widely, national Offices should consider building on the work of the Application Programming Interface (API) Task Force of the Committee on WIPO Standards to implement common interfaces for such communication functions, making it more attractive for patent management system providers to implement the necessary protocols for national, regional and international systems alike.

eSEARCHCOPY SYSTEM USAGE

5. The eSearchCopy system is now in use by all receiving Offices that transmit search copies of international applications to International Authorities, and is expected to be taken up by any new pairing of receiving Office and International Searching Authority. International Authorities now benefit from the reception of all search copies, except those received at the same Office in its role as receiving Office, in a common format from the International Bureau. In some cases, the service is also used to pass documents from an Office in its capacity as receiving Office to itself in its capacity as International Searching Authority, so that the documents are processed in an identical way in all cases.

ePCT DEVELOPMENTS

6. ePCT continues to be used by applicants, receiving Offices and International Authorities for filing and processing international applications. The system continues to offer access to the most up-to-date PCT reference data, filing validations and PCT Form generation functions. Recent developments include the integration of the ePCT interface for filing into the European Patent Office Online Filing 2.0, and into the WIPO IP Portal. ePCT version 4.8 has been recently deployed to production. Much of the work in this and the following release is devoted to modernization of background services, modularizing and strengthening the reliability of the system to maintain its extremely high availability, and preparing for new services in the future. The International Bureau is also working closely with a number of International Searching Authorities to identify the requirements for improved functionality and usability, set out in more detail in document PCT/MIA/28/5, related to international search and preliminary examination in ePCT in order to help complete the transition to XML search reports and written opinions for all international applications.

PCT-SAFE DECOMMISSIONING

7. The PCT-SAFE client software has been in service since 2004. Since its first implementation as PCT-EASY, where the software produced a first electronic request form to accompany paper filings, PCT-SAFE, directly or as a plugin within the European Patent Office's eOLF client, has enabled international applications to be filed either fully electronically or with an electronic request form. Since the launch of ePCT in 2013, initially as a file inspection portal,

and shortly thereafter with online filing functionality, the numbers of receiving Offices accepting applications filed using PCT-SAFE have decreased. The online filing functionality in ePCT, using a modern user interface that enables the filing of PCT applications through the use of an Internet browser application, removes the need to download specialized software that is necessary to download and install for PCT-SAFE. Furthermore, ePCT is able to conduct real-time advanced validations of applications and always uses the latest reference data, leading to reduced numbers of corrections to international applications after filing.

8. The numbers of receiving Offices accepting applications filed using PCT-SAFE reached a maximum at 27 receiving Offices in 2013, and has since been slowly decreasing as more receiving Offices have enabled ePCT filing. With Canada and the International Bureau having notified that they will stop accepting PCT-SAFE filings, from July 1, 2021, there will remain only six receiving Offices, those in Germany, Spain, the United Kingdom, Israel, the Republic of Korea and the United States of America, that will continue to accept PCT-SAFE filings. Seventy-two receiving Offices currently accept international applications prepared using ePCT. The International Bureau hosts filing servers for 60 of these Offices, allowing them to accept fully electronic filing without the need to maintain any special software locally.

9. Recognizing that continuing the PCT-SAFE software incurs additional maintenance costs, and that the ePCT platform provides a modern and complete replacement solution, the International Bureau intends to decommission PCT-SAFE for all receiving Offices. Subject to finalization of applicant support requirements with the remaining receiving Offices using PCT-SAFE, support is expected to end on July 1, 2022. Meanwhile, the International Bureau is conducting consultations with those receiving Offices to assist those Offices and applicants in the migration to ePCT or equivalent electronic filing software for international applications.

ONLINE SERVICES CONTACT

10. The International Bureau invites any Office with suggestions for improvements or requiring assistance in using any of the available PCT online services to contact the PCT International Cooperation Division at: pcticd@wipo.int.

11. The Working Group is invited to note the contents of this document.

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