

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

**Seventeenth Session**  
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### **IMPLEMENTATION OF WIPO STANDARD ST.26 IN THE PCT**

*Document prepared by the International Bureau*

#### **SUMMARY**

1. WIPO Standard ST.26 came into effect on July 1, 2022, and is the required format for nucleotide and amino acid sequence listings in international applications filed on or after that date. Following the successful rollout and transition, the system operates as expected in line with the requirements. Work continues on the development of a new format for priority documents to allow the exchange of machine-readable data including sequence listings in WIPO Standard ST.26 format.

#### **BACKGROUND**

2. WIPO Standard ST.26 for the presentation of nucleotide and amino acid sequence listings using XML entered into force on July 1, 2022. Amendments to the PCT Regulations and modifications to the Administrative Instructions including relevant forms also entered into force at the same time, requiring sequence listings to be presented in compliance with WIPO Standard ST.26 in any international application filed on or after that date.

#### **WIPO SEQUENCE SUITE**

3. The International Bureau has developed and made available tools for Offices and applicants:

- (a) WIPO Sequence: a standalone desktop application available for Windows, Linux and MacOS to assist applicants to author and validate sequence listings in compliance with WIPO Standard ST.26; and

(b) WIPO Sequence Validator: a web service that runs in patent Office environments to check filed sequence listings for compliance with WIPO Standard ST.26.

4. The testing of new releases and providing user feedback on the WIPO Sequence Suite takes place in the Sequence Listings Task Force that deals with Task No. 44 of the Committee on WIPO Standards (CWS) (see document CWS/11/7 for a report of the Task Force to the eleventh session of the CWS, held from December 4 to 8, 2023). The description of Task No. 44, as revised by the CWS at that session, reads as follows (see paragraph 40 of the Summary by the Chair, document CWS/11/27):

“Support the International Bureau by testing new releases based on available resources and providing user feedback on the WIPO Sequence Suite; and prepare necessary revisions of WIPO Standard ST.26”.

5. There were several issues with the initial version of WIPO Sequence, which have now been resolved. It is important that applicants use the latest version of the software (version 2.3.0). The next version of the WIPO Sequence Suite is planned for the beginning of 2024 and is targeted at improving the performance of primarily the WIPO Sequence Validator, while keeping common functionalities.

#### **IMPLEMENTATION OF WIPO STANDARD ST.26 IN THE PCT**

6. The modifications to the Administrative Instructions referred to in paragraph 2, above, created a new Annex C relating to the presentation of sequence listings in compliance with WIPO Standard ST.26 in international applications. This set out the details of the international phase procedures for receiving Offices and International Searching and Preliminary Examining Authorities, as well as clarifying what designated and elected Offices may require on national phase entry. Modifications were also made to the PCT Receiving Office Guidelines, the PCT International Search and Preliminary Examination Guidelines, and the *PCT Applicant's Guide*, including information for the benefits of applicants, particularly regarding the language(s) that each receiving Office would accept for the language-dependent free text. The International Bureau also held bilateral discussions with some national Offices to assist their implementation and provided user training.

7. The International Bureau updated the PCT electronic filing and processing available through the ePCT system for both applicants and Offices, and the stylesheets used by the International Bureau and other Offices to produce PCT forms, taking into account the international filing date of the relevant international application. Accordingly, all systems maintained by the International Bureau have been updated to enable the receipt and processing of sequence listings in WIPO Standard ST.26 format in record copies of international applications. Sequence listings in compliance with WIPO Standard ST.25 continue to be accepted and processed as subsequently-filed documents relating to international applications filed before July 1, 2022.

8. The ePCT-Filing system checks the version of WIPO Sequence used for sequence listings uploaded in that environment and provides a warning to applicants using outdated versions. Furthermore, the permitted upload size in ePCT was increased from 20 to 50 megabytes, recognizing that sequence listings in ST.26 format are typically larger than the equivalent in ST.25 text format. At present, the International Bureau's systems do not use the full WIPO Sequence Validator checks; these need to be performed by national Offices where they need such detail.

9. PATENTSCOPE has been updated to offer a human friendly view of published ST.26 sequence listings.

10. The International Bureau, in preparation for publishing sequence listings on PATENTSCOPE as XML and rendered HTML views, has noticed a significant number of sequence listings furnished under Rule 13<sup>ter</sup> for the purposes of international search and preliminary examination. Further work is required to understand the cause.

11. The main identified need for further work in this area is for a means of exchanging sequence listings in ST.26 format as part of priority documents. This is covered in document PCT/WG/17/4. Otherwise, the International Bureau awaits users' feedback and will undertake further technical analysis before proposing further developments. These developments might include simplifications in processing arrangements, as well as adding full validations if improvements in the WIPO Sequence Validator make it practical for this to be done as part of the ePCT Filing upload process.

#### **ENTRY INTO FORCE OF WIPO STANDARD ST.26 VERSION 1.7**

12. The Committee on WIPO Standards, at its eleventh session, held from December 4 to 8, 2023, approved revisions to WIPO Standard ST.26 and July 1, 2024, as the date of entry into force of the new version 1.7 (see document CWS/11/3 and paragraphs 49 and 50 of the Summary by the Chair of the session, document CWS/11/27). Version 1.7 comprises editorial changes that have no practical consequences for the Offices and parties processing sequence listings under the PCT. Consequently, there will not need to be a new release of WIPO Sequence for this purpose, though applicants should nevertheless upgrade to the next version when it is released to avoid bugs and benefit from new features and improved performance.

*13. The Working Group is invited to note the contents of document PCT/WG/17/3.*

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