

ePCT Actions

when signing in with Strong Authentication





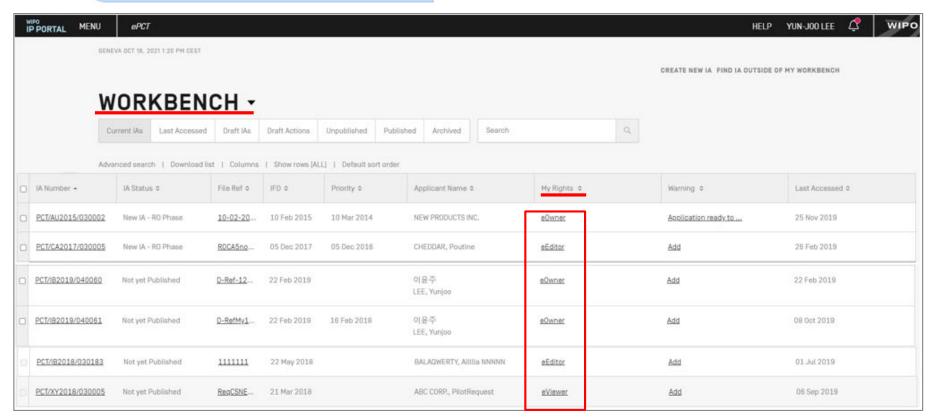
Yun-Joo Lee

Content

- ePCT Actions Overview
- Actions
 - Upload Documents
 - Amendments under Article 19
 - ☐ Rule 92bis change request
 - Submit Chapter II Demand
 - Obtain priority document from DAS
 - Withdraw International Application
- ePCT help
- Q&A

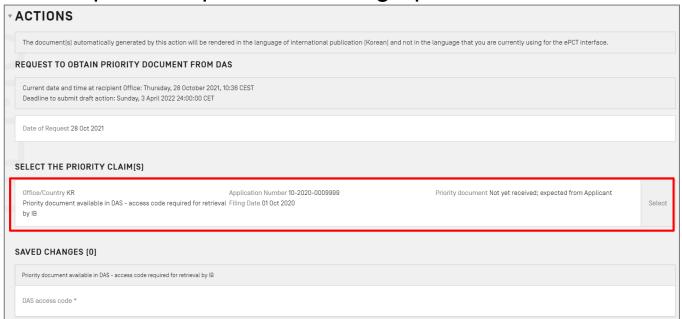


- available ePCT Actions
 - ☐ if signed in with strong authentication + eOwner / eEditor
 - ☆ G https://pct.wipo.int

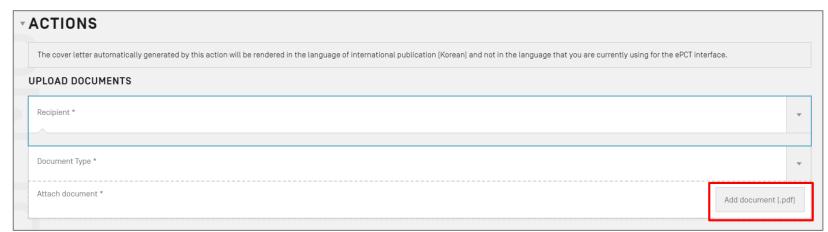




- "Actions' vs. equivalent 'Upload Document'
 - Actions: provides pre-filled bibliographic data



Upload document: have to prepare a document in pdf format



- Deadline for submission:
 - is displayed in the user interface



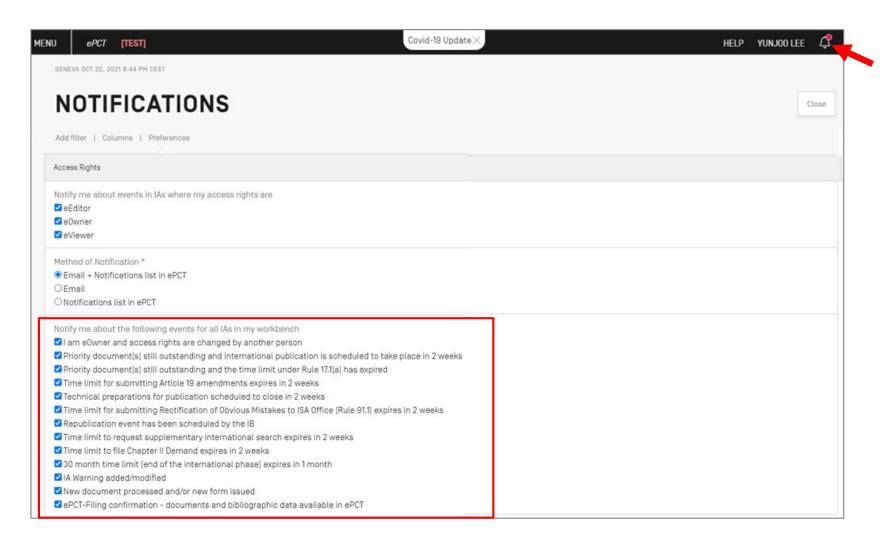
countdown starts 24 hours before the deadline



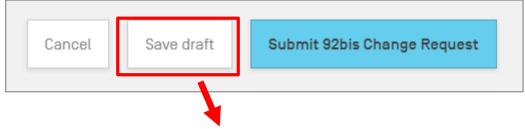


Notifications

can set ePCT notifications to be sent before the time limit expires



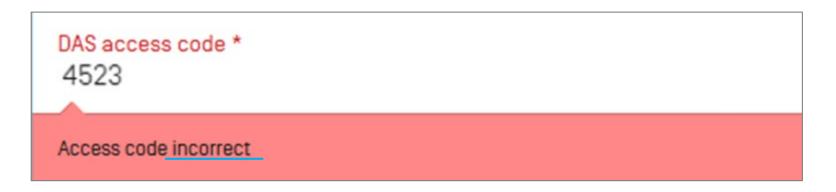
- Save as a draft for later submission
 - only if sign-in with strong authentication







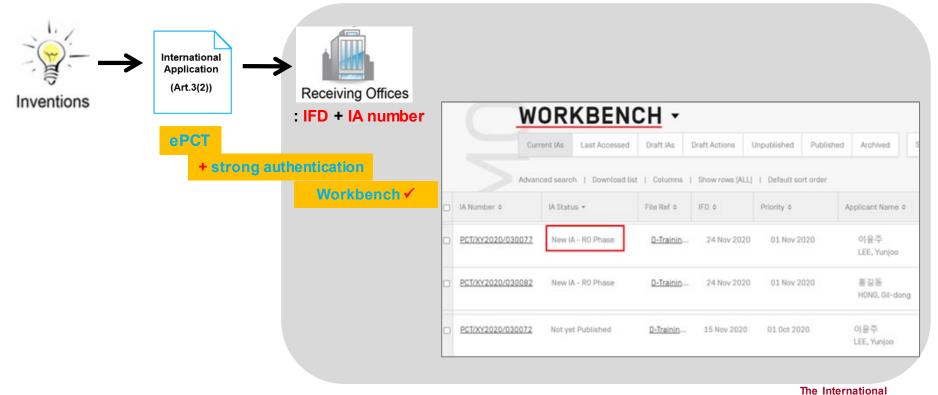
Online validations

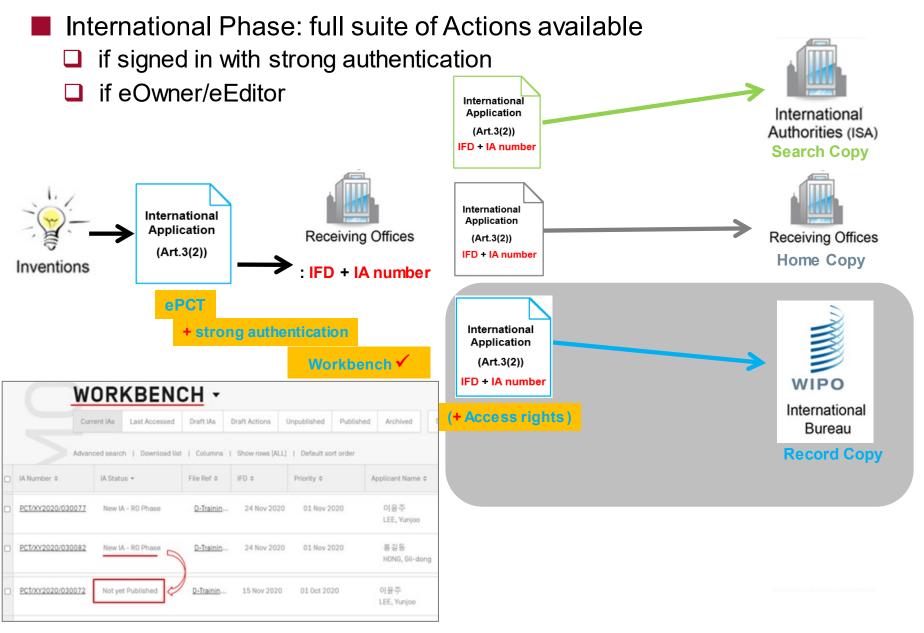






- RO Phase: few actions available to the RO (except RO/IB)
 - Create power of attorney
 - Declarations under Rule 4.17
 - Translation for international publication
 - Upload documents





- Signatures
 - ☐ Applicant or agent signatures are required for all Actions and uploads.
 - exception: 'obtain priority document from DAS'
 - Applicant or agent may not necessarily be an eOwner or eEditor
 - ePCT access rights holders (eOwner or eEditor) are not necessarily the same as authorized signatories (applicant or agent)



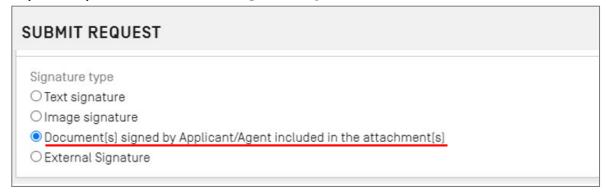
- Accepted signatures
 - text signature



☐ image signature (.jpg or .tif)

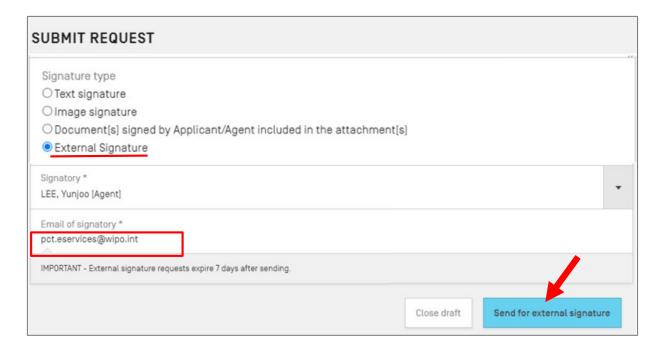


□ signed document (PDF): authorized signatory appears in attached document



- Accepted signatures
 - external signature
 - a signature can be prepared without ePCT access
 - e-handwritten signature can also be accepted
 - https://www.wipo.int/pct/en/epct/learnmore.html?N=992
 - https://www.wipo.int/pct/en/epct/learnmore.html?N=926

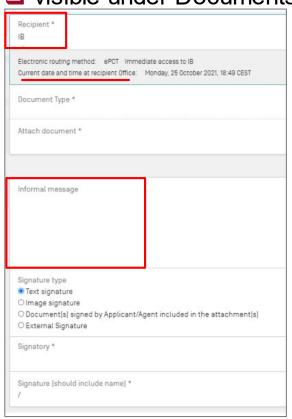


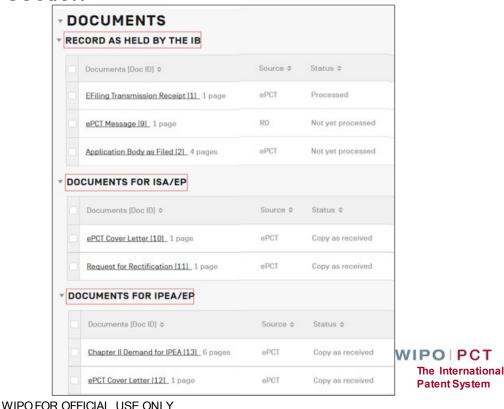




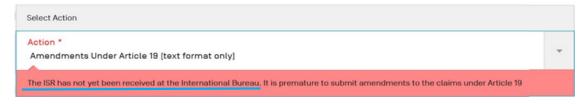
Actions: Upload Documents (PDF)

- Recipient: ePCT participating Offices in their capacity as RO, ISA, IPEA
 - https://www.wipo.int/pct/en/epct/learnmore.html?N=532
- Display current date and time at the recipient Office
- Types of documents: depending on recipient selected
- Auto-generated cover letter: can type a message in 'informal message'
- When submitted:
 - ☐ the recipient Office is notified by the system
 - visible under Documents section





- Validation checks
 - if premature



if outside time limit



☐ if already submitted and processed (IB/346 issued)

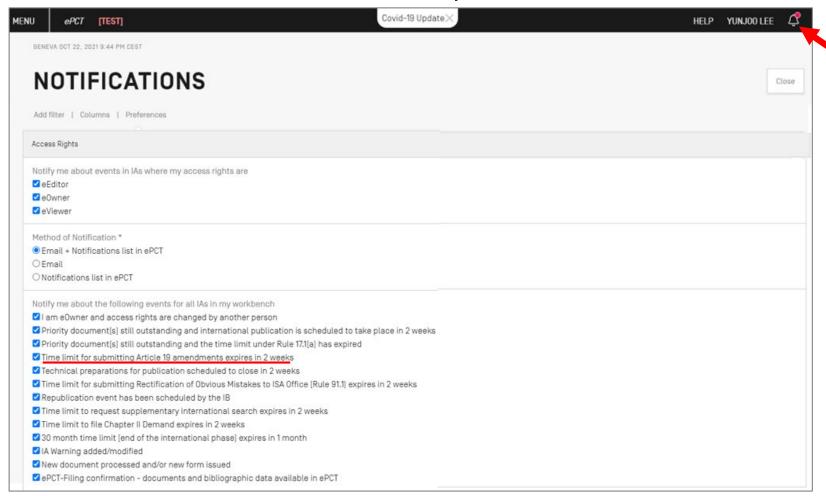


if already submitted but not yet processed



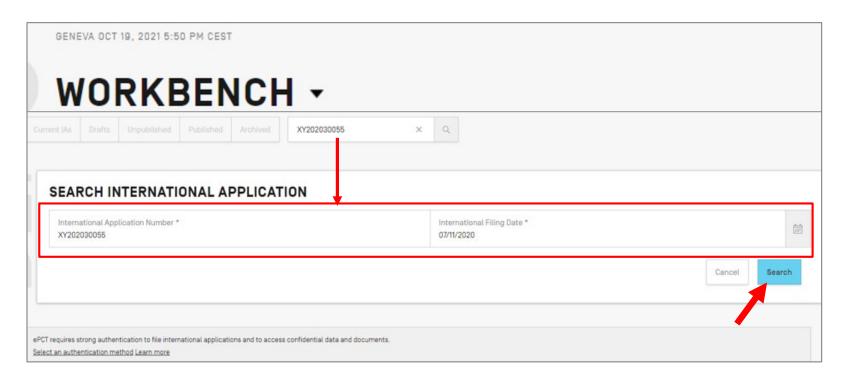


- Notifications
 - sent 2 weeks before the time limit expires



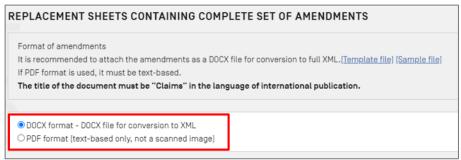


- Also available when signing in without strong authentication
 - enter the IA number in 'Search field' followed by the filing date

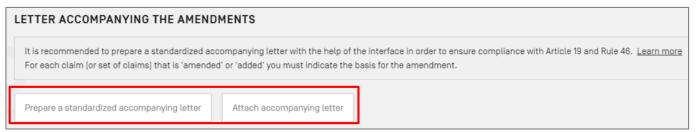




- Submit
 - Amended claims
 - attach in DOCX or text based PDF



- Accompanying letter: basis of the amendments should be included
 - can prepare online or attach



- ☐ Statement (optional): less than 500 words
 - can prepare online or attach



- Validation checks
 - if outside time limit

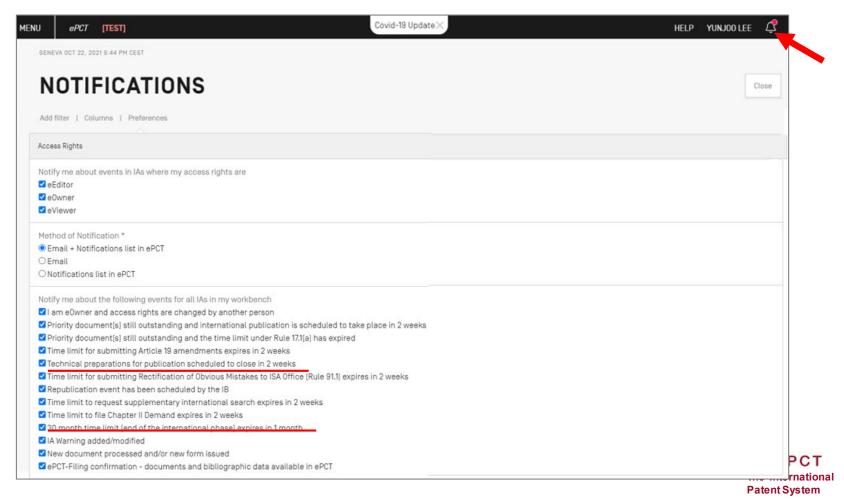


- ☐ technical preparations for publication have already closed
 - Changes recorded will not be reflected in International Publication

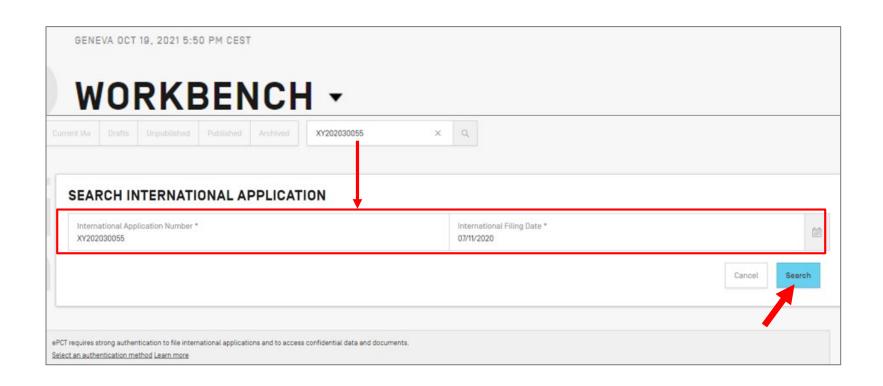




- Notifications
 - Changes to be reflected in the international publication: set for 'techinical preparations'
 - ☐ Time limit for Rule 92bis: set for '30 month time limit'

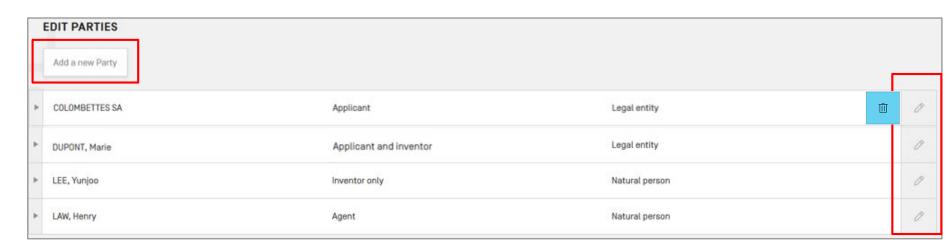


- Also available when signing in without strong authentication
 - if published



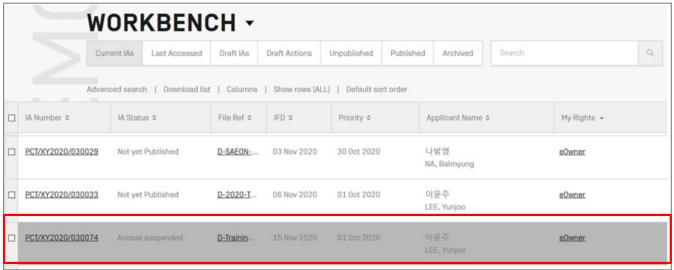


- List of each party on record can be edited, deleted or a new party can be added
 - Applicant
 - Applicant/inventor
 - Inventor only
 - Agent
 - Common representative
 - Address for correspondence

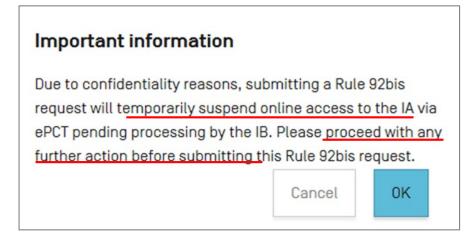




- Access rights temporarily suspended
 - on your workbench



a warning message is displayed before submitting





- Access rights temporarily suspended
 - exceptions (if Actions)
 - Addition of a new party: regardless of the type
 - Change of address: 'Inventor only'
 - Change of nationality/ residence/ designations /country of address/ telephone/ email
 - no exception (if Upload Documents)
 - regardless of type of change, online access will be automatically suspended



ePCT Action: Submit Chapter II Demand

- Validation checks
 - if outside time limit



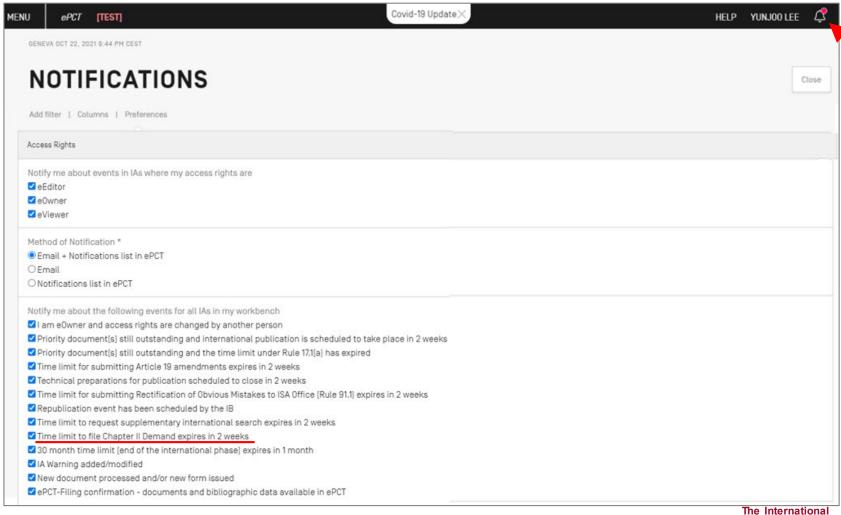
if already filed





ePCT Action: Submit Chapter II Demand

- Notifications
 - sent 2 weeks before the time limit expires



ePCT Action: Submit Chapter II Demand

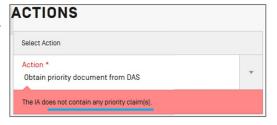
- Submit:
 - directly to IPEAs if accepting via ePCT: EP, AT, AU, XN
 - via IB: form PCT/IB/368 will be issued
 - ☐ reroutes to IB: if required for time limit (e.g., time limit just expired at IPEA/AU)

PATENT COOPERATION TREATY				
		From the INTERNATIONAL BUREAU		
PCT		To:		7
NOTIFICATION OF TRANSMITTAL OF DEMAND TO THE COMPETENT INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY				
(PCT Rule 59.3(c)(i) and (d) and Administrative Instructions, Section 432)				
Date of mailing (daymonth/year)				
Applicant's or agent's file reference		IMPO	ORTANT NOTIFICATION	
International application No.	International filing da	ste (day/month/year)	Priority date (day/month/year)	7
Applicant				
The International Bureau has received directly from the applicant, on the date indicated below, a demand for international preliminary examination of the international application: (date of receipt by International Bureau)				
b. A receiving Office, International Searching Authority, or International Preliminary Examining Authority has transmitted to the International Bureau a demand for international preliminary examination of the international application, which it had received on: (date of receivt by Office or Authority)				
2. The applicant is hereby notified that the <u>International Bureau has transmitted the demand directly to the competent International Preliminary Examining Authority which is:</u>				
2 The date of receipt indicated above has been worked on the domand: the domand will in accordance with Pule 50.2(a) ha				

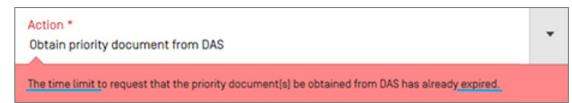


ePCT Action: Obtain Priority document from DAS

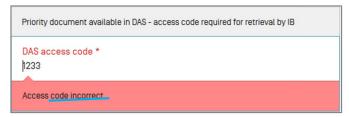
- Validation checks
 - if no priority claim in the IA



if time limit expired



☐ if invalid access code and/or not yet registered



- if earlier application was filed in a DAS depositing Office
 - DAS participating Offices: https://www.wipo.int/das/en/participating_offices/





ePCT Action: Obtain Priority document from DAS

- Fully-automated
 - ☐ The IB retrieves the priority document from DAS
 - ☐ The IB sends a confirmation of retrieval to the applicant (PCT/IB/304)

	From the INTERNATIONAL BUREAU			
PCT	To:			
NOTIFICATION CONCERNING SUBMISSION, OBTENTION OR TRANSMITTAL OF PRIORITY DOCUMENT (PCT Administrative Instructions, Section 411)				
Date of mailing (day/month/year)				
Applicant's or agent's file reference	IMPORTANT NOTIFICATION			
International application No.	International filing date (day/month/year)			
International publication date (day/month/year)	Priority date (day/month/year)			
Applicant				
The applicant is hereby notified of the date of receipt (or of obtaining by the International Bureau) of the priority document(s) relating to all earlier application(s) whose priority is claimed Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to the date of receipt, the priority document concerned was submitted or transmitted to or obtained by the International Bureau in compliance with Rule 17.1(a), (b) or (b-bit). This Form replaces any previously issued notification concerning submission, transmittal or obtaining of priority documents. Priority date Priority application No. Country or regional Office of priority document				
The letters "NR" denote a priority document which, on the date of mailing of this Form, had not yet been received or obtained by the International Bureau in compliance with Rule 17.1(a), (b) or (b-bir). Where the applicant has failed to either submit, request to prepare and transmit, or to request the International Bureau to obtain the priority document within the applicable time limit under that Rule, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregate the priority claim concerned before griving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances. An asterisk "*e" next to a date of receipt, denotes a priority document submitted or transmitted to or obtained by the International Bureau but not in compliance with Rule 17.1(a), (b) or (b-bir) (the priority document was received after the implicable time limit under Rule 17.1(b) or the request to the International Bureau to obtain the priority document was amade after the applicable time limit under Rule 17.1(b). Even though the priority document was not furnished in compliance with Rule 17.1(a), (b) or (b-bir), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Offices as the priority document within a time limit which is reasonable under the circumstances. Authorized officer				
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Telephone No. +41 22 338 XX XX			
Form PCT/IB/304 (traised January 2020)				



ePCT Action: Withdraw International Application

- Validation checks
 - ☐ if time limit expired



- if technical preparations for publication are complete
 - cannot prevent international publication

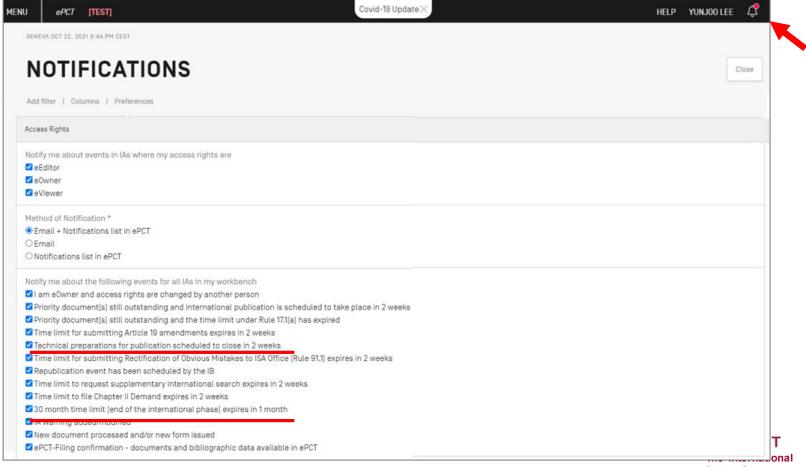




ePCT Action: Withdraw International Application

Notifications

- ☐ To prevent International Publication: set for the 'technical preparations'
- ☐ Time limit for withdrawal: set for the '30 month time limit'

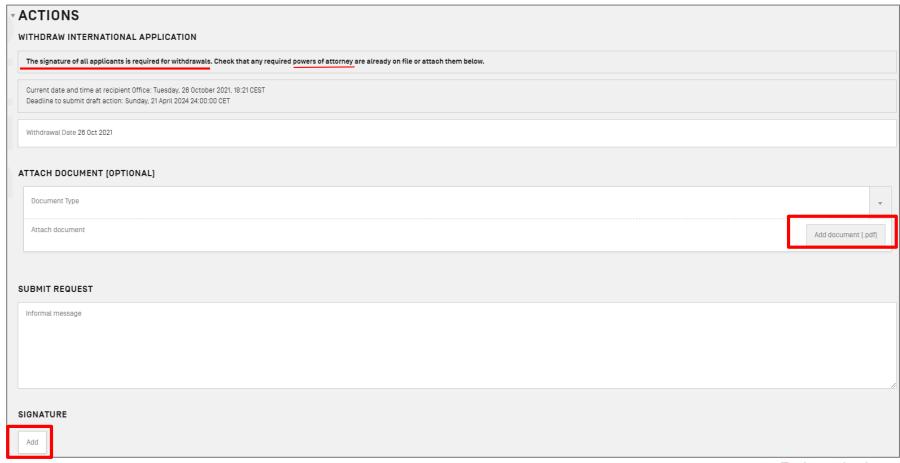


Patent System

ePCT Action: Withdraw International Application

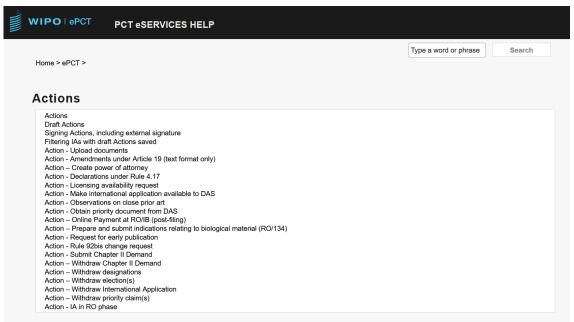
Submit:

Power of attorney(s) or signature(s) of applicant(s) required (<u>PCT Rule 90bis.5</u>)



ePCT Help

- To Practice: https://pctdemo.wipo.int
 - You can practice and familiarize yourself with ePCT
 - Do NOT use confidential or sensitive data
 - Be careful NOT to confuse Demo Mode with Production Mode
- Use the 'HELP' link in the navigation bar https://www.wipo.int/pct/en/epct/support.html
- FAQs on ePCT Actions
 https://www.wipo.int/pct/en/epct/learnmore.html?N=815





ePCT HELP

- PCT Operations Customer Support Section
 - Monday to Friday, 9am-6pm Geneva time
 - ☐ Tel: +41-22-338-9523
 - □ E-mail: <u>pct.eservices@wipo.int</u>
 - ☐ Chat feature available



Thank you!



