



C.PCT 932
-41

July 4, 2003

Madam,
Sir,

*Proposed modifications of certain International Searching Authority and
International Preliminary Examining Authority Forms*

This Circular is addressed to your Office in its capacity as International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the Patent Cooperation Treaty (PCT) for the purposes of consultation under Rule 89.2(b). It concerns proposed modifications to certain forms relating to ISAs and IPEAs in order to take into account amendments of the Regulations under the PCT as adopted by the PCT Assembly at its thirty-first (18th extraordinary) session held from September 23 to October 1, 2002, (see document PCT/A/31/10), which will enter into force on January 1, 2004.

A number of modifications to the ISA and IPEA Forms are proposed with this Circular based on the amendments, as adopted by the PCT Assembly, which relate to the enhanced international search and preliminary examination system and the concept and operation of the designation system. Detailed explanations of the proposed modifications are set out in Annex I of this Circular. The proposed modified Forms are set out in Annex II (ISA Forms) and Annex III (IPEA Forms) of this Circular (the modifications are identified by vertical lines in the right margin of the sheets concerned).

Comments on the proposed modifications of the Forms

Noting that the Forms should be promulgated with effect from the date of entry into force of the amendments referred to above, that is, with effect from January 1, 2004, and that a further consultation may be required after

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consideration of any comments received in response to this Circular, you are invited to provide comments, if any, to the International Bureau by July 31, 2003, preferably by fax to (+41-22) 910 00 30 or by email to pct.legal@wipo.int.

Yours sincerely,



Francis Gurry
Assistant Director General

Enclosures: Annex I – Detailed explanations of the proposed modifications to certain ISA and IPEA Forms

Annex II – Proposed modified ISA Forms

Annex III – Proposed modified IPEA Forms

DETAILED EXPLANATIONS OF THE PROPOSED MODIFICATIONS TO
CERTAIN ISA AND IPEA FORMS

General comment

The International Bureau proposes a number of minor editorial and layout changes with a view to, as the case may be, harmonizing and simplifying the Forms. One such example is to adjust the size of the Boxes in the Forms themselves. Such changes are not explained in detail below, however vertical lines in the right margin of the sheets concerned identify them.

Proposed modifications to the ISA Forms

(a) *PCT/ISA/201* (“*International-Type Search Report*”). This form is not included in this Circular even though this Form should be proposed to be modified to the same extent as Form PCT/ISA/210 (“*International Search Report*”) (see PCT Circular C.PCT 916). Since the consultation on Form PCT/ISA/210 has not yet been completed, it would seem unnecessary to consult with Offices again on the same modifications in respect of Form PCT/ISA/201. Form PCT/ISA/201 is therefore not included in this Circular. Once consultation on Form PCT/ISA/210 has been completed, Form PCT/ISA/201 will be modified accordingly.

(b) *PCT/ISA/202* (“*Notification of Receipt of Search Copy*”). The added wording incorporates the new responsibility of the ISA under new Rule 43*bis*.1 to establish a written opinion together with the international search report.

(c) *PCT/ISA/203* (“*Declaration of Non-Establishment of International Search Report*”). This Form does not need to be changed to reflect the new system of enhanced international search and preliminary examination. However, this opportunity has been taken to propose to reflect the recent modifications of Part 8 of the Administrative Instructions under the PCT (Instructions relating to international application containing large nucleotide and/or amino acid sequence listings and/or tables relating thereto), in the indication of the basis of the report where the international application includes sequence listings and/or tables relating thereto. For background information concerning Part 8 of the Administrative Instructions, please refer to circulars C.PCT 762 and 863 dated December 21, 2000, and September 2, 2002, respectively.

(d) *PCT/ISA/209* (“*Notification of Facts Which Should Have Precluded the According of an International Filing Date*”). Previous item 5 (to the effect that the international application does not contain the designation of at least one Contracting State) is proposed to be deleted since the filing of the request will, as of January 1, 2004, constitute the designation of all States which are bound by the PCT on the international filing date.

(e) *PCT/ISA/218 (“Notification Concerning Expressions, etc., Not to be Used in the International Application”)*. Some minor editorial changes are proposed to this form.

(f) *PCT/ISA/219 (“Notification Concerning Documents Transmitted”)*. The proposed modification of the Form reflects the new responsibility of the ISA under new Rule 43*bis*.1 to establish written opinions and to transmit copies thereof to the International Bureau.

(g) *PCT/ISA/220 (“Notification of Transmittal of the International Search Report or the Declaration and the Written Opinion of the International Searching Authority”)*. It is proposed that the wording be modified pursuant to amended Rule 44.1 to reflect that the ISA will establish both an international search report and a written opinion. In a case where no search report will be established, the ISA will nevertheless, pursuant to new Rule 43*bis*.1(b) which refers to Article 35(3), establish a written opinion, even though that opinion will not address the issue of novelty, inventiveness and industrial applicability of the claimed invention. The notes to that Form have been modified to inform applicants that for the purposes of international preliminary examination, the written opinion by the ISA will, except in certain cases, be considered to be the written opinion of the IPEA.

(h) *PCT/ISA/225 (“Invitation to Furnish Nucleotide and/or Amino Acid Sequence Listing and/or Tables Related Thereto Complying with the Standard and/or Technical Requirements”)*. This Form does not need to be changed to reflect the new system. However, this opportunity has been taken to propose to reflect the recent modifications of Part 8 of the Administrative Instructions under the PCT.

(i) *PCT/ISA/234 (“Notification of Transmittal of Demand to the International Bureau or to the Competent International Preliminary Examining Authority”)*. A warning is proposed to be added to this Form to remind applicants of the time limit under new Rule 54*bis*.1(a) to file a demand. If the ISA has itself established the international search report, they may indicate whether or not the time limit under Rule 54*bis*.1(a) has already expired at the time they have received the purported demand. If, however, they have not issued the international search report itself, they can only draw the attention of the applicant to new Rule 54*bis*.1(a) in general.

(j) *PCT/ISA/235 (“Invitation to Indicate Competent International Preliminary Examining Authority”)*. See comment on Form PCT/ISA/234.

(k) *PCT/ISA/236 (“Notification that Demand Considered not to Have Been Submitted”)*. Additional wording is proposed to be added for clarification only.

Proposed modifications to the IPEA Forms(a) *PCT/IPEA/404 (“Invitation to Correct Defects in the Demand”)*.

Previous item 1 (to the effect that the demand does not contain the election of at least one Contracting State bound by Chapter II of the PCT) is proposed to be deleted since, under new Rule 53.7, the filing of a demand constitutes the election of all Contracting States which have been designated and which are bound by Chapter II of the Treaty. A reference to new Rule 60.1(a-bis) and (a-ter) is proposed to be added to items 8 and 9. Since these new provisions no longer require the IPEA to invite to correct certain formal defects, it is proposed to modify the continuation boxes for items 8 and 9 accordingly. It is also proposed to draw the attention of the applicant to the time limit under new Rule 54bis.1(a). Certain consequential changes in light of the renumbering of the items are also proposed.

In relation to this Form, the proposal of the Working Group on Reform of the PCT to delete Rule 60.1(d) is noted (see document PCT/R/WG/4/4 Add.3 and paragraphs 6 and 11 of document PCT/R/WG/4/14). If this amendment is adopted by the Assembly, the result would be that the effect of failure to correct a defect in the demand would be the same in all cases, namely that the demand will be considered not to have been submitted. If the PCT Assembly approves the deletion of Rule 60.1(d) in September 2003, it is proposed that the last item (ii) on the first page of Form PCT/IPEA/404 will be deleted and that the defect referred to under point 8 will be included as one of the defects referred to under item (i) just above.

(b) *PCT/IPEA/407 (“Notification of That Demand Considered not to Have Been Submitted”)*. The Form is proposed to be modified to include, as a reason for the IPEA to declare that a demand has not been submitted, that the time limit of new Rule 54bis.1(a) has already expired. As a consequence, some of the items would need to be renumbered.

(c) *PCT/IPEA/416 (“Notification of Transmittal of the International Preliminary Report on Patentability (Chapter II of the Patent Cooperation Treaty)”)*. This Form is proposed to be modified to reflect that according to new Rule 70.15(b), the international preliminary examination report will bear the title “international preliminary report on patentability” (IPRP). This opportunity has also been taken to propose to add a warning to this Form drawing the attention of the applicant to the fact that the IPRP is a non-binding legal opinion of the IPEA and does not preempt the decision of an elected Office as to whether a patent will be granted for the claimed invention.

(d) *PCT/IPEA/425 (“Notification of Cancellation of Certain Elections”)*. Since it will no longer be possible to individually elect designated States, this form is proposed to be deleted.

(e) *PCT/IPEA/436* (“*Notification of Transmittal of Demand to the International Bureau or to the Competent International Preliminary Examining Authority*”). See comments on Form PCT/ISA/234 above.

(f) *PCT/IPEA/439* (“*Notification That Certain Elections Considered not to Have Been Made*”). For as long as Rule 60.1(d) has not been deleted (see comment under paragraph (a) above), the consequence for not having indicated the name of all applicants in the demand will continue to be that the election of the State for which no applicant has been indicated will be considered not to have been made and the IPEA will so declare.

The wording in respect of a missing signature is proposed to be deleted in light of new Rule 60.1(a-ter) which only requires the signature of at least one applicant who has the right to file a demand. If no such signature has been provided, forms PCT/IPEA/404 and PCT/IPEA/407 should be used.

If the PCT Assembly approves the deletion of Rule 60.1(d), it is proposed to delete Form PCT/IPEA/439 entirely.

(g) *PCT/IPEA/441* (“*Invitation to Furnish Nucleotide and/or Amino Acid Sequence Listing and/or Tables Related Thereto Complying with Standard and/or Technical Requirements*”). This Form does not need to be changed to reflect the new system. However, this opportunity has been taken to propose to reflect the recent modifications of Part 8 of the Administrative Instructions under the PCT.

(h) *PCT/IPEA/442* (“*Invitation to Indicate Competent International Preliminary Examining Authority*”). See comments on Forms PCT/ISA/234 and PCT/ISA/235 above.

(i) *PCT/IPEA/444* (“*Notification by Non-Competent International Preliminary Examining Authority that Demand Considered not to Have Been Submitted*”). Additional wording is proposed to be added to clarify to the applicant the consequences of the notification.

[Annex II follows]

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCTNOTIFICATION OF RECEIPT
OF SEARCH COPY

(PCT Rule 25.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

Applicant

1. Where the International Searching Authority and the receiving Office are not the same Office:

The applicant is hereby notified that the search copy of the international application was received by this International Searching Authority on the date indicated below.

Where the International Searching Authority and the receiving Office are the same Office:

The applicant is hereby notified that the search copy of the international application was received on the date indicated below.

_____ (date of receipt).

2. The search copy was accompanied by a nucleotide and/or amino acid sequence listing or tables related thereto in computer readable form.

3. Time limit for establishment of international search report and written opinion of the International Searching Authority

The applicant is informed that the time limit for establishing the international search report and the written opinion of the International Searching Authority is three months from the date of receipt indicated above or nine months from the priority date, whichever time limit expires later (Rules 42.1 and 43bis.1(a)).

4. A copy of this notification has been sent to the International Bureau and, where the first sentence of paragraph 1 applies, to the receiving Office.

Name and mailing address of the ISA/

Authorized officer

Facsimile No.

Telephone No.

PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13*ter*.1(c) and 39)

Applicant's or agent's file reference	IMPORTANT DECLARATION	Date of mailing (<i>day/month/year</i>)
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority Date (<i>day/month/year</i>)
International Patent Classification (IPC) or both national classification and IPC		
Applicant		

This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established** on the international application for the reasons indicated below.

1. The subject matter of the international application relates to:
 - a. scientific theories.
 - b. mathematical theories.
 - c. plant varieties.
 - d. animal varieties.
 - e. essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. schemes, rules or methods of doing business.
 - g. schemes, rules or methods of performing purely mental acts.
 - h. schemes, rules or methods of playing games.
 - i. methods for treatment of the human body by surgery or therapy.
 - j. methods for treatment of the animal body by surgery or therapy.
 - k. diagnostic methods practised on the human or animal body.
 - l. mere presentations of information.
 - m. computer programs for which this International Searching Authority is not equipped to search prior art.
2. The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

<input type="checkbox"/> the description	<input type="checkbox"/> the claims	<input type="checkbox"/> the drawings
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3. The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

<input type="checkbox"/> the written form has not been furnished or does not comply with the standard.
<input type="checkbox"/> the computer readable form has not been furnished or does not comply with the standard.
4. The failure of the tables related to the nucleotide and/or amino acid sequence listing to comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions prevents a meaningful search from being carried out:

<input type="checkbox"/> the written form has not been furnished.
<input type="checkbox"/> the computer readable form has not been furnished or does not comply with the technical requirements.
5. Further comments:

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION CONCERNING EXPRESSIONS,
ETC., NOT TO BE USED IN
THE INTERNATIONAL APPLICATION

(PCT Rule 9)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

REPLY DUE within _____ months/days from
the above date of mailing

International application No.

International filing date
(day/month/year)

Applicant

The applicant is hereby notified that the international application lacks compliance with Rule 9.1 because it contains:

1. expressions or drawings contrary to morality.
See page(s) _____ line(s) _____ figure(s) _____ .
2. expressions or drawings contrary to public order.
See page(s) _____ line(s) _____ figure(s) _____ .
3. statements disparaging the products or processes of any particular person other than the applicant.
See page(s) _____ line(s) _____ figure(s) _____ .
4. statements disparaging the merits or validity of applications or patents of any particular person other than the applicant.
See page(s) _____ line(s) _____ figure(s) _____ .
5. statements or matter obviously irrelevant or unnecessary under the circumstances.
See page(s) _____ line(s) _____ figure(s) _____ .

Further observations, if necessary:

Invitation to correct:

The applicant is hereby **invited**, within the time limit indicated above, to voluntarily correct the international application.

How to make the corrections? Correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. A correction may be stated in a letter only if it is of such a nature that it can be transferred from the letter to the record copy without adversely affecting the clarity and direct reproducibility of the sheet onto which the correction is to be transferred (Rule 26.4).

If the applicant fails to make the corrections, the International Bureau may omit the above-noted expressions, drawings, and statements, from its publications, indicating the place and number of words or drawings omitted, and furnish, upon request, individual copies of the passages omitted (see Article 21(6)).

A copy of this notification has been sent to the receiving Office and the International Bureau.

Name and mailing address of the ISA/ Facsimile No.	Authorized officer Telephone No.
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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

The International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20
 Switzerland

PCT

NOTIFICATION CONCERNING
 DOCUMENTS TRANSMITTED

Date of mailing
 (day/month/year)

The International Searching Authority transmits herewith the following documents:

- (number)
1. _____ copies of international search reports (Rule 44.1)
 2. _____ copies of declarations of non-establishment of international search reports (Rule 44.1)
 3. _____ copies of written opinions of the International Searching Authority (Rule 44.1)
 4. _____ letters of rectifications (Administrative Instructions, Section 511(a)(v))
 5. _____ replacement sheets (Administrative Instructions, Section 511(a)(v))
 6. _____ other documents (*specify*):

The Annex contains a list identifying each document transmitted by the type of document it is, the corresponding international application number and, if necessary, other information.

Name and mailing address of the ISA/ Facsimile No.	Authorized officer Telephone No.
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ANNEX TO FORM PCT/ISA/219

Type of document	International application No.	Other information

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No.	International filing date (day/month/year)
Applicant	

1. The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article," "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Annexes B1 and B2).

What parts of the international application may be amended ?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Preliminary Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When ? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments ?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How ? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments ?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
“Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added.”
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
“Claims 1 to 15 replaced by amended claims 1 to 11.”
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
“Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added.” or
“Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged.”
4. [Where various kinds of amendments are made]:
“Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added.”

“Statement under Article 19(1)” (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words “Statement under Article 19(1).”

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the Authority which established the written opinion does not also act as International Preliminary Examining Authority, be considered to be a written opinion of the International Preliminary Examining Authority. In this case, the applicant is invited to submit to the International Preliminary Examining Authority a written reply together, where appropriate, with amendments before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (Rule 43bis.1(c)).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

INVITATION TO FURNISH NUCLEOTIDE AND/OR
AMINO ACID SEQUENCE LISTING AND/OR TABLES
RELATED THERETO COMPLYING WITH STANDARD
AND/OR TECHNICAL REQUIREMENTS

(PCT Rule 13*ter*.1(a) and (c) and Administrative Instructions,
Sections 208 and 802 and Annexes C and C-*bis*)

Date of mailing
(day/month/year)

Applicant's or agent's file reference

REPLY DUE within months/days from
the above date of mailing

International application No.

International filing date
(day/month/year)

Applicant

1. The applicant is hereby **invited**, within the time limit indicated above, to furnish to this Authority:

- a nucleotide and/or amino acid sequence listing **in written form** complying with the standard provided for in Annex C of the Administrative Instructions, accompanied by a **statement** to the effect that the sequence listing does not go beyond the disclosure in the international application as filed.
- a **statement** to the effect that the sequence listing in written form, already furnished to this Authority, does not go beyond the disclosure in the international application as filed.
- a nucleotide and/or amino acid sequence listing and/or tables related thereto **in computer readable form** complying with the standard and/or technical requirements provided for in Annex C and/or Annex C-*bis* of the Administrative Instructions, accompanied by a **statement** that the information recorded in computer readable form is identical to the written sequence listing and/or tables related thereto.
- a **statement** that the information recorded in computer readable form (that computer readable form having already been furnished to this Authority) is identical to the written sequence listing and/or tables related thereto.

2. **Failure to comply with this invitation** may result in this Authority not carrying out the international search to the extent that no meaningful search can be carried out.

3. Further observations (*if necessary*):

Name and mailing address of the ISA/

Authorized officer

Facsimile No.

Telephone No.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF DEMAND
TO THE INTERNATIONAL BUREAU OR TO THE
COMPETENT INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 59.3(a) and (f) and
Administrative Instructions, Section 516)

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		IMPORTANT NOTIFICATION	
International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
Applicant			

1. This International Searching Authority has **received** on the date indicated below a demand for international preliminary examination of the international application:

_____ (date of receipt)

2. The applicant is hereby **notified** that:

this Authority **has transmitted the demand to the International Bureau** which will transmit it, as the case may be, directly to the competent International Preliminary Examining Authority and inform the applicant accordingly, or invite the applicant to indicate the competent International Preliminary Examining Authority to which the demand should be transmitted.

this Authority **has transmitted the demand directly to the competent International Preliminary Examining Authority** which is:

3. The date of receipt indicated above has been marked on the demand; **the demand will, in accordance with Rule 59.3(e), be considered to have been received by the competent International Preliminary Examining Authority on that date of receipt.**

ATTENTION: That date of receipt is **after** the expiration of 19 months from the priority date. Consequently, in respect of some Offices, the demand does not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). **However**, in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

ATTENTION:

That date of receipt is **after** the expiration of the applicable time limit under Rule 54bis.1(a). Any demand made after the expiration of said time limit shall be considered as if it had not been submitted and the International Preliminary Examining Authority shall so declare (Rule 54bis.1(b)).

This International Searching Authority is not in a position to determine whether that date of receipt is **after** the expiration of the applicable time limit under Rule 54bis.1(a), that is, three months from the date of transmittal to the applicant of the international search report (or of the declaration referred to in Article 17(2)(a)) and the written opinion established under Rule 43bis.1 or 22 months from the priority date, whichever expires later.

(If applicable) The applicant has already been informed accordingly by telephone, facsimile transmission or in person, on: _____

4. A copy of this notification is being sent to the International Bureau or to the competent International Preliminary Examining Authority indicated above, as the case may be.

Name and mailing address of the ISA/ Facsimile No.	Authorized officer Telephone No.
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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

INVITATION TO INDICATE
COMPETENT INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 59.3(f) and
Administrative Instructions, Section 516)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

REPLY DUE 15 days from the above date of mailing
or 19 months from the priority date,
whichever expires later

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

Applicant

1. This International Searching Authority has **received** on the date indicated below a demand for international preliminary examination of the international application:

_____ (date of receipt)

2. The applicant is hereby **invited**, within the time limit indicated above, **to indicate the competent International Preliminary Examining Authority** to which the demand should be transmitted (Rule 59.3(c)(ii)).

Failure to respond to this invitation, within the time limit indicated above, will result in this Authority declaring that the demand is considered not to have been submitted (Rule 59.3(d)).

3. The date of receipt indicated above has been marked on the demand; **provided the applicant responds to this invitation within the time limit indicated above, the demand will, in accordance with Rule 59.3(e), be considered to have been received by the competent International Preliminary Examining Authority on that date of receipt.**

ATTENTION: That date of receipt is **after** the expiration of 19 months from the priority date. Consequently, in respect of some Offices, the demand does not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). **However**, in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

ATTENTION:

That date of receipt is **after** the expiration of the applicable time limit under Rule 54bis.1(a). Any demand made after the expiration of said time limit shall be considered as if it had not been submitted and the International Preliminary Examining Authority shall so declare (Rule 54bis.1(b)).

This International Searching Authority is not in a position to determine whether that date of receipt is **after** the expiration of the applicable time limit under Rule 54bis.1(a), that is, three months from the date of transmittal to the applicant of the international search report (or of the declaration referred to in Article 17(2)(a)) and the written opinion established under Rule 43bis.1 or 22 months from the priority date, whichever expires later.

(If applicable) The applicant has already been informed accordingly by telephone, facsimile transmission or in person, on: _____

Name and mailing address of the ISA/

Facsimile No.

Authorized officer

Telephone No.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCTNOTIFICATION THAT DEMAND CONSIDERED
NOT TO HAVE BEEN SUBMITTED

(PCT Rule 59.3(d) and (f))

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

Applicant

1. The applicant is hereby notified that **this International Searching Authority declares that the demand is considered not to have been submitted** since the applicant has not furnished within the time limit referred to in the Invitation (Form PCT/ISA/235) the indication of the competent International Preliminary Examining Authority to which the demand should have been transmitted.
2. Consequently, this Authority will **refund** to the applicant any amount paid in respect of the demand and no international preliminary examination will be carried out.
3. **ATTENTION**
Since the demand is considered not to have been submitted, it does **not** have the effect, in respect of some Offices, of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). **However**, in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.
4. A copy of this notification has been sent to the International Bureau.

Name and mailing address of the ISA/

Authorized officer

Facsimile No.

Telephone No.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

**INVITATION TO CORRECT
DEFECTS IN THE DEMAND**

(PCT Rule 60.1)

To:

Applicant's or agent's file reference	REPLY DUE within ONE MONTH from the above date of mailing. See also below.
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby **invited** within the time limit indicated above **to correct the following defects** which this International Preliminary Examining Authority has found in the demand for international preliminary examination:

1. It does not permit identification of the international application to which it relates (Rule 60.1(b)).
2. It does not contain the required petition (Rules 53.2(a)(i) and 53.3).
3. It does not contain the required indications concerning the agent as specified in the Annex (Rules 53.2(a)(ii) and 53.5).
4. It does not contain the required indications concerning the international application as specified in the Annex (Rules 53.2(a)(iii) and 53.6).
5. It is not submitted in the required language which is: _____ (Rule 55.1).
6. It is not made on the printed form (Rule 53.1(a)).
7. It is presented as a computer print-out the particulars of which do not comply with the Administrative Instructions (Rule 53.1(a)).
8. It does not contain the required indications concerning the applicant as specified in the Annex (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)).
9. It does not contain the required signature as specified in the Annex (Rules 53.2(b), 53.8 and 60.1(a-ter)).
10. Other observations (if necessary):

Effect of the date of receipt of the corrections on the date of receipt of the demand:

- (i) If the defect noted under item 1 is corrected within the time limit indicated above, the notice will be considered to have been received on the date when the corrections are received (Rule 60.1(b)).
If that date is later than the expiration of 19 months from the priority date, entry into the national phase in those elected Offices will **NOT** be postponed until the expiration of 30 months from the priority date, but only in respect of **some designated Offices**. In respect of **other designated Offices**, the time limit of 30 months (or later) may apply even if that date of receipt is later than the expiration of 19 months. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.
If that date is later than the expiration of the time limit referred to in Rule 54bis.1(a), the demand shall be considered as if it had not been submitted and the IPEA shall so declare.
- (ii) If the defects noted under items 2 to 9 are corrected within the time limit indicated above, the demand shall be considered as if it had been received on the actual filing date (Rule 60.1(b)).

Effect of failure to correct the defects within the time limit indicated above:

- (i) In the case of defects noted under items 1 to 7 and 9, this Authority will declare that the demand is considered as if it had not been submitted.
- (ii) In the case of defects noted under item 8, this Authority will declare that the election(s) of the State(s) concerned is (are) considered as if it (they) had not been made.

A copy of this invitation has been sent to the International Bureau.

Name and mailing address of the IPEA/ Facsimile No.	Authorized officer Telephone No.
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ANNEX TO
FORM PCT/IPEA/404

International application No.

Continuation of item 3: As to indications concerning **the agent** (Rule 4.4), the demand:

- a. does not properly indicate the agent's name (*specify*):

- b. does not indicate the agent's address.
- c. does not properly indicate the agent's address (*specify*):

Continuation of item 4: As to indications concerning **the international application**, the demand does not indicate:

- a. the international filing date.
- b. the international application number.
- c. the name of the receiving Office, where the international application number was not known to the applicant at the time the demand was filed.
- d. the title of the invention.

Continuation of item 8: As to indications concerning **the applicant*** (Rules 4.4, 4.5 and 60.1(a-bis)), the demand:

- a. does not indicate all the applicants.
- b. does not properly indicate the applicant's name (*specify*):

- c. does not indicate the applicant's address.
- d. does not properly indicate the applicant's address (*specify*):

- e. does not indicate the applicant's nationality.
- f. does not indicate the applicant's residence.

* Although Rules 4.4 and 4.5 require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Rule 53.4, if there is more than one applicant, it shall be sufficient that the indications required under Rule 4.5(a)(ii) and (iii) be provided in respect of one of them who has the right according to Rule 54.2 to make a demand (Rule 60.1(a-bis)).

Continuation of item 9: As to requirements concerning **signature** (Rules 4.15, 60.1(a-ter) and 90.4), the demand:

- a. is not signed* by the applicant or, if there is more than one applicant, by at least one of them.
- b. is signed by what appears to be an agent/common representative but
 - the demand is not accompanied by a power of attorney appointing him.
 - the power of attorney accompanying the demand is not signed by all the applicants for the elected States.

* Although Rule 53.2(b) requires that all applicants must sign the demand (e.g. including all inventors/applicants for the designation of the United States of America), for the purposes of Rule 53.8, if there is more than one applicant, it shall be sufficient that the demand be signed by one of them (Rule 60.1(a-ter)).

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION THAT DEMAND CONSIDERED
NOT TO HAVE BEEN SUBMITTED

(PCT Rules 54.4, 54bis.1, 55.2(d) and 61.1(b),
second sentence)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

International application No.

International filing date
(day/month/year)

Applicant

1. The applicant is hereby notified that **the demand is declared by this International Preliminary Examining Authority not to have been submitted** for the following reason:

- a. the applicant does not have the right to make a demand (see Article 31(2)(a) and Rule 54.4) since he is not a resident or national of a Contracting State bound by Chapter II of the PCT.
- b. the demand was made after the expiration of the time limit applicable under Rule 54bis.1(a).
- c. the required amount of the following fee(s) has not been paid within the time limit referred to in the invitation (Form PCT/IPEA/440):
 the preliminary examining fee the handling fee the late payment fee
- d. the defect(s) in the demand has (have) not been corrected within the time limit referred to in the invitation (Form PCT/IPEA/404).
- e. the translation of the international application has not been furnished within the time limit fixed in the invitation (Form PCT/IPEA/443).

2. Consequently, this Authority will **refund** to the applicant any amount paid in respect of the demand (Rules 57.6(ii), 58.3 and 58bis.1(b)):

in full partially, in the amount of _____

3. **ATTENTION**

Since the demand is considered not to have been submitted, it does **not** have the effect, in respect of some Offices, of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). **However**, in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

4. A copy of this notification has been sent to the International Bureau.

Name and mailing address of the IPEA/

Authorized officer

Facsimile No.

Telephone No.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		IMPORTANT NOTIFICATION	
International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
Applicant			

- The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
- A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
- REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/ Facsimile No.	Authorized officer Telephone No.
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PATENT COOPERATION TREATYFrom the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY**PCT**NOTIFICATION OF CANCELLATION OF
CERTAIN ELECTIONS

(PCT Administrative Instructions, Section 606)

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	IMPORTANT NOTIFICATION
International application No.	International filing date (day/month/year)
Applicant	

1. This International Preliminary Examining Authority has found that the applicant has elected the following States:

which are not designated States (*specify*):

2. Consequently, the applicant is hereby notified that the said elections have been cancelled *ex officio*.

3. A copy of this notification has been sent to the International Bureau.

Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF DEMAND
TO THE INTERNATIONAL BUREAU OR TO THE
COMPETENT INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 59.3(a) and (f) and
Administrative Instructions, Section 601(b))

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

Applicant

1. This International Preliminary Examining Authority, which has **received** on the date indicated below a demand for international preliminary examination, is not competent for the international preliminary examination of the international application:
_____ (date of receipt)
2. The applicant is hereby **notified** that:
 - this Authority **has transmitted the demand to the International Bureau** which will transmit it, as the case may be, directly to the competent International Preliminary Examining Authority and inform the applicant accordingly, or invite the applicant to indicate the competent International Preliminary Examining Authority to which the demand should be transmitted.
 - this Authority **has transmitted the demand directly to the competent International Preliminary Examining Authority** which is:
3. The date of receipt indicated above has been marked on the demand; **the demand will, in accordance with Rule 59.3(e), be considered to have been received by the competent International Preliminary Examining Authority on that date of receipt.**
 - ATTENTION:** That date of receipt is **after** the expiration of 19 months from the priority date. Consequently, in respect of some Offices, the demand does not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). **However**, in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.
 - ATTENTION:**
 - That date of receipt is **after** the expiration of the applicable time limit under Rule 54bis.1(a). Any demand made after the expiration of said time limit shall be considered as if it had not been submitted and the International Preliminary Examining Authority shall so declare (Rule 54bis.1(b)).
 - This International Preliminary Examining Authority is not in a position to determine whether that date of receipt is **after** the expiration of the applicable time limit under Rule 54bis.1(a), that is, three months from the date of transmittal to the applicant of the international search report (or of the declaration referred to in Article 17(2)(a)) and the written opinion established under Rule 43bis.1 or 22 months from the priority date, whichever expires later.
 - (If applicable) The applicant has already been informed accordingly by telephone, facsimile transmission or in person, on: _____
4. A copy of this notification is being sent to the International Bureau or to the competent International Preliminary Examining Authority indicated above, as the case may be.

Name and mailing address of the IPEA/

Authorized officer

Facsimile No.

Telephone No.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION THAT CERTAIN ELECTIONS
CONSIDERED NOT TO HAVE BEEN MADE

(PCT Rule 60.1(d))

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		IMPORTANT NOTIFICATION	
International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
Applicant			

1. An invitation (Form PCT/IPEA/404) to correct defects in the demand was mailed by this International Preliminary Examining Authority on:

_____ .

2. However, the invitation was not complied with, within the time limit indicated in that invitation, with regard to the required indications concerning the name of the applicant.

3. **Consequently, the election(s) of the following State(s) is (are) considered as not having been made:**

4. **ATTENTION**

Entry into the national phase before the Offices of some of the States listed above may **not** be postponed until the expiration of 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). **However**, the time limit of 30 months (or later) may nevertheless apply to the Offices of some of the other States listed above. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

INVITATION TO FURNISH NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE LISTING
AND/OR TABLES RELATED THERETO
COMPLYING WITH STANDARD
AND/OR TECHNICAL REQUIREMENTS

(PCT Rule 13^{ter}.1(e) and
Administrative Instructions, Sections 208 and 802
and Annexes C and C-bis)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

REPLY DUE within months/days from
the above date of mailing

International application No.

International filing date
(day/month/year)

Applicant

1. The applicant is hereby **invited**, within the time limit indicated above, to furnish to this Authority:

- a nucleotide and/or amino acid sequence listing **in written form** complying with the standard provided for in Annex C of the Administrative Instructions, accompanied by a **statement** to the effect that the sequence listing does not go beyond the disclosure in the international application as filed.
- a **statement** to the effect that the sequence listing in written form, already furnished to this Authority, does not go beyond the disclosure in the international application as filed.
- a nucleotide and/or amino acid sequence listing and/or tables related thereto **in computer readable form** complying with the standard and/or technical requirements provided for in Annex C and/or Annex C-bis of the Administrative Instructions, accompanied by a **statement** that the information recorded in computer readable form is identical to the written sequence listing.
- a **statement** that the information recorded in computer readable form (that computer readable form having already been furnished to this Authority) is identical to the written sequence listing and/or tables related thereto.

2. **Failure to comply with this invitation** may result in this Authority not carrying out the international preliminary examination to the extent that no meaningful examination can be carried out.

3. Further observations (*if necessary*):

Name and mailing address of the IPEA/

Authorized officer

Facsimile No.

Telephone No.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

INVITATION TO INDICATE
COMPETENT INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 59.3(f) and
Administrative Instructions, Section 601(b))

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		REPLY DUE	15 days from the above date of mailing or 19 months from the priority date, whichever expires later
International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
Applicant			

1. This International Preliminary Examining Authority, which has **received**, on the date indicated below, a demand for international preliminary examination, is not competent for the international preliminary examination of the international application:

_____ (date of receipt)

2. The applicant is hereby **invited**, within the time limit indicated above, **to indicate the competent International Preliminary Examining Authority** to which the demand should be transmitted (Rule 59.3(c)(ii)).

Failure to respond to this invitation, within the time limit indicated above, will result in this Authority declaring that the demand will be considered not to have been submitted (Rule 59.3(d)).

3. The date of receipt indicated above has been marked on the demand; **provided the applicant responds to this invitation within the time limit indicated above, the demand will, in accordance with Rule 59.3(e), be considered to have been received by the competent International Preliminary Examining Authority on that date of receipt.**

ATTENTION: That date of receipt is **after** the expiration of 19 months from the priority date. Consequently, in respect of some Offices, the demand does not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). **However**, in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

ATTENTION:

That date of receipt is **after** the expiration of the applicable time limit under Rule 54bis.1(a). Any demand made after the expiration of said time limit shall be considered as if it had not been submitted and the competent International Preliminary Examining Authority shall so declare (Rule 54bis.1(b)).

This International Preliminary Examining Authority is not in a position to determine whether that date of receipt is **after** the expiration of the applicable time limit under Rule 54bis.1(a), that is, three months from the date of transmittal to the applicant of the international search report (or of the declaration referred to in Article 17(2)(a)) and the written opinion established under Rule 43bis.1 or 22 months from the priority date, whichever expires later.

(If applicable) The applicant has already been informed accordingly by telephone, facsimile transmission or in person, on: _____

Name and mailing address of the IPEA/ Facsimile No.	Authorized officer Telephone No.
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PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION BY NON-COMPETENT
INTERNATIONAL PRELIMINARY EXAMINING
AUTHORITY THAT DEMAND CONSIDERED
NOT TO HAVE BEEN SUBMITTED

(PCT Rule 59.3(d) and (f))

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	IMPORTANT NOTIFICATION
International application No.	International filing date (day/month/year)
Applicant	

	<p>1. The applicant is hereby notified that this International Preliminary Examining Authority declares that the demand is considered not to have been submitted since the applicant has not furnished within the time limit referred to in the invitation (Form PCT/IPEA/442) the indication of the competent International Preliminary Examining Authority to which the demand should have been transmitted.</p> <p>2. Consequently, this Authority will refund to the applicant any amount paid in respect of the demand and no international preliminary examination will be carried out.</p> <p>3. ATTENTION Since the demand is considered not to have been submitted, it does not have the effect, in respect of some Offices, of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). However, in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the <i>PCT Applicant's Guide</i>, Volume II, National Chapters and the WIPO Internet site.</p> <p>4. A copy of this notification has been sent to the International Bureau.</p>
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Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.