



C. PCT 1101
– 07.2

January 31, 2007

Madam,
Sir,

1. This circular concerns proposals for change to the standard for the electronic filing and processing of international applications under the Patent Cooperation Treaty (PCT) which will, if adopted, result in modifications of Annex F of the Administrative Instructions under the PCT. It is being sent, for the purposes of consultation pursuant to Rule 89.2(b) of the Regulations under the PCT, and under the change procedure provided for in section 2.5.5 of Annex F (expedited consideration of proposals for change), to the national and regional patent Offices of, or acting for, all PCT Contracting States, including all receiving Offices, International Searching Authorities, International Preliminary Examining Authorities, and designated and elected Offices, and to interested intergovernmental organizations, as well as to certain non-governmental organizations representing users of the PCT system.

2. The International Bureau has prepared a number of proposals for change to the standard for the electronic filing and processing of international applications relating to additions to the DTDs in view of the entry into force, on April 1, 2007, of a number of changes to the PCT Regulations. The proposals are available on WIPO's Website as an annex to the following proposal for change (PFC) file (see http://www.wipo.int/pct/efiling_standard/en/pfc_files.htm):

- PCT/EF/PFC 07/001 “Changes to Annex F, Appendix I, section 3.6 (fee sheet)”.

/...

3. The International Bureau would appreciate receiving any comments on the proposals in PCT/EF/PFC 07/001 by March 14, 2007. Comments should preferably be made via the “Submit comments” facility on the Website (at http://www.wipo.int/pct/efiling_standard/en/submit_comment.htm), but may alternatively be made in writing by letter or by fax to +41-22-338 8040. Comments will be included as Annexes to the relevant PFC file. Copies of the proposals on paper are available from the International Bureau on request. Inquiries concerning the proposals should be directed to the International Bureau via a mailbox: pct.efiling@wipo.int. Please note that, in order for the International Bureau to update the electronic filing systems in view of the entry into force of modifications to the PCT Regulations on April 1, 2007, the Consultative Group has also been asked to submit its recommendations on the proposals contained in PCT/EF/PFC 07/001 file, by March 14, 2007.

Yours sincerely,



Francis Gurry
Deputy Director General



WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE
GENEVA/GENÈVE

ADMINISTRATIVE INSTRUCTIONS UNDER THE
PATENT COOPERATION TREATY (PCT)
STANDARD FOR THE ELECTRONIC FILING AND PROCESSING
OF INTERNATIONAL APPLICATIONS

INSTRUCTIONS ADMINISTRATIVES DU
TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS (PCT)
NORME CONCERNANT LE DÉPÔT ET LE TRAITEMENT ÉLECTRONIQUES
DES DEMANDES INTERNATIONALES

PROPOSAL FOR CHANGE FILE
DOSSIER RELATIF À LA PROPOSITION DE MODIFICATION

SUBJECT:	Changes to Annex F, Appendix I, section 3.6 (fee sheet)	PROPOSED BY:	IB
SUJET :	Modifications de la section 3.6 de l'appendice I de l'annexe F (feuille de taxes)	PROPOSÉE PAR :	
HANDLING:	Expedited cycle	PROPOSED DATE OF ENTRY INTO FORCE:	01.04.2007
TRAITEMENT :	Cycle accéléré	DATE PROPOSÉE D'ENTRÉE EN VIGUEUR :	
ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
1	Updates to DTD relating to fee sheet	IB	31.01.2007

[Annex follows/
L'annexe suit]

NEXT ACTION:	Comments	BY:	14.03.2007
PROCHAINE ACTION :	Comments	POUR LE :	

ANNEX/ANNEXE

UPDATES TO DTD RELATING TO FEE SHEET

1-1) restoration fee 1	<p>Change: <!ELEMENT prescribed-fees (transmittal-fee , search-fee , international-fee , pdoc-fee?)></p> <p><!ATTLIST prescribed-fees designation-fee-paid (yes no) #IMPLIED ></p> <p>To: <!ELEMENT prescribed-fees (transmittal-fee , search-fee , international-fee , pdoc-fee? , restoration-fee?)></p> <p><!ATTLIST prescribed-fees designation-fee-paid (yes no) #IMPLIED ></p>
Items impacted	fee-sheet.dtd
Reason	New Rules 4.1(c)(v) and 26 <i>bis</i> .3(d), in force from 1 April 2007, permit the applicant to request restoration of the right of priority and for the receiving Office to require a fee for this.
1-2) restoration fee 2	<p>Add: <!ELEMENT restoration-fee (restoration-quantity , amount-total , payment-mode)></p> <p><!ATTLIST restoration-fee currency CDATA #REQUIRED ></p> <p><!ELEMENT restoration-quantity (#PCDATA)></p>
Items impacted	fee-sheet.dtd
Reason	See above. The PCT-SAFE filing software will indicate the number of requests for restoration of the right priority made and will require the applicant to enter the total amount payable. This cannot be calculated automatically at this time since it is not clear how receiving Offices will choose to set the amount.

[End of Annex and of file/
Fin de l'annexe et du dossier]

NEXT ACTION:	Comments	BY:	14.03.2007
PROCHAINE ACTION :	Comments	POUR LE :	