

C. PCT 1340

May 16, 2012

Madam,  
Sir,

1. This Circular is addressed to your Office in its capacity as a receiving Office, designated/elected Office and/or an International Authority under the Patent Cooperation Treaty (PCT) and as an Office which uses PCT-EDI to transmit documents and/or data to the International Bureau.
2. It is being sent in the context of an ongoing review conducted by the International Bureau regarding provisions to mitigate the consequences of a possible future infrastructure problem caused by an extraordinary event (“Disaster Recovery Procedure (DRP) Event”) that instigates a “DRP Event” response.
3. The purpose of the present Circular is to agree a planned response to assure business continuity in the unlikely event that PCT-EDI transmission between Offices and the International Bureau is not available for a period of time longer than three days. The International Bureau proposes a PCT-EDI DRP Event Response Procedure as outlined in the following paragraphs, to be applicable in such cases.

#### DRP EVENT RESPONSE FOR THE TRANSMISSION OF PCT DOCUMENTS IN ELECTRONIC FORM TO/FROM THE INTERNATIONAL BUREAU

4. It is proposed that your Office and the International Bureau agree to the DRP Event Response Procedure set out below, the e-mail contact points that can be addressed to instigate the procedure and the preferred data carrier (either USB keys or DVD) to be used for the transmission of documents to be sent by your Office to the International Bureau and from the International Bureau to your Office.
5. In the case of a DRP Event, the International Bureau will notify your Office of the instigation of the DRP Event Response Procedure via e-mail, sent to the email address notified for this purpose. If the preferred data carrier for the transmission of documents from your Office to the International Bureau is USB keys, the International Bureau would, if so required, send a set of USB keys to your Office via courier service, at the same time as it notifies your Office of the instigation of the DRP Event Response Procedure.

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6. At the same time, the International Bureau will start to transmit documents which normally would have been transmitted to your Office via PCT-EDI in a weekly batch or, dependent on the nature of the DRP Event, as batches of documents become available, using either USB keys or DVD.

7. Following the receipt of the DRP Event notification, your Office would start to transmit documents, using the same batch format as used when transmitting via PCT-EDI, and data to the International Bureau using either USB keys or DVD.

#### CONSULTATIONS

8. Your Office is invited to indicate its agreement to the proposal outlined above. In addition, your Office is invited to respond to the questions set out in the following paragraphs.

9. In the case of a DRP Event, is your Office, in its capacity as a receiving Office, designated/elected Office or International Authority under the PCT, prepared to *transmit* data/documents to the International Bureau using this mechanism (postal transmission of either USB or DVD)? If yes, your Office is further invited to inform the International Bureau of its choice between the use of USB keys or DVDs, and the contact e-mail address that should be notified in the eventuality of a DRP Event.

10. In the case of a DRP Event, is your Office, in its capacity as a receiving Office, designated/elected Office or International Authority under the PCT, prepared to *receive* data/documents from the International Bureau using this mechanism (postal USB or DVD transmission)? If yes, your Office is further invited to inform the International Bureau of its choice between the use of USB keys or DVDs, and about the contact e-mail address that should be notified in the eventuality of a DRP event.

11. Comments and feedback are requested to be submitted to the International Bureau by June 8, 2012, preferably by email to: [pct.icd@wipo.int](mailto:pct.icd@wipo.int) or by fax to: (+41 22) 910 71 50. For any questions you may have, you may also contact Mr. Peter Waring via email to: [peter.waring@wipo.int](mailto:peter.waring@wipo.int).

12. Following the receipt of responses from Offices, the International Bureau will consolidate the responses into its DRP Event Response Procedure and, where an Office has not indicated its preparedness to transmit and receive documents using the proposed mechanism, contact the relevant Office to review possible alternative solutions.

Sincerely Yours,



James Pooley  
Deputy Director General