

C. PCT 1413

April 10, 2014

Madam,  
Sir,

In accordance with Rule 89.2(a) of the Regulations under the Patent Cooperation Treaty (PCT), modifications of certain PCT Forms relating to the receiving Office, the International Searching Authority and the International Preliminary Examining Authority are hereby promulgated with effect from July 1, 2014.

This follows consultations under PCT Rule 89.2(b) with Offices in their respective capacity as the receiving Office and/or International Searching and Preliminary Examining Authority. Certain intergovernmental and non-governmental organizations were also consulted on these modifications. The modifications are as proposed by Circular C. PCT 1400, dated December 12, 2013, except where further changes have been made as a result of consultation, as indicated below (editorial and minor drafting changes are not specifically mentioned).

*Modifications of certain PCT Forms relating to the receiving Office, International Searching Authority and International Preliminary Examining Authority*

Form PCT/RO/158 is modified as proposed by Circular C. PCT 1400 and as a result of consultation. A new check-box was inserted at the bottom of this form to invite the applicant to add, within the applicable time limit, the priority claim in respect of which the request for restoration of the right of priority was made.

It was also clarified that where the applicant requests early publication, in accordance with PCT Article 21(2)(b) and PCT Rule 48.4, the requirements under PCT Rule 26bis.1(a), (c) and (d) must be complied with by the date of completion of technical preparations for international publication even where this occurs prior to the expiration of the two-month time limit.

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Form PCT/RO/159 is modified as proposed by Circular C. PCT 1400 and as a result of consultation. Where the receiving Office refuses to grant restoration on the basis of the unintentional criterion, the form has been clarified through the addition of a check-box, so that the receiving Office does not necessarily need to explain its decision in detail.

Form PCT/ISA/220 is modified as proposed by Circular C. PCT 1400 and as a result of consultation. The layout of the text in item 4 "Reminders" has also been improved for ease of reading by the applicant.

Form PCT/IPEA/409 is modified as proposed by Circular C. PCT 1400 and as a result of consultation. However, the proposed addition of a supplemental box relating to top-up searches and most of the proposed changes to the layout of item 2 of Box No. I will not be pursued at this time, pending further discussions on how to better list documents identified in a top-up search and consideration of whether similar modifications should be made to Form PCT/IPEA/408.

Offices which use languages other than English and French are requested to prepare the Forms needed by them, in such other languages, with due regard to the provisions of Section 102 of the Administrative Instructions. The International Bureau encourages Offices to make such translations available to the International Bureau so that they can be accessed by all Offices from the WIPO website.

#### *Availability of Modified Forms*

The modified Forms are available from the WIPO website under *Forms in force as from July 1, 2014* at: [www.wipo.int/pct/en/forms/july\\_2014](http://www.wipo.int/pct/en/forms/july_2014).

Offices which need marked-up copies and/or electronic files of any of the Forms should contact the PCT Legal Division at the following e-mail address: [pct.legal@wipo.int](mailto:pct.legal@wipo.int).

Yours sincerely,



James Pooley  
Deputy Director General