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| CWS/5/7 Rev.1  |
| ORIGINAL: ENGLISH |
| DATE: April 19, 2017 |

**Committee on WIPO Standards (CWS)**

**Fifth Session**

**Geneva, May 29 to June 2, 2017**

RECOMMENDATIONS FOR THE TRANSITION PROVISION FROM WIPO STANDARD ST.25 TO ST.26

*Document prepared by the Secretariat*

1. At its reconvened fourth session held in March 2016, the Committee on WIPO Standards (CWS) agreed on the modified description of Task No. 44: “prepare recommendations for the transition provisions from WIPO Standard ST.25 to ST.26; and a proposal for the revision of WIPO Standard ST.26, if needed”. Furthermore, the CWS requested the SEQL Task Force to present a proposal for transition provisions from WIPO Standard ST.25 to ST.26 for consideration and approval at its next session. (See paragraphs 82 to 84 of document CWS/4BIS/16.)
2. As a follow-up of the decision by the CWS, the SEQL Task Force carried out discussions on possible transition provisions (Standard ST.25 to ST.26), taking into account potential impact on business and information technology (IT) systems of industrial property offices (IPOs) and applicants in national, regional and international level.
3. In view of the relevance of the transition from WIPO Standard ST.25 to ST.26 to the Patent Cooperation Treaty (PCT), the Task Force requested the International Bureau to consult the PCT membership as well as CWS membership to provide input into its work to prepare a proposal for the transition between the two Standards. To follow up the above request from the Task Force, the International Bureau issued a joint Circular C. PCT 1485/C. CWS 75, dated November 18, 2016, to IPOs in their capacity as a member of the CWS and/or in their various capacities under the PCT, and to certain non-governmental and organizations representing users of the PCT System. This Circular is available on WIPO website at: <http://www.wipo.int/export/sites/www/cws/en/circulars/2016/cws-075.pdf>.
4. Twenty-nine IPOs and two user groups had responded to the Circular. The International Bureau shared the feedback received in reply to the Circular with the Task Force and an analysis of the feedback was presented by the International Bureau at the twenty‑fourth session of the PCT Meeting of International Authorities (PCT/MIA) in February 2017 (see document PCT/MIA/24/14).
5. Members of the Task Force discussed the results of the Circular C. PCT 1485/ C. CWS 75 and transition matters through several WebEx meetings and on its electronic forum. As a result of the said discussions, as leader of the SEQL Task Force, the European Patent Office (EPO) submitted a proposal titled “Recommendations for the transition provisions from WIPO Standard ST.25 to ST.26” for consideration and decision on transition provisions by the CWS at its fifth session (see the Annex to this document).
6. *The CWS is invited to:*

 *(a) take note of the content of present document;*

 *(b) consider and decide on the scenario for transition, as referred to in paragraph 4 of the Annex to the present document;*

 *(c) consider and decide on whether the transition date should be determined with reference to the international filing date of international applications or the priority date or whether the applicant should be given the choice as referred to in paragraphs 5 to 7 of the Annex to the present document;*

 *(d) consider and decide on “January 2022” for the transition, as referred to in paragraph 8 of the Annex to the present document; and*

 *(e) take note of the tasks to be done by the SEQL Task Force, as referred to in paragraph 9 of the Annex to the present document.*

[Annex follows]