

Implementation of WIPO Standard ST.26 By Korean Intellectual Property Office

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Recent Improvements

❖ Improving examination system

- The examiners can conduct validation and view the validation results in HTML format on the internal examination system.

❖ Future plan

- The validation results will be generated and provided in PDF format, making it more convenient for their provision to the applicants.

Current Status (1/3)

❖ Number of Applications with Sequence Listings *(Filed from 1 July, 2022 to 30 June, 2023)*

Applications with ST.26	3,133 National applications 967 International applications
Applications with ST.25*	4,177 National applications

** These include the divisional applications and conversion of applications whose original application date is before 1 July, 2022 or the national phase entrance of international applications.*

❖ Software

- All the submitted sequence listings were generated with *WIPO Sequence*.
- KIPO is using *WIPO Sequence Validator* to validate ST.26 Sequence Listings.

Current Status (2/3)

❖ Applications with Resubmissions and Corrections

(filed from 1 July, 2022 to 30 June, 2023)

ST.26	Resubmissions → <i>Feature table information missing error</i>	National applications	34 applications (1.09%)
		International applications	17 applications (1.76%)
	Corrections*		5 national applications (0.16%)
ST.25	Corrections*		9 national applications (0.22%)

** count only when the correction requests are issued by the examiners (not including applications with the voluntary amendment)*

Current Status (3/3)

❖ **Considering the substantive examination rate, the correction request rate between ST.25 and ST.26 is similar.**

▪ **Applications under the substantive examination**

Applications with ST.26	495 national applications (15.8%)
Applications with ST.25	696 national applications (16.7%)

▪ **The correction rate compared to the applications under the substantive examination**

Applications with ST.26	1.01% (5/495)
Applications with ST.25	1.03% (9/696)

** In most cases, regardless of the versions of the standard, corrections are requested for the unsubmitted sequence listings which is related to the inventions specified in the claims.*

Recent Issues (1/2)

❖ Feature Table Information Missing Error

- Due to the WIPO Sequence error, sequence listings missing feature tables were filed.
- To identify the error, KIPO conducted a thorough verification of the submitted sequence listings to identify the error.
- As a result, 34 national applications(1.09%) and 17 PCT applications(1.76%) were detected (2022.7.1. ~ 2023.6.30.) and this accounts for a higher error rate than the corrections requested by the examiners.

Recent Issues (2/2)

- ❖ **PCT applications with a wrong standard version of sequence listing**
 - **When international applications filed before 1 July, 2022 enter the national phase, the sequence listings should be compliant with ST.25.**
 - **However, 101 applications(3.99%) have been filed with ST.26 sequence listings and this error constitutes the largest proportion among sequence listing-related errors.**

** Total 2,531 applications enters the national phase(DO/KR) from 1 July, 2022 to 30 June, 2023.*

Suggestions

- ❖ **More vigorous promotional activities about the implementation of ST.26 are needed to guide the users.**
- ❖ **Also, thorough monitoring and continuous updates of the *WIPO Sequence Suite* and *WIPO Sequence Validator* are essential.**

Thank you!