



C.PCT 917
- 21.1

May 2, 2003

Madam,
Sir,

*Proposed modifications of the Request and the Demand Forms
and of the Notes thereto*

This Circular is addressed to your Office in its capacity as receiving Office, International Searching Authority, International Preliminary Examining Authority and/or designated and/or elected Office under the Patent Cooperation Treaty (PCT) for the purposes of consultation under PCT Rule 89.2(b). It is also addressed to certain non-governmental organizations. This Circular concerns the implementation of certain amendments of the Regulations under the PCT which were adopted by the PCT Assembly at its thirty-first (18th extraordinary) session held from September 23 to October 1, 2002 (see document PCT/A/31/10), which will enter into force on January 1, 2004.

Background information regarding amendments of the Regulations

A number of modifications to the Request and Demand Forms and of the Notes thereto are proposed with this Circular based on the amendments, as adopted by the PCT Assembly. They relate to the following matters:

1. Request Form and the Notes thereto: automatic indication of all designations possible under the PCT and new concept and operation of the designation system:

- (a) all-inclusive coverage;
- (b) limited exclusions;
- (c) kind(s) of protection sought;
- (d) signatures; indications concerning applicants;
- (e) powers of attorney;

/...

2. Demand Form and the Notes thereto: automatic indication of all elections and certain time limits under Chapter II:

- (a) all-inclusive coverage;
- (b) signatures; indications concerning applicants;
- (c) time limit for filing the Demand;
- (d) time limit for start of the international preliminary examination procedure.

- ./. Detailed explanations of the proposed modifications are set out in Annex I to this Circular. The proposed modified Request Form and Notes thereto and the proposed modified Demand Form and Notes thereto are set out, respectively, in Annex II and Annex III to this Circular. Note that only the mandatory sheets of each Form, whether they are proposed to be modified or not, as well as all other sheets proposed to be modified, have been included (in other words, optional sheets and continuation sheets which are not proposed to be modified have not been included). The proposed modifications of the Forms are identified by vertical lines in the right margin of the sheets concerned and the proposed modifications of the Notes to the Forms by vertical lines in the margins facing the text column concerned on each of the sheets.

Further amendments to the Regulations and to the Schedule of Fees Annexed to the Regulations will be considered by the Working Group on Reform of the PCT at its fourth session in Geneva from May 19 to 23, 2003, with a view to their possible adoption by the PCT Assembly at its thirty-second session (to be held from September 22 to October 1, 2003), with effect from January 1, 2004. As a consequence, detailed proposals concerning modifications of the Fee Calculation Sheet (annexes to the Request and Demand Forms) and Notes thereto as well as further modifications of the Forms and Notes will be made accordingly at a later date.

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Comments on the proposed modifications to the Forms

Noting that the modified Request and Demand Forms should be promulgated with effect from the date of entry into force of the amendments referred to above, that is, with effect from January 1, 2004, and that a further consultation may be required after consideration of the comments received in response to this Circular, you are invited to provide comments, if any, to the International Bureau by June 6, 2003, preferably by fax to (+41-22) 910 00 30 or by email to pct.legal@wipo.int.

Yours sincerely,



Francis Gurry
Assistant Director General

Enclosures: Annex I—Detailed explanations of the proposed modifications to the Request and Demand Forms and Notes thereto

Annex II—Proposed modified Request Form (relevant sheets only) and Notes thereto

Annex III—Proposed modified Demand Form (relevant sheets only) and Notes thereto

DETAILED EXPLANATIONS OF THE PROPOSED MODIFICATIONS TO
THE REQUEST AND DEMAND FORMS AND NOTES THERETO

General comment

The International Bureau proposes a number of minor editorial and layout changes with a view to, as the case may be, harmonize and simplify the Forms. One such example is to adjust the size of the Boxes in the Forms itself. Such changes are not explained in detail below but they are all identified by a vertical line of the sheets concerned.

Proposed modifications of the Request Form and of the Notes thereto

1. *Request Form:*

(a) *automatic indication of all designations possible under the PCT:*

(i) all-inclusive coverage (Rule 4.9(a)): the present “second sheet” containing current Box No. V—covering both express designations and precautionary designations—being no longer necessary, is deleted; a new Box No. V is introduced at the top of the current “third sheet” (containing present Boxes Nos. VI to VIII), which is itself renumbered “second sheet”;

(ii) deletion of the precautionary designation system: in addition to the precautionary designation statement being deleted from present Box No. V (see sub-paragraph 1(a)(i), above), the corresponding item (item 2) in the Supplemental Box is also deleted;

(iii) limited exclusions under transitional reservation provision (Rule 4.9(b)): check-boxes are included in Box No. V to allow the applicant to indicate that Germany, Republic of Korea and/or Russian Federation are not designated for any kind of national protection (a notice about the applicability to those three States only of Rule 4.9(b) has been published in the PCT Gazette, No. 05/2003, of January 30, 2003);

(iv) kind(s) of protection sought (Rule 49bis.1): in the Supplemental Box, present item 1(v) is deleted and replaced by a new item 2 to allow the applicant to make the necessary indications, under Rule 49bis.1(a) or (b), of his wish that the international application be treated, in certain designated States, as an application for a certain kind of protection; a new item 3 is added in the Supplemental Box to allow the applicant to make the necessary indications, under Rule 49bis.1(d), of his wish that the international application be treated, in the United States of America, as a continuation or continuation-in-part of an earlier application;

/...

(b) *priority claims*: since it is necessary to gain space for the inclusion of new Box No. V on the new “second sheet,” items (4) and (5) have been deleted from Box No. VI; as a consequence, it is necessary to replace, in present item 1(vi) of the Supplemental Box, the word “five” by the word “three” to reflect that change; furthermore, item 1(vi) is re-numbered as item 1(v) because present item 1(v) is deleted (see sub-paragraphs 1(a)(i) and (ii), above);

(c) *availability of priority documents from digital libraries (Rule 17.1)*: no modifications of the Request Form are proposed at this time concerning the applicant’s ability to request, where applicable, that the priority document be obtained from a digital library, instead of submitting the priority document in paper form to the International Bureau or the receiving Office. Modifications of the Request will be proposed once the necessary Administrative Instructions have been promulgated and once at least one digital library is established and available to PCT applicants.

2. *Notes to the Request Form:*

(a) *Notes to Box No. IV—powers of attorney; manner of appointment of agent or common representative*: the text is modified to take into account that the receiving Office may waive the requirement that a separate power of attorney be submitted to it (Rule 90.4);

(b) *Notes to Box No. V—designation system*: the current text in respect of “Designation of States” and “Choice of Certain Kinds of Protection or Treatment” is deleted as not applicable, under the new system, at the time of filing of the international application. Such matters will be dealt with upon entry into the national phase. A new text is introduced in line with the modification of Box No. V, as explained in sub-paragraphs 1(a)(i) and (iii), above. Further, the text related to “Precautionary Designation of States Subject to Confirmation” is deleted as this option does no longer exist under the new system;

(c) *Notes to Box No. VI—indications concerning dates*: the notes relating to the indication of dates in the international application are updated in accordance with Section 110 of the Administrative Instructions, as in force from January 1, 2004 (see Circular C.PCT 808, of October 26, 2001, and document PCT/AI/1 Rev.1 Add.1);

(d) *Notes to Box No. X—signatures*: the text is modified to take into account the fact that, if the signature of one or more of the applicants is missing, the receiving Office will not be required to invite the applicant to furnish the missing signature(s) (Rule 26.2*bis*), except in the case where a notice of withdrawal is filed (Rule 90*bis*.5). The text also reflects that designated Offices would be permitted to require, in the national phase, the signature in respect of any applicant who had not provided that signature in the international phase.

Proposed modifications of the Demand Form and of the Notes thereto

1. *Demand Form:*

(a) *automatic indication of all elections possible under the PCT (Rule 53.7):* the last line in the heading of the Form is deleted as being no longer necessary to protect applicants under the new system; in addition, the present wording in Box No. V is modified along the lines of amended Rule 53.7;

(b) *time limit for start of the international preliminary examination (Rule 69.1(d)):* in Box No. IV, present item 3 is modified to reflect the new applicable time limit for start of the international preliminary examination. Also, a new item 4 is included to provide an option for the applicant to indicate that he wishes the international preliminary examination to start earlier than at the expiration of the applicable time limit under new Rule 54bis1(a);

(c) *date of receipt of the Demand:* on the last sheet of the Form, in the space reserved “For International Preliminary Examining Authority use only”, additional check-boxes have been introduced to allow the Authority to make the relevant indications as to the date of receipt of the demand insofar as compliance with the time limit under new Rule 54bis.1(a) is concerned and, in particular, where Rules 80.5 and 82 may apply.

2. *Notes to the Demand Form:*

(a) *“When Must the Demand Be Filed” (under Important general information):* the Notes reflect the new time limit for making a demand under the new system (Rule 54bis.1). The Notes do, however, still expressly emphasize the fact that, during the period during which transitional reservations of certain Contracting States concerning the recently modified time limit under Article 22 are still in force, the demand would have to be filed within 19 months from the priority date if the applicant wishes to postpone until 30 months from the priority date the time limit within which to enter the national phase in respect of those Offices.

(b) *“Which Fees Must be Paid and When” (under Important general information):* For the sake of consistency with the approach taken in respect of the Request Form, the text referring to the payment of fees is deleted from this part of the Notes since the Notes to the Fee Calculation Sheet contain all the necessary details;

(c) *Notes to Box No. I—indications concerning dates:* the notes relating to the indication of dates in the international application are updated in accordance with Section 110 of the Administrative Instructions, as in force from January 1, 2004 (see Circular C.PCT 808, of October 26, 2001, and document PCT/AI/1 Rev.1 Add.1);

(d) *Notes to Box No. III—powers of attorney:* the notes refer to the fact that the receiving Office, the International Bureau or the International Preliminary Examining Authority may waive the requirement that a separate power of attorney be submitted to it;

(e) *Notes to Box No. IV—time limit for start of the international preliminary examination:* the notes to check-box No. 3 have been modified and notes to new check-box No. 4 have been introduced to reflect the new time limit under amended Rule 69.1(d);

(f) *Notes to Box No. V—automatic indication of all elections possible under the PCT:* the Notes have been modified to reflect the new election system.

[Annex II follows]

PCT**REQUEST**

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum)

Box No. I TITLE OF INVENTION	
Box No. II APPLICANT <input type="checkbox"/> This person is also inventor	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)	Telephone No.
	Facsimile No.
	Teleprinter No.
	Applicant's registration No. with the Office
State (that is, country) of nationality:	State (that is, country) of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)
	Applicant's registration No. with the Office
State (that is, country) of nationality:	State (that is, country) of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.	
Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	<input type="checkbox"/> agent <input type="checkbox"/> common representative
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	Telephone No.
	Facsimile No.
	Teleprinter No.
	Agent's registration No. with the Office
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	

Supplemental Box *If the Supplemental Box is not used, this sheet should not be included in the request.*

1. *If, in any of the Boxes, except Boxes Nos. VIII(i) to (v) for which a special continuation box is provided, **the space is insufficient** to furnish all the information: in such case, write "Continuation of Box No...." (indicate the number of the Box) and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:*
 - (i) ***if more than two persons are to be indicated as applicants and/or inventors** and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below;*
 - (ii) *if, in Box No. II or in any of the sub-boxes of Box No. III, the indication **"the States indicated in the Supplemental Box"** is checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant;*
 - (iii) *if, in Box No. II or in any of the sub-boxes of Box No. III, **the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America**: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;*
 - (iv) *if, in addition to the agent(s) indicated in Box No. IV, there are **further agents**: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;*
 - (v) *if, in Box No. VI, there are **more than three earlier applications whose priority is claimed**: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI.*
2. *If the applicant intends to make an indication under Rule 49bis.1(a) or (b) of the wish that the international application be treated, in certain designated States, as an application for a patent of addition, certificate of addition, inventor's certificate of addition or utility certificate of addition: in such a case, write the name or two-letter code of each designated State concerned and the indication **"patent of addition," "certificate of addition," "inventor's certificate of addition"** or **"utility certificate of addition"** and the number of the parent patent or other parent grant.*
3. *If the applicant intends to make an indication under Rule 49bis.1(d) of the wish that the international application be treated, in the United States of America, as a continuation or continuation-in-part of an earlier application: in such a case, write "United States of America" or "US" and the indication **"continuation"** or **"continuation-in-part,"** and the number of the parent application.*

Box No. IX CHECK LIST; LANGUAGE OF FILING		
<p>This international application contains:</p> <p>(a) in paper form, the following number of sheets:</p> <p style="padding-left: 20px;">request (including declaration sheets) : _____</p> <p style="padding-left: 20px;">description (excluding sequence listings and/or tables related thereto) : _____</p> <p style="padding-left: 20px;">claims : _____</p> <p style="padding-left: 20px;">abstract : _____</p> <p style="padding-left: 20px;">drawings : _____</p> <p style="padding-left: 20px;">Sub-total number of sheets : _____</p> <p style="padding-left: 20px;">sequence listings : _____</p> <p style="padding-left: 20px;">tables related thereto : _____</p> <p style="padding-left: 20px;"><i>(for both, actual number of sheets if filed in paper form, whether or not also filed in computer readable form; see (c) below)</i></p> <p style="padding-left: 20px;">Total number of sheets : _____</p> <p>(b) <input type="checkbox"/> only in computer readable form (Section 801(a)(i))</p> <p style="padding-left: 20px;">(i) <input type="checkbox"/> sequence listings</p> <p style="padding-left: 20px;">(ii) <input type="checkbox"/> tables related thereto</p> <p>(c) <input type="checkbox"/> also in computer readable form (Section 801(a)(ii))</p> <p style="padding-left: 20px;">(i) <input type="checkbox"/> sequence listings</p> <p style="padding-left: 20px;">(ii) <input type="checkbox"/> tables related thereto</p> <p>Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the</p> <p style="padding-left: 20px;"><input type="checkbox"/> sequence listings:</p> <p style="padding-left: 20px;"><input type="checkbox"/> tables related thereto:</p> <p style="padding-left: 20px;"><i>(additional copies to be indicated under items 9(ii) and/or 10(ii), in right column)</i></p>	<p>This international application is accompanied by the following item(s) <i>(mark the applicable check-boxes below and indicate in right column the number of each item)</i>:</p> <p>1. <input type="checkbox"/> fee calculation sheet : _____</p> <p>2. <input type="checkbox"/> original separate power of attorney : _____</p> <p>3. <input type="checkbox"/> original general power of attorney : _____</p> <p>4. <input type="checkbox"/> copy of general power of attorney; reference number, if any:</p> <p>5. <input type="checkbox"/> statement explaining lack of signature : _____</p> <p>6. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s):</p> <p>7. <input type="checkbox"/> translation of international application into <i>(language)</i>:</p> <p>8. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material : _____</p> <p>9. <input type="checkbox"/> sequence listings in computer readable form <i>(indicate type and number of carriers)</i></p> <p style="padding-left: 20px;">(i) <input type="checkbox"/> copy submitted for the purposes of international search under Rule 13ter only (and not as part of the international application) : _____</p> <p style="padding-left: 20px;">(ii) <input type="checkbox"/> <i>(only where check-box (b)(i) or (c)(i) is marked in left column)</i> additional copies including, where applicable, the copy for the purposes of international search under Rule 13ter : _____</p> <p style="padding-left: 20px;">(iii) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the sequence listings mentioned in left column : _____</p> <p>10. <input type="checkbox"/> tables in computer readable form related to sequence listings <i>(indicate type and number of carriers)</i></p> <p style="padding-left: 20px;">(i) <input type="checkbox"/> copy submitted for the purposes of international search under Section 802(b-quarter) only (and not as part of the international application) : _____</p> <p style="padding-left: 20px;">(ii) <input type="checkbox"/> <i>(only where check-box (b)(ii) or (c)(ii) is marked in left column)</i> additional copies including, where applicable, the copy for the purposes of international search under Section 802(b-quarter) : _____</p> <p style="padding-left: 20px;">(iii) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the tables mentioned in left column : _____</p> <p>11. <input type="checkbox"/> other <i>(specify)</i>:</p>	<p>Number of items</p>
<p>Figure of the drawings which should accompany the abstract:</p>	<p>Language of filing of the international application:</p>	
<p>Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE <i>Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).</i></p>		

For receiving Office use only		
<p>1. Date of actual receipt of the purported international application:</p>	<p>2. Drawings:</p> <p style="padding-left: 20px;"><input type="checkbox"/> received:</p>	
<p>3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:</p>	<p style="padding-left: 20px;"><input type="checkbox"/> not received:</p>	
<p>4. Date of timely receipt of the required corrections under PCT Article 11(2):</p>	<p>6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid</p>	
<p>5. International Searching Authority (if two or more are competent): ISA /</p>		

For International Bureau use only
<p>Date of receipt of the record copy by the International Bureau:</p>

NOTES TO THE REQUEST FORM (PCT/RO/101)

These Notes are intended to facilitate the filling in of the request form. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's Website: www.wipo.int/pct/en/index.html. The Notes are based on the requirements of the Patent Cooperation Treaty (PCT), the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

Please use a typewriter; check-boxes may be marked by hand with black ink (Rule 11.9(a) and (b)).

The request form and these Notes may be downloaded from WIPO's Website at the address given above.

**WHERE TO FILE
THE INTERNATIONAL APPLICATION**

The international application (request, description, claims, abstract and drawings, if any) must be filed with a competent receiving Office (Article 11(1)(i))—that is, subject to any applicable prescriptions concerning national security, at the choice of the applicant, either:

(i) the receiving Office of, or acting for, a PCT Contracting State of which the applicant or, if there are two or more applicants, at least one of them, is a resident or national (Rule 19.1(a)(i) or (ii) or (b)), or

(ii) the International Bureau of WIPO in Geneva, Switzerland, if the applicant or, if there are two or more applicants, at least one of the applicants is a resident or national of any PCT Contracting State (Rule 19.1(a)(iii)).

APPLICANT'S OR AGENT'S FILE REFERENCE

A **file reference** may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded by the receiving Office or any International Authority (Rule 11.6(f) and Section 109).

BOX No. I

Title of Invention (Rules 4.3 and 5.1(a)): The title must be short (preferably two to seven words when in English or translated into English) and precise. It must be identical with the title heading the description.

BOXES Nos. II AND III

General: At least one of the applicants named must be a resident or national of a PCT Contracting State for which the receiving Office acts (Articles 9 and 11(1)(i) and Rules 18 and 19). If the international application is filed with the International Bureau under Rule 19.1(a)(iii), at least one of the applicants must be a resident or national of any PCT Contracting State.

If the United States of America is designated, all of the inventors must be named also as applicants for the purposes of that designation (see "Different Applicants for Different Designated States", below).

Indication Whether a Person is Applicant and/or Inventor (Rules 4.5(a) and 4.6(a) and (b)):

Check-box "This person is also inventor" (Box No. II): Mark this check-box if the applicant named is also the inventor or one of the inventors; do not mark this check-box if the applicant is a legal entity.

Check-box "applicant and inventor" (Box No. III): Mark this check-box if the person named is both applicant and inventor; do not mark this check-box if the person is a legal entity.

Check-box "applicant only" (Box No. III): Mark this check-box if the person named is a legal entity or if the person named is not also inventor.

Check-box "inventor only" (Box No. III): Mark this check-box if the person named is inventor but not also applicant; do not mark this check-box if the person is a legal entity.

In Box No. III, one of the three check-boxes must always be marked for each person named.

A person must not be named more than once in Boxes Nos. II and III, even where that person is both applicant and inventor.

Names and Addresses (Rule 4.4): The family name (preferably in capital letters) must be indicated before the given name(s). Titles and academic degrees must be omitted. Names of legal entities must be indicated by their full official designations.

The address must be indicated in such a way that it allows prompt postal delivery; it must consist of all the relevant administrative units (up to and including the indication of the house number, if any), the postal code (if any), and the name of the country.

Only one address may be indicated per person. For the indication of a special "address for correspondence", see the notes to Box No. IV.

Telephone, Facsimile and/or Teleprinter Numbers should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant. Any such number should include the applicable country and area codes.

Applicant's Registration Number with the Office (Rule 4.5(e)): Where the applicant is registered with the national or regional Office acting as receiving Office, the request may indicate the number or other indication under which the applicant is so registered.

Nationality (Rules 4.5(a) and (b) and 18.1): For each applicant, the nationality must be indicated by the name or two-letter code of the State (that is, country) of which the person is a national. A legal entity constituted according to the national law of a State is considered a national of that State. The indication of the nationality is not required where a person is inventor only.

Residence (Rules 4.5(a) and (c) and 18.1): For each applicant, the residence must be indicated by the name or two-letter code of the State (that is, country) of which the person is a resident. If the State of residence is not indicated, it will be assumed to be the same as the State indicated in the address. Possession of a real and effective industrial or commercial establishment in a State is considered residence in that State. The indication of the residence is not required where a person is inventor only.

Names of States (Section 115): For the indication of names of States, the two-letter codes appearing in WIPO Standard ST.3 and in the *PCT Applicant's Guide*, Volume I/B, Annex K, may be used.

Different Applicants for Different Designated States (Rules 4.5(d), 18.3 and 19.2): It is possible to indicate different applicants for the purposes of different designated States. At least one of all the applicants named must be a national or resident of a PCT Contracting State for which the receiving Office acts, irrespective of the designated State(s) for the purposes of which that applicant is named. *Where the United States of America is one of the designated States, all of the inventors must be named also as applicants for the United States of America and the check-boxes "This person is also inventor" (in Box No. II) and/or "applicant and inventor" (in Box No. III) must be marked.*

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). The check-box "the States indicated in the Supplemental Box" must be marked where none of the other three check-boxes fits the circumstances; in such a case, the name of the person must be repeated in the Supplemental Box with an indication of the States for which that person is applicant (see item 1(ii) in that Box).

Naming of Inventor (Rule 4.1(a)(v) and (c)(i)): The inventor's name and address must be indicated where the national law of at least one of the designated States requires that the name of the inventor be furnished at the time of filing; for details, see the *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2. It is strongly recommended to always name the inventor.

Different Inventors for Different Designated States (Rule 4.6(c)): Different persons may be indicated as inventors for different designated States (for example, where, in this respect, the requirements of the national laws of the designated States are not the same); in such a case, the Supplemental Box must be used (see item 1(iii) in that Box). In the absence of any indication, it will be assumed that the inventor(s) named is (are) inventor(s) for all designated States.

BOX No. IV

Who Can Act as Agent (Article 49 and Rule 83.1bis): For each of the receiving Offices, information as to who can act as agent is given in the *PCT Applicant's Guide*, Volume I/B, Annex C.

Agent or Common Representative (Rules 4.7, 4.8, 90.1 and 90.2 and Section 108): Mark the applicable check-box in order to indicate whether the person named is (or has been) appointed as "agent" or "common representative" (the "common representative" must be one of the applicants). For the manner in which name(s) and address(es) (including names of States) must be indicated, see the notes to Boxes Nos. II and III. Where several agents are listed, the agent to whom correspondence should be addressed is to be listed first. If there are two or more applicants but no common agent is appointed to represent all of them, one of the applicants who is a national or resident of a PCT Contracting State may be appointed by the other applicants as their common representative. If this is not done, the applicant first named in the request who is entitled to file an international application with the receiving Office concerned and in respect of whom all indications required under Rule 4.5(a) have been provided will be considered to be the common representative.

Manner of Appointment of Agent or Common Representative (Rules 90.4 and 90.5 and Section 106): The appointment of an agent or a common representative may be effected by designating the agent or common representative in

Box No. IV and by the applicant signing the request or a separate power of attorney. Where there are two or more applicants, the appointment of a common agent or common representative must be effected by each applicant signing, at his choice, the request or a separate power of attorney. If the separate power of attorney is not signed, or if the required separate power of attorney is missing, or if the indication of the name or address of the appointed person does not comply with Rule 4.4, the power of attorney will be considered non-existent unless the defect is corrected. However, the receiving Office may waive the requirement that a separate power of attorney be submitted to it (for details about each receiving Office, see the *PCT Applicant's Guide*, Volume I/B, Annex C).

Where a general power of attorney has been filed and is referred to in the request, a copy thereof must be attached to the request. Any applicant who did not sign the general power of attorney must sign either the request or a separate power of attorney, unless the receiving Office has waived the requirement that a separate power of attorney be submitted to it (for details, see the *PCT Applicant's Guide*, Volume I/B, Annex C).

Agent's Registration Number with the Office (Rule 4.7(b)): Where the agent is registered with the national or regional Office that is acting as receiving Office, the request may indicate the number or other indication under which the agent is so registered.

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. IV will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II or III, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address must be indicated in Box No. IV instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. IV must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" has been marked).

BOX No. V

Designations (Regional and National patents) (Rule 4.9): Upon filing of the request, the applicant will obtain an automatic and all-inclusive coverage of all designations available under the PCT on the international filing date, in respect of every kind of protection available and, where applicable in respect of both regional and national patents.

However, for the reason explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, KR Republic of Korea and/or RU Russian Federation are not designated for any kind of national protection. Each of those States has notified the International Bureau that Rule 4.9(b) applies to it since its national law provides that the filing of an international application which contains the designation of that State and claims the priority of an earlier national application having effect in that State shall have the result that the earlier national application ceases to have effect with the same consequences as the withdrawal of the earlier national application. The designation of DE Germany for the purposes of a EP European patent and of RU Russian Federation for the purposes of a EA Eurasian patent are not affected by what is said above.

If the applicant wishes the international application to be treated, in a certain designated State, as an application for a patent (national or regional) or another kind of protection (national or regional) as may be available, the applicant will have to indicate his choice, directly to the designated or elected Office, when performing the acts referred to in Article 22 or 39(1) for entry into the national phase. For details about various kinds of protection available in all designated States, see the *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2.

BOX No. VI

Priority Claim(s) (Rule 4.10): If the priority of an earlier application is claimed, the declaration containing the priority claim must be made in the request.

The request must indicate the *date* on which the earlier application from which priority is claimed was filed and the *number* it was assigned. Note that that date must fall within the period of 12 months preceding the international filing date.

Where the earlier application is a national application, the *country* party to the Paris Convention for the Protection of Industrial Property, or the *Member* of the World Trade Organization that is not a party to that Convention, in which that earlier application was filed must be indicated. Where the earlier application is a regional application, the *regional Office* concerned must be indicated. Where the earlier application is an international application, the *receiving Office* with which that earlier application was filed must be indicated.

Where the earlier application is a regional application (other than an ARIPO application), or an international application, the priority claim may also, if the applicant so wishes, indicate one or more countries party to the Paris Convention for which that earlier application was filed (Rule 4.10(b)(i)); such an indication is not, however, mandatory. Where the earlier application is an ARIPO application, at least one country party to the Paris Convention or one Member of the World Trade Organization for which that earlier application was filed must be indicated (Rule 4.10(b)(ii)).

As to the possibility of correcting or adding a priority claim, see Rule 26*bis* and the *PCT Applicant's Guide*, Volume I/A, General Part.

Certified Copy of Earlier Application (Rule 17.1): A certified copy of each earlier application the priority of which is claimed (priority document) must be submitted by the applicant, irrespective of whether that earlier application is a national, regional or international application. The priority document must be submitted to the receiving Office or to the International Bureau before the expiration of 16 months from the (earliest) priority date or, where an early start of the national phase is requested, not later than at the time such request is made. Any priority document received by the International Bureau after the expiration of the 16-month time limit but before the date of international publication shall be considered to have been received on the last day of that time limit (Rule 17.1(a)).

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office (not later than 16 months after the priority date) to prepare and transmit the priority document to the International Bureau (Rule 4.1(c)(ii)). Such request may be made by marking the applicable check-boxes which identify the respective documents. *Attention:* where such a request is made, the applicant must, where applicable, pay to the receiving Office the *fee for priority document*, otherwise, the request will be considered not to have been made (see Rule 17.1(b)).

Dates (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year—in that order; after, below or above such

indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order and separated by periods, slants or hyphens, for example, “20 March 2004 (20.03.2004)”, “20 March 2004 (20/03/2004)” or “20 March 2004 (20-03-2004)”.

BOX No. VII

Choice of International Searching Authority (ISA) (Rules 4.1(b)(iv) and 4.14*bis*): If two or more International Searching Authorities are competent for carrying out the international search in relation to the international application—depending on the language in which that application is filed and the receiving Office with which it is filed—the name of the competent Authority chosen by the applicant must be indicated in the space provided, either by its full name or two-letter code.

Request to Use Results of Earlier Search; Reference to that Search (Rules 4.11(a)(i) and (ii) and 4.1.1): The earlier search, if any, must be identified in such a manner that the ISA can retrieve the results easily. Where those results can be used, the ISA may refund the international search fee or a portion thereof.

BOX No. VIII

Declarations Containing Standardized Wording (Rules 4.1(c)(iii) and 4.17): At the option of the applicant, the request may, for the purposes of the national law applicable in one or more designated States, contain one or more of the following declarations:

- (i) declaration as to the identity of the inventor;
- (ii) declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent;
- (iii) declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application;
- (iv) declaration of inventorship (only for the purposes of the designation of the United States of America);
- (v) declaration as to non-prejudicial disclosures or exceptions to lack of novelty;

which must conform to the standardized wording provided for in Sections 211 to 215, respectively, and which must be set forth in Boxes Nos. VIII (i) to (v), as detailed below. Where any such declarations are included, the appropriate check-boxes in Box No. VIII should be marked and the number of each type of declaration should be indicated in the right-hand column. As to the possibility of correcting or adding a declaration, see Rule 26*ter*, Section 216 and the *PCT Applicant's Guide*, Volume I/A, General Part.

If the circumstances of a particular case are such that the standardized wordings are not applicable, the applicant should not attempt to make use of the declarations provided for in Rule 4.17 but rather will have to comply with the national requirements concerned upon entry into the national phase.

The fact that a declaration is made under Rule 4.17 does not of itself establish the matters declared; the effect of those matters in the designated States concerned will be determined by the designated Offices in accordance with the applicable national law.

Even if the wording of a declaration does not conform to the standardized wording provided for in the Administrative Instructions pursuant to Rule 4.17, any designated Office may accept that declaration for the purposes of the applicable national law, but is not required to do so.

Details as to National Law Requirements: For information on the declarations required by each designated Office, see the *PCT Applicant's Guide*, Volume II, in the relevant National Chapter.

Effect in Designated Offices (Rule 51bis.2): Where the applicant submits any of the declarations provided for in Rule 4.17(i) to (iv) containing the required standardized wording (either with the international application, or to the International Bureau within the relevant time limit under Rule 26ter, or directly to the designated Office during the national phase), the designated Office may not, in the national phase, require further documents or evidence on the matter to which the declaration relates, unless that designated Office may reasonably doubt the veracity of the declaration concerned.

Incompatibility of Certain Items of Rule 51bis.2(a) with National Laws (Rule 51bis.2(c)): The designated Offices listed below have informed the International Bureau that the applicable national law is not compatible in respect of the following declarations provided in Rule 4.17(i), (ii) and (iii). Those designated Offices are therefore entitled to require further documents or evidence on the matters to which those declarations relate.

Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)): The respective national laws of CH Switzerland, DK Denmark and SE Sweden are not compatible with Rule 51bis.2(a)(i).

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)): The respective national laws of CA Canada, CH Switzerland, DK Denmark, HU Hungary and SE Sweden are not compatible with Rule 51bis.2(a)(ii).

Declaration as to the applicant's entitlement as at the international filing date, to claim the priority of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)): The respective national laws of CH Switzerland and DK Denmark are not compatible with Rule 51bis.2(a)(iii).

BOXES Nos. VIII (i) to (v) (IN GENERAL)

Different Declaration Boxes: There are six different declaration boxes in the pre-printed request form—one box for each of the five different types of declarations provided for in Rule 4.17 (Box No. VIII (i) to Box No. VIII (v)) and a continuation sheet (Continuation of Box No. VIII (i) to (v)) to be used in case any single declaration does not fit in the corresponding box. The title of each type of declaration which is found in the standardized wording provided for in the Administrative Instructions is pre-printed on the appropriate sheet of the request.

Separate Sheet for Each Declaration: Each declaration must start on a separate sheet of the request form in the appropriate Declaration Box.

Titles, Items, Item Numbers, Dotted Lines, Words in Parentheses and Words in Brackets: The prescribed standardized wording of the declarations includes titles, various items, item numbers, dotted lines, words in parentheses and words in brackets. Except for Box No. VIII (iv) which contains the pre-printed standardized wording, only those items which are applicable should be included in a declaration where necessary to support the statements in that declaration (that is, omit those items which do not apply) and item numbers need not be included. Dotted lines indicate where information is required to be inserted. Words in parentheses are instructions to applicants as to the information which may

be included in the declaration depending upon the factual circumstances. Words in brackets are optional and should appear in the declaration without the brackets if they apply; if they do not apply, they should be omitted together with the corresponding brackets.

Naming of Several Persons: More than one person may be named in a single declaration. In the alternative, with one exception, a separate declaration may be made for each person. With respect to the declaration of inventorship set forth in Box No. VIII (iv), which is applicable only for the purposes of the designation of the United States of America, all inventors must be indicated in a single declaration (see Notes to Box No. VIII (iv), below). The wording of declarations to be set forth in Boxes Nos. VIII (i), (ii), (iii) and (v) may be adapted from the singular to the plural as necessary.

Designated States to Which the Declarations Apply: Each declaration must indicate the designated States to which it applies. In this regard, the standardized wording of the declaration of inventorship (Box No. VIII (iv); see also Rule 4.17(iv) and Section 214) indicates in the title that it is for the purposes of the designation of the United States of America. The other declarations include prescribed wording to indicate whether the declaration is made for all designations or specific designations; one of these choices should always be included in the declaration. Where the declaration is for more than one person, the declaration may include separate statements indicating whether the declaration is made for all designations or specific designations with respect to each separate applicant. For example, this may be expected to occur where the request indicates different applicants for different States in accordance with Rule 4.5(d). However, in such a case, it is advisable to include a separate declaration for each person.

BOX No. VIII (i)

Declaration as to the Identity of the Inventor (Rule 4.17(i) and Section 211): The declaration must be worded as follows:

“Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)):

in relation to [this] international application [No. PCT/...],

- (i) ... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application
- (ii) this declaration is made for the purposes of (*include as applicable*):
 - (a) all designations [except the designation of the United States of America]
 - (b) the following designations for national and/or regional patents: ...”

Such a declaration is not necessary in respect of any inventor who is indicated as such (either as inventor only or applicant and inventor) in Box No. II or No. III in accordance with Rule 4.5 or 4.6. However, where the inventor is indicated as applicant in Box No. II or No. III in accordance with Rule 4.5, a declaration as to the applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii)) may be appropriate for the purposes of all designated States except the United States of America. Where indications regarding the inventor in accordance with Rule 4.5 or 4.6 are not included in Box No. II or No. III, this declaration may be combined with the prescribed wording of the declaration as to the applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii)). For details on such a combined declaration, see Notes to Box No. VIII (ii), below. For details as to the declaration of inventorship for the purposes of the designation of the United States of America, see Notes to Box No. VIII (iv), below.

BOX No. VIII (ii)

Declaration as to the Applicant's Entitlement to Apply for and Be Granted a Patent (Rule 4.17(ii) and Section 212): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to [this] international application [No. PCT/...],

... (name) is entitled to apply for and be granted a patent by virtue of the following:

- (i) ... (name) of ... (address) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application
- (ii) ... (name) [is] [was] entitled as employer of the inventor, ... (inventor's name)
- (iii) an agreement between ... (name) and ... (name), dated ...
- (iv) an assignment from ... (name) to ... (name), dated ...
- (v) consent from ... (name) in favor of ... (name), dated ...
- (vi) a court order issued by ... (name of court), effecting a transfer from ... (name) to ... (name), dated ...
- (vii) transfer of entitlement from ... (name) to ... (name) by way of ... (specify kind of transfer), dated ...
- (viii) the applicant's name changed from ... (name) to ... (name) on ... (date)
- (ix) this declaration is made for the purposes of (include as applicable):
 - (a) all designations [except the designation of the United States of America]
 - (b) the following designations for national and/or regional patents: ..."

Either (a) or (b) of item (ix) should always be included in the declaration. The remainder of the items may be incorporated as is necessary to explain the applicant's entitlement. **This declaration is only applicable to those events which have occurred prior to the international filing date.** The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the inventor, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement. Where the inventor is not indicated in Box No. II or No. III, this declaration may be presented as a combined declaration explaining the applicant's entitlement to apply for and be granted a patent and identifying the inventor. In such a case, the introductory phrase of the declaration must be as follows:

"Combined declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)) and as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)), in a case where the declaration under Rule 4.17(iv) is not appropriate:"

The remainder of the combined declaration must be worded as indicated in the preceeding paragraphs.

For details as to the declaration as to the identity of the inventor, see the Notes to Box No. VIII (i), above.

BOX No. VIII (iii)

Declaration as to the Applicant's Entitlement to Claim Priority of the Earlier Application (Rule 4.17(iii) and Section 213): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

in relation to [this] international application [No. PCT/...],

... (name) is entitled to claim priority of earlier application No. ... by virtue of the following:

- (i) the applicant is the inventor of the subject matter for which protection was sought by way of the earlier application
- (ii) ... (name) [is] [was] entitled as employer of the inventor, ... (inventor's name)
- (iii) an agreement between ... (name) and ... (name), dated ...
- (iv) an assignment from ... (name) to ... (name), dated ...
- (v) consent from ... (name) in favor of ... (name), dated ...
- (vi) a court order, issued by ... (name of court), effecting a transfer from ... (name) to ... (name), dated ...
- (vii) transfer of entitlement from ... (name) to ... (name) by way of ... (specify kind of transfer), dated ...
- (viii) the applicant's name changed from ... (name) to ... (name) on ... (date)
- (ix) this declaration is made for the purposes of (include as applicable):
 - (a) all designations
 - (b) the following designations for national and/or regional patents: ..."

Either (a) or (b) of item (ix) should always be included in the declaration. The remainder of the items may be incorporated as is necessary to explain the applicant's entitlement. **This declaration is only applicable to those events which have occurred prior to the international filing date.** In addition, this declaration is only applicable where the person or name of the applicant is different from that of the applicant who filed the earlier application from which priority is claimed. For example, this declaration may be applicable where only one applicant out of five is different from the applicants indicated in respect of an earlier application. The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the applicant in respect of the earlier application, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement.

BOX No. VIII (iv)

Declaration of Inventorship (Rule 4.17(iv) and Section 214): The standardized wording for the declaration is pre-printed in Box No. VIII (iv).

All inventors must be named in the declaration, even if they do not all sign the same (copy of) the declaration

(Section 214(b)). Bibliographic data, such as address of residence and citizenship, must be included for each inventor. Where the declaration is included in the request, the inventor(s) need not sign and date the declaration if they have signed in Box No. X of the request. If there are more than two inventors, those other inventors must be indicated on the "continuation sheet for declaration." In such a case, write "Continuation of Box No. VIII (iv)," and indicate only the bibliographical data in respect of each inventor. The text of the declaration itself should not be repeated on that continuation sheet. The inventor(s) identified on the continuation sheet must sign and date such sheet, unless the declaration, including the continuation sheet, is included with the request and the inventor(s) has (have) signed in Box No. X of the request.

BOX No. VIII (v)

Declaration as to Non-prejudicial Disclosures or Exceptions to Lack of Novelty (Rule 4.17(v) and Section 215): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (iv) as is necessary:

"Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51*bis*.1(a)(v)):

in relation to [this] international application [No. PCT/...],

... (*name*) declares that the subject matter claimed in [the] [this] international application was disclosed as follows:

- (i) kind of disclosure (*include as applicable*):
 - (a) international exhibition
 - (b) publication
 - (c) abuse
 - (d) other: ... (*specify*)
- (ii) date of disclosure: ...
- (iii) title of disclosure (*if applicable*): ...
- (iv) place of disclosure (*if applicable*): ...
- (v) this declaration is made for the purposes of (*include as applicable*):
 - (a) all designations
 - (b) the following designations for national and/or regional patents: ..."

Either (a), (b), (c) or (d) of item (i) should always be included in the declaration. Item (ii) should also always be included in the declaration. Either (a) or (b) of item (v) should always be included in the declaration. Items (iii) and (iv) may be incorporated depending upon the circumstances.

BOX No. IX

Items Constituting the International Application: The number of sheets of the various parts of the international application must be given in the check list in Arabic numerals. Sheets containing any of Boxes Nos. VIII (i) to (v) must be counted as part of the request.

Where the application contains disclosure of one or more *nucleotide and/or amino acid sequences*, the applicant has the following three options.

First, the applicant may choose to file the sequence listings and/or tables related thereto *in paper form only* ("option (a)"), in which case the number of sheets of the listings and/or tables, respectively, must be indicated under item (a) in the left column of Box No. IX (and therefore included in the total number of sheets), noting that a copy of the sequence listings and/or a copy of the tables, in computer readable form, may accompany the international application but only for the purposes of international search under Rule 13*ter* and/or Section 802(b-*quater*);

in such a case, check-boxes Nos. 9, 9(i) and/or 10(i) and, where applicable, 9(iii) and/or 10(iii) must be marked in the right column of Box No. IX.

Second, the applicant may choose to file the sequence listings and/or tables related thereto *in computer readable form only*, under Section 801(a)(i) ("option (b)"), in which case check-boxes b(i) and/or b(ii) must be marked but the spaces for the number of sheets of the sequence listings and/or tables, respectively, under item (a) must be left blank; the type and number of carriers must also be indicated on the dotted lines at the bottom of the left column; in addition, check-boxes Nos. 9, 9(ii) and/or 10(ii) and, where applicable, 9(iii) and/or 10(iii) must be marked if additional copies of the sequence listings and/or tables in computer readable form are furnished.

Third, the applicant may choose to file the sequence listings and/or tables related thereto *both in computer readable form and in paper form*, under Section 801(a)(ii) ("option (c)"), in which case the number of sheets (in paper form) of the sequence listings and/or tables, respectively, must be indicated under item (a) in the left column of Box No. IX (although those numbers of sheets will not be taken into account for calculation of the basic fee) and check-boxes c(i) and/or c(ii), respectively, must be marked; the type and number of carriers must also be indicated on the dotted lines at the bottom of the left column; in addition, check-boxes Nos. 9, 9(ii) and/or 10(ii) and, where applicable, 9(iii) and/or 10(iii) must be marked if additional copies of the sequence listings and/or tables in computer readable form are furnished.

Under all three options described above, the sequence listings must be presented as a separate part of the description ("sequence listing part of description") in accordance with the standard contained in Annex C of the Administrative Instructions. Also, tables related to sequence listings must be presented in accordance with the standard contained in Annex C-*bis* of the Administrative Instructions.

Items Accompanying the International Application: Where the international application is accompanied by certain items, the applicable check-boxes must be marked, any applicable indication must be made on the dotted line after the applicable item, and the number of such items should be indicated at the end of the relevant line; detailed explanations are provided below only in respect of those items which so require.

Check-box No. 4: Mark this checkbox where a copy of a general power of attorney is filed with the international application; where the general power of attorney has been deposited with the receiving Office, and that Office has accorded to it a reference number, that number may be indicated.

Check-box No. 5: Mark this check-box where a statement explaining the lack of signature of an inventor/applicant for the purposes of the United States of America is furnished together with the international application (see also Notes to Box No. X).

Check-box No. 7: Mark this check-box where a translation of the international application for the purposes of international search (Rule 12.3) is filed together with the international application and indicate the language of that translation.

Check-box No. 8: Mark this check-box where a filled-in Form PCT/RO/134 or any separate sheet containing indications concerning deposited microorganisms and/or other biological material is filed with the international application. If Form PCT/RO/134 or any sheet containing the said indications is included as one of the sheets of the description (as required by certain designated States (see the *PCT Applicant's Guide*, Volume I/B, Annex L)), do not mark this check-box (for further information, see Rule 13*bis* and Section 209).

Check-box No. 9: Where the international application contains sequence listings and a copy thereof in computer readable form is required by the ISA under Rule 13*ter*, the applicant may furnish the listings in computer readable form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 9, 9(i) and, where applicable, 9(iii) must be marked. Where the applicant has chosen option (b) or option (c) mentioned above, and an additional copy or copies of the sequence listings in computer readable form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 9, 9(ii) and, where applicable, 9(iii) must be marked. In all cases mentioned above, the applicant should indicate at the end of each applicable entry the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

Check-box No. 10: Where the international application contains tables related to sequence listings and a copy thereof in computer readable form is required by the ISA under Section 802(b-*quater*), the applicant may furnish the tables in computer readable form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 10, 10(i) and, where applicable, 10(iii) must be marked. Where the applicant has chosen option (b) or option (c) mentioned above, and an additional copy or copies of the tables in computer readable form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 10, 10(ii) and, where applicable, 10(iii) must be marked. In all cases mentioned above, the applicant should indicate at the end of each applicable entry the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

Language of Filing of the International Application (Rules 12.1(a) and 20.4(c) and (d)): With regard to the language in which the international application is filed, for the purposes of according an international filing date, it is, subject to the following sentence, sufficient that the description and the claims are in the language, or one of the languages, accepted by the receiving Office for the filing of international applications; that language should be indicated in that check-box (as regards the language of the abstract and any text matter in the drawings, see Rule 26.3*ter*(a) and (b); as regards the language of the request, see Rules 12.1(c) and 26.3*ter*(c) and (d)). Note that where the international application is filed with the United States Patent and Trademark Office as receiving Office, all elements of the international application (request, description, claims, abstract, text matter of drawings) must, for the purposes of according an international filing date, be in English except that the free text in any sequence listing part of the description, complying with the standard set out in Annex C of the Administrative Instructions, may be in a language other than English.

BOX No. X

Signature (Rules 4.1(d), 4.15, 26.2*bis*(a), 51*bis*.1(a)(vi), 90 and 90*bis*.5): The signature must be that of the applicant; if there are several applicants, all must sign. However, if the signature of one or more of the applicants is missing, the receiving Office will not invite the applicant to furnish the missing signature(s) provided that at least one of the applicants signed the request.

Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by all the applicants, including those who did not sign the request (Rule 90*bis*.5).

Furthermore, for the purposes of the national phase processing, each designated Office will be entitled to require the applicant to furnish the confirmation of the international application by the signature of any applicant for the designated State concerned, who has not signed the request.

Where the signature on the request is not that of the applicant but that of the agent, or the common representative, a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general power of attorney already in the possession of the receiving Office, must be furnished. If the power is not filed with the request, the receiving Office will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each receiving Office, see the *PCT Applicant's Guide*, Volume I/B, Annex C).

If an inventor/applicant for the designation of the United States of America refused to sign the request or could not be found or reached after diligent effort, a statement explaining the lack of signature may be furnished. It should be noted that this applies only where there are two or more applicants and the international application has been signed by at least one other applicant. The statement must satisfy the receiving Office. If such a statement is furnished with the international application, check-box No. 5 in Box No. IX should be marked.

SUPPLEMENTAL BOX

The cases in which the Supplemental Box may be used and the manner of making indications in it are explained in the left column of that Box.

GENERAL REMARKS

Language of Correspondence (Rule 92.2 and Section 104): Any letter from the applicant to the receiving Office must be in the language of filing of the international application provided that, where the international application is to be published in the language of a translation required under Rule 12.3, such letter should be in the language of that translation; however, the receiving Office may authorize the use of another language.

Any letter from the applicant to the International Bureau must be in the same language as the international application if that language is English or French; otherwise, it must be in English or French, at the choice of the applicant.

Any letter from the applicant to the ISA must be in the same language as the international application, provided that, where a translation of the international application for the purposes of international search has been transmitted under Rule 23.1(b), such letter is in the language of that translation. However, the ISA may authorize the use of another language.

Arrangement of Elements and Numbering of Sheets of the International Application (Rule 11.7 and Section 207): The elements of the international application must be placed in the following order: the request, the description (excluding the sequence listing part, if any), the claim(s), the abstract, the drawings (if any), the sequence listing part of the description (if any).

All sheets of the description (excluding the sequence listing part), claims and abstract must be numbered in consecutive Arabic numerals, which must be placed at the top or bottom of the sheet, in the middle, but not in the margin which must remain blank. The number of each sheet of the drawings must consist of two Arabic numerals separated by an oblique stroke, the first being the sheet number and the second being the total number of sheets of drawings (for example, 1/3, 2/3, 3/3). For numbering of the sheets of the sequence listing part of the description, see Section 207.

Indication of the Applicant's or Agent's File Reference on the sheets of the description (excluding the sequence listing part, if any), claim(s), abstract, drawings and sequence listing part of the description (Rule 11.6(f)): The file reference indicated on the request may also be indicated in the left-hand corner of the top margin, within 1.5 cm from the top of any sheet of the international application.

Annex III to Circular C.PCT 917

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ _____

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:
The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty.

For International Preliminary Examining Authority use only		
Identification of IPEA	Date of receipt of DEMAND	
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION		
Applicant's or agent's file reference		
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority date (<i>day/month/year</i>)
Title of invention		
Box No. II APPLICANT(S)		
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		Telephone No.
		Facsimile No.
		Teleprinter No.
		Applicant's registration No. with the Office
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.		

Sheet No. . . .

International application No.

Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE

The following person is agent common representative
 and has been appointed earlier and represents the applicant(s) also for international preliminary examination.
 is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked.
 is hereby appointed, specifically for the procedure before the International Preliminary Examining Authority, in addition to the agent(s)/common representative appointed earlier.

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

Telephone No.

Facsimile No.

Teleprinter No.

Agent's registration No. with the Office

Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

Box No. IV BASIS FOR INTERNATIONAL PRELIMINARY EXAMINATION

Statement concerning amendments:*

1. The applicant wishes the international preliminary examination **to start on the basis of:**

the international application as originally filed

the description as originally filed

as amended under Article 34

the claims as originally filed

as amended under Article 19 (together with any accompanying statement)

as amended under Article 34

the drawings as originally filed

as amended under Article 34

2. The applicant wishes any amendment to the claims under Article 19 to be considered as reversed.

3. The applicant wishes the start of the international preliminary examination **to be postponed** until the expiration of the applicable time limit under Rule 69.1(d).

4. The applicant expressly wishes the international preliminary examination **to start earlier** than at the expiration of the applicable time limit under Rule 54bis.1(a).

* Where no check-box is marked, international preliminary examination will start on the basis of the international application as originally filed or, where a copy of amendments to the claims under Article 19 and/or amendments of the international application under Article 34 are received by the International Preliminary Examining Authority before it has begun to draw up a written opinion or the international preliminary examination report, as so amended.

Language for the purposes of international preliminary examination:

which is the language in which the international application was filed.

which is the language of a translation furnished for the purposes of international search.

which is the language of publication of the international application.

which is the language of the translation (to be) furnished for the purposes of international preliminary examination.

Box No. V ELECTION OF STATES

The filing of this demand constitutes the election of all Contracting States which are designated and are bound by Chapter II of the PCT.

Annex III to Circular C.PCT 917
page 3

Sheet No. . . .

International application No.

Box No. VI CHECK LIST

The demand is accompanied by the following elements, in the language referred to in Box No. IV, for the purposes of international preliminary examination:

- | | | |
|--|---|--------|
| 1. translation of international application | : | sheets |
| 2. amendments under Article 34 | : | sheets |
| 3. copy (or, where required, translation) of amendments under Article 19 | : | sheets |
| 4. copy (or, where required, translation) of statement under Article 19 | : | sheets |
| 5. letter | : | sheets |
| 6. other (<i>specify</i>) | : | sheets |

For International Preliminary Examining Authority use only

received	not received
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

The demand is also accompanied by the item(s) marked below:

- | | |
|--|---|
| 1. <input type="checkbox"/> fee calculation sheet | 5. <input type="checkbox"/> statement explaining lack of signature |
| 2. <input type="checkbox"/> original separate power of attorney | 6. <input type="checkbox"/> sequence listings in computer readable form |
| 3. <input type="checkbox"/> original general power of attorney | 7. <input type="checkbox"/> tables in computer readable form related to sequence listings |
| 4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: | 8. <input type="checkbox"/> other (<i>specify</i>): |

Box No. VII SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the demand).

For International Preliminary Examining Authority use only

1. Date of actual receipt of DEMAND:

2. Adjusted date of receipt of demand due to CORRECTIONS under Rule 60.1(b):

3. The date of receipt of the demand is AFTER the expiration of 19 months from the priority date and item 4 or 5, below, does not apply.
 The applicant has been informed accordingly.
4. The date of receipt of the demand is WITHIN the time limit of 19 months from the priority date as extended by virtue of Rule 80.5.
5. Although the date of receipt of the demand is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to Rule 82.

6. The date of receipt of the demand is AFTER the expiration of the time limit under Rule 54bis.1(a) and item 7 or 8, below, does not apply.
7. The date of receipt of the demand is WITHIN the time limit under Rule 54bis.1(a) as extended by virtue of Rule 80.5.
8. Although the date of receipt of the demand is after the expiration of the time limit under Rule 54bis.1(a), the delay in arrival is EXCUSED pursuant to Rule 82.

For International Bureau use only

Demand received from IPEA on:

NOTES TO THE DEMAND FORM (PCT/IPEA/401)

These Notes are intended to facilitate the filling in of the demand form and to give some information concerning international preliminary examination under Chapter II of the Patent Cooperation Treaty (PCT). For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's Website: www.wipo.int/pct/en/index.html. The Notes are based on the requirements of the PCT, the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the demand form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

Please use a typewriter; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

The demand form and these Notes may be downloaded from WIPO's Website at the address given above.

IMPORTANT GENERAL INFORMATION

Who May File a Demand? (Article 31(2)(a) and Rule 54): A demand (for international preliminary examination) may only be filed by an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II of the PCT; furthermore, the international application must have been filed with a receiving Office of, or acting for, a State bound by Chapter II. Where there are two or more applicants (for the same or different elected States) at least one of them must qualify.

Where Must the Demand Be Filed? (Article 31(6)(a)): The demand must be filed with a competent International Preliminary Examining Authority (IPEA). The receiving Office with which the international application was filed will, upon request, give information about the competent IPEA (or see the *PCT Applicant's Guide*, Volume I/B, Annex C). If several IPEAs are competent, the applicant has the choice and the demand must be filed with (and the fees must be paid to) the IPEA chosen by the applicant. The IPEA chosen by the applicant may be identified, preferably by an indication of the name or two-letter code of the IPEA, at the top of the first sheet of the demand in the space provided for that purpose.

When Must the Demand Be Filed? (Article 39(1) and Rule 54bis.1): As long as certain designated Offices are still not bound by the 30-month time limit under Article 22 for entry into the national phase, the demand—because it contains the required election of designated States—must be filed within 19 months from the priority date if the applicant wishes to postpone entry into the national phase from 20 to 30 months from the priority date in respect of those designated Offices. For updated information about those Offices, see the *PCT Applicant's Guide*, Volume II, National Chapters, Summaries, available on the WIPO Website at the address indicated above. It is recalled that the time limit of 30 months from the priority date applies to all other designated Offices regardless of whether or not a demand is filed.

If the applicant wishes to file a demand, but not because of the reason explained above, the applicable time limit for filing such demand is three months from the date of transmittal of the international search report and the written opinion established by the International Searching Authority or of the declaration referred to in Article 17(2)(a), or 22 months from the priority date, whichever expires later (see Rule 54bis.1(a)).

In Which Language Must the Demand Be Filed? (Rule 55.1): The demand must be filed in the language in which international preliminary examination will be carried out (see Notes to Box No. IV).

What is the Language of Correspondence? (Rules 66.9 and 92.2 and Section 104): Any letter from the applicant to the IPEA must be in the same language as the international application to which it relates. However, where the international preliminary examination will be carried out on the basis of a translation (see Notes to Box No. IV), any letter from the applicant to the IPEA must be in the language of the translation. The IPEA may authorize the use of other languages for letters which do not contain or relate to amendments of the international application. Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

BOX No. I

Applicant's or Agent's File Reference: A file reference may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded (Section 109).

Identification of the International Application (Rule 53.6): The international application number must be indicated in Box No. I. Where the demand is filed at a time when the international application number has not yet been notified by the receiving Office, the name of that Office must be indicated instead of the international application number.

International Filing Date and (Earliest) Priority Date (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year—in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year, in that order, and separated by periods, slants or hyphens, for example, "20 March 2004 (20.03.2004)", "20 March 2004 (20/03/2004)" or "20 March 2004 (20-03-2004)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the Invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

BOX No. II

Applicant(s) (Rule 53.4): All the applicants for the elected States must be indicated in the demand; an applicant named in the request (Form PCT/RO/101) for a State which is not elected need not be named in the demand. It should be noted that the persons named as “inventor only” in the request need not be named in the demand.

Make in Box No. II of the demand the required indications as appearing in Boxes Nos. II and III of the request. The Notes to the request apply *mutatis mutandis*. If there are two or more applicants for the States elected in the demand, give the required indications for each of them; if there are more than three applicants, make the required indications on the “Continuation Sheet”.

If different applicants were indicated in the request for different designated States, there is no need to indicate the States for which a person is applicant, because those indications have been made in the request.

Applicant’s registration number with the Office (Rule 53.4): Where the applicant is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the applicant is so registered.

BOX No. III

Agent or Common Representative (Rules 53.5, 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the demand* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the IPEA* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the IPEA, all notifications issued by the IPEA will be addressed only to that additional person.

A separate power of attorney must be filed with the IPEA, the International Bureau or the receiving Office, if the person appointed at the time the demand is filed (i.e., was not appointed earlier) signs the demand on behalf of the applicant (Rule 90.4). However, the receiving Office, the International Bureau or the IPEA may waive the requirement that a separate power of attorney be filed. For details, see the *PCT Applicant’s Guide*, Volume I/A, Annex B2(IB), and Volume I/B, Annexes C and E.

Agent’s registration number with the Office (Rule 53.5): Where the agent is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the agent is so registered.

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. III will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, of the applicant (if only one person is named as applicant)

or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address may be indicated in Box No. III instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. III must be marked (that is, the last check-box must not be marked if either of the check-boxes “agent” or “common representative” in Box No. III has been marked).

BOX No. IV

Statement Concerning Amendments (Rules 53.2(a)(v), 53.9, 62, 66.1 and 69.1): The international preliminary examination will start on the basis of the international application as filed or, if amendments have been filed, as amended. Mark the appropriate check-box(es) to enable the IPEA to determine when and on what basis it can start international preliminary examination.

Mark the corresponding check-box(es) under No. 1 where the international preliminary examination should start on the basis of the international application as originally filed or where amendments are to be taken into account, as the case may be. Where amendments are to be taken into account, the applicant must submit *with the demand* a copy of amendments to the claims under Article 19 (Rule 53.9(a)(i)) and/or the amendments of the international application under Article 34 (Rule 53.9(c)), as the case may be. If a check-box is marked but the demand is not accompanied by the documents referred to, the start of international preliminary examination will be delayed until the IPEA receives them.

Mark check-box No. 2 if amendments of the claims under Article 19 have been filed with the International Bureau during the Chapter I procedure, but the applicant does not want these amendments to be taken into account for the purpose of international preliminary examination when the latter starts (Rule 53.9(a)(ii)).

Mark check-box No. 3 where the time limit for filing amendments of the claims under Article 19 has not expired at the time the demand is filed and the applicant wants to keep the option for the filing of such amendments open; the IPEA is thus requested to postpone the start of international preliminary examination (Rules 53.9(b) and 69.1(d)). It should be noted that the examination will start in any event after the expiration of the applicable time limit under Rule 54bis.1(a) even where the time limit for filing amendments has not yet expired or no amendments have been received by the IPEA.

Mark check-box No. 4 if the applicant wishes that the international preliminary examination start earlier than at the expiration of the applicable time limit under Rule 54bis.1(a).

It is recalled that **the applicable time limit under Rule 54bis.1(a)** is three months from the date of transmittal of the international search report and the written opinion established by the International Searching Authority, or of the declaration referred to in Article 17(2)(a), or 22 months from the priority date, whichever expires later.

If no check-box is marked, refer to the footnote at the bottom of the Box.

Language for the Purposes of International Preliminary Examination (Rule 55.2): Where neither the language in which the international application is filed nor the language in which the international application is published is accepted by the IPEA that is to carry out the international preliminary examination,

the applicant must furnish with the demand a translation of the international application into a language which is both a language accepted by that Authority and a language of publication.

Where such translation has already been furnished to the International Searching Authority for the purposes of carrying out international search and the IPEA is part of the same Office or intergovernmental organization as the International Searching Authority, the applicant need not furnish another translation. In such a case the international preliminary examination is carried out on the basis of the translation furnished for the purposes of international search.

The language for the purposes of international preliminary examination should be indicated in Box No. IV, on the dotted line, and the corresponding check-box should be marked.

Language of Amendments (Rules 55.3 and 66.9): Amendments and letters relating thereto must be in the same language as that in which the international preliminary examination is carried out, as explained in the preceding paragraphs.

Time Limit for Furnishing Translation of the International Application (Rule 55.2): Any required translation of the international application should be furnished (by the applicant) together with the demand. If it is not so furnished, the IPEA will invite the applicant to furnish it within a time limit which shall not be less than one month from the date of the invitation. That time limit may be extended by the IPEA.

BOX No. V

Election of States (Rule 53.7): The making of a demand constitutes the election of all States which have been designated and which are bound by Chapter II of the PCT.

BOX No. VI

Check List: It is recommended that this Box be filled in carefully in order for the IPEA to determine as soon as possible whether it is in possession of the documents on the basis of which the applicant wishes international preliminary examination to start.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listings in computer readable form complying with the standard provided for in the Administrative Instructions is required by the IPEA, the applicant may furnish the listings in computer readable form to the IPEA with the demand. If this is the case, check-box No. 6 must be marked.

Similarly, where such an application contains tables related to the sequence listings, and a copy of the tables in computer readable form complying with the standard provided for in the Administrative Instructions is required by the IPEA, the applicant may furnish the tables in computer readable form to the IPEA with the demand. If this is the case, check-box No. 7 must be marked.

BOX No. VII

Signature (Rules 53.8, 90.3(a) and 90.4(a)): The demand must be signed by the applicant or by his agent; if there are two or more applicants, the common representative may sign the demand. If the demand is not signed by (all) the persons who are applicants for the elected States (a person who is applicant only for a State which is not elected need not sign the demand), a power of attorney signed by that (all those) applicant(s) must be filed with the IPEA, with the International Bureau or with the receiving Office unless the agent has previously been appointed.