



C. PCT 1010  
– 07.2

December 3, 2004

Madam,  
Sir,

*Proposed Modifications of the Administrative Instructions Under the PCT:  
International Publication in Electronic Form*

1. This Circular concerns proposed modifications of the Administrative Instructions under the Patent Cooperation Treaty (PCT) as further outlined in the following paragraph. It is being sent, for the purposes of consultation pursuant to Rule 89.2(b), to the national and regional Offices of, or acting for, all PCT Contracting States, including all receiving Offices, International Searching Authorities, International Preliminary Examining Authorities, and designated and elected Offices, and to interested intergovernmental organizations, as well as to certain non-governmental organizations representing users of the PCT system.
2. At present, the International Bureau fulfills its legal obligation under Article 21 to publish international applications by way of publication on paper of a pamphlet containing the international application and the international search report. Noting that the number of copies of each pamphlet printed has been decreasing constantly and rapidly, and that, today, electronic means of publication (Internet and physical data carriers such as CD-R and DVD) are the main publication means used by patent offices to fulfill their legal obligation to publish applications, it is proposed to modify the Administrative Instructions so as to enable the International Bureau to also move, for the purposes of Article 21, to electronic publication of international applications (see Section 406 of the Administrative Instructions as proposed to be modified, contained in the Annex to this Circular). The International Bureau plans to publish international applications for the purposes of Article 21 on WIPO's web site in electronic form, fully downloadable and in the appropriate electronic formats.

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3. Aside from its legal obligation under Article 21 to publish international applications, the International Bureau would, of course, on request, continue to provide a copy of any published international application in paper form or on a physical data carrier (such as CD-R or DVD) to the applicant, Offices and the general public.

*Consultation Pursuant to Rule 89.2(b)*

4. The International Bureau would appreciate receiving any comments on the proposed modifications of the Administrative Instructions contained in the Annex to this Circular by February 11, 2005. Comments should preferably be sent to my colleague Mr. Claus Matthes, Head, PCT Reform Section, Patent Policy Department, by fax to (+41-22) 3388780 or by e-mail to [claus.matthes@wipo.int](mailto:claus.matthes@wipo.int).

Sincerely yours,



Francis Gurry  
Deputy Director General

Annex: Proposed modifications of Section 406 of the Administrative Instructions

ANNEX TO CIRCULAR C. PCT 1010

PROPOSED MODIFICATIONS OF  
THE ADMINISTRATIVE INSTRUCTIONS<sup>1</sup>  
(with effect from [date])

**Section 406**

**Pamphlets**

(a) [No change] Pamphlets referred to in Rule 48.1 shall be published on a given day of the week.

(b) Pamphlets may be published, for the purposes of Article 21, on paper or wholly or partly in electronic form. ~~All pamphlets shall be of A4 size and shall be reproduced recto-verso, except that drawings shall be reproduced recto-only.~~

(c) Details concerning the publication of pamphlets, and the ~~The~~ form and particulars of the front page of each pamphlet, shall be decided by the Director General.

[End of Annex and of Circular]

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<sup>1</sup> For the present text of the Administrative Instructions, see documents PCT/AI/2 and PCT/AI/2 Corr.1, available from WIPO's web site at <http://www.wipo.int/pct/en/texts/index.htm>. Proposed additions and deletions are indicated, respectively, by underlining and striking through the text concerned.