

C. PCT 1498

February 10, 2017

Madam,  
Sir,

*Proposed modifications to the Administrative Instructions under the PCT (including certain Forms annexed thereto) (“the Administrative Instructions”), the PCT Receiving Office Guidelines (“the RO Guidelines”) and the PCT International Search and Preliminary Examination Guidelines (“the ISPE Guidelines”)*

This Circular is addressed to your Office in its capacity as a receiving Office (RO), an International Searching Authority (ISA) (also, where applicable, in its capacity as Authority specified for supplementary search), an International Preliminary Examining Authority (IPEA) and/or a designated or elected Office (DO/EO) 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 representing users of the PCT System.

The main purpose of this Circular is to consult on the implementation of amendments to the Regulations under the PCT (“the Regulations”), adopted by the PCT Assembly at its forty-seventh and forty-eighth sessions in October 2015 and October 2016 respectively (see documents PCT/A/47/9 dated February 5, 2016 and PCT/A/48/5, dated December 16, 2016; see also PCT Working Group documents PCT/WG/8/26 dated December 1, 2015 and PCT/WG/9/28 dated December 14, 2016) which will enter into force on July 1, 2017.

Those amendments to the Regulations include (i) the transmission by the receiving Office to the International Searching Authority of earlier search and classification results (Rules 12*bis*, and 41 and new Rule 23*bis*), (ii) national phase entry data and translations (Rules 86 and 95) and (iii) the extension of the time limit for requesting supplementary international search from 19 to 22 months (Rule 45*bis*.1).

The International Bureau takes advantage of the opportunity of this Circular to also consult in relation to certain additional issues unrelated to the July 1, 2017 Regulation amendments, including (i) proposals made by certain Offices for modifications of the ISPE Guidelines, (ii) the implementation of WIPO Standard ST.14 as modified in March 2016 and (iii) proposed modifications to paragraphs 205F and 205G to the RO Guidelines to clarify the continuing divergent practices of ROs in relation to incorporation by reference following the recommendation of the PCT Working Group at its eight session held in Geneva in May 2015 (see document PCT/WG/8/26, paragraph 330, dated December 1, 2015) and Circular C. PCT 1474, dated March 29, 2016.

I. *Proposed modifications to the Administrative Instructions*

The proposed deletion of Section 337 is consequential to the amendment of Rule 12*bis*, and the adoption of new Rule 23*bis*. As a result of the amendments of the given Rules, the content of Section 337 is now included in modified Rule 12*bis*.2 and new Rule 23*bis*.1.

The proposed modification to Section 407 is consequential to the amendments to Rules 86 and 95.

./ The Sections of the Administrative Instructions which are proposed to be modified are set out in Annex I to this Circular.

II. *Proposed modifications of certain Forms annexed to the Administrative Instructions*

Forms PCT/RO/101 (Request), PCT/RO/102, PCT/RO/118, PCT/ISA/238, PCT/IB/375, PCT/IB/379 and PCT/ISA/220 are proposed to be modified to take into account the above-mentioned amendments to the Regulations. On this occasion, it is also proposed to slightly modify Form PCT/IB/372.

Explanations of the proposed modifications of certain PCT Forms:

(i) *Forms PCT/RO/101 (Request), PCT/RO/102, PCT/RO/118 and PCT/ISA/238*

The proposed modifications are consequential to the amendments to Rules 12*bis*, 23*bis* and 41.

(ii) *Forms PCT/IB/375, PCT/IB/379 and PCT/ISA/220*

The proposed modifications are consequential to the amendments to Rule 45*bis*.1.

(iii) *Form PCT/IB/372*

The proposed modification adds a reference to the preferred mode of transmission of this Form by ePCT.

To assist your Office in identifying the proposed modifications in the existing Forms, the International Bureau has prepared a set of marked-up versions to accompany this Circular. The mark-ups indicate deleted and new text on separate pages. Thus, on the first marked-up page, the deleted text appears in red with the text struck out. This is followed by the second marked-up page of the same form where new text is underlined in blue. Each page indicates clearly whether the modifications concern deleted or new text.

./ The PCT Forms which are proposed to be modified are set out in Annex II to this Circular.

III. *Proposed modifications to the RO Guidelines*

The proposed modifications to paragraph 116 are to correct a mistake in the paragraph which has been overlooked in the past and to provide further clarity.

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The proposed modifications to paragraphs 116A to 116E are consequential to the modifications of Rules 12*bis* and 41 and the adoption of new Rule 23*bis*. Paragraphs 116A to 116E provide additional guidance to ROs in the matter, especially following the adoption of the new obligation for ROs to transmit to the ISA the results of earlier search(es) and classification results as prescribed under new Rule 23*bis*. Paragraph 116E deals more specifically with situations where exceptions to the above-mentioned additional obligation apply and provides guidance to ROs about the way to proceed where applicants have not properly completed the request form.

The proposed modification to paragraph 166(a) is the deletion of a footnote relating to the notification of incompatibility under Rule 4.10(d) by the European Patent Office which the European Patent Office withdrew with effect from December 13, 2007 (see *Official Notices (PCT Gazette)* – 22 November 2007).

The proposed modifications to paragraphs 205F and 205G of the RO Guidelines are intended to clarify the continuing divergent practices of ROs in the context of incorporation by reference.

./ The paragraphs of the RO Guidelines which are proposed to be modified are set out in Annex III to this Circular.

#### IV. *Proposed modifications to the ISPE Guidelines*

The proposed modifications of paragraphs 2.20 and 15.78 are consequential to the amendments to Rule 45*bis*.1.

The proposed modifications of paragraphs 9.41, 9.41A, and 9.41B relate to a proposal made by the Korean Intellectual Property Office at the twenty-second session of the Meeting of International Authorities under the PCT (see document PCT/MIA/22/17 and paragraph 61 of document PCT/MIA/22/22). After further discussions following the meeting, the International Bureau and the Korean Intellectual Property Office agreed to propose the modifications indicated above.

The proposed modifications of paragraphs 15.15, 15.17A, 15.17B and 15.17C are consequential to amendments of Rules 12*bis*, and 41 and the adoption of new Rule 23*bis*. Paragraph 15.17 is proposed to be divided into separate paragraphs 15.17 and 15.17A in order to distinguish situations where the earlier search was carried out by the same ISA or the same Office acting as such from situations where the Authorities are different; while two new paragraphs 15.17B and 15.17C are proposed to be added to contemplate the scenarios provided under new Rules 23*bis*(2) and 41.2 and expand the obligation/option for the International Searching Authority to take the earlier search and classification results into consideration even in cases where the applicant has not made a request upon filing.

The proposed modifications of paragraphs 15.69, 16.64, and 17.43 relate to a proposal made by the Japan Patent Office (JPO) at the twenty-first, twenty-second, and twenty-third sessions of the Meeting of International Authorities under the PCT, in relation to which general support was expressed for an optional measure (a-2) "In citing patent documents written in languages other than English, indicate the corresponding part of the patent family documents written in English, if a patent family document in the English language exists" (see paragraph 26 of document PCT/MIA/22/22 in particular). The above proposed modifications are intended to implement this proposal following the recommendations of the Meeting (see paragraph 37 of document PCT/MIA/23/14), noting that the International Bureau has proposed some additional changes as compared with the text that was proposed by the JPO and discussed by some International Authorities through electronic means.

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The proposed modifications of paragraphs 16.73, 16.78A, 16.78B and 16.78C are consequential to the modifications of WIPO Standard ST.14 adopted by the Committee on WIPO Standards at its reconvened fourth session (see paragraph 44 of document CWS/4BIS/16). It is also proposed to provide detailed guidance on how to identify an article published in a serial publication based on the Standard.

./ The paragraphs of the ISPE Guidelines which are proposed to be modified or added are set out in Annex IV to this Circular. Certain paragraphs that are not proposed to be amended have been included for ease of reference.

Furthermore, attention is drawn to corrected consolidated texts, in English and Spanish, of the Administrative Instructions (PCT/AI/17 Corr. (as in force from December 15, 2016) at [www.wipo.int/pct/en/texts/pdf/ai.pdf](http://www.wipo.int/pct/en/texts/pdf/ai.pdf)), in which certain editorial issues were resolved.

*Comments on the proposed modifications of certain PCT Forms, the Administrative Instructions under the PCT, the RO and ISPE Guidelines*

Your Office is invited to provide comments, if any, by March 10, 2017, by e-mail to: [pct.legal@wipo.int](mailto:pct.legal@wipo.int).

Yours sincerely,



John Sandage  
Deputy Director General

Enclosures: Annex I — Proposed modified Sections of the Administrative Instructions (modified Sections only)

Annex II — Proposed modified PCT Forms PCT/RO/101 (Request), PCT/RO/102, PCT/RO/118, PCT/ISA/220, PCT/ISA/238, PCT/IB/372, PCT/IB/375 and PCT/IB/379 (modified pages only)  
(modified Forms only)

Annex III — Proposed modified paragraphs of the RO Guidelines  
(modified paragraphs only)

Annex IV — Proposed modified paragraphs of the ISPE Guidelines  
(modified paragraphs only)

PROPOSED MODIFICATIONS  
TO THE ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT

**Section 337**

~~**[Deleted] Transmittal of copy of results of earlier search**~~

~~— Where the applicant has~~

~~— (i) submitted a copy of the results of an earlier search to the receiving Office under Rule 12bis.1(a) together with the international application; or~~

~~— (ii) requested the receiving Office under Rule 12bis.1(c) to prepare and transmit a copy of the results of the earlier search, a copy of the earlier application concerned and/or a copy of any document cited in the results of the earlier search;~~

~~the receiving Office shall promptly transmit any such copy to the International Searching Authority, preferably together with the search copy.~~

**Section 407**

**The Gazette**

(a) The Gazette referred to in Rule 86.1 shall be published in electronic form on the Internet. It may be made available by any other electronic means as determined by the Director General after consultation with the Offices and Authorities which have a direct interest in the means by which the Gazette is published.

(b) In ~~addition to the contents specified in Rule 86.1, the Gazette shall contain, in~~ respect of each published international application, the Gazette shall contain the contents specified in Rule 86.1(i), the contents specified in Rule 86.1(iv), the data indicated in Annex D.

(c) The information referred to in Rule 86.1(v) shall be that which is indicated in Annex E.

(d) Details concerning the form and further particular content of the Gazette shall be decided by the Director General after consultation with Offices and Authorities which have a direct interest in those details.

*[End of Annex I]*

# 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)

<b>Box No. I TITLE OF INVENTION</b>	
<b>Box No. II APPLICANT</b> <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.
	Applicant's registration No. with the Office
<p><b>E-mail authorization:</b> Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	
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"/> the States indicated in the Supplemental Box	
<b>Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)</b>	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.	
<b>Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE</b>	
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.
	Agent's registration No. with the Office
<p><b>E-mail authorization:</b> Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	
<input type="checkbox"/> <b>Address for correspondence:</b> 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.	

# PCT

## REQUEST

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International Application No.

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<b>Box No. I TITLE OF INVENTION</b>	
<b>Box No. II APPLICANT</b> <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.
	Applicant's registration No. with the Office
<p><b>E-mail authorization:</b> Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	
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"/> the States indicated in the Supplemental Box	
<b>Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)</b>	
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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	
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<p><b>E-mail authorization:</b> Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	
<input type="checkbox"/> <b>Address for correspondence:</b> 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.	

Sheet No. . . . .

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Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> the States indicated in the Supplemental Box	
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<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on another continuation sheet.	

red strike out = deleted text



Sheet No. . . . .

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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. 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.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
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State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> the States indicated in the Supplemental Box	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on another continuation sheet.	

Sheet No. . . . .

**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 one person is to be indicated as applicant and/or inventor** 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**: 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 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 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,"** the number of the parent application or parent patent or other parent grant and the date of grant of the parent patent or other parent grant or the date of filing of the parent application (Rules 4.11(a)(i) and 49bis.1(a) or (b)).*
3. *If the applicant intends to make an indication 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 case, write "United States of America" or "US" and the indication **"continuation"** or **"continuation-in-part"** and the number and the filing date of the parent application (Rules 4.11(a)(ii) and 49bis.1(d)).*

Sheet No. . . . .

**Supplemental Box**

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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 one person is to be indicated as applicant and/or inventor** 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**: 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 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 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**," the number of the parent application or parent patent or other parent grant and the date of grant of the parent patent or other parent grant or the date of filing of the parent application (Rules 4.11(a)(i) and 49bis.1(a) or (b)).*
3. *If the applicant intends to make an indication 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 case, write "United States of America" or "US" and the indication "**continuation**" or "**continuation-in-part**" and the number and the filing date of the parent application (Rules 4.11(a)(ii) and 49bis.1(d)).*

Sheet No. . . . .

<b>Box No. V DESIGNATIONS</b>				
<p>The filing of this request <b>constitutes under Rule 4.9(a) the designation</b> of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.</p> <p>However,</p> <p><input type="checkbox"/> DE Germany is <b>not designated</b> for any kind of national protection</p> <p><input type="checkbox"/> JP Japan is <b>not designated</b> for any kind of national protection</p> <p><input type="checkbox"/> KR Republic of Korea is <b>not designated</b> for any kind of national protection</p> <p><i>(The check-boxes above may only be used to exclude (irrevocably) the designations concerned if, at the time of filing or subsequently under Rule 26bis.1, the international application contains in Box No. VI a priority claim to an earlier national application filed in the particular State concerned, in order to avoid the ceasing of the effect, under the national law, of this earlier national application.)</i></p>				
<b>Box No. VI PRIORITY CLAIM AND DOCUMENT</b>				
<b>The priority of the following earlier application(s) is hereby claimed:</b>				
Filing date of earlier application <i>(day/month/year)</i>	Number of earlier application	Where earlier application is:		
		national application: country or Member of WTO	regional application: regional Office	international application: receiving Office
item (1)				
item (2)				
item (3)				
<input type="checkbox"/> Further priority claims are indicated in the Supplemental Box.				
<b>Furnishing the priority document(s):</b>				
<input type="checkbox"/> The <b>receiving Office</b> is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) <i>(only if the earlier application(s) was filed with the receiving Office which, for the purposes of this international application, is the receiving Office)</i> identified above as:				
<input type="checkbox"/> all items <input type="checkbox"/> item (1) <input type="checkbox"/> item (2) <input type="checkbox"/> item (3) <input type="checkbox"/> other, see Supplemental Box				
<input type="checkbox"/> The <b>International Bureau</b> is requested to obtain from a digital library a certified copy of the earlier application(s) identified above, using, where applicable, the access code(s) indicated below <i>(if the earlier application(s) is available to it from a digital library)</i> :				
<input type="checkbox"/> item (1) access code _____ <input type="checkbox"/> item (2) access code _____ <input type="checkbox"/> item (3) access code _____ <input type="checkbox"/> other, see Supplemental Box				
<b>Restore the right of priority:</b> the receiving Office is requested to restore the right of priority for the earlier application(s) identified above or in the Supplemental Box as item(s) (_____). <i>(See also the Notes to Box No. VI; further information must be provided to support a request to restore the right of priority.)</i>				
<b>Incorporation by reference:</b> where an element of the international application referred to in Article 11(1)(iii)(d) or (e) or a part of the description, claims or drawings referred to in Rule 20.5(a) is not otherwise contained in this international application but is completely contained in an earlier application whose priority is claimed on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, that element or part is, subject to confirmation under Rule 20.6, incorporated by reference in this international application for the purposes of Rule 20.6.				
<b>Box No. VII INTERNATIONAL SEARCHING AUTHORITY</b>				
<b>Choice of International Searching Authority (ISA)</b> <i>(if more than one International Searching Authority is competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):</i> ISA/ _____				

Sheet No. . . . .

<b>Box No. V DESIGNATIONS</b>				
<p>The filing of this request <b>constitutes under Rule 4.9(a) the designation</b> of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.</p> <p>However,</p> <p><input type="checkbox"/> DE Germany is <b>not designated</b> for any kind of national protection</p> <p><input type="checkbox"/> JP Japan is <b>not designated</b> for any kind of national protection</p> <p><input type="checkbox"/> KR Republic of Korea is <b>not designated</b> for any kind of national protection</p> <p><i>(The check-boxes above may only be used to exclude (irrevocably) the designations concerned if, at the time of filing or subsequently under Rule 26bis.1, the international application contains in Box No. VI a priority claim to an earlier national application filed in the particular State concerned, in order to avoid the ceasing of the effect, under the national law, of this earlier national application.)</i></p>				
<b>Box No. VI PRIORITY CLAIM AND DOCUMENT</b>				
<b>The priority of the following earlier application(s) is hereby claimed:</b>				
Filing date of earlier application <i>(day/month/year)</i>	Number of earlier application	Where earlier application is:		
		national application: country or Member of WTO	regional application: regional Office	international application: receiving Office
item (1)				
item (2)				
item (3)				
<input type="checkbox"/> Further priority claims are indicated in the Supplemental Box.				
<b>Furnishing the priority document(s):</b>				
<input type="checkbox"/> The <b>receiving Office</b> is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) <i>(only if the earlier application(s) was filed with the receiving Office which, for the purposes of this international application, is the receiving Office)</i> identified above as:				
<input type="checkbox"/> all items <input type="checkbox"/> item (1) <input type="checkbox"/> item (2) <input type="checkbox"/> item (3) <input type="checkbox"/> other, see Supplemental Box				
<input type="checkbox"/> The <b>International Bureau</b> is requested to obtain from a digital library a certified copy of the earlier application(s) identified above, using, where applicable, the access code(s) indicated below <i>(if the earlier application(s) is available to it from a digital library)</i> :				
<input type="checkbox"/> item (1) access code _____ <input type="checkbox"/> item (2) access code _____ <input type="checkbox"/> item (3) access code _____ <input type="checkbox"/> other, see Supplemental Box				
<b>Restore the right of priority:</b> the receiving Office is requested to restore the right of priority for the earlier application(s) identified above or in the Supplemental Box as item(s) (_____). <i>(See also the Notes to Box No. VI; further information <b>must</b> be provided to support a request to restore the right of priority.)</i>				
<b>Incorporation by reference:</b> where an element of the international application referred to in Article 11(1)(iii)(d) or (e) or a part of the description, claims or drawings referred to in Rule 20.5(a) is not otherwise contained in this international application but is completely contained in an earlier application whose priority is claimed on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, that element or part is, subject to confirmation under Rule 20.6, incorporated by reference in this international application for the purposes of Rule 20.6.				
<b>Box No. VII INTERNATIONAL SEARCHING AUTHORITY</b>				
<b>Choice of International Searching Authority (ISA)</b> <i>(if more than one International Searching Authority is competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):</i> ISA/ _____				

Sheet No. . . . .

<b>Continuation of Box No. VII USE OF RESULTS OF EARLIER SEARCH, REFERENCE TO THAT SEARCH</b>		
<input type="checkbox"/> The ISA indicated in Box No. VII is requested to take into account the results of the earlier search(es) indicated below ( <i>see also Notes to Box VII; use of results of more than one earlier search</i> ).		
Filing date ( <i>day/month/year</i> )	Application Number	Country ( <i>or regional Office</i> )
<input type="checkbox"/> <b>Statement (Rule 4.12(ii)):</b> this international application is the same, or substantially the same, as the application in respect of which the earlier search was carried out except, where applicable, that it is filed in a different language.		
<input type="checkbox"/> <b>Availability of documents:</b> the following documents are available to the ISA in a form and manner acceptable to it and therefore do not need to be submitted by the applicant to the ISA (Rule 12bis.1(f)):		
<input type="checkbox"/> a copy of the results of the earlier search,*		
<input type="checkbox"/> a copy of the earlier application,		
<input type="checkbox"/> a translation of the earlier application into a language which is accepted by the ISA,		
<input type="checkbox"/> a translation of the results of the earlier search into a language which is accepted by the ISA,		
<input type="checkbox"/> a copy of any document cited in the results of the earlier search. ( <i>If known, please indicate below the document(s) available to the ISA</i> ):		
<input type="checkbox"/> <b>Transmit copy of results of earlier search and other documents</b> ( <i>where the earlier search was not carried out by the ISA indicated above but by the same Office as that which is acting as the receiving Office</i> ): the <b>receiving Office</b> is requested to prepare and transmit to the ISA (Rule 12bis.1(e)):		
<input type="checkbox"/> <del>a copy of the results of the earlier search,*</del>		
<input type="checkbox"/> <del>a copy of the earlier application,</del>		
<input type="checkbox"/> <del>a copy of any document cited in the results of the earlier search.</del>		
* Where the results of the earlier search are neither available from a digital library nor transmitted by the receiving Office, the applicant is required to submit them to the receiving Office (Rule 12bis.1(a)) ( <i>See item 11 in the check-list and also Notes to Box No. VII</i> ).		
Filing date ( <i>day/month/year</i> )	Application Number	Country ( <i>or regional Office</i> )
<input type="checkbox"/> <del><b>Statement (Rule 4.12(ii)):</b> this international application is the same, or substantially the same, as the application in respect of which the earlier search was carried out except, where applicable, that it is filed in a different language.</del>		
<input type="checkbox"/> <del><b>Availability of documents:</b> the following documents are available to the ISA in a form and manner acceptable to it and therefore do not need to be submitted by the applicant to the ISA (Rule 12bis.1(f)):</del>		
<input type="checkbox"/> <del>a copy of the results of the earlier search,*</del>		
<input type="checkbox"/> <del>a copy of the earlier application,</del>		
<input type="checkbox"/> <del>a translation of the earlier application into a language which is accepted by the ISA,</del>		
<input type="checkbox"/> <del>a translation of the results of the earlier search into a language which is accepted by the ISA,</del>		
<input type="checkbox"/> <del>a copy of any document cited in the results of the earlier search. (<i>If known, please indicate below the document(s) available to the ISA</i>):</del>		
<input type="checkbox"/> <del><b>Transmit copy of results of earlier search and other documents</b> (<i>where the earlier search was not carried out by the ISA indicated above but by the same Office as that which is acting as the receiving Office</i>): the <b>receiving Office</b> is requested to prepare and transmit to the ISA (Rule 12bis.1(e)):</del>		
<input type="checkbox"/> <del>a copy of the results of the earlier search,*</del>		
<input type="checkbox"/> <del>a copy of the earlier application,</del>		
<input type="checkbox"/> <del>a copy of any document cited in the results of the earlier search.</del>		
* Where the results of the earlier search are neither available from a digital library nor transmitted by the receiving Office, the applicant is required to submit them to the receiving Office (Rule 12bis.1(a)) ( <i>See item 11 in the check-list and also Notes to Box No. VII</i> ).		
<input type="checkbox"/> Further earlier searches are indicated on a continuation sheet.		
<b>Box No. VIII DECLARATIONS</b>		
The following <b>declarations</b> are contained in Boxes Nos. VIII (i) to (v) ( <i>mark the applicable check-boxes below and indicate in the right column the number of each type of declaration</i> ):		Number of declarations
<input type="checkbox"/> Box No. VIII (i)	Declaration as to the identity of the inventor	:
<input type="checkbox"/> Box No. VIII (ii)	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	:
<input type="checkbox"/> Box No. VIII (iii)	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	:
<input type="checkbox"/> Box No. VIII (iv)	Declaration of inventorship (only for the purposes of the designation of the United States of America)	:
<input type="checkbox"/> Box No. VIII (v)	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	:



Sheet No. . . . .

<b>Box No. VII (i) REQUEST TO USE RESULTS OF EARLIER SEARCH, REFERENCE TO THAT SEARCH</b>		
<input type="checkbox"/> The ISA indicated in Box No. VII is requested to take into account the results of the earlier search(es) indicated below ( <i>see also Notes to Box No. VII (i); use of results of more than one earlier search</i> ).		
<u>Filing date (day/month/year)</u>	<u>Application Number</u>	<u>Country (or regional Office)</u>
<input type="checkbox"/> <b>Statement (Rule 4.12(ii)):</b> this international application is the same, or substantially the same, as the application in respect of which the earlier search was carried out except, where applicable, that it is filed in a different language.		
<input type="checkbox"/> <b>Availability of documents:</b> the following documents are available to the ISA in a form and manner acceptable to it and therefore do not need to be submitted by the applicant to the ISA (Rules 12bis.1(c) and (d) and 12bis.2(b)):		
<input type="checkbox"/> a copy of the results of the earlier search,*		
<input type="checkbox"/> a copy of the earlier application,		
<input type="checkbox"/> a translation of the earlier application into a language which is accepted by the ISA,		
<input type="checkbox"/> a translation of the results of the earlier search into a language which is accepted by the ISA,		
<input type="checkbox"/> a copy of any document cited in the results of the earlier search. ( <i>If known, please indicate below the document(s) available to the ISA</i> ):		
<input type="checkbox"/> <b>Transmit copy of results of earlier search</b> ( <i>where the earlier search was not carried out by the ISA indicated above but by the same Office as that which is acting as the receiving Office</i> ): the <b>receiving Office</b> is requested to prepare and transmit to the ISA a copy of the results of the earlier search* (Rules 12bis.1(b) and 23bis.1(a)(ii)).		
* Where the results of the earlier search are neither available from a digital library to the ISA nor transmitted by the receiving Office, the applicant is required to submit them to the receiving Office (Rule 12bis.1(a)) ( <i>See item 10, in the check-list and also Notes to Box No. VII (i)</i> ).		
<input type="checkbox"/> Further earlier searches are indicated on a continuation sheet.		
<b>Box No. VII (ii) AUTHORIZATION TO TRANSMIT EARLIER SEARCH RESULTS BY THE RECEIVING OFFICE</b>		
<p><u>Where the international application claims priority of an earlier application filed with the same Office as that which is acting as the receiving Office, that Office has carried out an earlier search in respect of the earlier application and unless that earlier application is an international application which has not yet been published or communicated to the designated Offices, the receiving Office shall transmit a copy of the results of the earlier search to the ISA (unless such a copy is already available to the ISA); it may do so if the earlier application was filed with a different Office but where the results of that earlier search are nevertheless available to the receiving Office (Rule 23bis.2(a), (c) and (d)).</u></p> <p><u>However, exceptionally, in respect of an earlier search carried out on the following earlier application, the priority of which is claimed in this international application (see also Notes to Box VII (ii); use of more than one earlier search):</u></p>		
<u>Filing date (day/month/year)</u>	<u>Application Number</u>	<u>Country (or regional Office)</u>
<input type="checkbox"/> The applicant <b>requests</b> that the receiving Office <b>DOES NOT transmit</b> the results of the earlier search to the ISA (Rule 23bis.2(b)) ( <i>may only be checked in case of international applications filed with the following receiving Offices: DE, FI and SE</i> ).		
<input type="checkbox"/> The applicant <b>authorizes</b> the receiving Office to transmit the results of the earlier search to the ISA (Rule 23bis.2(e)) ( <i>this check-box concerns international applications filed with the following receiving Offices: AU, CH, CZ, FI, HU, IL, JP, NO, SE, SG and US; and all receiving Offices where the earlier application was an international application</i> ).		
<b>Box No. VIII DECLARATIONS</b>		
The following <b>declarations</b> are contained in Boxes Nos. VIII (i) to (v) ( <i>mark the applicable check-boxes below and indicate in the right column the number of each type of declaration</i> ):		Number of declarations
<input type="checkbox"/> Box No. VIII (i)	Declaration as to the identity of the inventor	:
<input type="checkbox"/> Box No. VIII (ii)	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	:
<input type="checkbox"/> Box No. VIII (iii)	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	:
<input type="checkbox"/> Box No. VIII (iv)	Declaration of inventorship (only for the purposes of the designation of the United States of America)	:
<input type="checkbox"/> Box No. VIII (v)	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	:

Sheet No. . . . .

**Box No. VIII (i) DECLARATION: IDENTITY OF THE INVENTOR**

*The declaration must conform to the standardized wording provided for in Section 211; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (i). If this Box is not used, this sheet should not be included in the request.*

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

Empty box for the declaration.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (i)".



Sheet No. . . . .

**Box No. VIII (i) DECLARATION: IDENTITY OF THE INVENTOR**

*The declaration must conform to the standardized wording provided for in Section 211; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (i). If this Box is not used, this sheet should not be included in the request.*

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

Empty box for declaration text.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (i)".

Sheet No. . . . .

**Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT**

*The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.*

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:

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

Sheet No. . . . .

**Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT**

*The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.*

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:

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

Sheet No. . . . .

**Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY**

*The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.*

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)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".

Sheet No. . . . .

**Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY**

*The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.*

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)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".

Sheet No. . . . .

**Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)**  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original inventor or an original joint inventor of a claimed invention in the application.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/ . . . . . (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that the above-identified international application was made or authorized to be made by me.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

**Name:** . . . . .

**Residence:** . . . . .  
(city and either US state, if applicable, or country)

**Mailing Address:** . . . . .  
. . . . .  
. . . . .

**Inventor's Signature:** . . . . . **Date:** . . . . .  
(The signature must be that of the inventor, not that of the agent)

**Name:** . . . . .

**Residence:** . . . . .  
(city and either US state, if applicable, or country)

**Mailing Address:** . . . . .  
. . . . .  
. . . . .

**Inventor's Signature:** . . . . . **Date:** . . . . .  
(The signature must be that of the inventor, not that of the agent)

**Name:** . . . . .

**Residence:** . . . . .  
(city and either US state, if applicable, or country)

**Mailing Address:** . . . . .  
. . . . .  
. . . . .

**Inventor's Signature:** . . . . . **Date:** . . . . .  
(The signature must be that of the inventor, not that of the agent)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Sheet No. ....

**Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)**  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original inventor or an original joint inventor of a claimed invention in the application.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that the above-identified international application was made or authorized to be made by me.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

**Name:** .....

**Residence:** .....  
(city and either US state, if applicable, or country)

**Mailing Address:** .....  
.....  
.....

**Inventor's Signature:** ..... **Date:** .....  
(The signature must be that of the inventor, not that of the agent)

**Name:** .....

**Residence:** .....  
(city and either US state, if applicable, or country)

**Mailing Address:** .....  
.....  
.....

**Inventor's Signature:** ..... **Date:** .....  
(The signature must be that of the inventor, not that of the agent)

**Name:** .....

**Residence:** .....  
(city and either US state, if applicable, or country)

**Mailing Address:** .....  
.....  
.....

**Inventor's Signature:** ..... **Date:** .....  
(The signature must be that of the inventor, not that of the agent)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Sheet No. . . . .

**Box No. VIII (v) DECLARATION: NON-PREJUDICIAL DISCLOSURES OR EXCEPTIONS TO LACK OF NOVELTY**  
*The declaration must conform to the standardized wording provided for in Section 215; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (v). If this Box is not used, this sheet should not be included in the request.*

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

This declaration is continued on the following sheet, "Continuation of Box No. VIII (v)".



Sheet No. . . . .

**Box No. VIII (v) DECLARATION: NON-PREJUDICIAL DISCLOSURES OR EXCEPTIONS TO LACK OF NOVELTY**

*The declaration must conform to the standardized wording provided for in Section 215; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (v). If this Box is not used, this sheet should not be included in the request.*

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

This declaration is continued on the following sheet, "Continuation of Box No. VIII (v)".

Sheet No. . . . .

**Continuation of Box No. VIII (i) to (v) DECLARATION**

*If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where **more than two inventors are to be named** in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

Sheet No. . . . .

**Continuation of Box No. VIII (i) to (v) DECLARATION**

*If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where **more than three inventors are to be named** in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

Sheet No. . . . .

<b>Box No. IX CHECK LIST for PAPER filings</b> – this sheet is only to be used when filing an international application on <b>PAPER</b>			
This international application contains the following:	Number of sheets	This international application is <b>accompanied by</b> the following item(s) ( <i>mark the applicable check-boxes below and indicate in right column the number of each item</i> ):	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets) . . . . . :		1. <input type="checkbox"/> fee calculation sheet . . . . . :	
(b) description (excluding any sequence listing part of the description, see (f), below) . . . . . :		2. <input type="checkbox"/> original separate power of attorney . . . . . :	
(c) claims . . . . . :		3. <input type="checkbox"/> original general power of attorney . . . . . :	
(d) abstract . . . . . :		4. <input type="checkbox"/> copy of general power of attorney; reference number: . . . . . :	
(e) drawings (if any) . . . . . :		5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) . . . . . :	
(f) sequence listing part of the description (if any) . . . . . :		6. <input type="checkbox"/> Translation of international application into ( <i>language</i> ): . . . . . :	
<b>Total number of sheets</b> :		7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material . . . . . :	
		8. <input type="checkbox"/> ( <i>only where item (f) is marked in the left column</i> ) copy in electronic form (Annex C/ST.25 text file) on physical data carrier(s) of the sequence listing, not forming part of the international application, which is <b>furnished only for the purposes of international search</b> under Rule 13ter ( <i>type and number of physical data carriers</i> ) . . . . . :	
		9. <input type="checkbox"/> ( <i>only where item (f) (in the left column) and item 8 (above) are marked</i> ) a statement confirming that “the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application” as filed on paper . . . . . :	
		10. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) . . . . . :	
		11. <input type="checkbox"/> other ( <i>specify</i> ): . . . . . :	
<b>Figure of the drawings</b> which should accompany the abstract:		<b>Language of filing</b> of the international application:	

<b>Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE</b>	
<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>	

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

For International Bureau use only
Date of receipt of the record copy by the International Bureau:

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Sheet No. . . . .

<b>Box No. IX CHECK LIST for PAPER filings</b> – this sheet is only to be used when filing an international application on <b>PAPER</b>			
This international application <b>contains the following:</b>	Number of sheets	This international application is <b>accompanied by</b> the following item(s) ( <i>mark the applicable check-boxes below and indicate in right column the number of each item</i> ):	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets) . . . . . :		1. <input type="checkbox"/> fee calculation sheet . . . . . :	
(b) description (excluding any sequence listing part of the description, see (f), below) . . . . . :		2. <input type="checkbox"/> original separate power of attorney . . . . . :	
(c) claims . . . . . :		3. <input type="checkbox"/> original general power of attorney . . . . . :	
(d) abstract . . . . . :		4. <input type="checkbox"/> copy of general power of attorney; reference number: . . . . . :	
(e) drawings (if any) . . . . . :		5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) . . . . . :	
(f) sequence listing part of the description (if any) . . . . . :		6. <input type="checkbox"/> Translation of international application into ( <i>language</i> ): . . . . . :	
<b>Total number of sheets</b> :		7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material . . . . . :	
		8. <input type="checkbox"/> ( <i>only where item (f) is marked in the left column</i> ) copy in electronic form (Annex C/ST.25 text file) on physical data carrier(s) of the sequence listing, not forming part of the international application, which is <b>furnished only for the purposes of international search</b> under Rule 13ter ( <i>type and number of physical data carriers</i> ) . . . . . :	
		9. <input type="checkbox"/> ( <i>only where item (f) (in the left column) and item 8 (above) are marked</i> ) a statement confirming that “the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application” as filed on paper . . . . . :	
		10. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) . . . . . :	
		11. <input type="checkbox"/> other ( <i>specify</i> ): . . . . . :	
<b>Figure of the drawings</b> which should accompany the abstract:		<b>Language of filing</b> of the international application:	

**Box No. X 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 request).*

For receiving Office use only	
1. Date of actual receipt of the purported international application:	2. Drawings: <input type="checkbox"/> received:  <input type="checkbox"/> not received:
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Sheet No. . . . .

<b>Box No. IX CHECK LIST for EFS-Web filings</b> - this sheet is only to be used when filing an international application with RO/US via <b>EFS-Web</b>			
<p>This international application <b>contains</b> the following:</p> <p>(a) request form PCT/RO/101 (including any declarations and supplemental sheets) . . . . . :</p> <p>(b) description (excluding any sequence listing part of the description, see (f), below) . . . . . :</p> <p>(c) claims . . . . . :</p> <p>(d) abstract . . . . . :</p> <p>(e) drawings (if any) . . . . . :</p> <p>(f) sequence listing part of the description in the form of an <b>image file</b> (e.g. PDF) . . . . . :</p> <hr/> <p><b>Total number of sheets</b> (including the sequence listing part of the description if <b>filed as an image file</b>) . . . . . :</p> <p>(g) sequence listing part of the description</p> <p><input type="checkbox"/> filed in the form of an <b>Annex C/ST.25 text file</b></p> <p><input type="checkbox"/> WILL BE filed separately on physical data carrier(s), on the same day and in the form of an <b>Annex C/ST.25 text file</b></p> <p>Indicate type and number of physical data carrier(s) . . . . .</p>	Number of sheets	<p>This international application is <b>accompanied by</b> 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: . . . . . :</p> <p>5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) . . . . . :</p> <p>6. <input type="checkbox"/> Translation of international application into (<i>language</i>): . . . . . :</p> <p>7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material . . . . . :</p> <p>8. <input type="checkbox"/> (<i>only where item (f) is marked in the left column</i>) copy of the sequence listing in electronic form (Annex C/ST.25 text file) not forming part of the international application but <b>furnished only for the purposes of international search</b> under Rule 13ter . . . . . :</p> <p>9. <input type="checkbox"/> (<i>only where item (f) (in the left column) and item 8 (above) are marked</i>) a statement confirming that “the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application” as filed via EFS-Web: . . . . . :</p> <p>10. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) . . . . . :</p> <p>11. <input type="checkbox"/> other (<i>specify</i>): . . . . . :</p>	Number of items
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4. Date of timely receipt of the required corrections under PCT Article 11(2):			<input type="checkbox"/> not received:
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## 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: <http://www.wipo.int/pct/en/>. 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.

The request form should be typed or printed; 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)).

### CONFIRMATION COPY OF THE REQUEST FORM

Where the international application was initially filed by facsimile with a receiving Office that accepts such filings (see the *PCT Applicant's Guide*, Annex C) this should be indicated on the first sheet of the form by the annotation "CONFIRMATION COPY" followed by the date of the facsimile transmission.

### 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.

**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. This would be the case, for example, where the inventor is deceased or has assigned the invention and the assignee is the applicant for all designated States. 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.

**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.

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). If the person is not an applicant for all designated States, the check-box "the States indicated in the Supplemental Box" must be marked, and 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)(iv) and (c)(i)): It is strongly recommended to always name the inventor since such information is generally required in the national phase. For details, see the *PCT Applicant's Guide*, Annex B.

**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.

**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.



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(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)).

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**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. This would be the case, for example, where the inventor is deceased or has assigned the invention and the assignee is the applicant for all designated States. Do not mark this check-box if the person is a legal entity.

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**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.

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). If the person is not an applicant for all designated States, the check-box "the States indicated in the Supplemental Box" must be marked, and 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).

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**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.

**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.

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 Numbers and/or E-mail Addresses** should be indicated for the persons named in Boxes Nos. II and IV in order to allow rapid communication with them (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority may send notifications in respect of the international application to the applicant, avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office’s procedure see the *PCT Applicant’s Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant’s responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked for any reason on the recipient’s side. Changes to the e-mail address indicated in the request should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau will send e-mail communications only to the appointed agent or common representative.

**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*, Annex K, may be used.

## BOX No. IV

**Who Can Act as Agent?** (Article 49 and Rule 83.1*bis*): For each of the receiving Offices, information as to who can act as agent is given in the *PCT Applicant’s Guide*, 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), address(es) (including names of States), telephone, facsimile numbers and/or e-mail addresses 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 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*, 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*, 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).

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 Numbers and/or E-mail Addresses** should be indicated for the persons named in Boxes Nos. II and IV in order to allow rapid communication with them (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority may send notifications in respect of the international application to the applicant, avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office’s procedure see the *PCT Applicant’s Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant’s responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked for any reason on the recipient’s side. Changes to the e-mail address indicated in the request should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau will send e-mail communications only to the appointed agent or common representative.

**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*, Annex K, may be used.

#### **BOX No. IV**

**Who Can Act as Agent?** (Article 49 and Rule 83.1*bis*): For each of the receiving Offices, information as to who can act as agent is given in the *PCT Applicant’s Guide*, 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), address(es) (including names of States), telephone, facsimile numbers and/or e-mail addresses 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 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*, 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*, 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).

**Telephone, Facsimile Numbers and/or E-mail Addresses**  
See Notes to Boxes Nos II and III.



**Telephone, Facsimile Numbers and/or E-mail Addresses**  
See Notes to Boxes Nos II and III.

#### 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. If the applicant wishes the international application to be treated, in a certain designated or elected State, as an application not for a patent but for another kind of protection available under the national law of the designated or elected State concerned, the applicant will have to indicate his choice directly to the designated or elected Office when performing the acts, referred to in Articles 22 or 39(1), for entry into the national phase. For details about various kinds of protection available in designated or elected States, see the *PCT Applicant's Guide*, Annex B.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan and/or KR Republic of Korea 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, **at the time of filing** or subsequently under Rule 26bis.1, of an earlier national application (for DE: for the same kind of protection) having effect in that State shall have the result that the earlier national application ceases, where applicable, after the expiration of certain time limits, 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 is not affected by what is said above. For details see the *PCT Applicant's Guide*, in the relevant Annex B.

Only the three States mentioned above may be excluded from the all-inclusive coverage of all designations in Box No. V. For any other PCT Contracting State which the applicant wishes to exclude from the all-inclusive coverage of all designations, the applicant should submit a separate notice of withdrawal of the designation concerned under Rule 90bis.2. **Important: Should a notice of withdrawal be filed, that notice will have to be signed by the applicant or, if there are two or more applicants, by all of them (Rule 90bis.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney (Rule 90.4(a)).**

#### 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 (see however below), 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 a regional application and at least one of the countries party to the regional patent treaty is neither party to the Paris Convention nor a Member of the World Trade Organization, 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)) in the Supplemental Box.

As to the possibility of correcting or adding a priority claim, see Rule 26bis.1 and the *PCT Applicant's Guide*, International Phase.

**Restoration of the Right of Priority** (Rules 4.1(c)(v) and 26bis.3): The procedure for restoration of the right of priority is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 26bis.3(j) of the incompatibility of Rule 26bis.3(a) to (i) with the national law applied by that Office. Where the international application is filed on a date which is later than the date on which the priority period (see Rule 2.4) expired but within the period of two months from that date, the applicant may request the receiving Office to restore the right of priority (Rule 26bis.3). Such a request must be filed with the receiving Office within two months from the date on which the priority period expired; it may be included in the request (Rule 4.1(c)(v)) by identifying the priority claim(s) in Box No. VI. If, in Box No. VI, a priority claim is identified in respect of which a request to restore the right of priority is made, in such case, a separate document should be submitted entitled "Statement for Restoration of the Right of Priority". This separate document should indicate, for each earlier application concerned, the filing date, the earlier application number and the name or two-letter code of the country, Member of WTO, regional Office or receiving Office. Then, for each earlier application concerned, the applicant should state the reasons for the failure to file the international application within the priority period (Rules 26bis.3(a) and 26bis.3(b)(ii)). Note that such a request may be subjected by the receiving Office to the payment to it of a fee, payable within the time limit referred to above (Rule 26bis.3(e)). According to Rule 26bis.3(d), the time limit for payment of the fee may be extended, at the option of the receiving Office, for a period of up to two months from the expiration of the time limit applicable under Rule 26bis.3(e). Note further that the receiving Office may require the furnishing, within a reasonable time limit, of a declaration or other evidence in support of the statement of reasons; preferably, such declaration or other evidence should already be submitted to the receiving Office together with the request for restoration (Rule 26bis.3(b) and (f)). The receiving Office shall restore the right of priority if it finds that a criterion for restoration applied by the Office is satisfied (Rule 26bis.3(a)). For information on which criteria a receiving Office applies see the *PCT Applicant's Guide*, Annex C.

**Incorporation by Reference** (Rules 4.18 and 20): The procedure for incorporation by reference is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 20.8(a) of the incompatibility of Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 with the national law applied by that Office. Where the receiving Office finds that any of the requirements of Article 11(1)(iii)(d) and (e) are not or appear not to be fulfilled, it will invite the applicant to either furnish the required correction or confirm that the element concerned referred to in Article 11(1)(iii)(d) or (e) is incorporated by reference under Rule 4.18. Where the applicant furnishes the required correction under Article 11(2), the international filing date will be the date on which the receiving Office receives the required correction (see Rule 20.3(a)(ii) and (b)(i)), provided that all other requirements of Article 11(1) are fulfilled. However, where the applicant confirms the incorporation by reference of an element referred to in Article 11(1)(iii)(d) or (e) which is completely contained in an earlier application the priority of which is claimed in the international application, that element will be considered to have been contained in the purported international application on the date on which one or more elements referred to in

### 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. If the applicant wishes the international application to be treated, in a certain designated or elected State, as an application not for a patent but for another kind of protection available under the national law of the designated or elected State concerned, the applicant will have to indicate his choice directly to the designated or elected Office when performing the acts, referred to in Articles 22 or 39(1), for entry into the national phase. For details about various kinds of protection available in designated or elected States, see the *PCT Applicant's Guide*, Annex B.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan and/or KR Republic of Korea 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, **at the time of filing** or subsequently under Rule 26bis.1, of an earlier national application (for DE: for the same kind of protection) having effect in that State shall have the result that the earlier national application ceases, where applicable, after the expiration of certain time limits, 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 is not affected by what is said above. For details see the *PCT Applicant's Guide*, in the relevant Annex B.

Only the three States mentioned above may be excluded from the all-inclusive coverage of all designations in Box No. V. For any other PCT Contracting State which the applicant wishes to exclude from the all-inclusive coverage of all designations, the applicant should submit a separate notice of withdrawal of the designation concerned under Rule 90bis.2. **Important: Should a notice of withdrawal be filed, that notice will have to be signed by the applicant or, if there are two or more applicants, by all of them (Rule 90bis.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney (Rule 90.4(a)).**

### 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 (see however below), 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 a regional application and at least one of the countries party to the regional patent treaty is neither party to the Paris Convention

nor a Member of the World Trade Organization, 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)) in the Supplemental Box.

As to the possibility of correcting or adding a priority claim, see Rule 26bis.1 and the *PCT Applicant's Guide*, International Phase.

**Restoration of the Right of Priority** (Rules 4.1(c)(v) and 26bis.3): The procedure for restoration of the right of priority is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 26bis.3(j) of the incompatibility of Rule 26bis.3(a) to (i) with the national law applied by that Office. Where the international application is filed on a date which is later than the date on which the priority period (see Rule 2.4) expired but within the period of two months from that date, the applicant may request the receiving Office to restore the right of priority (Rule 26bis.3). Such a request must be filed with the receiving Office within two months from the date on which the priority period expired; it may be included in the request (Rule 4.1(c)(v)) by identifying the priority claim(s) in Box No. VI. If, in Box No. VI, a priority claim is identified in respect of which a request to restore the right of priority is made, in such case, a separate document should be submitted entitled "Statement for Restoration of the Right of Priority". This separate document should indicate, for each earlier application concerned, the filing date, the earlier application number and the name or two-letter code of the country, Member of WTO, regional Office or receiving Office. Then, for each earlier application concerned, the applicant should state the reasons for the failure to file the international application within the priority period (Rules 26bis.3(a) and 26bis.3(b)(ii)). Note that such a request may be subjected by the receiving Office to the payment to it of a fee, payable within the time limit referred to above (Rule 26bis.3(e)). According to Rule 26bis.3(d), the time limit for payment of the fee may be extended, at the option of the receiving Office, for a period of up to two months from the expiration of the time limit applicable under Rule 26bis.3(e). Note further that the receiving Office may require the furnishing, within a reasonable time limit, of a declaration or other evidence in support of the statement of reasons; preferably, such declaration or other evidence should already be submitted to the receiving Office together with the request for restoration (Rule 26bis.3(b) and (f)). The receiving Office shall restore the right of priority if it finds that a criterion for restoration applied by the Office is satisfied (Rule 26bis.3(a)). For information on which criteria a receiving Office applies see the *PCT Applicant's Guide*, Annex C.

**Incorporation by Reference** (Rules 4.18 and 20): The procedure for incorporation by reference is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 20.8(a) of the incompatibility of Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 with the national law applied by that Office. Where the receiving Office finds that any of the requirements of Article 11(1)(iii)(d) and (e) are not or appear not to be fulfilled, it will invite the applicant to either furnish the required correction or confirm that the element concerned referred to in Article 11(1)(iii)(d) or (e) is incorporated by reference under Rule 4.18. Where the applicant furnishes the required correction under Article 11(2), the international filing date will be the date on which the receiving Office receives the required correction (see Rule 20.3(a)(ii) and (b)(i)), provided that all other requirements of Article 11(1) are fulfilled. However, where the applicant confirms the incorporation by reference of an element referred to in Article 11(1)(iii)(d) or (e) which is completely contained in an earlier application the priority of which is claimed in the international application, that element will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all Article 11(1) requirements are fulfilled (see Rule 20.3(a)(ii) and (b)(ii)).

Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all Article 11(1) requirements are fulfilled (see Rule 20.3(a)(ii) and (b)(ii)).

Where the applicant furnishes a missing part to the receiving Office after the date on which all of the requirements of Article 11(1) were fulfilled but within the applicable time limit under Rule 20.7, that part will be included in the international application and the international filing date will be corrected to the date on which the receiving Office received that part (see Rule 20.5(c)). In such a case, the applicant will be given the opportunity to request the receiving Office to disregard the missing part concerned, in which case the missing part would be considered not to have been furnished and the correction of the international filing date not to have been made (see Rule 20.5(e)). However, where the applicant confirms the incorporation by reference of a part of the description, claims or drawings under Rule 4.18 and the receiving Office finds that all the requirements of Rules 4.18 and 20.6(a) are complied with, that part will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all of the requirements of Article 11(1) are fulfilled (see Rule 20.5).

**Furnishing the priority document(s)** (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 was 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 requests may be made by marking the applicable check-boxes in Box No. VI. Note that 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)).

Where the priority document is available from an Office that participates in the WIPO Digital Access Service for Priority Documents (DAS) ([http://www.wipo.int/patentscope/en/priority\\_documents/offices.html](http://www.wipo.int/patentscope/en/priority_documents/offices.html)), the applicant may use DAS to provide the priority document to the International Bureau. Once the applicant requests the depositing Office to provide a copy of the priority document to DAS (see *PCT Applicant's Guide*, Annex B of the DAS depositing Office for further indications of the procedure to be followed), the applicant will receive an access code. The applicant should then mark the applicable check-boxes in Box No. VI, and indicate the access code for each specific priority document. ~~(For a transitional period, until all DAS accessing offices are using the system described above, the old system will continue to work, where the check box to request retrieval from DAS can be selected without indicating the access code, as long as the applicant allows access to the priority document for the International Bureau using the access control list in the DAS applicant portal.)~~

Information concerning whether and which priority documents are available to the International Bureau from a digital library is published in the *Official Notices (PCT Gazette)* pursuant to Section 715(c) and the *PCT Applicant's Guide*, Annex B(1B).

*Notes to the request form (PCT/RO/101) (page 4) (July 2015)*

**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, “26 October 2012 (26.10.2012)”, “26 October 2012 (26/10/2012)” or “26 October 2012 (26-10-2012)”.

## 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 4.12, 12*bis*, 16.3 and 41.1): The applicant may request the ISA to take into account, in carrying out the international search, the results of an earlier search carried out either by that Authority, by another ISA or by a national Office (Rule 4.12). Where the applicant has made such a request and complied with the requirements under Rule 12*bis*, the ISA shall, to the extent possible, take into account the results of the earlier search. If, on the other hand, the earlier search was carried out by another ISA or by another national or regional Office, the ISA may, but is not obliged to, take the results of the earlier search into account (Rule 41.1). Where the ISA takes into account the results of an earlier search, it shall (partially) refund the search fee to the extent and under the conditions provided for in the agreement under Article 16(3)(b) (see, for each ISA, the *PCT Applicant's Guide*, Annex D).~~

~~Any request to take into account the results of an earlier search should identify: the filing date and number of the application in respect of which the earlier search was carried out and the Authority or Office which carried out the earlier search (Rules 4.1(b)(ii) and 4.12(i)).~~

The applicant shall submit to the receiving Office, together with the international application at the time of filing, a copy of the results of the earlier search (Rule 12*bis*.1(a)), except:

~~— where the earlier search was carried out by the same Office as that which is acting as the receiving Office, the applicant may, instead of submitting copies of the required documents, request the receiving Office to transmit copies of those documents to the ISA by marking the appropriate check-box (Rule 12*bis*.1(e));~~

~~— where the earlier search was carried out by the same Authority or Office as that which is acting as ISA, no copy or translation of any document (i.e. of the results of the earlier search or of the earlier application or of any document cited in the earlier search, where applicable) is required to be submitted (Rule 12*bis*.1(d));~~

~~— where a copy or translation of the earlier search is available to the ISA in a form and manner acceptable to it, and if so indicated in the request form by the applicant by marking the appropriate check-box, no copy or translation of any document is required to be submitted to the ISA (Rule 12*bis*.1(f));~~

~~— where the request form contains a statement under Rule 4.12(ii) that the international application is the same, or substantially the same, as an application in respect of which the earlier search was carried out, or that the international application is the same, or substantially the same, as that earlier application, except that it is filed in a different language, no copy of the earlier application or its translation is required to be transmitted to the ISA (Rules 4.12(ii) and 12*bis*.1(e)).~~



Where the applicant furnishes a missing part to the receiving Office after the date on which all of the requirements of Article 11(1) were fulfilled but within the applicable time limit under Rule 20.7, that part will be included in the international application and the international filing date will be corrected to the date on which the receiving Office received that part (see Rule 20.5(c)). In such a case, the applicant will be given the opportunity to request the receiving Office to disregard the missing part concerned, in which case the missing part would be considered not to have been furnished and the correction of the international filing date not to have been made (see Rule 20.5(e)). However, where the applicant confirms the incorporation by reference of a part of the description, claims or drawings under Rule 4.18 and the receiving Office finds that all the requirements of Rules 4.18 and 20.6(a) are complied with, that part will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all of the requirements of Article 11(1) are fulfilled (see Rule 20.5).

**Furnishing the priority document(s)** (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 was 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 requests may be made by marking the applicable check-boxes in Box No. VI. Note that 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)).

Where the priority document is available from an Office that participates in the WIPO Digital Access Service for Priority Documents (DAS) (<http://www.wipo.int/das/en>), the applicant may use DAS to provide the priority document to the International Bureau. Once the applicant requests the depositing Office to provide a copy of the priority document to DAS (see *PCT Applicant's Guide*, Annex B of the DAS depositing Office for further indications of the procedure to be followed), the applicant will receive an access code (unless the applicant has already automatically received the access code from the depositing Office in the priority application filing process). The applicant should then mark the applicable check-boxes in Box No. VI, and indicate the access code for each specific priority document.

Information concerning whether and which priority documents are available to the International Bureau from a digital library is published in the *Official Notices (PCT Gazette)* pursuant to Section 715(c) and the *PCT Applicant's Guide*, Annex B(IB).

**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, “26 October 2012 (26.10.2012)”, “26 October 2012 (26/10/2012)” or “26 October 2012 (26-10-2012)”.

## BOX No. VII

**Choice of International Searching Authority (ISA)** (Rules 4.1(b)(iv) and 4.14bis): 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.

### BOX No. VII (i)

**Request to Use Results of Earlier Search; Reference to that Search** (Rules 4.12, 12bis, 16.3 and 41.1). The applicant may request the ISA to take into account, in carrying out the international search, the results of an earlier search carried out either by that Authority, by another ISA or by a national Office (Rule 4.12). Where the applicant has made such a request and complied with the requirements under Rule 12bis, the ISA shall, to the extent possible, take into account the results of the earlier search. If, on the other hand, the earlier search was carried out by another ISA or by another national or regional Office, the ISA may, but is not obliged to, take the results of the earlier search into account (Rule 41.1). Where the ISA takes into account the results of an earlier search, it shall (partially) refund the search fee to the extent and under the conditions provided for in the agreement under Article 16(3)(b) (see, for each ISA, the *PCT Applicant's Guide*, Annex D).

Any request to take into account the results of an earlier search should identify: the filing date and number of the application in respect of which the earlier search was carried out and the Authority or Office which carried out the earlier search (Rules 4.1(b)(ii) and 4.12(i)).

The applicant shall submit to the receiving Office, together with the international application at the time of filing, a copy of the results of the earlier search (Rule 12bis.1(a)), except:

– where the earlier search was carried out by the same Office as that which is acting as the receiving Office, the applicant may, instead of submitting a copy of the results of the earlier search, request the receiving Office to transmit a copy of those results to the ISA by marking the appropriate check-box (Rule 12bis.1(b));

– where the earlier search was carried out by the same Authority or Office as that which is acting as ISA, no copy of the results of the earlier search is required to be submitted to the ISA (Rule 12bis.1(c));

– where a copy of the results of the earlier search is available to the ISA in a form and manner acceptable to it, and if so indicated in the request form by the applicant by marking the appropriate check-box, no copy of the results is required to be submitted to the ISA (Rule 12bis.1(d));

**Use of Results of more than one Earlier Search:** Where the ISA is requested to use the results of more than one earlier search, please mark the relevant check-box, and furnish duplicates of this page, marked “continuation sheet for Box No. VII (i)” and attached to the request form.

### BOX NO. VII (ii)

**Authorization to Transmit Earlier Search Results by the Receiving Office** (Rule 23bis.2(b) and (e)). Where the international application claims priority of an earlier application filed with the same Office as that which is acting as the receiving Office, that Office has carried out an earlier search in respect of the earlier application and unless that earlier application is an international application which has not yet been published or communicated to the designated Offices, the receiving Office shall transmit to the ISA a copy of the results of the earlier search; and may do so if the earlier application was filed with a different Office but where the results of that earlier search are nevertheless available to the receiving Office.

~~Use of Results of more than one Earlier Search: Where the ISA is requested to use the results of more than one earlier search, the check boxes in Box No. VII should be marked, as applicable, for each earlier search. Where more than two results of previous searches are indicated, please mark the relevant check box, and furnish duplicates of this page, marked "continuation sheet for Box No. VII" and attached to the request form.~~

### 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 26ter, Section 216 and the *PCT Applicant's Guide*, International Phase.

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*, 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)): Certain designated Offices have informed the International Bureau that the applicable national law is not compatible in respect of certain 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. For regularly updated information on such Offices, see the WIPO website: [http://www.wipo.int/pct/en/texts/reservations/res\\_incomp.html](http://www.wipo.int/pct/en/texts/reservations/res_incomp.html).

### 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.

### 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/...],

... (name) of ... (address) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application"

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. 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



However, exceptionally, where the international application is filed with a receiving Office which has notified the International Bureau under Rule 23bis.2(b) that it may, on request of the applicant, decide not to transmit the results of an earlier search to the ISA, the applicant may check the first check-box in Box No. VII (ii). This only concerns international applications filed with the following receiving Offices: DE, FI and SE (see [http://www.wipo.int/pct/en/texts/reservations/res\\_incomp.html](http://www.wipo.int/pct/en/texts/reservations/res_incomp.html)).

Where the international application is filed with a receiving Office which has notified the International Bureau under Rule 23bis.2(e) that the transmission of copies of earlier search results without the authorization of the applicant is not compatible with the national law applied by the receiving Office, the applicant may check the second check-box in Box No. VII (ii) to nevertheless authorize the receiving Office to transmit the earlier search results to the ISA. This only concerns international applications filed with the following receiving Offices: AU, CH, CZ, FI, HU, IL, JP, NO, SE, SG and US.

In respect of all receiving Offices, the second check-box in Box No. VII (ii) may also be used to expressly authorize the receiving Office to transmit the results of an earlier search where the earlier search was carried out in respect of an international application.

### 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 26ter, Section 216 and the *PCT Applicant's Guide*, International Phase.

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*, 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)): Certain designated Offices have informed the International Bureau that the applicable national law is not compatible in respect of certain 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. For regularly updated information on such Offices, see the WIPO website: [http://www.wipo.int/pct/en/texts/reservations/res\\_incomp.html](http://www.wipo.int/pct/en/texts/reservations/res_incomp.html).

### 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.

### 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/...],

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)"

Items (i) to (viii) 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)"

Items (i) to (viii) 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).

The name, residence and address must be included for each inventor. If the name and address of an inventor is not written in the Latin alphabet, the name and address must be indicated in the Latin alphabet. All inventors must sign and date the declaration even if they do not all sign the same copy of the declaration (Section 214(b)).

If there are more than three inventors, those other inventors must be indicated on the "Continuation of Box No. VIII (i) to (v)" sheet. The continuation sheet should be entitled "Continuation of Box No. VIII (iv)," must indicate the name, residence and address for those other inventors, and at least the name and address in the Latin alphabet. In such a case, the "complete declaration" includes Box No. VIII (iv) and the continuation sheet. All inventors must sign and date a complete declaration even if they do not all sign the same copy of the complete declaration, and a copy of each separately signed complete declaration must be submitted (Section 214(b)).

... (name) of ... (address) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application”

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. 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)”

Items (i) to (viii) 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)”

Items (i) to (viii) 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).

The name, residence and address must be included for each inventor. If the name and address of an inventor is not written in the Latin alphabet, the name and address must be indicated in the Latin alphabet. All inventors must sign and date the declaration even if they do not all sign the same copy of the declaration (Section 214(b)).



Where the declaration was not included in the request, but is furnished later, the PCT application number MUST be indicated within the text of Box No. VIII (iv).

#### 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 51bis.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*): ...”

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. Items (iii) and (iv) may be incorporated depending upon the circumstances.

#### BOX No. IX

**Sheets Constituting the International Application:** The number of sheets of the various parts of the international application must be indicated in the check list using Arabic numerals. Sheets containing any of the Boxes Nos. VIII(i) to (v) (declaration sheets) must be counted as part of the request. It is noted that any tables, including those related to a sequence listing, should be an integral part of the description and the pages containing such tables will be counted as sheets of the international application. There is no longer any provision for submission of those tables separately or a reduced fee for such a submission.

**Nucleotide and/or amino acid sequences: Paper Filings:** Where the international application is filed on paper (using the sheet “last sheet - paper”) and contains disclosure of one of more nucleotide and/or amino acid sequences, a sequence listing 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, that is, in compliance with WIPO Standard ST.25. The number of pages of the sequence listing must be indicated under item (f) in Box No. IX and included in the total number of sheets. Furthermore, where the sequence listing is filed on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file saved on physical data carrier(s) (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases therefore, check-boxes Nos. 8 and 9 must be marked in Box No. IX. In addition, the type and number of carriers such as diskettes, CD-ROMs, CD-Rs or other data carriers accepted by the ISA, should be indicated in item 8.

#### For EFS-Web filing with RO/US

**Nucleotide and/or amino acid sequences: Electronic Filings via EFS-Web with RO/US:** There exist two alternative last sheets of the request form which contain two distinct

Boxes No. IX. The sheet “last sheet – paper”, described earlier, should be used if the applicant intends to file the international application on paper. The sheet “last sheet – EFS” should **only** be used if the request form is filed online with the receiving Office of the United States of America via EFS-Web.

(a) **EFS-Web and text file:** Where the international application is filed via EFS-Web (using the sheet “last sheet - EFS”) and contains disclosure of one or more nucleotide and/or amino acid sequences, a sequence listing 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, that is, in compliance with WIPO Standard ST.25. The sequence listing should **preferably** be furnished as an Annex C/ST.25 text file; in such cases, the first check-box of check-box (g) in Box No. IX should be marked. When furnished in this manner, the number of sheets of the sequence listing is **not** included in the total number of sheets making up the international application. Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

(b) **EFS-Web and image file:** If the sequence listing is filed online via EFS-Web as an image file (e.g. PDF file) rather than the recommended text file, the corresponding boxes in check-box (f) in Box No. IX should be marked. The number of sheets of the sequence listing **must be** included in the total number of sheets making up the international application. Where the sequence listing is filed in image format, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases, check-boxes Nos. 8 and 9 must be marked in Box No. IX.

(c) **EFS-Web and physical data carriers:** The receiving Office of the United States of America has two distinct limitations on the size of the sequence listing file it can accept via EFS-Web. If the text file containing the sequence listing is larger than 100MB, or if the image file (e.g. PDF file) containing the sequence listing is larger than 25MB, the applicant must file the sequence listings as an Annex C/ST.25 text file on physical data carrier(s). The receiving Office does not accept the filing of image (e.g. PDF file) on physical data carrier(s). In such cases, the data carrier(s) must be furnished on the same day that the international application is filed online. This may be furnished via “Express Mail Post Office to Addressee” with a date-in by the United States Postal Service the same date as the online filing date, or via commercial delivery services or by hand, provided that it reaches the receiving Office on the same day as the international application filed online. In such cases, the corresponding check-boxes in check-box (g) in Box No. IX must be marked. The number and type of carrier(s) should be indicated in check-box (g). Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

**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 check-box 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.

If there are more than three inventors, those other inventors must be indicated on the "Continuation of Box No. VIII (i) to (v)" sheet. The continuation sheet should be entitled "Continuation of Box No. VIII (iv)," must indicate the name, residence and address for those other inventors, and at least the name and address in the Latin alphabet. In such a case, the "complete declaration" includes Box No. VIII (iv) and the continuation sheet. All inventors must sign and date a complete declaration even if they do not all sign the same copy of the complete declaration, and a copy of each separately signed complete declaration must be submitted (Section 214(b)).

Where the declaration was not included in the request, but is furnished later, the PCT application number MUST be indicated within the text of Box No. VIII (iv).

#### 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 51bis.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*): ..."

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. Items (iii) and (iv) may be incorporated depending upon the circumstances.

#### BOX No. IX

**Sheets Constituting the International Application:** The number of sheets of the various parts of the international application must be indicated in the check list using Arabic numerals. Sheets containing any of the Boxes Nos. VIII(i) to (v) (declaration sheets) must be counted as part of the request. It is noted that any tables, including those related to a sequence listing, should be an integral part of the description and the pages containing such tables will be counted as sheets of the international application. There is no longer any provision for submission of those tables separately or a reduced fee for such a submission.

**Nucleotide and/or amino acid sequences: Paper Filings:** Where the international application is filed on paper (using the sheet "last sheet - paper") and contains disclosure of one of more nucleotide and/or amino acid sequences, a sequence listing 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, that is, in compliance with WIPO Standard ST.25. The number of pages of the sequence listing must be indicated under item (f) in Box No. IX and included in the total number of sheets. Furthermore, where the sequence listing is filed on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file saved on physical data carrier(s) (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases therefore, check-boxes Nos. 8 and 9 must be marked in Box No. IX. In

addition, the type and number of carriers such as diskettes, CD-ROMs, CD-Rs or other data carriers accepted by the ISA, should be indicated in item 8.

#### For EFS-Web filing with RO/US

**Nucleotide and/or amino acid sequences: Electronic Filings via EFS-Web with RO/US:** There exist two alternative last sheets of the request form which contain two distinct Boxes No. IX. The sheet "last sheet - paper", described earlier, should be used if the applicant intends to file the international application on paper. The sheet "last sheet - EFS" should **only** be used if the request form is filed online with the receiving Office of the United States of America via EFS-Web.

(a) **EFS-Web and text file:** Where the international application is filed via EFS-Web (using the sheet "last sheet - EFS") and contains disclosure of one or more nucleotide and/or amino acid sequences, a sequence listing 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, that is, in compliance with WIPO Standard ST.25. The sequence listing should **preferably** be furnished as an Annex C/ST.25 text file; in such cases, the first check-box of check-box (g) in Box No. IX should be marked. When furnished in this manner, the number of sheets of the sequence listing is **not** included in the total number of sheets making up the international application. Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

(b) **EFS-Web and image file:** If the sequence listing is filed online via EFS-Web as an image file (e.g. PDF file) rather than the recommended text file, the corresponding boxes in check-box (f) in Box No. IX should be marked. The number of sheets of the sequence listing **must be** included in the total number of sheets making up the international application. Where the sequence listing is filed in image format, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases, check-boxes Nos. 8 and 9 must be marked in Box No. IX.

(c) **EFS-Web and physical data carriers:** The receiving Office of the United States of America has two distinct limitations on the size of the sequence listing file it can accept via EFS-Web. If the text file containing the sequence listing is larger than 100MB, or if the image file (e.g. PDF file) containing the sequence listing is larger than 25MB, the applicant must file the sequence listings as an Annex C/ST.25 text file on physical data carrier(s). The receiving Office does not accept the filing of image (e.g. PDF file) on physical data carrier(s). In such cases, the data carrier(s) must be furnished on the same day that the international application is filed online. This may be furnished via "Express Mail Post Office to Addressee" with a date-in by the United States Postal Service the same date as the online filing date, or via commercial delivery services or by hand, provided that it reaches the receiving Office on the same day as the international application filed online. In such cases, the corresponding check-boxes in check-box (g) in Box No. IX must be marked. The number and type of carrier(s) should be indicated in check-box (g). Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

**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

**Check-box No. 6:** 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. 7:** 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*, Annex L)), do not mark this check-box (for further information, see Rule 13*bis* and Section 209).

**Check-boxes Nos. 8 and 9:** Where the sequence listing part of the description is submitted on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA, but **only** for the purposes of international search under Rule 13*ter*. In this case, check-boxes Nos. 8 and 9, must be marked in Box No. IX.

**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) and 90): 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 the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).**

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. The power of attorney must be signed by the applicant, or if there is more than one applicant, by at least one of them. 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*, Annex C).

#### 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.

Items 2 and 3: Even if an indication is made in respect of items 2 and 3 under Rule 49*bis*.1(a), (b) or (d), the applicant will be required to make an indication to this effect upon entry into the national phase before the designated offices concerned.

If the applicant wishes to specify that the international application be treated in any designated State as an application for a utility model, see Notes to Box No. V.

#### 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.



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 check-box 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. 6:** 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. 7:** 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*, Annex L)), do not mark this check-box (for further information, see Rule 13*bis* and Section 209).

**Check-boxes Nos. 8 and 9:** Where the sequence listing part of the description is submitted on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA, but **only** for the purposes of international search under Rule 13*ter*. In this case, check-boxes Nos. 8 and 9, must be marked in Box No. IX.

**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) and 90): 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 the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).**

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.

*Notes to the request form (PCT/RO/101) (page 8) (Draft for consultation)*

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. The power of attorney must be signed by the applicant, or if there is more than one applicant, by at least one of them. 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*, Annex C).

#### 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.

Items 2 and 3: Even if an indication is made in respect of items 2 and 3 under Rule 49*bis*.1(a), (b) or (d), the applicant will be required to make an indication to this effect upon entry into the national phase before the designated offices concerned.

If the applicant wishes to specify that the international application be treated in any designated State as an application for a utility model, see Notes to Box No. V.

#### 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.

*This sheet is not part of and does not count as a sheet of the international application.*

# PCT

## FEE CALCULATION SHEET

### Annex to the Request

For receiving Office use only

Applicant's or agent's  
file reference

International Application No.

Date stamp of the receiving Office

Applicant

#### CALCULATION OF PRESCRIBED FEES

*(Applicants may be entitled to a reduction of certain fees as indicated in the PCT Fee Tables  
(<http://www.wipo.int/pct/en/fees.pdf>))*

1. TRANSMITTAL FEE: .....  T

2. SEARCH FEE: .....  S

International search to be carried out by: \_\_\_\_\_

3. INTERNATIONAL FILING FEE

Enter total number of sheets indicated in Box No IX: \_\_\_\_\_

i1 Fixed amount for the first 30 sheets . . . . .  i1

i2 \_\_\_\_\_ x \_\_\_\_\_ =  i2  
number of sheets fee per sheet  
in excess of 30

Add amounts entered at i1 and i2 and enter total at I: .....  I

*(Applicants from certain States are entitled to a reduction of 90% of the international filing fee (see  
[http://www.wipo.int/pct/en/fees/fee\\_reduction.pdf](http://www.wipo.int/pct/en/fees/fee_reduction.pdf)). Where the applicant is (or all applicants are) so entitled,  
the total to be entered at I is 10% of the international filing fee.)*

4. FEE FOR PRIORITY DOCUMENT (if applicable): .....  P

5. FEE FOR RESTORATION OF THE RIGHT OF PRIORITY (if  
applicable): .....  RP

6. FEE FOR EARLIER SEARCH DOCUMENTS (if applicable): .....  ES

7. TOTAL FEES PAYABLE . . . . .

Add amounts entered at T, S, I, P, RP and ES,  
and enter total in the TOTAL box

**TOTAL**

#### MODE OF PAYMENT (Not all modes of payment may be available at all receiving Offices)

credit card (*details should not be included on this sheet*)     authorization to charge deposit or current account (see below)     bank transfer     cash

postal money order     check     revenue stamps     other (specify): \_\_\_\_\_

#### AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT

*(This mode of payment may not be available at all receiving Offices)*

- Authorization to charge the total fees indicated above.
- (This check-box may be marked only if the conditions for deposit or current accounts of the receiving Office so permit) Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.
- Authorization to charge the fee for priority document.

Receiving Office: RO/ \_\_\_\_\_

Deposit or Current Account No.: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_





**NOTES TO THE FEE CALCULATION SHEET  
(ANNEX TO FORM PCT/RO/101)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete the sheet by entering the appropriate amounts in the boxes provided and submit the fee calculation sheet at the time of filing the international application. This will help the receiving Office to verify the calculations and to identify any error in them.

Information about the applicable fees payable can be obtained from the receiving Office and the International Bureau at <http://www.wipo.int/pct/en/fees.pdf>. The amounts of the international filing and search fees may change due to currency fluctuations. Applicants are advised to check what are the latest applicable amounts. All fees, must be paid within one month from the date of receipt of the international application.

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**CALCULATION OF PRESCRIBED FEES**

**Box T: Transmittal Fee** for the benefit of the receiving Office (Rule 14.1): The amount of the transmittal fee, if any, is fixed by the receiving Office. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex C.

**Box S: Search Fee** for the benefit of the International Searching Authority (ISA) (Rule 16.1): The amount of the search fee is fixed by the ISA. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex D.

Where two or more ISAs are competent, the applicant must indicate his choice in the space provided for this purpose and pay the amount of the international search fee fixed by the ISA chosen. Information on the competent ISA and whether the applicant has a choice between two or more ISAs is contained in the *PCT Applicant's Guide*, Annex C.

**Box I: International Filing Fee:** The amount of the international filing fee depends on the number of sheets of the international application indicated in Box No. IX of the request as explained below.

That number is the **Total number of sheets** indicated in Box No. IX of the request, which includes the actual number of sheets of the sequence listing part of the description, if the listing is filed on paper and not as an Annex C/ST.25 text file.

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**For EFS-Web filing with RO/US**

**Nucleotide and/or amino acid sequences: via EFS-Web:** Where the international application is filed via EFS-Web and contains a sequence listing filed in an Annex C/ST.25 text file, even when, due to the size of the text file, the sequence listing has to be submitted on a data carrier, no fee is due for filing the sequence listing.

Where the sequences listing is an image file (e.g. PDF) the actual number of sheets that make up this part of the description must be included.

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The international filing fee must be paid within one month from the date of receipt of the international application by the receiving Office.

**Reductions:** Applicants may be entitled to reductions to certain fees, which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex C of the *PCT Applicants Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. These include reductions that apply where the international application is filed in electronic form and/or if the

applicant is a natural person from certain States. These two types of fees reduction are fully explained below.

**Reduction of the International Filing Fee Where the International Application Is Filed in Electronic Form:**

Where the international application is filed in electronic form, the total amount of the international filing fee is reduced depending on the electronic formats used. The international filing fee is reduced by: 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) in respect of international applications where the request is not in character coded format (see PCT Schedule of Fees, item 4(b)); 200 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request is in character coded format (see PCT Schedule of Fees, item 4(c)); and 300 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request, description, claims and abstract are all in character coded format (see PCT Schedule of Fees, item 4(d)). For further details, see the *PCT Applicant's Guide*, International Phase and Annex C, as well as information published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since international applications filed in electronic form will contain the Request Form and Fee Calculation Sheet in such electronic form, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

**Reduction of the International Filing Fee for Applicants from Certain States:**

An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the international filing fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the international filing fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Boxes Nos. II and III of the request.

The fee reduction is available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

**NOTES TO THE FEE CALCULATION SHEET  
(ANNEX TO FORM PCT/RO/101)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete the sheet by entering the appropriate amounts in the boxes provided and submit the fee calculation sheet at the time of filing the international application. This will help the receiving Office to verify the calculations and to identify any error in them.

Information about the applicable fees payable can be obtained from the receiving Office and the International Bureau at <http://www.wipo.int/pct/en/fees.pdf>. The amounts of the international filing and search fees may change due to currency fluctuations. Applicants are advised to check what are the latest applicable amounts. All fees, must be paid within one month from the date of receipt of the international application.

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**CALCULATION OF PRESCRIBED FEES**

**Box T: Transmittal Fee** for the benefit of the receiving Office (Rule 14.1): The amount of the transmittal fee, if any, is fixed by the receiving Office. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex C.

**Box S: Search Fee** for the benefit of the International Searching Authority (ISA) (Rule 16.1): The amount of the search fee is fixed by the ISA. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex D.

Where two or more ISAs are competent, the applicant must indicate his choice in the space provided for this purpose and pay the amount of the international search fee fixed by the ISA chosen. Information on the competent ISA and whether the applicant has a choice between two or more ISAs is contained in the *PCT Applicant's Guide*, Annex C.

**Box I: International Filing Fee:** The amount of the international filing fee depends on the number of sheets of the international application indicated in Box No. IX of the request as explained below.

That number is the **Total number of sheets** indicated in Box No. IX of the request, which includes the actual number of sheets of the sequence listing part of the description, if the listing is filed on paper and not as an Annex C/ST.25 text file.

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**For EFS-Web filing with RO/US**

**Nucleotide and/or amino acid sequences: via EFS-Web:** Where the international application is filed via EFS-Web and contains a sequence listing filed in an Annex C/ST.25 text file, even when, due to the size of the text file, the sequence listing has to be submitted on a data carrier, no fee is due for filing the sequence listing.

Where the sequences listing is an image file (e.g. PDF) the actual number of sheets that make up this part of the description must be included.

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The international filing fee must be paid within one month from the date of receipt of the international application by the receiving Office.

**Reductions:** Applicants may be entitled to reductions to certain fees, which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex C of the *PCT Applicants Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. These include reductions that apply where the international application is filed in electronic form and/or if the

applicant is a natural person from certain States. These two types of fees reduction are fully explained below.

**Reduction of the International Filing Fee Where the International Application Is Filed in Electronic Form:**

Where the international application is filed in electronic form, the total amount of the international filing fee is reduced depending on the electronic formats used. The international filing fee is reduced by: 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) in respect of international applications where the request is not in character coded format (see PCT Schedule of Fees, item 4(b)); 200 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request is in character coded format (see PCT Schedule of Fees, item 4(c)); and 300 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request, description, claims and abstract are all in character coded format (see PCT Schedule of Fees, item 4(d)). For further details, see the *PCT Applicant's Guide*, International Phase and Annex C, as well as information published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since international applications filed in electronic form will contain the Request Form and Fee Calculation Sheet in such electronic form, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

**Reduction of the International Filing Fee for Applicants from Certain States:**

An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the international filing fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the international filing fee will be automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Boxes Nos. II and III of the request.

The fee reduction is available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the international filing fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

**Calculation of the International Filing Fee in Case of Fee Reduction:** Where the applicant is (or all applicants are) entitled to a reduction of the international filing fee, the total to be entered in box I is 10% of the international filing fee (see below).

**Box P: Fee for Priority Document (Rule 17.1(b)):** Where the applicant has requested, by marking the applicable check-box in Box No. VI of the request, that the receiving Office prepare and transmit to the International Bureau a certified copy of the earlier application the priority of which is claimed, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

If that fee is not paid at the latest before the expiration of 16 months from the priority date, the receiving Office may consider the request under Rule 17.1(b) as not having been made.

**Box RP: Fee for the restoration of the right of priority (Rule 26bis.3(d)):** Where the applicant has requested within the applicable time limit under Rule 26bis.3(e) that the receiving Office restore the right of priority in connection with any earlier application the priority of which is claimed in the international application, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

**Box ES: Fee for earlier search documents (Rule ~~12bis.1(e)~~):** Where the applicant has requested, by marking the appropriate check-box in Box No. VII of the request, that the receiving Office prepare and transmit to the ISA copies of the ~~documents in connection with~~ an earlier search, ~~the results of~~ which are requested by the applicant to be taken into consideration by the ISA (such a request may only be filed if the earlier search was carried out by the same Office as that which is acting as the receiving Office (Rule ~~12bis.1(e)~~)), the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

**Total Box:** The total of the amounts entered in boxes T, S, I, P, RP and ES should be entered in this box. If the applicant so wishes, the currency, or currencies, in which the fees are paid may be indicated next to or in the total box.

#### MODE OF PAYMENT

In order to help the receiving Office identify the mode of payment of the prescribed fees, it is recommended that the applicable check-box(es) be marked. Credit card details should not be included on the fee calculation sheet. They should be furnished separately and by secure means acceptable to the receiving Office.

#### AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT

The receiving Office will not charge (or credit) fees to deposit or current accounts unless the deposit or current account authorization is signed and indicates the deposit or current account number.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the international filing fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

**Calculation of the International Filing Fee in Case of Fee Reduction:** Where the applicant is (or all applicants are) entitled to a reduction of the international filing fee, the total to be entered in box I is 10% of the international filing fee (see below).

**Box P: Fee for Priority Document (Rule 17.1(b)):** Where the applicant has requested, by marking the applicable check-box in Box No. VI of the request, that the receiving Office prepare and transmit to the International Bureau a certified copy of the earlier application the priority of which is claimed, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

If that fee is not paid at the latest before the expiration of 16 months from the priority date, the receiving Office may consider the request under Rule 17.1(b) as not having been made.

**Box RP: Fee for the restoration of the right of priority (Rule 26bis.3(d)):** Where the applicant has requested within the applicable time limit under Rule 26bis.3(e) that the receiving Office restore the right of priority in connection with any earlier application the priority of which is claimed in the international application, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

**Box ES: Fee for earlier search documents (Rule 12bis.1(b)):** Where the applicant has requested, by marking the appropriate check-box in Box No. VII (i) of the request, that the receiving Office prepare and transmit to the ISA copies of the results of an earlier search, which are requested by the applicant to be taken into consideration by the ISA (such a request may only be filed if the earlier search was carried out by the same Office as that which is acting as the receiving Office (Rule 12bis.1(b))), the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

**Total Box:** The total of the amounts entered in boxes T, S, I, P, RP and ES should be entered in this box. If the applicant so wishes, the currency, or currencies, in which the fees are paid may be indicated next to or in the total box.

#### MODE OF PAYMENT

In order to help the receiving Office identify the mode of payment of the prescribed fees, it is recommended that the applicable check-box(es) be marked. Credit card details should not be included on the fee calculation sheet. They should be furnished separately and by secure means acceptable to the receiving Office.

#### AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT

The receiving Office will not charge (or credit) fees to deposit or current accounts unless the deposit or current account authorization is signed and indicates the deposit or current account number.

**PATENT COOPERATION TREATY**

From the RECEIVING OFFICE

**PCT**

NOTIFICATION CONCERNING PAYMENT  
OF PRESCRIBED FEES

(PCT Rules 12bis.1~~(e)~~, 14, 15 and 16  
and Administrative Instructions,  
Sections 102bis(c), 304, 323(b) and 707)

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		<b>PAYMENT DUE</b> see item 3 for time limits	
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)	
Applicant			

1. The applicant is hereby notified that this receiving Office has received:

**the payment** of all the prescribed fees, and  **an overpayment**, which will be refunded in due course.

**no or insufficient payment** of the prescribed fees and the applicant is hereby **invited to pay the balance due**, as summarized under item 2, within the time limit(s) indicated under item 3.

2. **Fees and payment calculation:**

_____	-	_____	=	_____
Total fees payable		Amount paid		Balance

The details of the calculation are given in the Annex.

3. **Time limit(s) for payment and amount(s) payable (Rules 14.1, 15.3 and 16.1(f)):**

within ONE MONTH from the date of receipt of the international application (**for the transmittal fee** (if any), **the search fee** and **the international filing fee**). The amount payable for each fee is the amount applicable on the date of receipt of the international application.

within 16 MONTHS from the priority date (only for the fee for priority document). The applicant's attention is drawn to the fact that the request made by the applicant under Rule 17.1(b) will be considered not to have been made unless the fee is paid within that time limit.

4. **Additional observations (if necessary):**

The search copy will not be transmitted to the International Searching Authority until the search fee is paid (therefore the start of the international search will be delayed) (Rule 23.1(a) and (b)).

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.



**PATENT COOPERATION TREATY**

From the RECEIVING OFFICE

**PCT**

NOTIFICATION CONCERNING PAYMENT  
OF PRESCRIBED FEES

(PCT Rules *12bis.1(b)*, 14, 15 and 16  
and Administrative Instructions,  
Sections *102bis(c)*, 304, 323(b) and 707)

To:		Date of mailing (day/month/year)
Applicant's or agent's file reference		<b>PAYMENT DUE</b> see item 3 for time limits
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)
Applicant		

1. The applicant is hereby notified that this receiving Office has received:

**the payment** of all the prescribed fees, and  **an overpayment**, which will be refunded in due course.

**no or insufficient payment** of the prescribed fees and the applicant is hereby **invited to pay the balance due**, as summarized under item 2, within the time limit(s) indicated under item 3.

2. **Fees and payment calculation:**

_____	-	_____	=	_____
Total fees payable		Amount paid		Balance

The details of the calculation are given in the Annex.

3. **Time limit(s) for payment and amount(s) payable (Rules 14.1, 15.3 and 16.1(f)):**

within ONE MONTH from the date of receipt of the international application (**for the transmittal fee** (if any), **the search fee** and **the international filing fee**). The amount payable for each fee is the amount applicable on the date of receipt of the international application.

within 16 MONTHS from the priority date (only for the fee for priority document). The applicant's attention is drawn to the fact that the request made by the applicant under Rule 17.1(b) will be considered not to have been made unless the fee is paid within that time limit.

4. **Additional observations (if necessary):**

The search copy will not be transmitted to the International Searching Authority until the search fee is paid (therefore the start of the international search will be delayed) (Rule 23.1(a) and (b)).

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

**ANNEX TO FORM PCT/RO/102  
CALCULATION OF THE PRESCRIBED FEES**

*(If a reduced fee has been applied, the reduced amount is indicated.)*

International application No.
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<p><b>T Transmittal Fee</b></p> <p>Prescribed amount: . . . . . _____ <b>T</b></p> <p>Amount paid: . . . . . _____ - _____</p> <p>Balance: . . . . . _____ = _____</p> <p><input type="checkbox"/> correct amount <input type="checkbox"/> overpayment <input type="checkbox"/> balance due</p>	
<p><b>S Search Fee</b></p> <p>Prescribed amount: . . . . . _____ <b>S</b></p> <p>Amount paid: . . . . . _____ - _____</p> <p>Balance: . . . . . _____ = _____</p> <p><input type="checkbox"/> correct amount <input type="checkbox"/> overpayment <input type="checkbox"/> balance due</p>	
<p><b>I International Filing Fee</b></p> <p>Prescribed amount:</p> <p>Fixed amount for first 30 sheets: . . . . . _____ <b>i1</b></p> <p>_____ x _____ = _____ <b>i2</b></p> <p>Number of sheets      Fee per sheet in excess of 30</p> <p><i>(excluding pages referred to in Section 707(a-bis))</i></p> <p>Reduction where the international application is filed <i>(See PCT Fee tables <a href="http://www.wipo.int/pct/en/fees.pdf">http://www.wipo.int/pct/en/fees.pdf</a>):</i></p> <p>in electronic form, the request not being in character coded format . . . . . _____ <b>r</b></p> <p>or</p> <p>in electronic form, the request being in character coded format . . . . . _____ <b>r</b></p> <p>or</p> <p>in electronic form, the request, description, claims and abstract being in character coded format . . . . . _____ <b>r</b></p> <p>Sub-total: . . . . . _____ = _____ <b>i1+i2-r</b></p> <p><i>Applicants from certain States are entitled to a reduction of 90% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 10% of the sub-total entered at (i1+i2-r); (see Notes to the Fee Calculation Sheet as annexed to the Request Form, PCT/RO/101, for details):</i> . . . . . _____ <b>I</b></p> <p>Amount paid: . . . . . _____ = _____</p> <p>Balance: . . . . . _____</p> <p><input type="checkbox"/> correct amount <input type="checkbox"/> overpayment <input type="checkbox"/> balance due</p>	
<p><b>P Fee for Priority Document</b></p> <p>Prescribed amount: . . . . . _____ <b>P</b></p> <p>Amount paid: . . . . . _____ - _____</p> <p>Balance: . . . . . _____ = _____</p> <p><input type="checkbox"/> correct amount <input type="checkbox"/> overpayment <input type="checkbox"/> balance due</p>	
<p><b>ES Fee for Earlier Search Documents</b></p> <p>Prescribed amount: . . . . . _____ <b>ES</b></p> <p>Amount paid: . . . . . _____ - _____</p> <p>Balance: . . . . . _____ = _____</p> <p><input type="checkbox"/> correct amount <input type="checkbox"/> overpayment <input type="checkbox"/> balance due</p>	



**ANNEX TO FORM PCT/RO/102  
CALCULATION OF THE PRESCRIBED FEES**

*(If a reduced fee has been applied, the reduced amount is indicated.)*

International application No.
-------------------------------

<b>T</b>	<b>Transmittal Fee</b>	
	Prescribed amount: . . . . . _____ <b>T</b>	<input type="checkbox"/> correct amount
	Amount paid: . . . . . _____ - _____	<input type="checkbox"/> overpayment
	Balance: . . . . . _____ = _____	<input type="checkbox"/> balance due
<b>S</b>	<b>Search Fee</b>	
	Prescribed amount: . . . . . _____ <b>S</b>	<input type="checkbox"/> correct amount
	Amount paid: . . . . . _____ - _____	<input type="checkbox"/> overpayment
	Balance: . . . . . _____ = _____	<input type="checkbox"/> balance due
<b>I</b>	<b>International Filing Fee</b>	
	Prescribed amount:	
	Fixed amount for first 30 sheets: . . . . . _____ <b>i1</b>	
	_____ x _____ = _____ <b>i2</b>	
	Number of sheets      Fee per sheet in excess of 30	
	<i>(excluding pages referred to in Section 707(a-bis))</i>	
	Reduction where the international application is filed <i>(See PCT Fee tables <a href="http://www.wipo.int/pct/en/fees.pdf">http://www.wipo.int/pct/en/fees.pdf</a>):</i>	
	in electronic form, the request not being in character coded format . . . . . _____ <b>r</b>	
	or	
	in electronic form, the request being in character coded format . . . . . _____ <b>r</b>	
	or	
	in electronic form, the request, description, claims and abstract being in character coded format . . . . . _____ <b>r</b>	
	Sub-total: . . . . . _____ = _____ <b>i1+i2-r</b>	
	<i>Applicants from certain States are entitled to a reduction of 90% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 10% of the sub-total entered at (i1+i2-r); (see Notes to the Fee Calculation Sheet as annexed to the Request Form, PCT/RO/101, for details):</i> . . . . . _____ <b>I</b>	<input type="checkbox"/> correct amount
	Amount paid: . . . . . _____ = _____	<input type="checkbox"/> overpayment
	Balance: . . . . . _____ = _____	<input type="checkbox"/> balance due
<b>P</b>	<b>Fee for Priority Document</b>	
	Prescribed amount: . . . . . _____ <b>P</b>	<input type="checkbox"/> correct amount
	Amount paid: . . . . . _____ - _____	<input type="checkbox"/> overpayment
	Balance: . . . . . _____ = _____	<input type="checkbox"/> balance due
<b>ES</b>	<b>Fee for Earlier Search Documents</b>	
	Prescribed amount: . . . . . _____ <b>ES</b>	<input type="checkbox"/> correct amount
	Amount paid: . . . . . _____ - _____	<input type="checkbox"/> overpayment
	Balance: . . . . . _____ = _____	<input type="checkbox"/> balance due

**PATENT COOPERATION TREATY**

From the RECEIVING OFFICE

To:

**PCT**

NOTIFICATION CONCERNING  
DOCUMENTS TRANSMITTED

Date of mailing  
(day/month/year)

The receiving Office transmits herewith the following documents:

(number)

1.  \_\_\_\_\_ record copies (Article 12(1))
2.  \_\_\_\_\_ search copies (Article 12(1))
3.  \_\_\_\_\_ translations of international applications (Rule 12.3 or 12.4)
4.  \_\_\_\_\_ copies of purported international applications (Rule 20.4(iv))
5.  \_\_\_\_\_ translation of earlier application (Rule 20.6(a)(iii) and Administrative Instructions, Section 305ter)
6.  \_\_\_\_\_ copies of the request from the applicant to restore the right of priority under Rule 26bis.3(a) and any related document(s), with the exception of any document(s) or part(s) thereof found by the receiving Office to meet the criteria of Rule 26bis.3(h-bis)
7.  \_\_\_\_\_ record copies and corrections not already transmitted in respect of the international applications which have been considered withdrawn (Rule 29.1(a)(i))
8.  \_\_\_\_\_ (copies of the) letters of corrections or rectifications (Administrative Instructions, Section 325(b) and (c))
9.  \_\_\_\_\_ (copies of) replacement sheets (Administrative Instructions, Section 325(b) and (c))
10.  \_\_\_\_\_ (copies of) later submitted sheets (Administrative Instructions, Sections 309(b)(iv), 309(c)(iv), 310(b)(iv), 310bis(b)(v), or 310ter(iv))
11.  \_\_\_\_\_ copy(ies) of the results of the earlier search(es) (Rule 12bis.1(a) and (e))
12.  \_\_\_\_\_ other documents (*specify*):

The Annex contains a list identifying each document transmitted by the type of document, the corresponding international application number and, if necessary, other information.

This Notification is sent to the addressee in its capacity as:

- the International Searching Authority  
 the International Bureau

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

**PATENT COOPERATION TREATY**

From the RECEIVING OFFICE

To:

**PCT**

NOTIFICATION CONCERNING  
DOCUMENTS TRANSMITTED

Date of mailing  
(day/month/year)

The receiving Office transmits herewith the following documents:

(number)

1.  \_\_\_\_\_ record copies (Article 12(1))
2.  \_\_\_\_\_ search copies (Article 12(1))
3.  \_\_\_\_\_ translations of international applications (Rule 12.3 or 12.4)
4.  \_\_\_\_\_ copies of purported international applications (Rule 20.4(iv))
5.  \_\_\_\_\_ translation of earlier application (Rule 20.6(a)(iii) and Administrative Instructions, Section 305ter)
6.  \_\_\_\_\_ copies of the request from the applicant to restore the right of priority under Rule 26bis.3(a) and any related document(s), with the exception of any document(s) or part(s) thereof found by the receiving Office to meet the criteria of Rule 26bis.3(h-bis)
7.  \_\_\_\_\_ record copies and corrections not already transmitted in respect of the international applications which have been considered withdrawn (Rule 29.1(a)(i))
8.  \_\_\_\_\_ (copies of the) letters of corrections or rectifications (Administrative Instructions, Section 325(b) and (c))
9.  \_\_\_\_\_ (copies of) replacement sheets (Administrative Instructions, Section 325(b) and (c))
10.  \_\_\_\_\_ (copies of) later submitted sheets (Administrative Instructions, Sections 309(b)(iv), 309(c)(iv), 310(b)(iv), 310bis(b)(v), or 310ter(iv))
11.  \_\_\_\_\_ copy(ies) of the results of the earlier search(es) and/or related documents (Rules 12bis.1(a) and (b) and 23bis (as specified in the Annex)
12.  \_\_\_\_\_ other documents (specify):

The Annex contains a list identifying each document transmitted by the type of document, the corresponding international application number and, if necessary, other information.

This Notification is sent to the addressee in its capacity as:

- the International Searching Authority
- the International Bureau

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

**ANNEX TO FORM PCT/RO/118**

Type of document	International application No.	Other information

Form PCT/RO/118 (Annex) (~~July 2016~~)

red strike out = deleted text

**ANNEX TO FORM PCT/RO/118**

Type of document	International application No.	Other information

Form PCT/RO/118 (Annex) (Draft for consultation)

blue underline = new text

**PATENT COOPERATION TREATY**

From the INTERNATIONAL SEARCHING AUTHORITY

To:
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**PCT**  
INVITATION TO FURNISH  
DOCUMENTS IN CONNECTION  
WITH EARLIER SEARCH  
  
(PCT Rule 12bis.1~~(b)~~)

	Date of mailing (day/month/year)
Applicant's or agent's file reference	<b>REPLY DUE</b> within _____ month/days from the above date of mailing
International application No.	International filing date (day/month/year)
Applicant	

1. The applicant has requested, by marking the request form accordingly (see Box No. VII of Form PCT/RO/101), that this International Searching Authority take into account the results of an earlier search carried out by another International Searching Authority or a national Office (Rule 4.12). Moreover, where applicable, even though the applicant had marked certain documents as being available to this International Searching Authority, they are in fact not available in a form and manner acceptable to this Authority.

2. In the case where the request to take into account the results of an earlier search concerns multiple earlier searches, this Invitation relates to the following earlier search:

Filing date (day/month/year)	Application Number	Country (or regional Office)
------------------------------	--------------------	------------------------------

3. The applicant is hereby **invited**, within the prescribed time limit indicated above, to furnish this Authority with:

- a copy of the earlier application,
- a translation of the earlier application into the following \_\_\_\_\_ language which is accepted by this Authority,
- a translation of the results of the earlier search into the following language \_\_\_\_\_ which is accepted by this Authority,
- a copy of all, or certain documents, cited in the results of the earlier search, as listed below in 5. *Further observations*.

4. **Failure to comply with this Invitation** may result in this Authority not taking into account the results of the earlier search as requested by the applicant in the request form.

5. Further observations (if necessary):

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

**PATENT COOPERATION TREATY**

From the INTERNATIONAL SEARCHING AUTHORITY

To:
-----

**PCT**

INVITATION TO FURNISH  
DOCUMENTS IN CONNECTION  
WITH EARLIER SEARCH

(PCT Rule 12bis.2(a) and (b))

	Date of mailing (day/month/year)
Applicant's or agent's file reference	<b>REPLY DUE</b> within                  month/days from the above date of mailing
International application No.	International filing date (day/month/year)
Applicant	

1. The applicant has requested, by marking the request form accordingly (see Box No. VII (i) of Form PCT/RO/101), that this International Searching Authority take into account the results of an earlier search carried out by another International Searching Authority or a national Office (Rule 4.12). Moreover, where applicable, even though the applicant had marked certain documents as being available to this International Searching Authority, they are in fact not available in a form and manner acceptable to this Authority.

2. In the case where the request to take into account the results of an earlier search concerns multiple earlier searches, this Invitation relates to the following earlier search:

Filing date (day/month/year)	Application Number	Country (or regional Office)
------------------------------	--------------------	------------------------------

3. The applicant is hereby **invited**, within the prescribed time limit indicated above, to furnish this Authority with:

- a copy of the earlier application,
- a translation of the earlier application into the following language (specify: \_\_\_\_\_) which is accepted by this Authority,
- a translation of the results of the earlier search into the following language (specify: \_\_\_\_\_) which is accepted by this Authority,
- a copy of all or certain documents cited in the results of the earlier search, as listed below in 5. *Further observations.*

4. **Failure to comply with this Invitation** may result in this Authority not taking into account the results of the earlier search as requested by the applicant in the request form.

5. Further observations (*if necessary*):

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

The supplementary search request must be filed directly with the International Bureau. The full name or two-letter code of the Authority specified for supplementary search must be indicated by the applicant below:

AUTHORITY/\_\_\_\_\_

# PCT

## SUPPLEMENTARY SEARCH REQUEST

Under Rule 45bis.1, the undersigned requests that a supplementary international search be carried out in respect of the international application specified below:

For International Bureau use only	
Identification of Authority	Date of receipt of Request
<b>Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION</b>	
Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
(Earliest) Priority date (day/month/year)	
Title of invention	
<b>Box No. II APPLICANT</b>	
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.
	Applicant's registration No. with the Office
<p><b>E-mail authorization:</b> Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	
State (that is, country) of nationality:	State (that is, country) of residence:
<b>Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE</b>	
The following person is <input type="checkbox"/> agent <input type="checkbox"/> common representative and <input type="checkbox"/> has been appointed earlier and represents the applicant(s) also for the supplementary international search. <input type="checkbox"/> is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked. <input type="checkbox"/> is hereby appointed, specifically for the procedure before this Authority specified for supplementary search, 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.
	Agent's registration No. with the Office
<p><b>E-mail authorization:</b> Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	



The supplementary search request must be filed directly with the International Bureau. The full name or two-letter code of the Authority specified for supplementary search must be indicated by the applicant below:

AUTHORITY/\_\_\_\_\_

# PCT

## SUPPLEMENTARY SEARCH REQUEST

Under Rule 45bis.1, the undersigned requests that a supplementary international search be carried out in respect of the international application specified below:

For International Bureau use only	
Identification of Authority	Date of receipt of Request
<b>Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION</b>	
Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
(Earliest) Priority date (day/month/year)	
Title of invention	
<b>Box No. II APPLICANT</b>	
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.
	Applicant's registration No. with the Office
<p><b>E-mail authorization:</b> Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	
State (that is, country) of nationality:	State (that is, country) of residence:
<b>Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE</b>	
The following person is <input type="checkbox"/> agent <input type="checkbox"/> common representative and <input type="checkbox"/> has been appointed earlier and represents the applicant(s) also for the supplementary international search. <input type="checkbox"/> is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked. <input type="checkbox"/> is hereby appointed, specifically for the procedure before this Authority specified for supplementary search, 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.
	Agent's registration No. with the Office
<p><b>E-mail authorization:</b> Marking one of the check-boxes below authorizes the International Bureau and the Authority specified for supplementary search to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: _____	

Sheet No. . . .

International application No.

**Continuation of Box No. III ADDRESS FOR CORRESPONDENCE**

**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 SUPPLEMENTARY INTERNATIONAL SEARCH**

Language for the purposes of supplementary international search: \_\_\_\_\_

- which is the language in which the international application was filed
- which is the language of translation furnished for the purposes of international search
- which is the language of translation furnished for the purposes of international publication
- which is the language of the translation to be furnished for the purposes of supplementary international search

Following the finding by the International Searching Authority that the international application does not comply with the requirements of unity of invention, the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The numbers of the claims relating to this invention are:

**Box No. V CHECK LIST**

The supplementary search request is accompanied by the item(s) marked below:

1.  translation of the international application for the purposes of the supplementary international search (Rule 45bis.1(c)(i))
2.  fee calculation sheet
3.  original separate power of attorney
4.  original general power of attorney
5.  copy of general power of attorney; reference number, if any:
6.  sequence listing in the form of an Annex C/ST.25 text file (Rule 45bis.1(c)(ii))
7.  statement confirming that the copy of the sequence listing in the form of an Annex C/ST.25 text file (see above) is identical to the sequence listing forming part of the international application as filed
8.  other (*specify*):

**For International Bureau use only**

received                      not received

- |                          |                          |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

**Box No. VI 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 this request).*

**For International Bureau use only**

1. Date of actual receipt of REQUEST:
2.  The date of receipt is AFTER the expiration of ~~19~~ months from the priority date and items 3 and 4, below, do not apply.
3.  The date of receipt of the request is WITHIN the time limit of ~~19~~ months from the priority date as extended by virtue of Rule 80.5.
4.  Although the date of receipt of the request is after the expiration of ~~19~~ months from the priority date, the delay in arrival is EXCUSED pursuant to Rules 82 or 82~~quater~~.

Sheet No. . . .

International application No.

**Continuation of Box No. III ADDRESS FOR CORRESPONDENCE**

**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 SUPPLEMENTARY INTERNATIONAL SEARCH**

Language for the purposes of supplementary international search: \_\_\_\_\_

- which is the language in which the international application was filed
- which is the language of translation furnished for the purposes of international search
- which is the language of translation furnished for the purposes of international publication
- which is the language of the translation to be furnished for the purposes of supplementary international search

Following the finding by the International Searching Authority that the international application does not comply with the requirements of unity of invention, the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The numbers of the claims relating to this invention are:

**Box No. V CHECK LIST**

The supplementary search request is accompanied by the item(s) marked below:

1.  translation of the international application for the purposes of the supplementary international search (Rule 45bis.1(c)(i))
2.  fee calculation sheet
3.  original separate power of attorney
4.  original general power of attorney
5.  copy of general power of attorney; reference number, if any:
6.  sequence listing in the form of an Annex C/ST.25 text file (Rule 45bis.1(c)(ii))
7.  statement confirming that the copy of the sequence listing in the form of an Annex C/ST.25 text file (see above) is identical to the sequence listing forming part of the international application as filed
8.  other (*specify*):

**For International Bureau use only**

received                      not received

- |                          |                          |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> |

**Box No. VI 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 this request).*

**For International Bureau use only**

1. Date of actual receipt of REQUEST:
2.  The date of receipt is AFTER the expiration of 22 months from the priority date and items 3 and 4, below, do not apply.
3.  The date of receipt of the request is WITHIN the time limit of 22 months from the priority date as extended by virtue of Rule 80.5.
4.  Although the date of receipt of the request is after the expiration of 22 months from the priority date, the delay in arrival is EXCUSED pursuant to Rules 82 or 82<sup>quater</sup>.

## NOTES TO THE SUPPLEMENTARY SEARCH REQUEST FORM (PCT/IB/375)

These notes are intended to facilitate the filing of the supplementary search request form and to give some information concerning the supplementary international search. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, on WIPO's website: <http://www.wipo.int/pct/en/>. 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 supplementary search request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The supplementary search request form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

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

### IMPORTANT GENERAL INFORMATION

**Which International Searching Authority can be selected to carry out a supplementary international search?** Only an International Searching Authority which has stated its preparedness to carry out supplementary international searches (Rule 45bis.1(e)), and which is not carrying out the international search under Article 16(1) ("main search"), can be selected (Rule 45bis.9(b)). Information about which Authorities are prepared to carry out such searches and about any possible limitations and conditions is provided in the *PCT Applicant's Guide*, Annex SISA.

If the applicant wishes more than one supplementary international search to be carried out (Rule 45bis.1(a)), a separate request form should be submitted for each supplementary search requested.

**Where must the supplementary search request be filed?** (Rule 45bis.1). A supplementary search request must be filed with the International Bureau and not with the Authority specified for supplementary search. The International Bureau transmits the request to the Authority selected by the applicant once the requirements under Rule 45bis.1(b), (c)(i), 45bis.2(c) and 45bis.3(c) have been complied with, but not before the date of receipt by the International Bureau of the international search report or the expiration of 17 months from the priority date, whichever occurs first.

The Authority specified for supplementary search chosen by the applicant should be identified, preferably by an indication of the name or two-letter code of the Authority, at the top of the first sheet of the supplementary search request in the space provided for that purpose.

**When must the supplementary search request be filed?** (Rule 45bis.1(a)). The supplementary search request must be filed with the International Bureau prior to the expiration of 19 months from the priority date.

**In which language must the supplementary search request be filed?** (Rule 92.2(d)). The supplementary search request must be filed in either English or French.

**What is the language of correspondence?** (Rule 92.2(d) and Section 104). 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.

**What must the supplementary search request be accompanied by?** Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation

of the international application into a language which is accepted by that Authority should be submitted together with the request.

If applicable, a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions, if required by the Authority specified for supplementary search, should preferably be submitted together with the request.

#### 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:** The international application number must be indicated in Box No. I.

**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 four digits, in that order, and separated by periods, slants or hyphens, for example, "24 March 2010 (24.03.2010)", "24 March 2010 (24/03/2010)" or "24 March 2010 (24-03-2010)". 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** (Rule 45bis.1(b)(i)): The applicant, or, if there is more than one applicant, at least one of the applicants must be indicated in the supplementary search request. Mark in Box No. II of the supplementary search request the same indications that are in Boxes No. II and III of the PCT Request. The Notes to the PCT Request apply *mutatis mutandis*.

**Applicant's registration number with the Office:** Where the applicant is registered with the national or regional Office that is acting as the Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the applicant is so registered.

**Telephone, Facsimile Number and/or E-mail address** should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.

## NOTES TO THE SUPPLEMENTARY SEARCH REQUEST FORM (PCT/IB/375)

These notes are intended to facilitate the filing of the supplementary search request form and to give some information concerning the supplementary international search. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, on WIPO's website: <http://www.wipo.int/pct/en/>. 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 supplementary search request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The supplementary search request form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

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

### IMPORTANT GENERAL INFORMATION

**Which International Searching Authority can be selected to carry out a supplementary international search?** Only an International Searching Authority which has stated its preparedness to carry out supplementary international searches (Rule 45bis.1(e)), and which is not carrying out the international search under Article 16(1) ("main search"), can be selected (Rule 45bis.9(b)). Information about which Authorities are prepared to carry out such searches and about any possible limitations and conditions is provided in the *PCT Applicant's Guide*, Annex SISA.

If the applicant wishes more than one supplementary international search to be carried out (Rule 45bis.1(a)), a separate request form should be submitted for each supplementary search requested.

**Where must the supplementary search request be filed?** (Rule 45bis.1). A supplementary search request must be filed with the International Bureau and not with the Authority specified for supplementary search. The International Bureau transmits the request to the Authority selected by the applicant once the requirements under Rule 45bis.1(b), (c)(i), 45bis.2(c) and 45bis.3(c) have been complied with, but not before the date of receipt by the International Bureau of the international search report or the expiration of 17 months from the priority date, whichever occurs first.

The Authority specified for supplementary search chosen by the applicant should be identified, preferably by an indication of the name or two-letter code of the Authority, at the top of the first sheet of the supplementary search request in the space provided for that purpose.

**When must the supplementary search request be filed?** (Rule 45bis.1(a)). The supplementary search request must be filed with the International Bureau prior to the expiration of 22 months from the priority date.

**In which language must the supplementary search request be filed?** (Rule 92.2(d)). The supplementary search request must be filed in either English or French.

**What is the language of correspondence?** (Rule 92.2(d) and Section 104). 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.

**What must the supplementary search request be accompanied by?** Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation

of the international application into a language which is accepted by that Authority should be submitted together with the request.

If applicable, a copy of a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions, if required by the Authority specified for supplementary search, should preferably be submitted together with the request.

#### 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:** The international application number must be indicated in Box No. I.

**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 four digits, in that order, and separated by periods, slants or hyphens, for example, "24 March 2010 (24.03.2010)", "24 March 2010 (24/03/2010)" or "24 March 2010 (24-03-2010)". 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** (Rule 45bis.1(b)(i)): The applicant, or, if there is more than one applicant, at least one of the applicants must be indicated in the supplementary search request. Mark in Box No. II of the supplementary search request the same indications that are in Boxes No. II and III of the PCT Request. The Notes to the PCT Request apply *mutatis mutandis*.

**Applicant's registration number with the Office:** Where the applicant is registered with the national or regional Office that is acting as the Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the applicant is so registered.

**Telephone, Facsimile Number and/or E-mail address** should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated.



Unless one of the check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the check-boxes is marked, the International Bureau and Authority specified for supplementary search may, if they wish to do so, send notifications in respect of the international application to the applicant, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail (for details about each Office's procedure, see *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient's side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the Authority specified for supplementary search will send e-mail communications only to the appointed agent or common representative.

#### Box No. III

**Agent or Common Representative** (Rules 45*bis*.1(b)(i), 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 supplementary search request* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the Authority specified for supplementary search* (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 Authority specified for supplementary search, all notifications issued by that Authority will be addressed only to that additional person. A separate power of attorney must be filed with the Authority specified for supplementary search, the International Bureau or the receiving Office, if the person appointed at the time the supplementary search request is filed (i.e., was not appointed earlier) signs the supplementary search request on behalf of the applicant (Rule 90.4).

**Agent's registration number with the Office:** Where the agent is registered with the national or regional Office that is acting as Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the agent is so registered.

**E- mail address** (see Notes to Box. No. II)

**Address for correspondence** 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. 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

**Language for the supplementary international search:** The language for the purposes of supplementary international search should be indicated in Box No. IV and it should be specified whether that language is that of the international application as filed, the language of the translation furnished for the purposes of international search (Rule 12.3), the language of the translation furnished for the purposes of publication of the international application (Rule 12.4) and/or the language of the translation to be furnished for the purposes of supplementary international search.

Where neither the language in which the international application was filed nor that in which a translation (if any) has been furnished under Rule 12.3 or 12.4 is accepted by the Authority specified for supplementary search, a translation of the international application into a language which is accepted by that Authority must be furnished with the supplementary search request.

**Limitation of the supplementary international search to certain claims:** The check-box should be marked where the International Searching Authority has found that the international application does not comply with the requirement of unity of invention and the applicant wishes to limit the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a). The claims relating to the invention selected and, where applicable, the number of the invention as identified by the International Searching Authority, should be indicated in the space provided. Note that where the international search report is available to the Authority specified for supplementary search before it starts the search, the Authority may exclude from the supplementary search any claims which were not the subject of the international search (Rule 45*bis*.5(d)).

#### Box No. V

**Check list:** It is recommended that this Box be filled in carefully in order for the Authority specified for supplementary search to determine, as soon as possible, whether it is in possession of the documents on the basis of which the applicant wishes supplementary international search to start. Where a translation of the international application must be furnished for the purposes of supplementary international search (Rule 45*bis*.1(c)(i)), check-Box No. 1 should be marked.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in the form of an Annex C/ST.25 text file is required by the Authority specified for supplementary search, the applicant should preferably furnish the listing in that form to the International Bureau with the supplementary search request (Rule 45*bis*.1(c)(ii)). If this is the case, check-box No.6 should be marked.

#### Box No. VI

**Signature of applicant, agent or common representative** (Rules 90 and 92.1): The supplementary search request must be signed by one of the applicants, the agent or the common representative.

**Important: Should a notice of withdrawal of the supplementary search request be filed, that notice will have to be signed by the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the request for supplementary search, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).**

Notes to the supplementary search request (PCT/IB/375) (page 2) ~~(July 2016)~~

Unless one of the check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the check-boxes is marked, the International Bureau and Authority specified for supplementary search may, if they wish to do so, send notifications in respect of the international application to the applicant, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail (for details about each Office's procedure, see *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up-to-date and to ensure that incoming e-mails are not blocked, for any reason, on the recipient's side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau and the Authority specified for supplementary search will send e-mail communications only to the appointed agent or common representative.

#### Box No. III

**Agent or Common Representative** (Rules 45*bis*.1(b)(i), 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 supplementary search request* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the Authority specified for supplementary search* (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 Authority specified for supplementary search, all notifications issued by that Authority will be addressed only to that additional person. A separate power of attorney must be filed with the Authority specified for supplementary search, the International Bureau or the receiving Office, if the person appointed at the time the supplementary search request is filed (i.e., was not appointed earlier) signs the supplementary search request on behalf of the applicant (Rule 90.4).

**Agent's registration number with the Office:** Where the agent is registered with the national or regional Office that is acting as Authority specified for supplementary search, the supplementary search request may indicate the number or other indication under which the agent is so registered.

**E- mail address** (see Notes to Box. No. II)

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**Important: Should a notice of withdrawal of the supplementary search request be filed, that notice will have to be signed by the applicant or, if there are two or more applicants by all of them (Rule 90*bis*.5), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the request for supplementary search, the demand, a separate power of attorney (Rule 90.4(a)) or a general power of attorney (Rule 90.5(a)).**

*Notes to the supplementary search request (PCT/IB/375) (page 2)* (Draft for consultation)



# PCT

## FEE CALCULATION SHEET

### Annex to the supplementary search request

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="height: 40px; vertical-align: top;">AUTHORITY</td> <td rowspan="3" style="text-align: center; vertical-align: middle;">                 For International Bureau use only                   Date stamp of the International Bureau             </td> </tr> <tr> <td style="height: 40px; vertical-align: top;">International application No.</td> </tr> <tr> <td style="height: 40px; vertical-align: top;">Applicant's or agent's file reference</td> </tr> </table>	AUTHORITY	For International Bureau use only  Date stamp of the International Bureau	International application No.	Applicant's or agent's file reference	
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International application No.					
Applicant's or agent's file reference					
Applicant					
<b>CALCULATION OF PRESCRIBED FEES</b>  <i>(Applicants may be entitled to a reduction of the supplementary search fee and the supplementary search handling fee as indicated in the PCT Fee Tables (<a href="http://www.wipo.int/pct/en/fees.pdf">http://www.wipo.int/pct/en/fees.pdf</a>))</i>					
1. SUPPLEMENTARY SEARCH FEE . . . . .	<input style="width: 150px; height: 20px;" type="text"/> <span style="border: 1px solid black; padding: 2px;">SS</span>				
2. SUPPLEMENTARY SEARCH HANDLING FEE . . .	<input style="width: 150px; height: 20px;" type="text"/> <span style="border: 1px solid black; padding: 2px;">SH</span>				
3. TOTAL OF PRESCRIBED FEES . . . . .	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="height: 20px;"></td> </tr> <tr> <td style="text-align: center;">TOTAL</td> </tr> </table>		TOTAL		
TOTAL					
<b>MODE OF PAYMENT</b>					
<input type="checkbox"/> credit card <i>(details should not be included on this sheet)</i> e-mail address for E-payment: _____ <i>(Leave blank if address is same as that indicated in Box No. II or III)</i>					
<input type="checkbox"/> authorization to charge deposit or current account with the International Bureau (see below)					
<input type="checkbox"/> bank transfer					
<input type="checkbox"/> postal money order					
<input type="checkbox"/> check					
<b>AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT WITH INTERNATIONAL BUREAU</b>					
<input type="checkbox"/> Authorization to charge the total fees indicated above.	Deposit or Current Account No.: _____				
<input type="checkbox"/> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	Date: _____				
	Name: _____				
	Signature: _____				

# PCT

## FEE CALCULATION SHEET

### Annex to the supplementary search request

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AUTHORITY													
International application No.													
Applicant's or agent's file reference													
<p>Applicant</p>	<hr/> <hr/> <hr/> <hr/> <hr/>												
<p><b>CALCULATION OF PRESCRIBED FEES</b></p> <p><i>(Applicants may be entitled to a reduction of the supplementary search fee and the supplementary search handling fee as indicated in the PCT Fee Tables (<a href="http://www.wipo.int/pct/en/fees.pdf">http://www.wipo.int/pct/en/fees.pdf</a>))</i></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">1. SUPPLEMENTARY SEARCH FEE . . . . .</td> <td style="border: 1px solid black; width: 10%;"></td> <td style="border: 1px solid black; width: 10%; text-align: center;">SS</td> </tr> <tr> <td>2. SUPPLEMENTARY SEARCH HANDLING FEE . . . . .</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black; text-align: center;">SH</td> </tr> <tr> <td>3. TOTAL OF PRESCRIBED FEES . . . . .</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> </tr> <tr> <td></td> <td colspan="2" style="border: 1px solid black; text-align: center;">TOTAL</td> </tr> </table>		1. SUPPLEMENTARY SEARCH FEE . . . . .		SS	2. SUPPLEMENTARY SEARCH HANDLING FEE . . . . .		SH	3. TOTAL OF PRESCRIBED FEES . . . . .				TOTAL	
1. SUPPLEMENTARY SEARCH FEE . . . . .			SS										
2. SUPPLEMENTARY SEARCH HANDLING FEE . . . . .		SH											
3. TOTAL OF PRESCRIBED FEES . . . . .													
	TOTAL												
<p><b>MODE OF PAYMENT</b></p> <p><input type="checkbox"/> credit card <i>(details should not be included on this sheet)</i> e-mail address for E-payment: _____ <i>(Leave blank if address is same as that indicated in Box No. II or III)</i></p> <p><input type="checkbox"/> authorization to charge deposit or current account with the International Bureau (see below)</p> <p><input type="checkbox"/> bank transfer</p> <p><input type="checkbox"/> postal money order</p> <p><input type="checkbox"/> check</p>													
<p><b>AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT OR CURRENT ACCOUNT WITH INTERNATIONAL BUREAU</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Authorization to charge the total fees indicated above.   <input type="checkbox"/> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.                 </td> <td style="width: 50%; vertical-align: top;">                     Deposit or Current Account No.: _____                       Date: _____                       Name: _____                       Signature: _____                 </td> </tr> </table>		<input type="checkbox"/> Authorization to charge the total fees indicated above.  <input type="checkbox"/> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	Deposit or Current Account No.: _____  Date: _____  Name: _____  Signature: _____										
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**NOTES TO THE FEE CALCULATION SHEET  
(ANNEX TO FORM PCT/IB/375)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the supplementary search request. This will help the International Bureau to verify the calculations and to identify any error in them.

**CALCULATION OF PRESCRIBED FEES**

Two fees must be paid for supplementary international search:

- (i) the supplementary search fee for the benefit of the Authority specified for supplementary search (Rule 45bis.3);
- (ii) the supplementary search handling fee for the benefit of the International Bureau (Rule 45bis.2).

Both fees must be paid to the International Bureau within one month from the date on which the request for supplementary search was received. Payments of the fees can only be accepted in Swiss francs. The amount payable shall be the amount applicable on the date of payment.

Information as to the amount of those fees can be obtained from the International Bureau. This information is also published in the *PCT Applicant's Guide*, Annex SISA, the *PCT Newsletter* and in *Official Notices (PCT Gazette)*.

**Box SS:** The amount of the supplementary search fee must be entered in Box SS.

**Box SH:** The amount of the supplementary search handling fee must be entered in Box SH.

**Reductions:** Some Offices have different supplementary search fees, depending upon the documentation to be searched, which are indicated in the PCT Fee Tables (<http://www.wipo.int/pct/en/fees.pdf>) and the relevant Annex SISA of the *PCT Applicant's Guide*. If reduced fees apply, the reduced amount should be indicated in the fee calculation sheet. Applicants may also be entitled to a reduction to the supplementary search handling fee, which is explained further below.

**Reduction of the supplementary search handling fee for applicants from certain States:** An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the supplementary search handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the supplementary search handling fee will be

automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the supplementary search request.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 90% of certain PCT fees, including the supplementary search handling fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see <http://www.wipo.int/pct/en/>), and is also published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

**Calculation of the supplementary search handling fee in case of fee reduction:** Where the applicant is (or all applicants are) entitled to a reduction of the supplementary search handling fee, the total to be entered in Box SH is 10% of the supplementary search handling fee.

**Total Box** (item 3): the total of the amounts inserted in Boxes SS and SH is the amount which must be paid to the International Bureau.

**MODE OF PAYMENT**

In order to help the International Bureau identify the mode of payment of the prescribed fees, it is recommended to mark the applicable check-box(es). Credit card details should not be furnished with the request for supplementary search. Applicants who choose credit card payment will be sent an e-mail with a unique link to our secure E-payment system. Where an e-mail address has been indicated, in Box No. II or III, this address will be used. If no e-mail address has been indicated or the applicant wishes to use an alternative e-mail address for the purposes of E-payment, this should be indicated here.

**AUTHORIZATION TO CHARGE (OR CREDIT)  
CURRENT ACCOUNT**

This mode of payment is only available if a current account has been opened with the International Bureau. Information on how to open such an account with the International Bureau can be found on WIPO's website: <http://www.wipo.int/pct/en/filing/account.htm>. Any current account with the receiving Office cannot be charged for the purpose of paying the supplementary search fee and the supplementary search handling fees due to the International Bureau.

The International Bureau will not charge fees to current accounts unless the current account authorization is signed and indicates the current account number.

**NOTES TO THE FEE CALCULATION SHEET  
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The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete, by entering the appropriate amounts in the boxes provided, and submit the fee calculation sheet at the time of filing of the supplementary search request. This will help the International Bureau to verify the calculations and to identify any error in them.

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**Reduction of the supplementary search handling fee for applicants from certain States:** An applicant who is a natural person and who is a national of and resides in a State that is listed as being a State whose per capita gross domestic product is below US\$ 25,000 (according to the most recent ten year average per capita gross domestic product figures at constant 2005 US\$ values published by the United Nations), and whose nationals and residents who are natural persons have filed less than 10 international applications per year (per million population) or less than 50 international applications per year (in absolute numbers) according to the most recent 5-year average yearly filing figures published by the International Bureau; or an applicant, whether a natural person or not, who is a national of and resides in a State that is listed as being classified by the United Nations as a least developed country, is entitled, in accordance with the Schedule of Fees, to a reduction of 90% of certain PCT fees including the supplementary search handling fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the supplementary search handling fee will be

automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Box No. II of the supplementary search request.

The fee reduction will be available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

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**PATENT COOPERATION TREATY**

**PCT**

NOTIFICATION THAT SUPPLEMENTARY  
SEARCH REQUEST IS CONSIDERED NOT  
TO HAVE BEEN SUBMITTED

(PCT Rules 45bis.1(e) and 45bis.4(d))

From the INTERNATIONAL BUREAU

To:
-----

Date of mailing (day/month/year)	
Applicant's or agent's file reference	<b>IMPORTANT NOTIFICATION</b>
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby notified in respect of **the supplementary international search to be carried out by \_\_\_\_\_** that the supplementary search request is **declared by the International Bureau not to have been submitted** for the reason(s) indicated below:

a.  The supplementary search request was **received** by the International Bureau **after the expiration of 19 months** from the priority date (Rule 45bis.1(e)(i)).

b.  The **Authority specified** for supplementary search **has not stated**, in the applicable agreement under Article 16(3)(b), **its preparedness to carry out supplementary international searches** (Rule 45bis.1(e)(ii)) (*specify*):

c.  The **Authority specified** for supplementary search **is not competent** to carry out a supplementary international search for this international application because it is the Authority carrying out the international search under Article 16(1) (Rule 45bis.1(e)(ii)).

d.  **Failure to correct certain defects:** An invitation (Form PCT/IB/378) to correct defects in the supplementary search request was mailed by the International Bureau on \_\_\_\_\_  
However,  no corrections and/or the translation, in response to that invitation, have been received within the prescribed time limit.  
 the applicant's corrections as submitted do not properly correct the defects noted under item(s) \_\_\_\_\_ in that invitation.

e.  **Failure to pay prescribed fees:** An invitation (Form PCT/IB/377) to pay the prescribed fees was mailed by the International Bureau on \_\_\_\_\_  
However, within the time limit referred to in that invitation:  
 no fees have been paid  
 the amounts paid are not sufficient to cover the supplementary search handling fee, the supplementary search fee and the late payment fee.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer
Facsimile No. +41 22 338 82 70	Telephone No. +41 22 338 XX XX

**PATENT COOPERATION TREATY**

**PCT**

NOTIFICATION THAT SUPPLEMENTARY  
SEARCH REQUEST IS CONSIDERED NOT  
TO HAVE BEEN SUBMITTED

(PCT Rules 45bis.1(e) and 45bis.4(d))

From the INTERNATIONAL BUREAU

To:
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Date of mailing (day/month/year)	
Applicant's or agent's file reference	<b>IMPORTANT NOTIFICATION</b>
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby notified in respect of **the supplementary international search to be carried out by \_\_\_\_\_** that the supplementary search request is **declared by the International Bureau not to have been submitted** for the reason(s) indicated below:

a.  The supplementary search request was **received** by the International Bureau **after the expiration of 22 months** from the priority date (Rule 45bis.1(e)(i)).

b.  The **Authority specified** for supplementary search **has not stated**, in the applicable agreement under Article 16(3)(b), **its preparedness to carry out supplementary international searches** (Rule 45bis.1(e)(ii)) (*specify*):

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d.  **Failure to correct certain defects:** An invitation (Form PCT/IB/378) to correct defects in the supplementary search request was mailed by the International Bureau on \_\_\_\_\_  
However,  no corrections and/or the translation, in response to that invitation, have been received within the prescribed time limit.  
 the applicant's corrections as submitted do not properly correct the defects noted under item(s) \_\_\_\_\_ in that invitation.

e.  **Failure to pay prescribed fees:** An invitation (Form PCT/IB/377) to pay the prescribed fees was mailed by the International Bureau on \_\_\_\_\_  
However, within the time limit referred to in that invitation:  
 no fees have been paid  
 the amounts paid are not sufficient to cover the supplementary search handling fee, the supplementary search fee and the late payment fee.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer
Facsimile No. +41 22 338 82 70	Telephone No. +41 22 338 XX XX

**PATENT COOPERATION TREATY**

From the INTERNATIONAL SEARCHING AUTHORITY

**PCT**

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b> See paragraphs 1 and 4 below
International application No.	International filing date (day/month/year)
Applicant	

1.  The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.  
**Filing of amendments and statement under Article 19:**  
The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):  
**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.  
**How?** Directly to the International Bureau of WIPO preferably through ePCT or on paper to, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70  
**For more detailed instructions**, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 – 9.011.

2.  The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3.  **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:  
 the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.  
 no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**  
The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.  
Shortly after the expiration of **18 months from the priority date**, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).  
Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see [www.wipo.int/pct/en/texts/time\\_limits.html](http://www.wipo.int/pct/en/texts/time_limits.html) and the *PCT Applicant's Guide*, National Chapters.  
Within **19 months from the priority date**, the applicant may request that a **supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45bis.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.



**PATENT COOPERATION TREATY**

From the INTERNATIONAL SEARCHING AUTHORITY

**PCT**

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b> See paragraphs 1 and 4 below
International application No.	International filing date (day/month/year)
Applicant	

1.  The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.  
**Filing of amendments and statement under Article 19:**  
 The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):  
**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.  
**How?** Directly to the International Bureau of WIPO preferably through ePCT or on paper to, 34 chemin des Colombettes  
 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70  
**For more detailed instructions**, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 – 9.011.

2.  The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3.  **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:  
 the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.  
 no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**  
 The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.  
 Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).  
 Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see [www.wipo.int/pct/en/texts/time\\_limits.html](http://www.wipo.int/pct/en/texts/time_limits.html) and the *PCT Applicant's Guide*, National Chapters.  
 Within **22 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45bis.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

PCT

NOTICE OF WITHDRAWAL  
(PCT Rules 90bis.1, 90bis.2,  
90bis.3, 90bis.3bis and 90bis.4)

To:

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20  
Switzerland

Facsimile ~~No~~: +41 22 338 82 70

Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
Applicant	Priority date (day/month/year)

The applicant hereby **withdraws**:

- the **international application** identified above (Rule 90bis.1) (where the international application is withdrawn, the international processing of the international application will be discontinued (Rule 90bis.6(b)):
  - the withdrawal is made conditional on it being received by the International Bureau in time to prevent international publication
- the **designations** specified below (Rule 90bis.2) (withdrawal of **all** designated States will be treated as withdrawal of the international application under Rule 90bis.1. In such a case, the check-box "the international application" should preferably be marked instead):
  - the following designation(s):
  
  - all designations except:
- the **priority claim(s)** specified below (Rule 90bis.3) (if multiple priorities have been claimed, this notice relates to the following priority claim(s)) (withdrawal of the earliest priority claim will result in the re-calculation of time limits which have not already expired (Rule 90bis.3(d))):
  - the withdrawal is made conditional on it being received by the International Bureau in time to prevent international publication
- the **demand** (Rule 90bis.4) (where the demand is withdrawn, the processing of the international application by the International Preliminary Examining Authority will be discontinued (Rule 90bis.6(c)))
- the **election(s)** specified below (Rule 90bis.4) (where **all** elections are withdrawn, the processing of the international application by the International Preliminary Examining Authority will be discontinued (Rule 90bis.6(c)). In such a case, the check-box "the demand" should preferably be marked instead):
- the **supplementary search request** (Rule 90bis.3bis) (where the supplementary search request is withdrawn, the processing of the international application by the Authority(ies) specified for supplementary search will be discontinued (Rule 90bis.6(b-bis))  
\_\_\_\_\_ (indicate the Authority specified for supplementary search)

**ATTENTION** Under Rule 90bis.6(a), withdrawal of the international application, of any designation, of any priority claim, of the demand or of any election under Rule 90bis will have no effect in any designated or elected Office where the processing or examination of the international application has already started under Article 23(2) or 40(2).

**Signature of applicant(s), agent or common representative** (in order for the withdrawal to be effective, the notice of withdrawal must be signed by (all) the applicant(s), their appointed agent or appointed common representative. Where one of the applicants is considered to be the common representative under Rule 90.2(b), all applicants must sign (see Rule 90bis.5)).

Date:

PATENT COOPERATION TREATY

PCT

NOTICE OF WITHDRAWAL  
(PCT Rules 90bis.1, 90bis.2,  
90bis.3, 90bis.3bis and 90bis.4)

To:

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20  
Switzerland

Preferably through ePCT  
or by facsimile: +41 22 338 82 70

Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
Applicant	Priority date (day/month/year)

The applicant hereby **withdraws**:

- the **international application** identified above (Rule 90bis.1) (*where the international application is withdrawn, the international processing of the international application will be discontinued (Rule 90bis.6(b))*):
  - the withdrawal is made conditional on it being received by the International Bureau in time to prevent international publication
- the **designations** specified below (Rule 90bis.2) (*withdrawal of all designated States will be treated as withdrawal of the international application under Rule 90bis.1. In such a case, the check-box "the international application" should preferably be marked instead*):
  - the following designation(s):
  
  - all designations except:
- the **priority claim(s)** specified below (Rule 90bis.3) (*if multiple priorities have been claimed, this notice relates to the following priority claim(s) (withdrawal of the earliest priority claim will result in the re-calculation of time limits which have not already expired (Rule 90bis.3(d)))*):
  - the withdrawal is made conditional on it being received by the International Bureau in time to prevent international publication
- the **demand** (Rule 90bis.4) (*where the demand is withdrawn, the processing of the international application by the International Preliminary Examining Authority will be discontinued (Rule 90bis.6(c))*)
- the **election(s)** specified below (Rule 90bis.4) (*where all elections are withdrawn, the processing of the international application by the International Preliminary Examining Authority will be discontinued (Rule 90bis.6(c)). In such a case, the check-box "the demand" should preferably be marked instead*):
- the **supplementary search request** (Rule 90bis.3bis) (*where the supplementary search request is withdrawn, the processing of the international application by the Authority(ies) specified for supplementary search will be discontinued (Rule 90bis.6(b-bis))*)  
\_\_\_\_\_ (*indicate the Authority specified for supplementary search*)

**ATTENTION** Under Rule 90bis.6(a), withdrawal of the international application, of any designation, of any priority claim, of the demand or of any election under Rule 90bis will have no effect in any designated or elected Office where the processing or examination of the international application has already started under Article 23(2) or 40(2).

**Signature of applicant(s), agent or common representative** (*in order for the withdrawal to be effective, the notice of withdrawal must be signed by (all) the applicant(s), their appointed agent or appointed common representative. Where one of the applicants is considered to be the common representative under Rule 90.2(b), all applicants must sign (see Rule 90bis.5).*)

Date:

## PROPOSED AMENDMENTS TO THE RECEIVING OFFICE GUIDELINES

**Reference to ~~Continuation or Continuation-in-Part, or~~ Parent Application or Grant**

116. If, for purposes of national processing, the applicant intends to make an indication under Rule 49*bis*.1(a) or (b) of the wish that the international application be treated, in any designated State, as an application for a patent of addition, certificate of addition, inventor's certificate of addition or utility certificate of addition ~~under Rule 49*bis*.1(c)~~ (Rule 4.11(a)(i)), or the applicant intends to make an indication under Rule 49*bis*.1(d) of the wish that the international application be treated, as an application for a continuation or a continuation-in-part of an earlier application (Rule 4.11(a)(ii)), the request shall so indicate under item 2 or 3 in the supplemental box and shall, ~~as the case may be, identify the application in respect of which the earlier search was made or otherwise identify the search, or~~ indicate the relevant parent application or parent patent or other parent grant. The inclusion in the request of such an indication shall, ~~with respect to the international phase, only serve the purpose of international search and has~~ have no effect on the all inclusive designation for every kind of protection available under Rule 4.9(a).

**Reference to Earlier Search**

116A. **Reference to Earlier Search.** Where the applicant wishes the International Searching Authority to base the international search report wholly or in part on the results of an earlier international search, international-type search or national search carried out either by the same International Searching Authority, by another International Searching Authority or by a national (regional) Office, the corresponding indications must be made in Box No. VII(i) of the request (Rule 4.12).

116B. Where the applicant has requested the International Searching Authority to take into consideration the results of an earlier search, the receiving Office checks in general whether the applicant has either submitted the results of the earlier search together with the international application or else requested either the receiving Office or the International Searching Authority to retrieve them. This check by the receiving Office is however not necessary where the earlier search referred to was conducted either by the same International Searching Authority or by the same Office acting as International Searching Authority since, under Rule 12*bis*.1(~~dc~~), the submission of the results of the earlier search result is not required in such cases. If the applicant nevertheless checked any boxes in Box No. VII(i), other than the one requesting the International Searching Authority ISA to take into account the results of an earlier search(~~es~~), the receiving Office should correct such indications *ex officio*. The receiving Office also checks whether the document(s) correspond to the indications made in Box No. VII(i) of the request and whether the data indicated in Box No. VII(i) is complete and appears to be correct. Furthermore, where the applicant has requested the receiving Office, under Rule 12*bis*.1(~~eb~~), to prepare and transmit the results of the earlier search to the International Searching Authority, the receiving Office checks whether the earlier search referred to has been completed and, where applicable, whether the fee referred to in Rule 12*bis*.1(~~eb~~) has been paid.

116C. Where the indications in Box No. VII(i) and the results of the earlier search submitted comply with the requirements mentioned in paragraph 116B, the receiving Office, as applicable, transmits, or prepares and transmits, or retrieves where they are available in a form and manner acceptable to that Office and transmits, the results of the earlier search(~~es~~) together with the search copy to the International Searching Authority ~~(see Section 337)~~. If not already included in the copy of the earlier search results, the receiving Office also transmits to the International Searching Authority, together with the search copy, a copy of the results of any classification effected by that Office, if already available (Rule 23*bis*.1(b)). Where the applicant has furnished any other document in connection with the request under

Rule 12bis.1(a) together with the international application, the receiving Office either informs the applicant that such documents should be submitted directly to the International Searching Authority or, at its choice, transmits those documents to the International Searching Authority.

116D. ***Incomplete or incorrect indications, or missing or inconsistent earlier search results.*** Where the receiving Office has found that the indications made in Box No. VII(i) are incomplete, do not correspond to the earlier search results submitted or seem otherwise incorrect, the receiving Office may proceed as outlined in paragraphs 161 to 165 (“*Ex officio* Corrections”) or refer the applicant to Rule 91.1. The sending of the search copy to the International Searching Authority should, however, not be delayed by any such ongoing proceedings. Where any such incomplete or incorrect indications in Box No. VII(i) cannot be resolved as an *ex officio* correction and/or under Rule 91.1, or where the applicant has failed to submit the results of the earlier search(es) together with the international application under Rule 12bis.1(a) or where the receiving Office could not prepare and transmit a copy of the results of the earlier search(es) under Rules 12bis.1(eb) and 23bis.2(b), the receiving Office should inform the applicant (Form PCT/RO/132) that his request for the International Searching Authority to take into account the results of an earlier search could not be acted upon and/or be forwarded to the International Searching Authority. A copy of this notification should be sent to the International Bureau and the International Searching Authority. Where the indications in Box No. VII(i) do not seem to correspond to the earlier search results submitted by the applicant under Rule 12bis.1(a), and even if such inconsistencies could not be resolved, the receiving Office should nevertheless transmit the earlier search results to the International Searching Authority.

116E. ***Authorization to transmit earlier search and classification results by the receiving Office.*** Where the international application claims the priority of one or more earlier applications filed with the same Office as that which is acting as the receiving Office, that Office carried out an earlier search in respect of the given priority claim(s), and unless that application is an international application which has not been published or communicated to the designated Offices, the receiving Office shall transmit a copy of the results of the earlier search to the International Searching Authority (Rule 23bis.1(a)). This obligation exists despite the applicant not having requested the International Searching to take into consideration the results of an earlier search carried out either by the same or another International Searching Authority or by a national (regional) Office under Rule 4.12. Exceptions apply where the applicant has requested the receiving Office not to transmit the results of an earlier search to the International Searching Authority and where the receiving Office allows for this possibility (Rule 23bis.2(b)); or where the national law applied by the receiving Office is not compatible with that obligation, thereby preventing the receiving Office from transmitting the results of any earlier search and classification unless such transmittal is authorized by the applicant (Rule 23bis.2(e)). Box No. VII(ii) in the request form allows applicants to request the non-transmittal of the results of earlier searches where Rule 23bis.2(b) applies or to authorize the receiving Office to transmit such results where Rule 23bis.2(e) applies (including cases where the earlier application is an unpublished and/or non-communicated international application). Where the applicant has checked the first box in Box No. VII(ii) (Rule 23bis.2(b)) but the receiving Office has not notified the International Bureau under Rule 23bis.2(b) or has subsequently withdrawn such notification of incompatibility, the receiving Office should correct the indication *ex officio*. Where the applicant has checked the second box in Box No. VII(ii) (Rule 23bis.2(e)) but either (i) the receiving Office has not notified the International Bureau under Rule 23bis.2(e) or has subsequently withdrawn such notification of incompatibility, or (ii) the earlier application for which the earlier search was carried out is not an unpublished and/or non-communicated international application, the receiving Office should correct the indication *ex officio*.

~~116E. **Informal Comments on Earlier Search Results.** Where the applicant has indicated in the request that he submits informal comments on earlier search results together with the international application<sup>5</sup>, the receiving Office checks whether the applicant in fact submitted informal comments on earlier search results and transmits a copy of any such comments to the International Searching Authority and the International Bureau, together with the search copy and the record copy respectively.~~

~~[and consecutive renumbering of paragraphs 116F, 116G and 116H instead of ~~116E, 116F and 116G~~]~~

### Requirements for Priority Claims

166. If the request contains (Box No. VI of the request form) a priority claim, the receiving Office checks whether the priority claim is valid, as outlined below.

(a) The earlier application must have been filed either in or for a country which is party to the Paris Convention for the Protection of Industrial Property ("Paris Convention"), or in or for any Member of the World Trade Organization that is not party to the Paris Convention (Article 8(1) and Rule 4.10).<sup>6</sup>

### Incorporation by Reference Cannot Replace Elements/Parts of the International Application as Originally Filed

205F. The description, the set of claims and/or the set of drawings as contained in the earlier application which are to be incorporated by reference after a positive determination (see paragraph 205C) cannot replace the description, the set of claims and/or the set of drawings already contained in the international application as filed. Rather, and subject to paragraph 205G, the description, the set of claims and/or the set of drawings to be incorporated by reference should be combined with the description, the set of claims and/or the set of drawings contained in the international application as filed and should be checked for compliance with the physical requirements referred to in Rule 11 to the extent that compliance is necessary for the purpose of reasonably uniform international publication (Rule 26.3(b)(ii)), including image scanning and OCR by the International Bureau. The receiving Office should invite the applicant to order the pages of the combined international application in the following manner (alternatively, if at all feasible and if the Office so wishes, the receiving Office may so order the pages of the combined international application by way of an *ex officio* correction):

Example 1: the international application contains what is or appears to be a complete description, a complete set of claims and a complete set of drawings; the applicant requests the incorporation by reference of the drawings as contained in the earlier application; the receiving Office makes a positive finding (paragraph 205C) and orders the pages of the combined international application as follows:

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<sup>5</sup> ~~For filings on paper, the relevant indications should be made in Box No. IX of the request, sub-box "Other" indicating "Comments on earlier search results for transmittal to the ISA" or similar appropriate wording, e.g. "PCT Direct / informal comments". For filings in electronic form, specific instructions are provided by each receiving Office.~~

<sup>6</sup> ~~Rule 4.10(a) and (b) as amended with effect from January 1, 2000, does not apply in respect of the European Patent Office as this Office has informed the International Bureau of incompatibility of Rule 4.10(a) and (b) with the national law applied by that Office, as provided by paragraph (d) of that Rule. Paragraphs (a) and (b) as in force until December 31, 1999, continue to apply after that date in respect of that Office for as long as those paragraphs as amended continue not to be compatible with the applicable national law. Information received by the International Bureau concerning any such incompatibility is published in the Official Notices (PCT Gazette).~~



Description as originally filed

Set of claims as originally filed

Drawings incorporated from earlier application

Drawings as originally filed

**Incorporation by Reference of “Missing Parts” Where International Application Already Contains What Is or Appears to Be Complete Description and Set of Claims**

205G. Where an international application already contains what is or appears to be a complete description and a complete set of claims and where the applicant requests the incorporation by reference of the description and/or the set of claims as contained in an earlier application, the receiving Office may, at the Office’s option, either:

(a) where it finds that all the requirements of Rules 4.18 and 20.6(a) have been complied with, proceed as outlined under paragraphs 205C and 205G and add the indication “Incorporation by Reference of Missing Parts — Positive Finding (Receiving Office Guidelines, paragraph 205G(a))” in the check box “Additional comments” of the Annex to Form PCT/RO/114; in this case, the description and/or the set of claims as contained in the earlier application is incorporated by reference, the sheets incorporated by reference are placed first, sequentially followed by the pages which were originally filed, as set out in the following examples.

Example 2: the international application contains what is or appears to be a complete description and a complete set of claims; the applicant requests the incorporation by reference of the entire description as contained in the earlier application; the receiving Office makes a positive finding (paragraph 205G(a)) and orders the pages of the combined international application as follows:

Description incorporated from earlier application

Description as originally filed

Set of claims as originally filed

Drawings as originally filed

Example 3: the international application contains what is or appears to be a complete description and a complete set of claims; the applicant requests the incorporation by reference of the entire description and the entire set of claims as contained in the earlier application; the receiving Office makes a positive finding (paragraph 205G(a)) and orders the pages of the combined international application as follows:

Description incorporated from earlier application

Description as originally filed

Set of claims incorporated from earlier application

Set of claims as originally filed

Drawings as originally filed

or;

(b) consider that the description and the set of claims as contained in the earlier application do not constitute “missing parts” within the meaning of Rule 20.5 on the grounds that the international application already contained what was or appeared to be a complete description and a complete set of claims and that the description and the set of claims as contained in the earlier application were thus not missing from the international application, in which case the Office should proceed as outlined in paragraph 205D and add the indication “Incorporation by Reference of Missing Parts — Negative Finding (Receiving Office



Guidelines, paragraph 205G(b))” in the check box “Additional comments” of the Annex to Form PCT/RO/114. Alternatively, the receiving Office may, instead of proceeding to a negative finding under paragraph 205D for the reasons set out above, decide to transmit the international application to the International Bureau in accordance with Rule 19.4(a)(iii) (see paragraphs 278 to 281).

~~205F. Where the applicant wishes to completely replace an element or all elements of an international application as originally filed with different elements through incorporation by reference of missing parts, the receiving Office may only add any elements of the international application as missing parts but may not perform a substitution of the international application as filed with the subsequently furnished missing parts. The description, claims or drawings from the earlier application, which are to be incorporated by reference, cannot replace the description, claims or drawings of the international application as filed. The parts to be incorporated by reference (Rule 20.5) should be combined with the elements of the international application originally submitted and should be checked for compliance with the physical requirements referred to in Rule 11 to the extent that compliance is necessary for the purpose of reasonably uniform international publication (Rule 26.3(b)(ii)), including image scanning and OCR by the International Bureau. The receiving Office should invite the applicant to, or, if at all feasible and if the Office so wishes, by way of an *ex officio* correction, order the pages of the combined international application in such a manner that the sheets incorporated by reference are placed first, sequentially followed by the pages which were originally filed such as in the following example:~~

~~Description incorporated from earlier application~~

~~Description as originally filed~~

~~Claims incorporated from earlier application~~

~~Claims as originally filed~~

~~Drawings incorporated from earlier application~~

~~Drawings as originally filed~~

[End of Annex III]

PROPOSED MODIFICATIONS  
TO THE PCT INTERNATIONAL SEARCH AND EXAMINING GUIDELINES

**Supplementary International Searches**

*Rule 45bis*

2.20 International Searching Authorities may offer supplementary international searches as an optional additional service for applicants. Such searches are intended as a complement to the main international search, recognizing the fact that no search can be completely exhaustive. A supplementary search may be particularly relevant where the Authority conducting it has language specialization that is not available in the Authority conducting the main international search. The applicant can request a supplementary search from any Authority which offers the service (except the Authority conducting the main search) at any time before ~~19–22~~ months from the priority date. More than one supplementary search may be requested from different Authorities offering the service.

**Multiple Dependent Claims**

*Article 17(2)(b), 34(4)(b); Rule 6.4(a)*

9.41 Rule 6.4(a) provides that any dependent claim which refers to more than one other claim (“multiple dependent claim”) shall refer to such claims in the alternative only and multiple dependent claims shall not serve as a basis for any other multiple dependent claim. Where an international application contains multiple dependent claims drafted in a different manner ~~different from that provided for in Rule 6.4(a), second and third sentences, the International Searching Authority may make an indication under Article 17(2)(b). Such an indication, however, is only made if and to the extent to which a meaningful search is not possible. The latter applies also in the case where~~ and the national law of the Office acting as International Searching Authority does not allow multiple dependent claims to be drafted in the said different manner, the International Searching Authority may make an indication under Article 17(2)(b). Such an indication, however, should only be made if and to the extent to which a meaningful search is not possible. Such a case is also noted in the written opinion, and it will of course only be possible to establish a written opinion or international preliminary examination report on novelty and inventive step to the extent that the claims have in fact been searched.

9.41A It should be noted that an independent claim may also contain a reference to another claim (see paragraph 5.19). Where an independent claim contains a reference to more than one other claim and serves as a basis for a multiple dependent claim, the International Searching Authority may also make an indication under Article 17(2)(b) if the national law of its Office does not allow multiple dependent claims to be drafted in this manner. Such an indication, however, should only be made if and to the extent to which a meaningful search is not possible. In such a case, it is also noted in the written opinion.

9.41B In deciding whether a claim is a multiple dependent claim or not, the examiner should not consider only the form of the claim itself, but also the claims referred to in the said claim. Any dependent claim referring to a multiple claim (either dependent or independent) shall be considered as a multiple dependent claim, and as such, shall not serve as a basis for any other multiple dependent claim.

*Rules 4.12, 12bis*

15.15 The applicant may request the International Searching Authority to take into account the results of an earlier search carried out by that or another International Searching Authority Office or by another national (regional) Office. In this case, either a copy of the results of the earlier search, in whatever form ~~report (or other document listing cited prior art~~ will be sent by the receiving Office with the search copy, or else the receiving Office or the

International Searching Authority will be requested to retrieve a copy for itself where either it prepared the earlier search report itself, or else has access to it in a form and manner acceptable to it, for example from a digital library.

*Rules 16.3 and 41.1*

15.17 Where the earlier search which the applicant requests to be taken into account was carried out by the same International Authority, or by the same Office which is acting as an International Searching Authority, that Authority must, to the extent possible, take the results into account in establishing the international search report and written opinion. ~~“Taking the results into account” in this context means finding a real benefit in those results to the extent that the earlier search may be considered to stand in place of at least a part of the international search. In any case, the examiner should consider the fields of search and cited documents in order to determine their relevance and whether they offer assistance in determining appropriate databases, classifications or terms of art in order to improve the quality of the international search.~~

15.17A Where the earlier search was carried out by another International Searching Authority, or by an Office other than that which is acting as the International Searching Authority, the Authority may take the results into account. “Taking the results into account” in this context means finding a real benefit in those results to the extent that the earlier search may be considered to stand in place of at least a part of the international search. In any case, the examiner should consider the fields of search and cited documents in order to determine their relevance and whether they offer assistance in determining appropriate databases, classifications or terms of art in order to improve the quality of the international search.

*Rules 16.3, 23bis(2) and 41.2*

15.17B Where the international application claims the priority of one or more earlier applications in respect of which an earlier search has been carried out by the same International Searching Authority, or by the same Office as that which is acting as the International Searching Authority, even where the applicant has not requested the International Searching Authority to take such results into account, that Authority must, to the extent possible, take those results into account in establishing the international search report and written opinion (Rule 41.2(a)).

15.17C Where the international application claims the priority of one or more earlier applications filed with the same Office as that which is acting as the receiving Office and that Office has carried out an earlier search in respect of such an earlier application, or has classified such earlier application and, pursuant to Rule 23bis.2(a) or (b), that receiving Office has transmitted to the International Searching Authority a copy of any earlier search or classification results, or where a copy of such results or classification is already available to the International Searching Authority, in a form and manner acceptable to it, that Authority may take those results into account in establishing the international search report and written opinion (Rule 41.2(b)).

*Rule 43.5(e-b) to (e); Section 507(g)*

15.69 To avoid increasing costs unnecessarily, the examiner should not cite more documents than ~~is~~are necessary, and therefore when there are several documents of equal relevance, the international search report should not normally cite more than one of them. When more than one member of the same patent family is present in a search file, the examiner, in selecting from these documents for citation, should pay regard to language convenience, and preferably cite (or at least note) documents in the language of the international application. Also, due regard should be paid to the possible need of the designated Offices to translate cited documents. Therefore, the examiner should, whenever

possible, identify precisely the part or passage of a cited document which is relevant by, for example, indicating also the page and paragraph or lines where the relevant passage appears. [Where the cited document is a patent document in a language other than English and another member of the same patent family is available in English, the examiner should preferably also indicate the corresponding part or passage of the English member of the patent family.](#)

#### *Requesting Supplementary International Search*

*Rules 45bis.1, 45bis.4*

15.78 If the applicant wishes a supplementary international search to be carried out, he must submit a request to the International Bureau within ~~19~~22 months from the priority date and pay the relevant fees within one month of submitting the request. It is expected that a request for supplementary international search will usually only be made after the applicant has seen and considered the main international search report, but this is not a requirement.

16.64 Some general points to note are:

*Rule 33.1*

(a) Documents selected for citation should be the prior art that is closest to the applicant's invention. The duplication of teachings by way of citation of multiple documents showing the same inventive elements should be kept to a minimum (see paragraphs 15.67 and 15.69).

(b) When citing a document, the examiner should clearly indicate which portions and specific pages of the document are most relevant (see paragraph 15.69). [Where the cited document is a patent document in a language other than English and another member of the same patent family is available in English, the examiner should preferably also indicate the corresponding part or passage of the English member of the patent family. In doing so, the examiner should not cite the English member as a separate document, but briefly mention it and indicate the relevant part or passage of that English member in the place following the indications of specific part or passage of the cited document.](#)

(c) In the case of supplementary international searches, the examiner need not include in the report the citation of any document cited in the international search report, except where the document needs to be cited in conjunction with other documents that were not cited in the international search report. Noting that the supplementary search is intended to supplement the main international search rather than to make a reassessment, inclusion of such citations and reassessment of their relevance should be avoided. Usually, the reason for including such a citation is where it is necessary to cite the document as category "Y" (see paragraph 16.68) to indicate a lack of inventive step when the disclosure of the document is taken together with that of a newly discovered citation, further to any lack of inventive step indicated in the main international search report. Nevertheless, recitation of a document may also be appropriate where the main international search report has clearly failed to recognize the extent of a document's relevance, for example because the first examiner was relying on an abstract or machine translation because he did not understand the original language of the document.

– *Potentially conflicting patent documents*

*Section 507(b)*

16.73 Any patent document bearing a filing or priority date earlier than the filing date of the application searched but published on or after the international filing date and the content of which would constitute prior art relevant to novelty (Article 33(2)) is indicated by the letter "E" (see Section 507(b) and Rule 33.1(c)). An exception is made for patent documents based on the priority under consideration. [For the benefit of Contracting States whose national laws allow the combination of documents that are indicated by the letter "E" to be](#)

cited for inventive step purposes, category “E” should be accompanied by one of the categories “X”, “Y”, or “A”.

16.78A Identification of an article published in a periodical or other serial publication should be made according to WIPO Standard ST.14 by the inclusion of the following:

(i) the name of the author (in capital letters). In case of multiple authors, preferably, all names should be entered, alternatively the name of the first author should be entered followed by “et al.”;

(ii) the title of the article (where appropriate, abbreviated or truncated) in the periodical or other serial publication;

(iii) the title of the periodical or other serial publication (abbreviations conforming to generally recognized international practice may be used);

(iv) the location within the periodical or other serial publication by indicating date of issue by four digits for the year designation, issue designation, pagination of the article (where year, month and day are available, the provisions of WIPO Standard ST.2 should be applied);

(v) if available, the standard identifier and number assigned to the item, e.g., ISBN 2-7654-0537-9, ISSN 1045-1064. It should be noted that these numbers may differ for the same title in the printed and electronic versions;

(vi) where applicable, the relevant passages of the article and/or the relevant figures of the drawings.

16.78B For non-patent literature citations in a language other than English, the original (non-English) reference should be included, wherever technically possible, followed by an official translation into English, if one exists and it is available, in round brackets. An “official translation” here means an existing rendering of the original language name or title in English coming from the same source as the citation and useful for identifying and retrieving the relevant document. In case an official translation into English is not available for some elements of the original citation, an informal translation into English for those elements may optionally be provided after all elements of any official translation. Any informal translation should be preceded by the text “non-official translation”.

16.78C Examples of identifying documents cited in the international search report in the situations described in the preceding paragraphs and in other situations are found in WIPO Standard ST.14.

*Rules 43.5(e), 70.7(b); Section 604*

17.43 Explanations should clearly indicate, with reference to the cited documents, the reasons supporting the conclusions that any of the said criteria is or is not satisfied. If only certain passages of the cited documents are relevant or particularly relevant, the examiner should identify these, for example, by indicating the page, column or the lines where such passages appear. In the case of a patent document in a language other than English, the examiner should preferably also indicate the corresponding part or passage of the English member of the patent family if such a member is available.

*[End of Annex IV and of Circular]*