

C. PCT 1507

May 2, 2017

Madam,  
Sir,

*Notification of information concerning events at the designated and elected Offices*

This Circular is addressed to your Office in its capacity as designated or elected Office under the Patent Cooperation Treaty (PCT).

Following consultation, by way of Circular C. PCT 1487, dated December 22, 2016, version 4.1 of the *Data Format Specification for the Collection of PCT National Phase Information* is hereby promulgated. This Specification sets out the means for submitting to the International Bureau information concerning events at designated and elected Offices related to international applications which have entered the national phase before the Office concerned, following the adoption by the PCT Assembly, in October 2015, of amendments to PCT Rule 95.1, which will enter into force on July 1, 2017.

Specifically, under Rule 95.1 as amended, designated and elected Offices will be required to send to the International Bureau at least the following information concerning events related to the national phase entry of international applications:

- (i) following the performance by the applicant of the acts referred to in PCT Article 22 or Article 39, the date of performance of those acts and any national application number which has been assigned to the international application;
- (ii) where the designated or elected Office explicitly publishes the international application under its national law or practice, the number and date of that national publication; and,

/...

(iii) where a patent is granted, the date of grant of the patent and, where the designated or elected Office explicitly publishes the patent granted under its national law, the number and date of that national publication.

The technical details of the specification are as proposed in Circular C. PCT 1487, but with a number of clarifications as to the appropriate use, as set out below.

*Member of Regional Organizations, Extension and Validation States*

The International Bureau has received questions regarding the necessity of transmitting PCT National Phase information to the International Bureau by members of regional organizations and States which have signed extension or validation agreements with such regional organizations. As regards international applications designating PCT Contracting States for a regional patent, the International Bureau will rely on the data provided by the regional organization before which the applicant has entered the regional phase, from the "entry" into the regional phase through to the grant of a regional patent. However, following the grant of the regional patent, the International Bureau requests that the data related to any further events at the National Office necessary for the regional granted patent to take effect in the relevant State be provided by each PCT Contracting State; information regarding the relevancy of this request to members of the relevant regional systems will be made available by the International Bureau at: <http://www.wipo.int/patentscope/en/data/index.html#ipos>.

*Clarification of the types of relevant applications in the National Phase*

Furthermore, the International Bureau has received questions regarding the necessity of transmitting PCT National Phase information for international applications which designate a PCT Contracting State for a type of protection other than a patent (such as, for example, a utility model or a petty patent). Offices should send event data for all international applications which have entered the national phase, irrespective of the type of protection which the applicant seeks to obtain from the Office based on the international application which has entered the national phase before the Office.

*Further process*

The text of the *Data Format Specification for the Collection of PCT National Phase Information* can be found at: <http://www.wipo.int/patentscope/en/data/index.html#ipos>.

The International Bureau invites your Office to provide transmission files for testing purposes from June 1, 2017, and furthermore, invites your Office to provide production transmission files as from July 1, 2017.

Implementation coordination information and any further requests for information should be sent, preferably by e-mail, to Mr. Peter Waring, Head, Technical Cooperation Section, PCT International Cooperation Division, e-mail: [pcticd@wipo.int](mailto:pcticd@wipo.int); fax: (+4122) 338 7160.

Yours sincerely,



John Sandage  
Deputy Director General