

C. PCT 1517

July 31, 2017

Madam,  
Sir,

This Circular is addressed to your Office in its capacity as a receiving Office, International Searching Authority (ISA), International Preliminary Examining Authority and/or designated/elected Office under the Patent Cooperation Treaty (PCT). It is also being sent to certain organizations which are invited to attend sessions of the PCT Working Group as observers.

*Background*

It is recalled that there is a significant number of international applications in which the length of the abstract falls outside the number of words recommended in PCT Rule 8.1(b) or where the figure selected to be published with the abstract contains a significant number of words, contrary to PCT Rule 11.11(a). Both of these issues result in increased translation and processing costs, and also raise the question of whether the abstract and drawing published on the front page of the application might often not be optimal for the purpose of effective searching.

These issues have been discussed in the two most recent sessions of the PCT Working Group (see documents PCT/WG/9/16 and PCT/WG/10/23). In particular, at its tenth session, the PCT Working Group discussed ways to ensure that published abstracts are of a suitable quality to be effective for the purpose set out in PCT Rule 8.3, taking into account the ways in which international applications are currently searched and reviewed. The discussions are summarized in paragraphs 54 to 58 of document PCT/WG/10/24.

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The PCT Working Group agreed that “the International Bureau should issue a Circular to invite further comments on drafting of abstracts to help in drafting potential modifications to the *PCT Applicant’s Guide* and International Search and Preliminary Examination Guidelines.” (see paragraph 58(a) of document PCT/WG/10/24).

#### *Guidelines and Comments Concerning Drafting of Abstracts*

Currently the main advice to applicants and examiners provided under the PCT is contained in paragraphs 5.164 to 5.172 of the *PCT Applicant’s Guide* (international phase), and paragraphs 16.33 to 16.38 of the PCT International Search and Preliminary Examination Guidelines. WIPO Standard ST.12 provides further guidance on various aspects of preparing abstracts.

Following the decision of the PCT Working Group referred to above, the International Bureau, through the present Circular, hereby invites your Office to provide further comments concerning any improvements which might be made to the guidance provided to applicants and ISA examiners for the drafting and revising of abstracts. Of particular interest would be:

- national guidelines which may offer better or more specific guidance on important aspects of abstract drafting, with a specific view to the limitation on the length of abstracts, and text matter in drawings, accompanied by an explanation of which particular aspects might be useful to consider for PCT guidance and particularly for addressing the issues concerning abstracts in international applications as noted above;
- indications of benefits which might exist for the applicant in drafting a high quality abstract, noting that the primary burden of drafting the abstract rests with the applicant and that the ISA examiner should ideally need merely to review the abstract and only correct or improve it in a minority of cases.

Replies to this Circular should be returned by September 30, 2017, preferably by e-mail to the PCT Legal Division ([pct.legal@wipo.int](mailto:pct.legal@wipo.int)). Responses received will be taken into account in preparation of possible modifications to the *PCT Applicant’s Guide* and PCT International Search and Preliminary Examination Guidelines, as well as for possible further discussions by the Meeting of International Authorities under the PCT and the PCT Working Group.

Yours sincerely,



John Sandage  
Deputy Director General