

C. PCT 1555

December 19, 2018

Madam,  
Sir,

In accordance with Rule 89.2(a) of the Regulations under the Patent Cooperation Treaty (PCT), modifications of the Administrative Instructions under the PCT (AIs), the PCT Receiving Office Guidelines (ROGLs) and the PCT International Search and Preliminary Examination Guidelines (ISPEGLs), as well as modifications of certain PCT Forms relating to the Receiving Office (RO), the International Searching Authority (ISA), the International Bureau (IB), the International Preliminary Examining Authority (IPEA) and the Authority specified for supplementary search (SISA), are hereby promulgated with effect from January 1, 2019.

The promulgation follows consultation under Rule 89.2(b) of the Regulations under the PCT with your Office in its capacity as RO, ISA, IPEA, SISA, and/or a designated or elected Office and also with certain non-governmental organizations representing users of the PCT system.

The modifications are as proposed in the following Circulars:

- Circular C. PCT 1523, dated January 8, 2018, concerning the modifications of the ISPEGLs;
- Circular C. PCT 1526, dated February 5 2018, concerning the modifications of the AIs;
- Circular C. PCT 1535, dated March 9, 2018, concerning the modifications of the AIs; and
- Circular C. PCT 1548, dated November 5, 2018, concerning the modifications of the ROGLs and two Forms,

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except where further changes have been made as a result of the consultations, as indicated below (editorial and minor drafting changes may not be specifically mentioned).

Furthermore, a number of Forms are modified consequential to the modification of Section 109 of the AIs to increase the acceptable length of the applicant's or agent's file reference to 25 characters (see Circular C. PCT 1526). Some editorial modifications of the Forms are also made. The details of the modifications are explained below.

#### *Modifications of the AIs*

Sections 109, 705*bis* and 713 are modified as proposed in Circular C. PCT 1526. As a result of the consultation, Section 102 has been further modified to provide clarity. Moreover, an Editor's Note is added to Section 102(j) to provide the hyperlink to where the stylesheets are available on the WIPO website.

A new Section 406*bis* is added as proposed in Circular C. PCT 1535.

#### *Modifications of the ROGLs*

Paragraphs 139, 149, 159, 222, 223, 225 to 227, 267, 273, 322 and 337 are modified as proposed in Circular C. PCT 1548. As a result of the consultation, paragraphs 153, 222A, and 224 are further modified for clarity. Furthermore, paragraphs 141, 290 and 307 are modified for consistency and clarity.

Paragraphs 76, 143, and 161A and the diagram between paragraphs 138 and 139 are modified consequential to the modification of Section 109 of the AIs. For the same reason, Annex B of the ROGLs is updated and the example of a typical defect in the applicant's file reference is deleted.

#### *Modifications of the ISPEGLs*

Paragraph 17.11, item (vii) is modified consequential to the modification of Section 109 of the AIs.

Chapter 21 of the ISPEGLs is modified as proposed in Circular C. PCT 1523.

#### *Modifications of certain Forms relating to the RO, ISA, IB, IPEA and SISA*

(1) Forms PCT/RO/156 and PCT/IB/370 are modified as proposed in Circular C. PCT 1548.

(2) Consequential to the modification of Section 109 of the AIs, the following Forms are modified:

PCT/RO/101, PCT/RO/106, PCT/ISA/201, PCT/ISA/203, PCT/ISA/210, PCT/IB/313, PCT/IB/373, PCT/IB/375, PCT/IPEA/401, PCT/IPEA/409, PCT/IPEA/428, PCT/SISA/502 and PCT/SISA/507.

(3) The following Forms are modified to improve the reliability of the hyperlinks contained in the respective Forms; the unnecessary reference to "http://" is deleted in the hyperlinks.

PCT/RO/101, PCT/RO/102, PCT/RO/133, PCT/IB/308, PCT/IB/311, PCT/IB/375 and PCT/IPEA/401.

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(4) The opportunity of this promulgation is also taken to make editorial changes and corrections in the following Forms:

PCT/RO/199: improvement of the wording in the last paragraph of item 1 (“papers” are replaced by “documents/elements” for consistency purposes).

PCT/ISA/237: correction of a rule reference in Box No. I, item 2 (“Rule 43*bis*.1(a)” is corrected to “Rule 43*bis*.1(b)”).

PCT/RO/130, PCT/ISA/215, PCT/ISA/220, PCT/IB/315, PCT/IB/332, PCT/IB/338, PCT/IB/367, PCT/IB/368, PCT/IB/369, PCT/IB/370 and PCT/SISA/512.

Note that some Forms are modified for multiple reasons explained above.

Offices which use languages other than English, French and Spanish are requested to prepare the Forms needed by them in such other languages with due regard to the provisions of Section 102 of the AIs. The International Bureau encourages Offices to make such translations available to the International Bureau so that they can be accessed by all Offices from the WIPO website.

*Availability of modified AIs, ROGLs, ISPEGLs and Forms*

The consolidated versions of the AIs, the ROGLs and the ISPEGLs (*as in force from January 1, 2019*) are available on the WIPO website at: [www.wipo.int/pct/en/texts/](http://www.wipo.int/pct/en/texts/).

The modified Forms are available from the WIPO website under “Forms in force from January 1, 2019” at: [www.wipo.int/pct/en/forms/](http://www.wipo.int/pct/en/forms/).

Offices which need marked-up copies and/or electronic files of the AIs, the ROGLs, the ISPEGLs or the Forms should contact the PCT Legal and User Relations Division at [pct.legal@wipo.int](mailto:pct.legal@wipo.int).

Yours sincerely,



John Sandage  
Deputy Director General