



November 7, 2006

-21.1
C.PCT 1089

Madam,
Sir,

Proposed modifications of the Administrative Instructions under the PCT and certain Forms relating to Receiving Offices, International Searching Authorities, the International Bureau and International Preliminary Examining Authorities

This Circular is addressed to your Office in its capacity as receiving Office (RO), International Searching Authority (ISA), International Preliminary Examining Authority (IPEA) and/or designated or elected Office under the Patent Cooperation Treaty (PCT) for the purpose of consultation under PCT Rule 89.2(b). It is also addressed to certain intergovernmental and non-governmental organizations representing users of the PCT system.

This Circular concerns proposed modifications to the Administrative Instructions under the PCT (AIs), and certain Forms relating to ROs, ISAs, the International Bureau (IB) and IPEAs, consequential to amendments of the Regulations under the PCT adopted by the PCT Assembly at its thirty-fourth and thirty-fifth sessions (see documents PCT/A/34/6 and PCT/A/35/7), which will enter into force on April 1, 2007.

It is recalled that these amendments of the Regulations concern, in particular, the filing of missing elements or parts of the international application, the restoration of the right of priority and the rectification of obvious mistakes.

The proposed modified Sections of the AIs, along with comments explaining the changes, are set out in Annex I of this Circular; modifications are highlighted by underlining new text and striking-out deleted text. The International Bureau also proposes a number of minor editorial changes to harmonize the terminology in the AIs with that in the PCT Regulations. These minor editorial changes are not included in the comments set out in Annex I.

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Moreover, for Sections 309 and 310 of the AIs, please note that because of the extent of the redraft, the text of the old Sections has been fully replaced. Therefore, Annex I contains only highlighted text representing a complete redraft of these Sections.

- Regarding the proposed modifications of Forms, explanations are set out in
- ./ Annex II of this Circular. The proposed modified Forms themselves are set out
 - ./ in Annex III (RO Forms), Annex IV (ISA Forms), Annex V (IB Forms) and
 - ./ Annex VI (IPEA Forms) of this Circular (Modifications are indicated by vertical lines in the right or left margin of the Form).

Comments on the proposed modifications to the AIs and Forms relating to ROs, ISAs, the IB and IPEAs

Noting that the modified AIs and Forms should be promulgated with effect from April 1, 2007, and that further consultation may be required after consideration of the comments received in response to this Circular, you are invited to provide comments, if any, to the International Bureau by December 8, 2006, preferably by fax to (+41-22) 910 00 30 or by email to pct.legal@wipo.int.

Yours sincerely,



Francis Gurry
Deputy Director General

Enclosures: Annex I – Proposed modified Sections of the AIs

Annex II – Explanations of the proposed modifications to certain RO, ISA, IB and IPEA Forms

Annex III - Forms Relating to the Receiving Office

Annex IV - Forms Relating to the International Searching Authority

Annex V - Forms Relating to the International Bureau

Annex VI - Forms Relating to the International Preliminary Examining Authority

PROPOSED MODIFIED SECTIONS OF THE ADMINISTRATIVE INSTRUCTIONS

Section 113
Special Fees Payable to the International Bureau

(a) The special publication fee provided for in Rule 48.4 shall be 200 Swiss francs.

(b) The special fee provided for in Rule 91.4~~(f)~~3(d) shall be payable to the International Bureau and shall be 50 Swiss francs plus 12 Swiss francs for each sheet in excess of one. Where that fee has not been paid ~~before~~prior to the expiration of the time limit under Rule 91.3(d)~~time of the completion of the technical preparations for international publication,~~ the request for rectification, the reasons for refusal and any further comments submitted by the applicant shall not be published. Where the last sentence of Rule 91.4~~(f)~~3(d) applies and the said fee has not been paid before the time of the communication of the international application under Article 20, a copy of the request for rectification shall not be included in that communication.

(c) The special fee provided for in Rule 26bis.2~~(e)~~(e) shall be payable to the International Bureau and shall be 50 Swiss francs plus 12 Swiss francs for each sheet in excess of one. ~~Where that fee has not been paid before the time of the completion of the technical preparations for international publication, the information concerning the priority claim which was considered not to have been made shall not be published. Where the last sentence of Rule 26bis.2(e) applies and the said fee has not been paid before the time of the communication of the international application under Article 20, a copy of the information concerning the priority claim which was considered not to have been made shall not be included in that communication.~~

[COMMENT: Rules 91.3(d) and 26bis.2(e) require the Administrative Instructions to fix the amount of the special fees payable in circumstances where the respective Rules apply, and Section 113 has been updated accordingly.]

Section 303
Deletion of Additional Matter in the Request

(a) Where, under Rule 4.18~~9~~(b), the receiving Office deletes *ex officio* any matter contained in the request, it shall do so by enclosing such matter within square brackets and entering, in the margin, the words “DELETED BY RO” or their equivalent in the language of publication of the international application, and shall notify the applicant accordingly. If copies of the international application have already been sent to the International Bureau and the International Searching Authority, the receiving Office shall also notify that Bureau and that Authority.

(b) The receiving Office shall not delete *ex officio* any indication made in declarations referred to in Rule 4.17 which are contained in the request.

[COMMENT: Consequential to the addition of new Rule 4.18 entitled “Statement of Incorporation by Reference”, former Rule 4.18 became Rule 4.19.]

Section 305ter
Identification and Transmittal of the Translation of an Earlier Application
Furnished under Rule 20.6(a)(iii)

Where a translation of an earlier application is furnished under Rule 20.6(a)(iii), the receiving Office shall mark the words “TRANSLATION OF EARLIER APPLICATION (RULE 20.6(a)(iii))” in the upper left-hand corner of the first page of the translation and, after having made a finding under Rule 20.6(b) or (c), transmit the translation to the International Bureau.

[COMMENT: Even though the Rules do not expressly provide for the sending to the International Bureau of any translation furnished by the applicant under Rule 20.6(a)(iii) (to the receiving Office), transmittal of these translations to the International Bureau would permit their inclusion in the WIPO online collection of patent documents and would make them available to designated Offices as well as the general public.]

Section 307

System of Numbering International Applications

~~(a) Papers purporting to be an international application under Rule 20.1(a) shall be marked with the allocated an international application number, consisting of the letters “PCT,” a slant, the two-letter code referred to in Section 115, indicating the receiving Office, a four-digit indication of the year in which such papers were first received, a slant and a six-digit number, allotted in sequential order corresponding to the order in which the international applications are received (e.g., “PCT/SE2004/000001”). Where the International Bureau acts as receiving Office, the two-letter code “IB” shall be used.~~

~~(b) If a negative determination is made under Rule 20.7 or a declaration is made under Article 14(4), the letters “PCT” shall be deleted by the receiving Office from the indication of the international application number on any papers marked previously with that number, and the said number shall be used without such letters in any future correspondence relating to the purported international application.~~

[COMMENT: Section 307 has been modified so as to deal distinctly with the system of numbering international applications and leave Section 308 to deal distinctly with marking of the sheets of the international application. In this context, together with the arrival of electronic information tools used during processing, the verb “to allocate” appears to more aptly describe the operation previously covered by the verb “to mark”, and is more consistent with operational procedure. Furthermore, what was formerly Section 307, paragraph (b), has been relocated to Section 308, paragraph (d).]

Section 308

Marking of the Sheets of the International Application and of the Translation Thereof

(a) Upon receipt of papers purporting to be an international application, the receiving Office shall indelibly mark the date of actual receipt on the request of each copy received.

(b) The receiving Office shall indelibly mark the international application number referred to in Section 307 in the upper right-hand corner of each sheet of each copy of the purported international application and of any translation of the international application furnished under Rules 12.3 or 12.4.

(c) If a positive determination is made under Rule 20.2, the receiving Office shall mark on the request the name of the receiving Office and the words “PCT International Application” or “Demande internationale PCT”. If the official language of the receiving Office is neither English nor French, the words “International Application” or “Demande internationale” may be accompanied by a translation of these words in the official language of the receiving Office.

(d) If a negative determination is made under Rule 20.4 or a declaration is made under Article 14(4), the letters “PCT” shall be deleted by the receiving Office from the indication of the international application number on any papers marked previously with that number, and the said number shall be used without such letters in any future correspondence relating to the purported international application.

[COMMENT: The changes to Section 308 consist in incorporating the language of deleted Rules 20.1(a) and 20.5(a). This has been done to comply with the proposal made in document PCT/A/34/2 Rev., Annex V, paragraph 26, the first sentence of which reads as follows: “It is proposed to revise the structure of Rule 20 by moving to the Administrative Instructions matters

of detail related to the stamping of dates, etc., leaving the Rule to deal only with matters related to the according of the international filing date, including procedures and consequences concerning the correction of defects under Article 11(2), the later furnishing of missing parts, and the incorporation by reference of certain elements or parts”, and in the case of deleted Rule 20.5(a) because new Rule 20.2(b) makes specific reference to stamping “as prescribed by the Administrative Instructions”. Furthermore, Sections 307 and 308 have been slightly rearranged so that Section 307 deals distinctly with the system of numbering international applications and Section 308 deals distinctly with marking of the sheets of the international application.]

Section 308bis
Marking of Later Submitted Sheets

The receiving Office shall indelibly mark any sheet containing an element referred to in Article 11(1)(iii)(d) or (e), or a part referred to in Rule 20.5(a), received on a date later than the date on which sheets were first received (“later submitted sheet”), in the upper right-hand corner of each sheet, with the international application number referred to in Section 307 and the date of actual receipt of that sheet.

[COMMENT: Initial marking of sheets of an international application by a receiving Office is covered by Section 308, and in most circumstances initial marking will be all that is required. New Section 308bis is proposed to distinguish cases where sheets are submitted later and will be subject to amended Rule 20 as it will enter into force on April 1, 2007.]

Section 309
Procedure in the Case of Later Submitted Sheets
Furnished for the Purposes of Incorporation by Reference

(a) This Section applies, subject to paragraph (f), to later submitted sheets which accompany a notice confirming under Rule 20.6 that an element or part embodied in those sheets was incorporated by reference.

(b) Where later submitted sheets referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 and the receiving Office makes a finding under Rule 20.6(b), the receiving Office shall:

(i) indelibly mark, in the middle of the bottom margin of each later submitted sheet, the words “INCORPORATED BY REFERENCE (RULE 20.6)” or their equivalent in the language of publication of the international application;

(ii) notify the applicant that the element or part contained in the later submitted sheets is considered to have been contained in the international application or purported international application on the date when sheets were first received and that that date has been accorded or retained, as the case may be, as the international filing date;

(iii) keep in its files a copy of the later submitted sheets marked under item (i) and of the notice under Rule 20.6(a);

(iv) where transmittals under Article 12(1) have not yet been made, attach the later submitted sheets marked under item (i) and the notice under Rule 20.6(a) to the record copy and a copy thereof to the search copy.

(c) Where later submitted sheets referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 and the receiving Office makes a finding under Rule 20.6(c), the receiving Office shall, subject to Section 310bis:

(i) effect the required correction of the international filing date or, where no international filing date has yet been accorded, of the date of receipt of the purported international application;

(ii) notify the applicant that the content of the later submitted sheets is not considered to have been contained in the international application or purported international application on

the date when sheets were first received and that the international filing date has been accorded as, or corrected to, as the case may be, the date on which the later submitted sheets were received;

(iii) keep in its files a copy of the later submitted sheets and of the notice under Rule 20.6(a);

(iv) where transmittals under Article 12(1) have already been made, notify the International Bureau and the International Searching Authority accordingly and transmit a copy of the corrected first and last sheets of the request, the later submitted sheets and the notice under Rule 20.6(a) to the said Bureau and a copy thereof to the said Authority;

(v) where transmittals under Article 12(1) have not yet been made, attach the later submitted sheets and the notice under Rule 20.6(a) to the record copy and a copy thereof to the search copy.

(d) Where later submitted sheets referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 but the purported international application still does not fulfill the requirements of Article 11(1), the receiving Office shall proceed as provided in Rule 20.4, but not before the expiration of the time limit under Rule 20.7.

(e) Where later submitted sheets referred to in paragraph (a) are received after the expiration of the applicable time limit referred to in Rule 20.7, the receiving Office shall proceed as provided in Section 310ter.

(f) Where later submitted sheets referred to in paragraph (a) are received but a missing element or part contained in those sheets cannot be incorporated by reference in the international application under Rules 4.18 and 20.6 because of the operation of Rule 20.8(a), the receiving Office shall:

(i) inform the applicant that the notice under Rule 20.6(a) confirming the incorporation by reference of the missing element or part has been disregarded;

(ii) proceed in accordance with Section 310(b), which shall apply *mutatis mutandis*, as if the notice under Rule 20.6(a) were a correction furnished under Rule 20.3(b)(i), or a missing part furnished under Rules 20.5(b) or (c), as the case may be; and

(iii) proceed in accordance with Section 310bis(b) where the applicant requests, within the time limit under Rule 20.5(e), that the missing part concerned be disregarded.

[COMMENT: Section 309 outlines the operational procedure in cases where later submitted sheets are filed specifically for the purposes of incorporation by reference as provided for by amended Rule 20 as in force from April 1, 2007. Rule 20.5(e) allows for an applicant to decide to have incorporated parts disregarded so as not to affect the priority date, and consequently, certain subparagraphs of Section 309 have been made “subject” to Section 310bis (which outlines, amongst other things, the operational procedure in the event that Rule 20.5(e) applies) as a supplementary safeguard for the applicant. Section 309(f), depending on the procedure applied by any given receiving Office, may also be subject to Rule 19.4(a)(iii). In other words, when Rule 20.8(a) applies, an international application might, in accordance with the provisions of Rule 19.4(a)(iii), be transmitted by the Office with which the application was filed to the International Bureau as receiving Office. This possibility will also be covered by appropriate text in the Receiving Office Guidelines.]

Section 310

Procedure in the Case of ~~Missing Drawings~~ Later Submitted Sheets Not Furnished for the Purposes of Incorporation by Reference

(a) This Section applies to later submitted sheets which do not accompany a notice confirming under Rule 20.6 that an element or part embodied in those sheets was incorporated by reference.

(b) Where later submitted sheets referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 and the international filing date is accorded under

Rules 20.3(b)(i) or 20.5(b) or corrected under Rule 20.5(c), the receiving Office shall, subject to Section 310bis:

(i) effect the required correction of the international filing date in accordance with Rule 20.5(c), or, where no international filing date has yet been accorded, accord the international filing date in accordance with Rules 20.3(b)(i) or 20.5(b), as the case may be;

(ii) notify the applicant of the correction or the according of the international filing date effected under item (i);

(iii) keep in its files a copy of the later submitted sheets;

(iv) where transmittals under Article 12(1) have already been made, notify the International Bureau and the International Searching Authority accordingly and transmit a copy of the corrected first and last sheets of the request and the later submitted sheets to the said Bureau and a copy thereof to the said Authority;

(v) where transmittals under Article 12(1) have not yet been made, attach the later submitted sheets to the record copy and a copy thereof to the search copy.

(c) Where later submitted sheets referred to in paragraph (a) are received within the applicable time limit referred to in Rule 20.7 but the purported international application still does not fulfill the requirements of Article 11(1), the receiving Office shall proceed as provided in Rule 20.4.

(d) Where later submitted sheets referred to in paragraph (a) are received after the expiration of the applicable time limit referred to in Rule 20.7, the receiving Office shall proceed as provided in Section 310ter.

[COMMENT: Section 310 outlines the operational procedure in cases where later submitted sheets are filed but without confirming the request for incorporation by reference contained in the request Form PCT/RO/101, as provided for by amended Rule 20 as in force from April 1, 2007. Certain subparagraphs of Section 310 have been made “subject” to Section 310bis (which outlines, amongst other things, the operational procedure in the event that Rule 20.5(e) applies) as a supplementary safeguard for the applicant.]

Section 310bis

Procedure in the Case of Later Submitted Sheets

Resulting in the Correction of the International Filing Date under Rule 20.5(c)

(a) Where, following the receipt of later submitted sheets referred to in Sections 309(a) or 310(a) within the applicable time limit referred to in Rule 20.7, the international filing date has been corrected under Rule 20.5(c), the receiving Office shall, in addition to proceeding under Sections 309(c)(i) to (iii), or 310(b)(i) to (iii), as the case may be:

(i) draw the attention of the applicant to the procedure available under Rule 20.5(e);

(ii) proceed under Sections 309(c)(iv) or (v), or 310(b)(iv) or (v), as the case may be, but only after the expiration of the time limit under Rule 20.5(e) and only where the applicant has not made a request under that Rule.

(b) Where the applicant requests within the time limit under Rule 20.5(e) that the missing part concerned be disregarded, the receiving Office shall:

(i) restore the international filing date to that which had applied prior to its correction under Rule 20.5(c);

(ii) indelibly mark, in the middle of the bottom margin of each sheet containing the missing part concerned, the words “NOT TO BE TAKEN INTO CONSIDERATION FOR THE PURPOSES OF INTERNATIONAL PROCESSING (RULE 20.5(e))” or their equivalent in the language of publication of the international application;

(iii) notify the applicant that the missing part is considered not to have been furnished and that the international filing date has been restored to that which had applied prior to its correction under Rule 20.5(c);

(iv) keep in its files a copy of the later submitted sheets marked under item (ii) and of the request made under Rule 20.5(e);

(v) where transmittals under Article 12(1) have already been made, notify the International Bureau and the International Searching Authority accordingly and transmit a copy of the corrected first and last sheets of the request, the later submitted sheets marked under item (ii) and the request made under Rule 20.5(e) to the said Bureau and a copy thereof to the said Authority;

(vi) where transmittals under Article 12(1) have not yet been made, notify the International Bureau accordingly and attach the later submitted sheets marked under item (ii), the notice under Rule 20.6(a) and the request under Rule 20.5(e) to the record copy.

[COMMENT: Section 310*bis* outlines the operational procedure in cases where later submitted sheets have resulted in a correction of the international filing date under Rule 20.5(c). This Rule is only applicable “after the date on which all of the requirements of Article 11(1) were fulfilled”. The date upon which all of the requirements of Article 11(1) are fulfilled is accorded as the international filing date, it therefore follows that an international filing date corrected under Rule 20.5(c) will always postdate the international filing date initially accorded. This might lead to the filing date of the priority application falling outside the priority period. Section 310*bis* provides a safeguard for the applicant by ensuring that his attention be drawn to Rule 20.5(e).]

Section 310*ter*

Procedure in the Case of Later Submitted Sheets

Furnished after the Expiration of the Applicable Time Limit Referred to in Rule 20.7

Where later submitted sheets referred to in Sections 309(a) or 310(a) are received after the expiration of the applicable time limit referred to in Rule 20.7, the receiving Office shall:

(i) notify the applicant of the fact and of the date of receipt of the later submitted sheets, and of the fact that they will not be considered for the PCT procedure;

(ii) indelibly mark, in the middle of the bottom margin of each sheet containing the missing element or part concerned, the words “NOT TO BE TAKEN INTO CONSIDERATION FOR THE PURPOSES OF INTERNATIONAL PROCESSING (RULE 20.7)” or their equivalent in the language of publication of the international application;

(iii) keep in its files a copy of the later submitted sheets marked under item (ii) and, where applicable, of the notice under Rule 20.6(a);

(iv) where transmittals under Article 12(1) have already been made, notify the International Bureau accordingly and transmit the later submitted sheets marked under item (ii) and, where applicable, the notice under Rule 20.6(a) to the said Bureau;

(v) where transmittals under Article 12(1) have not yet been made, notify the International Bureau accordingly and attach the later submitted sheets marked under item (ii) and the notice under Rule 20.6(a) to the record copy.

[COMMENT: Section 310*ter* outlines the operational procedure in cases where later submitted sheets have been submitted outside the relevant time limit under Rule 20.7 and, although remaining on file, are not considered for the purposes of international processing.]

Section 324

Copy of Notification of the International Application Number and the International Filing Date under Rule 20.52(c)

The copy, sent to the International Bureau, of the notification of the international application number and the international filing date under Rule 20.52(c) shall also include, if the priority of an earlier application is claimed in the international application, the date of filing—as indicated in the international application—of that earlier application. If the priority of several earlier applications is claimed, the earliest filing date shall be indicated.

[COMMENT: Consequential to modification of Rule 20, former Rule 20.5 became Rule 20.2, the corresponding reference in Section 324 required updating.]

Section 325

Corrections of Defects under Rule 26.4, Rectifications of Obvious ~~Errors~~ Mistakes under Rule 91-1, and Corrections under Rule 9.2

(a) Where the receiving Office receives a correction of defects under Rule 26.4 or authorizes a rectification of an obvious ~~error~~ mistake under Rule 91-1, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words “SUBSTITUTE SHEET (RULE 26)” (where the replacement sheet contains a correction of defects under Rule 26) or “RECTIFIED SHEET (RULE 91-1)” (where the replacement sheet contains the rectification of an obvious ~~error~~ mistake under Rule 91-1) or their equivalent in the language of publication of the international application;

(iii) indelibly mark on the letter containing the correction or rectification, or accompanying any replacement sheet, the date on which that letter was received;

(iv) keep in its files a copy of the letter containing the correction or rectification or, when the correction or rectification is contained in a replacement sheet, the replaced sheet, a copy of the letter accompanying the replacement sheet, and a copy of the replacement sheet;

(v) subject to item (vi), promptly transmit any letter and any replacement sheet to the International Bureau, and a copy thereof to the International Searching Authority;

(vi) where transmittals under Article 12(1) have not yet been made, transmit any letter and any replacement sheet to the International Bureau together with the record copy and, except where the international application is considered withdrawn and Rule 29.1(iii) applies, a copy of the said letter or replacement sheet to the International Searching Authority together with the search copy. The record copy and the search copy shall contain any replaced sheet.

(b) Where the receiving Office refuses to authorize the rectification of an obvious ~~error~~ mistake under Rule 91-1, it shall proceed as indicated under paragraph (a)(i), (iii) and (iv) and promptly transmit any letter and any proposed replacement sheet to the International Bureau. If the record copy has not yet been sent to the International Bureau, any letter and any proposed replacement sheet shall be transmitted together with the record copy.

(c) Where the receiving Office receives corrections aimed at complying with Rule 9.1, paragraphs (a) and (b) shall apply *mutatis mutandis*, provided that, where a sheet is marked as indicated in paragraph (a)(ii), the words “SUBSTITUTE SHEET (RULE 9.2)” shall be used.

[COMMENT: Consequential to modification of Rule 91, it is necessary to amend Section 325 so as to ensure consistency in terminology and Rule references.]

Section 410

Numbering of Sheets for the Purposes of International Publication; Procedure in Case of Missing Sheets ~~or Drawings~~

(a) In the course of preparing the international application for international publication, the International Bureau shall sequentially renumber the sheets to be published only when necessitated by the addition of any new sheet, the deletion of entire sheets or a change in the order of the sheets. Otherwise, the numbering provided under Section 207 shall be maintained.

(b) Where a sheet ~~or a drawing~~ has not been filed or is not to be taken into consideration for the purposes of international processing under ~~Section 309(e) or Section 310(d)~~ Sections 310*bis* or 310*ter*, the International Bureau shall include an indication to that effect in the published international application.

[COMMENT: Consequential to modification of Rule 20, and the introduction of Sections 310~~bis~~ and 310~~ter~~ relating to the same Rule.]

Section 411
Receipt of Priority Document

(a) The International Bureau shall, in respect of any priority document received by it, record~~mark~~, on the first page of the priority document:

- ~~(i) the date on which the priority document has been received by it, and~~
- ~~(ii) the words “PRIORITY DOCUMENT SUBMITTED OR TRANSMITTED IN COMPLIANCE WITH RULE 17.1(a) OR (b)” or the words “PRIORITY DOCUMENT SUBMITTED OR TRANSMITTED BUT NOT IN COMPLIANCE WITH RULE 17.1(a) OR (b),” as applicable, or their equivalent in French,~~

~~and shall~~ notify the applicant and, preferably together with the notification under Rule 47.1(a-*bis*), the designated Offices, accordingly, together with an indication as to whether the priority document was or was not submitted or transmitted in compliance with Rule 17.1(a) or (b).

(b) Where the priority document has been submitted or transmitted but not in compliance with Rule 17.1(a) or (b), the International Bureau shall, in the notification under paragraph (a) of this Section, direct the attention of the applicant and the designated Offices to the provisions of Rule 17.1(c).

[COMMENT: Use of the words “mark” and “first page” is no longer consistent with the operational procedure. Under current practice priority documents are attributed a cover sheet (so as to facilitate scanning) which indicates compliance or not with Rule 17.1(a) or (b)—this modification of Section 411 seeks to clarify wording so that it is more in line with operational practice.]

Section 411bis
Receipt of Translation of Earlier Application under Rule 20.6(a)(iii)

The International Bureau shall indicate the words “TRANSLATION (RULE 20.6(a)(iii))”, or their equivalent in French, on any translation received under Rule 20.6(a)(iii).

[COMMENT: The intention of this Section is to allow for identification between an original document and a translation provided under Rule 20.6(a)(iii). Form PCT/RO/118 is proposed to be amended accordingly.]

Section 413
Incorporations by Reference under Rule 20, Corrections of Defects under Rule 26.4, Rectifications of Obvious ~~Errors~~Mistakes under Rule 91-1, and Corrections under Rule 9.2

(a) Where the International Bureau receives from the receiving Office a letter containing a correction of any defects under Rule 26.4, or a replacement sheet and the letter accompanying it, the International Bureau shall transfer the correction to the record copy, together with the indication of the date on which the receiving Office received the letter, or shall insert the replacement sheet in the record copy. Any letter and any replaced sheet shall be kept in the file of the international application.

(b) Paragraph (a) shall apply *mutatis mutandis* to rectifications of obvious ~~errors~~mistakes under Rule 91 authorized by the receiving Office, ~~or~~by the International Searching Authority or, where a demand has been made, by the International Preliminary Examining Authority under Rule 91-1 and to corrections submitted by the applicant to the receiving Office or the

International Searching Authority aimed at complying with the prescription of Rule 9.1 concerning certain expressions, drawings, statements or other matter.

(b-bis) Where the International Bureau receives from the receiving Office, under Sections 309(c)(iv), 310(b)(iv) or 310bis(b)(v), corrected sheets of the request or later submitted sheets, the International Bureau shall transfer any correction to the record copy and insert any later submitted sheets in the record copy.

(c) Where the International Bureau is notified by the International Searching Authority under Rule 43.6bis(b) that the rectification of an obvious mistake authorized under Rule 91 has not been taken into account for the purposes of the international search, the International Bureau shall notify the applicant, the designated Offices and, where a demand has been made, the International Preliminary Examining Authority accordingly.

(d) Where the International Bureau is notified by the International Preliminary Examining Authority under Rule 70.2(e) that the rectification of an obvious mistake authorized under Rule 91 has not been taken into account for the purposes of the international preliminary examination, the International Bureau shall notify the applicant and the elected Offices accordingly.

[COMMENT: Section 413 provides for operational procedure at the International Bureau upon receipt of sheets that have been processed by a receiving Office in compliance with new Rule 20, as well as allowing for cases where the International Bureau needs to notify applicants, designated and/or elected Offices and/or International Searching and/or International Preliminary Examining Authorities when the rectification of an obvious mistake has not been taken into account during international search and/or international preliminary examination.]

Section 413bis

Rectifications of Obvious Mistakes under Rule 91

(a) Where the International Bureau authorizes a rectification under Rule 91, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words "RECTIFIED SHEET (RULE 91)" or their equivalent in the language of publication of the international application;

(iii) indelibly mark on the letter containing the rectification or accompanying any replacement sheet the date on which that letter was received;

(iv) keep in its files a copy of the letter containing the rectification or, when the rectification is contained in a replacement sheet, the replaced sheet, a copy of the letter accompanying the replacement sheet, and a copy of the replacement sheet.

(b) Where the International Bureau refuses to authorize a rectification under Rule 91, it shall proceed as indicated under paragraph (a)(i), (iii) and (iv).

(c) Where the International Bureau authorizes or refuses to authorize the rectification of an obvious mistake under Rule 91, it shall notify the applicant, the International Searching Authority, where a demand has been made, the International Preliminary Examining Authority, as well as the designated or elected Offices accordingly and, where the International Bureau refuses to authorize a rectification, the notification shall also include the reasons for the refusal.

[COMMENT: This new Section was added to implement new Rule 91.3(a) regarding the International Bureau as competent Authority to authorize or refuse to authorize a rectification of an obvious mistake.]

Section 511
Rectifications of Obvious ~~Errors~~ Mistakes under Rule 91.1

(a) Where the International Searching Authority authorizes a rectification under Rule 91.1, it shall:

(i) indelibly mark, in the upper right-hand corner of each replacement sheet, the international application number and the date on which that sheet was received;

(ii) indelibly mark, in the middle of the bottom margin of each replacement sheet, the words “RECTIFIED SHEET (RULE 91)” or their equivalent in the language of publication of the international application as well as an indication of the International Searching Authority as provided for in Section 107(b);

(iii) indelibly mark on the letter containing the rectification or accompanying any replacement sheet the date on which that letter was received;

(iv) keep in its files a copy of the letter containing the rectification or, when the rectification is contained in a replacement sheet, the replaced sheet, a copy of the letter accompanying the replacement sheet, and a copy of the replacement sheet;

(v) promptly transmit any letter and any replacement sheet to the International Bureau and a copy thereof to the receiving Office.

(b) Where the International Searching Authority refuses to authorize a rectification under Rule 91.1, it shall proceed as indicated under paragraph (a)(i), (iii) and (iv) and promptly transmit any letter and any proposed replacement sheet to the International Bureau.

[COMMENT: Consequential to modification of Rule 91, it is necessary to amend Section 511 so as to ensure consistency in terminology and Rule references.]

Section 607
Rectifications of Obvious ~~Errors~~ Mistakes under Rule 91.1

Where the International Preliminary Examining Authority authorizes a rectification of an obvious ~~error~~ mistake under Rule 91.1, ~~Rule 70.16 and~~ Section 602(a)(i) to (iii) and (b) shall apply *mutatis mutandis*, provided that, where a sheet is marked as indicated in Section 602, the words “RECTIFIED SHEET (RULE 91)” shall be used.

[COMMENT: New Rule 70.16 no longer contains the wording “and each replacement sheet containing rectifications of obvious errors”.]

ANNEX D
INFORMATION FROM FRONT PAGE OF PUBLISHED INTERNATIONAL
APPLICATION TO BE INCLUDED IN THE GAZETTE UNDER RULE 86.1(i)

The following information shall be extracted from the front page of the publication of the international publication for each published international application and shall, in accordance with Rule 86.1(i), appear in the corresponding entry of the Gazette:

1. as to the international publication:
 - 1.1 the international publication number
 - 1.2 the date of the international publication
 - 1.3 an indication whether the following items were published in the published international application:
 - 1.31 international search report
 - 1.32 declaration under Article 17(2)
 - 1.33 claims amended under Article 19(1)
 - 1.34 statement under Article 19(1)
 - 1.35 *[Deleted]*

- 1.36 request for rectification under the ~~third~~first sentence of Rule 91.1~~(f)~~3(d)
- 1.37 information concerning the incorporation by reference of an element or part as referred to in Rule 48.2(b)(v)
- 1.37~~8~~ information concerning a priority claim which was considered not to have been made, published upon request made under Rule 26bis.2~~(e)~~(d)
- 1.39 information concerning a request under Rule 26bis.3 for restoration of the right of priority
- 1.40 information on copies of any declaration or other evidence furnished under Rule 26bis.3(f)

[COMMENT: The replacement of Rule 26bis.2(c) with proposed Rule 26bis.2(d), and the other changes to the language in item 1.37 of Annex D, would cover the required publication on the front page pursuant to both new Rule 26bis.2(b) (priority claim considered void) and new Rule 26bis.2(c) (priority claim not considered void). The addition of proposed new item 1.40, with reference to new Rule 26bis.3(f), would cover the required publication on the front page pursuant to new Rule 48.2(b)(viii) (applicant furnished declaration or evidence), and new item 1.39 would cover the situation pursuant to new Rules 26bis.3(h)(i) and 48.2(b)(vii) (information on restoration of priority right).]

ANNEX E

INFORMATION TO BE PUBLISHED IN THE GAZETTE UNDER RULE 86.1(v)

1. The time limits applicable under Articles 22 and 39 in respect of each Contracting State.
2. The list of the non-patent literature agreed upon by the International Searching Authorities for inclusion in the minimum documentation.
3. The names of the national Offices which do not wish to receive copies under Article 13(2)(c).
4. The provisions of the national laws of Contracting States concerning international-type search.
5. The text of the agreements entered into between the International Bureau and the International Searching Authorities or the International Preliminary Examining Authorities.
6. The names of the national Offices which entirely or in part waived their rights to any communication under Article 20.
7. The names of the Contracting States which are bound by Chapter II of the PCT.
8. Index of concordance of international application numbers and international publication numbers, listed according to international application numbers.
9. Index of applicants' names giving, for each name, the corresponding international publication number(s).
10. Index of international publication numbers, grouped according to the International Patent Classification symbols.
11. Indication of any subject matter that will not be searched or examined by the various International Searching and Preliminary Examining Authorities under Rules 39 and 67.
12. Requirements of designated and elected Offices under Rules 49.5 and 76.5 in relation to the furnishing of translations.
13. The dates defining the period referred to in Rule 32.1(b) during which the international application, whose effects may be extended to a successor State under Rule 32.1, must have been filed.

14. The criteria for restoration of the right of priority applied by receiving Offices under Rule 26bis.3 or designated Offices under Rule 49ter.2, and any subsequent changes in that respect.

[COMMENT: In compliance with the requirements of new Rule 26bis.3 and new Rule 49ter.2.]

[Annex II follows]

EXPLANATIONS OF THE PROPOSED MODIFICATIONS TO CERTAIN
RECEIVING OFFICE, INTERNATIONAL SEARCHING AUTHORITY,
INTERNATIONAL BUREAU AND INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY FORMS

General comment

The International Bureau proposes a number of minor editorial and layout changes with a view to, as the case may be, harmonize, simplify and make the Forms more readable. Such changes are not explained in detail below but they are all identified by a vertical line in the right or left margin of the Forms.

Comments on specific Forms

(i) *PCT/RO/101 (the "Request")*

Following the amendments to Rule 26bis, this Form is proposed to be modified to include, in Box No. VI, the option for the applicant to request restoration of the right of priority in the Request (Rule 4.1(c)(v)). Additional information required under that Rule, such as a statement of reasons for failure to file within the priority period, may be provided next to paragraph 1(vi) in the Supplemental Box. Requests to restore multiple priority rights are also provided for in Box No. VI and the Supplemental Box. Applicants filing international applications with receiving Offices which do not apply new Rule 26bis.3 and which have notified the International Bureau accordingly would not be able to use these parts of the Form.

The Request Form is also proposed to be modified so as to include a "Statement of Incorporation by Reference" pursuant to modified Rule 4.18. This provides an additional safeguard for an applicant who may find it necessary to rely on new Rule 20.6 to include either an element referred to in Article 11(1)(iii)(d) or (e), and/or a part of the description, claims or drawings as referred to in Rule 20.5.

Furthermore, at the request of applicants, the box for the title of the invention has been enlarged. As a result, it was necessary to move Box No. III to the second page of the request.

The Notes to the Request Form have also been modified to include the procedure for having an element referred to in Article 11(1)(iii)(d) or (e), and/or a part of the description, claims or drawings as referred to in Rule 20.5 incorporated by reference.

Page 3 of the Notes to the Request Form is proposed to be modified to provide guidance on the procedure for requesting restoration of the right of priority to be followed by applicants.

(ii) *PCT/RO/103 (“Invitation to Correct the Purported International Application”)*

Form PCT/RO/103 is proposed to be modified to take account of the amendments to Rule 20 in general, but more particularly to provide for the invitation procedure outlined in Rule 20.3 and to draw the applicant’s attention to both of the options that the applicant may have when the receiving Office finds that any of the requirements of Article 11(1) are not, or appear not to be, fulfilled.

Following the amendments to Rule 26bis.2, this Form is also proposed to be modified to provide for amended Rule 26bis.2(c)(iii), whereby a priority claim will not be considered void only because the international application has an international filing date which is later than the date on which the priority period expired, provided that the international filing date is within the period of two months from that date.

(iii) *PCT/RO/104 (“Notification that the Purported International Application Is not and Will not Be Treated as an International Application”)*

The proposed modifications to this Form are consequential to the amendments to Rule 20, involving the correction of a Rule reference and the inclusion of a reference to the appropriate time limit in the event that it is necessary for a receiving Office to notify an applicant that the purported international application is not and will not be treated as an international application.

(iv) *PCT/RO/105 (“Notification of the International Application Number and of the International Filing Date”)*

The proposed modifications to this Form are consequential to the changes to Rule 20, involving the correction of a Rule reference.

(v) *PCT/RO/107 (“Invitation Relating to Certain Parts of the International Application that are, or Appear to Be, Missing”)*

Form PCT/RO/107 is proposed to be modified to take account of the amendments to Rule 20 in general, but more particularly to provide for the invitation procedure outlined in Rule 20.5 and to draw the applicant’s attention to both of the options that the applicant has when the receiving Office finds that a part of the description, claims or drawings is, or appears to be, missing, including the case where all of the drawings are, or appear to be, missing. This Form will fulfill the same function as Form PCT/RO/103 insofar as missing parts are concerned rather than missing elements.

Following the amendments to Rule 26bis.2, this Form is also proposed to be modified to provide for Rule 26bis.2(c)(iii), whereby a priority claim will not be considered void only because the international application has an international filing date which is later than the date on which the priority period expired, provided that the international filing date is within the period of two months from that date.

(vi) *PCT/RO/108 (“Invitation to Request Rectification”)*

The proposed modifications to this Form are consequential to the amendments to Rule 91, involving a correction of Rule references, the change in terminology in the Rule from “error” to “mistake” and the inclusion of a reference to the new 26-month time limit, set out in Rule 91.2, for an applicant to file a request for rectification with the competent authority.

(vii) *PCT/RO/109 (“Notification of Decision Concerning Request for Rectification”)*

The proposed modifications to this Form are consequential to the amendments to Rule 91, involving a correction of Rule references, a change in terminology in the Rule from “error” to “mistake” and the inclusion of a reference to the applicable new time limit, set out in Rule 91.3(d), for the applicant to file a request for publication of the request for rectification in case of a refusal, in whole or in part, by the competent authority to authorize the requested rectification.

(viii) *PCT/RO/110 (“Invitation to Correct Priority Claim and/or Notification of Possibility to Request Restoration of the Right of Priority”)*

Following the amendments to Rule 26bis, this Form is proposed to be modified to include a notification to the applicant of the possibility, where applicable, to request restoration of the right of priority. For further information on the possible request, a new Annex B is proposed to be added. Receiving Offices which do not apply new Rule 26bis.3 and which have notified the International Bureau accordingly would not use this part of the Form. Moreover, the footnotes in Annex A of the Form are proposed to be modified to clarify that where the international filing date is within a period of two months from the expiration of the priority period, the priority claim concerned will not be declared void even if the defect is not corrected under Rule 26bis.1.

(ix) *PCT/RO/111 (“Notification Relating to Priority Claim”)*

Following the amendments of Rule 26bis.2, this Form is proposed to be modified so that a priority claim may not be considered void where the international filing date is within a period of two months from the expiration of the priority period. Moreover, wording has been added to inform the applicant of

the possibility to have information about a priority claim published which has been declared void or has only not been declared void because of the operation of Rule 26bis.2(c), and the possibility to have information published about a late correction or addition of a priority claim.

(x) *PCT/RO/114 (“Notification of Decision of Confirmation of Incorporation by Reference of Element of Part”)*

Form PCT/RO/114 is a proposed new form providing for the receiving Office to inform the applicant of the decision that it has taken with relation to the applicant’s request for incorporation by reference.

(xi) *PCT/RO/118 (“Notification Concerning Documents Transmitted”)*

The proposed modifications to this Form are consequential to the amendments to Rule 20, involving the correction of Rule references and the communication, where applicable, of a copy of a translation of the earlier application furnished by the applicant under Rule 20.6(a)(iii); and to Rule 26bis.3, concerning the notification by a receiving Office to the International Bureau that it has received a request to restore the right of priority.

(xii) *PCT/RO/126 (“Notification Concerning Later Submitted Parts of an International Application”)*

Form PCT/RO/126 is proposed to be modified to provide for the procedure under Rule 20.5(b) and (c) in case a missing part is not incorporated by reference and a change to the international filing date will occur once the remaining requirements under Article 11(1) have been fulfilled, or, is affected as a result of receipt of the missing parts.

(xiii) *PCT/RO/158 (“Notification of Intended Refusal of Request to Restore Right of Priority and/or Invitation to Furnish Declaration or Other Evidence”)*

Following the amendments of Rule 26bis.3, this new Form is proposed for receiving Offices which will apply new Rule 26bis.3(h)(i), which requires that they promptly notify the International Bureau that a request for restoration of the right of priority has been received. Additionally, this Form will allow receiving Offices, which will apply new Rule 26bis.3(f), to require that the applicant requesting restoration of the right of priority furnish evidence or a declaration in support of the request. Generally, this Form is designed to provide an applicant with the opportunity to correct deficiencies in his request for restoration of the right of priority such as a lack of or insufficient payment of fees, a lack of or insufficient statement of reasons, or the need to add a relevant priority claim before it can be restored. An Annex to the Form is provided in which a receiving Office may more fully explain its notification.

(xiv) *PCT/RO/159 (“Notification of Decision on Request to Restore Right of Priority”)*

Following the amendments of Rule 26bis.3, this new Form is proposed for receiving Offices which will apply new Rule 26bis.3(h)(iii), which requires that they promptly notify the applicant and the International Bureau of their decision on a request for restoration of the right of priority. Additionally, new Rule 26bis.3(h)(iii) requires that receiving Offices should promptly notify the applicant and the International Bureau of the criterion for restoration upon which their decision was based and this Form allows them to comply with these requirements. An Annex to the Form is provided in which a receiving Office may more fully explain its decision.

(xv) *PCT/ISA/201 (“International-Type Search Report”)*

The proposed modifications to this Form are consequential to new Rule 43.6bis(a) and provide for the possibility for the International Searching Authority to inform the applicant whether it has, for the purposes of the international search, taken into account the rectification of an obvious mistake. Even though the Rule 91 procedure does not strictly apply to international-type searches, it is proposed to modify not only Form PCT/ISA/210 in this manner, but also this Form for the sake of consistency between Forms and in case any International Searching Authority has equivalent arrangements with the national Offices for which they provide this type of searches.

(xvi) *PCT/ISA/209 (“Notification of Facts which Should Have Precluded the According of an International Filing Date”)*

The proposed modifications to this Form are consequential to the amendments to Rule 20, involving the correction of Rule references.

(xvii) *PCT/ISA/210 (“International Search Report”)*

The proposed modifications to this Form are consequential to new Rule 43.6bis(a). The proposed modified Form provides for the possibility for the International Searching Authority to inform the applicant whether it has taken into account the rectification of an obvious mistake for the purposes of the international search.

(xviii) *PCT/ISA/216 (“Invitation to Request Rectification”)*

The proposed modifications to this Form are consequential to the amendments to Rule 91, involving a correction of Rule references, the change in terminology in the Rule from “error” to “mistake” and the inclusion of a reference to the new 26-month time limit, set out in Rule 91.2, for an applicant to file a request for rectification with the competent authority.

(xix) *PCT/ISA/217 (“Notification of Decision Concerning Request for Rectification”)*

The proposed modifications to this Form are consequential to the amendments to Rule 91, involving the correction of Rule references, the change in terminology in the Rule from “error” to “mistake”, and the inclusion of a reference to the applicable new time limit, set out in Rule 91.3(d), for the applicant to file a request for publication of the request for rectification in case of a refusal, in whole or in part, by the competent authority to authorize the requested rectification. In addition, pursuant to new Rule 43.6*bis*, this Form provides for the International Searching Authority to inform the applicant whether the rectification of an obvious mistake has been taken into account for the purposes of the international search.

(xx) *PCT/ISA/237 (“Written Opinion of the International Searching Authority”)*

The proposed modifications to this Form are consequential to new Rule 43.6*bis*(a). This proposed modified Form provides for the possibility for the International Searching Authority to inform the applicant whether, for the purposes of the establishment of the written opinion of the ISA, it has taken into account the rectification of an obvious mistake.

(xxi) *PCT/IB/314 (“Invitation to Request Rectification”)*

The proposed modifications to this Form are consequential to the amendments to Rule 91, involving the correction of Rule references, the change in terminology in the Rule from “error” to “mistake” and the inclusion of a reference to the new 26-month time limit, set out in Rule 91.2, for an applicant to file a request for rectification with the competent authority.

(xxii) *PCT/IB/315 (“Notification of Decision Concerning Request for Rectification”)*

The proposed modifications to this Form are consequential to the amendments to Rule 91, involving the correction of Rule references, the change in terminology in the Rule from “error” to “mistake” and the inclusion of a reference to the applicable new time limit, set out in Rule 91.3(d), for the applicant to file a request for publication of the request for rectification in case of a refusal, in whole or in part, by the competent authority to authorize the requested rectification.

(xxiii) *PCT/IB/316 (“Invitation to Correct Priority Claim and/or Notification of the Possibility to Request Restoration of the Right of Priority”)*

Following the amendments to Rule 26*bis*, this Form is proposed to be modified to include a notification to the applicant of the possibility, where

applicable, to request restoration of the right of priority. For further information on the possible request, a new Annex B of the Form is proposed to be added. Moreover, the footnotes in Annex A of the Form are proposed to be modified to clarify that where the international filing date is within a period of two months from the expiration of the priority period, the priority claim concerned will not be declared void even if the defect is not corrected under Rule 26bis.1.

(xxiv) *PCT/IB/318 (“Notification Relating to Priority Claim”)*

Following the amendments of Rule 26bis.2, this Form is proposed to be modified so that a priority claim may not be considered void where the international filing date is within a period of two months from the expiration of the priority period. Moreover, wording has been added to inform the applicant of the possibility to have information about a priority claim published which has been declared void or has only not been declared void because of the operation of Rule 26bis.2(c), and the possibility to have information published about a late correction or addition of a priority claim.

(xxv) *PCT/IB/321 (“Notification of Facts which Should Have Precluded the According of an International Filing Date”)*

The proposed modifications to this Form are consequential to the amendments to Rule 20, involving the correction of Rule references.

(xxvi) *PCT/IPEA/409 (“International Preliminary Report on Patentability”)*

The proposed modifications to this Form are consequential to new Rule 70.2(e). This proposed modified Form provides for the International Preliminary Examining Authority to inform the applicant whether it has taken into account the rectification of an obvious mistake for the purposes of the international preliminary examination.

(xxvii) *PCT/IPEA/411 (“Invitation to Request Rectification”)*

The proposed modifications to this Form are consequential to the amendments to Rule 91, involving the correction of Rule references, the change in terminology in the Rule from “error” to “mistake” and the inclusion of a reference to the new 26-month time limit, set out in Rule 91.2, for an applicant to file a request for rectification with the competent authority.

(xxviii) *PCT/IPEA/412 (“Notification of Decision Concerning Request for Rectification”)*

The proposed modifications to this Form are consequential to the amendments to Rule 91, involving the correction of Rule references, the change in terminology in the Rule from “error” to “mistake” and the inclusion of the

applicable new time limit, set out in Rule 91.3(d), for the applicant to file a request for publication of the request for rectification in case of a refusal, in whole or in part, by the competent authority to authorize the requested rectification. In addition, pursuant to new Rule 70.2(e), this proposed modified Form provides for the International Preliminary Examining Authority to inform the applicant whether the rectification of an obvious mistake has been taken into account for the purposes of the international preliminary examination.

[Annex III follows]

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)

Box No. I TITLE OF INVENTION	
Box No. II APPLICANT <input type="checkbox"/> This person is also inventor	
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>	Telephone No.
	Facsimile No.
	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"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.	
Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
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: <i>(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)</i>	Telephone No.
	Facsimile No.
	Agent's registration No. with the Office
<input type="checkbox"/> 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.	

Annex III to Circular C. PCT 1089

page 2

Sheet No.

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
<i>If none of the following sub-boxes is used, this sheet should not be included in the request.</i>	
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>
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"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
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>
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"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
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>
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"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
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>
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"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
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>
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"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <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.	

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. II. 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 or for the purposes of the United States of America: 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.*
 - (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, write "Continuation of Box VI" and 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, state the reasons for the failure to file the international application within the priority period (Rules 26bis.3(a) and 26bis.3(b)(ii)).*
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 a 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 patent grant or the date of filing of the parent application (Rules 4.11(a)(iii) 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 a 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)(iv) and 49bis.1(d)).*

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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)):

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

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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)".

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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)".

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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, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

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 my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications:
.

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name:

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

Mailing Address:
.

Citizenship:

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:
.

Citizenship:

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.

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.*

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Sheet No.

Box No. IX CHECK LIST; LANGUAGE OF FILING		
<p>This international application contains:</p> <p>(a) on paper, the following number of sheets:</p> <p>request (including declaration and supplemental sheets) : _____</p> <p>description (excluding sequence listing and/or tables related thereto) : _____</p> <p>claims : _____</p> <p>abstract : _____</p> <p>drawings : _____</p> <p>Sub-total number of sheets : _____</p> <p>sequence listing : _____</p> <p>tables related thereto : _____</p> <p><i>(for both, actual number of sheets if filed on paper, whether or not also filed in electronic form; see (c) below)</i></p> <p>Total number of sheets : _____</p> <p>(b) <input type="checkbox"/> only in electronic form (Section 801(a)(i))</p> <p>(i) <input type="checkbox"/> sequence listing</p> <p>(ii) <input type="checkbox"/> tables related thereto</p> <p>(c) <input type="checkbox"/> also in electronic form (Section 801(a)(ii))</p> <p>(i) <input type="checkbox"/> sequence listing</p> <p>(ii) <input type="checkbox"/> tables related thereto</p> <p>Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the</p> <p><input type="checkbox"/> sequence listing:</p> <p><input type="checkbox"/> tables related thereto:</p> <p><i>(additional copies to be indicated under items 9(ii) and/or 10(ii), in right column)</i></p>	<p>This international application is accompanied by 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, if any: : _____</p> <p>5. <input type="checkbox"/> statement explaining lack of signature : _____</p> <p>6. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): : _____</p> <p>7. <input type="checkbox"/> translation of international application into <i>(language)</i>: : _____</p> <p>8. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material : _____</p> <p>9. <input type="checkbox"/> sequence listing in electronic form <i>(indicate type and number of carriers)</i></p> <p>(i) <input type="checkbox"/> copy submitted for the purposes of international search under Rule 13ter only (and not as part of the international application) : _____</p> <p>(ii) <input type="checkbox"/> <i>(only where check-box (b)(i) or (c)(i) is marked in left column)</i> additional copies including, where applicable, the copy for the purposes of international search under Rule 13ter : _____</p> <p>(iii) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the sequence listing mentioned in left column : _____</p> <p>10. <input type="checkbox"/> tables in electronic form related to sequence listing <i>(indicate type and number of carriers)</i></p> <p>(i) <input type="checkbox"/> copy submitted for the purposes of international search under Section 802(b-quater) only (and not as part of the international application) : _____</p> <p>(ii) <input type="checkbox"/> <i>(only where check-box (b)(ii) or (c)(ii) is marked in left column)</i> additional copies including, where applicable, the copy for the purposes of international search under Section 802(b-quater) : _____</p> <p>(iii) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the tables mentioned in left column : _____</p> <p>11. <input type="checkbox"/> other <i>(specify)</i>: : _____</p>	<p>Number of items</p>
<p>Figure of the drawings which should accompany the abstract:</p>	<p>Language of filing of the international application:</p>	
<p>Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE <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></p>		

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

For International Bureau use only
<p>Date of receipt of the record copy by the International Bureau:</p>

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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: www.wipo.int/pct/en/index.html. 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)).

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)):

All of the inventors must be named also as applicants for the purposes of the designation of the United States of America (see "Different Applicants for Different Designated States", below).

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 in particular where the inventor is deceased or the particular inventor is not an inventor for the purposes of the designation of the United States of America. 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. *All of the inventors must be named also as applicants for the United States of America (except as indicated above) and the check-boxes "This person is also inventor" (in Box No. II) and/or "applicant and inventor" (in Box No. III) must be marked.*

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). The check-box "the States indicated in the Supplemental Box" must be marked where none of the other three check-boxes fits the circumstances; in such a case, 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)): The inventor's name and address must be indicated since the national law of the United States of America requires that the name of the inventor be furnished at the time of filing. It is strongly recommended to always name the inventor. For details, see the *PCT Applicant's Guide*, Volume I, Annexes B1 and B2.

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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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 and/or Facsimile Numbers should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant. Any such number should include the applicable country and area codes.

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*, Volume I, 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*, Volume I, 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) and address(es) (including names of States) 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*, Volume I, 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*, Volume I, 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).

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*, Volume I, Annexes B1 and B2.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan, KR Republic of Korea and/or RU Russian Federation 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 26*bis*.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 and of RU Russian Federation for the purposes of a EA

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Eurasian patent are not affected by what is said above. For details see the *PCT Applicant's Guide*, Volume I, in the relevant Annex B1.

Only the four 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 90*bis*.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 90*bis*.5(a)), 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 26*bis*.1 and the *PCT Applicant's Guide*, Volume I, International Phase.

Restoration of the right of priority (Rules 4.1(c)(v) and 26*bis*.3): 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 26*bis*.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 and providing a statement of reasons (Rule 26*bis*.3(b)(ii)) in the Supplemental Box (see item 1(vi) in that Box). 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 26*bis*.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 26*bis*.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 26*bis*.3(a)). For

information on which criteria a receiving Office applies see the *PCT Applicant's Guide*, Volume I, Annex C.

Incorporation by reference (Rules 4.18 and 20): 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)).

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).

Certified Copy of Earlier Application (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 is 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 request may be made by marking the applicable check-boxes which identify the respective documents. *Attention:* 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)).

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, “21 March 2005 (21.03.2005)”, “21 March 2005 (21/03/2005)” or “21 March 2005 (21-03-2005)”.

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.

Request to Use Results of Earlier Search; Reference to that Search (Rules 4.11(a)(i) and (ii) and 4.1): The earlier search, if any, must be identified in such a manner that the ISA can retrieve the results easily. Where those results can be used, the ISA may refund the international search fee or a portion thereof.

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*, Volume I, 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, Volume II, 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: www.wipo.int/pct/en/texts/reservations/res_incomp.pdf.

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 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 51*bis*.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 51*bis*.1(a)(ii)) and as to the identity of the inventor (Rules 4.17(i) and 51*bis*.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 51*bis*.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, address and citizenship 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 two 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, address and citizenship 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 51*bis*.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

Items Constituting the International Application: The number of sheets of the various parts of the international application must be given in the check list in Arabic numerals. Sheets containing any of Boxes Nos. VIII (i) to (v) must be counted as part of the request.

Where the application contains disclosure of one or more *nucleotide and/or amino acid sequences*, the applicant has the following three options.

First, the applicant may choose to file the sequence listing and/or tables related thereto *on paper only* ("option (a)"), in which case the number of sheets of the listing and/or tables, respectively, must be indicated under item (a) in the left column of Box No. IX (and therefore included in the total number of sheets), noting that a copy of the sequence listing and/or a copy of the tables, in electronic form, may accompany the international application but only for the purposes of international search under Rule 13*ter* and/or Section 802(b-*quater*); in such a case, check-boxes Nos. 9, 9(i) and/or 10(i) and, where applicable, 9(iii) and/or 10(iii) must be marked in the right column of Box No. IX.

Second, the applicant may choose to file the sequence listing and/or tables related thereto *in electronic form only*, under Section 801(a)(i) ("option (b)"), in which case check-boxes b(i) and/or b(ii) must be marked but the spaces for the number of sheets of the sequence listing and/or tables, respectively,

under item (a) must be left blank; the type and number of carriers must also be indicated on the dotted lines at the bottom of the left column; in addition, check-boxes Nos. 9, 9(ii) and/or 10(ii) and, where applicable, 9(iii) and/or 10(iii) must be marked if additional copies of the sequence listing and/or tables in electronic form are furnished.

Third, the applicant may choose to file the sequence listing and/or tables related thereto *both in electronic form and on paper*, under Section 801(a)(ii) ("option (c)"), in which case the number of sheets (on paper) of the sequence listing and/or tables, respectively, must be indicated under item (a) in the left column of Box No. IX (although those numbers of sheets will not be taken into account for calculation of the international filing fee) and check-boxes c(i) and/or c(ii), respectively, must be marked; the type and number of carriers must also be indicated on the dotted lines at the bottom of the left column; in addition, check-boxes Nos. 9, 9(ii) and/or 10(ii) and, where applicable, 9(iii) and/or 10(iii) must be marked if additional copies of the sequence listing and/or tables in electronic form are furnished.

Under all three options described above, the 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. Also, tables related to a sequence listing must be presented in accordance with the standard contained in Annex C-*bis* of the Administrative Instructions.

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.

Check-box No. 5: Mark this check-box where a statement explaining the lack of signature of an inventor/applicant for the purposes of the United States of America is furnished together with the international application (see also Notes to Box No. X).

Check-box No. 7: 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. 8: 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*, Volume I, Annex L)), do not mark this check-box (for further information, see Rule 13*bis* and Section 209).

Check-box No. 9: Where the international application contains a sequence listing and a copy thereof in electronic form is required by the ISA under Rule 13*ter*, the applicant may furnish the listing in electronic form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 9, 9(i) and, where applicable, 9(iii) must be marked. Where the applicant has chosen option (b) or option (c) mentioned above, and an additional copy or copies of the sequence listing in electronic form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 9, 9(ii) and, where applicable, 9(iii) must be marked. In all cases mentioned above,

the applicant should indicate at the end of each applicable entry the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

Check-box No. 10: Where the international application contains tables related to a sequence listing and a copy thereof in electronic form is required by the ISA under Section 802(b-*quater*), the applicant may furnish the tables in electronic form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 10, 10(i) and, where applicable, 10(iii) must be marked. Where the applicant has chosen option (b) or option (c) mentioned above, and an additional copy or copies of the tables in electronic form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 10, 10(ii) and, where applicable, 10(iii) must be marked. In all cases mentioned above, the applicant should indicate at the end of each applicable entry the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

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), 90 and 90*bis*.5): 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 applicant's by all of them (Rule 90*bis*.5(a)), 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)).

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. 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*, Volume I, Annex C).

If an inventor/applicant for the designation of the United States of America refused to sign the request or could not be found or reached after diligent effort, a statement explaining the lack of signature may be furnished. It should be noted that this applies only where there are two or more applicants and the international application has been signed by at least one other applicant. The statement must satisfy the receiving Office. If such a statement is furnished with the international application, check-box No. 5 in Box No. IX should be marked.

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

International Application No. _____

Date stamp of the receiving Office _____

Applicant's or agent's
file reference

Applicant

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE **T**

2. SEARCH FEE **S**

International search to be carried out by _____
(If two or more International Searching Authorities are competent to carry out the international search, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FILING FEE

Where items (b) and/or (c) of Box No. IX apply, enter **Sub-total number of sheets** } _____
 Where items (b) and (c) of Box No. IX do not apply, enter **Total number of sheets** }

i1 first 30 sheets **i1**

i2 _____ x _____ = **i2**
 number of sheets in excess of 30 fee per sheet

i3 additional component (only if a sequence listing and/or tables related thereto are filed in electronic form under Section 801(a)(i), or both in that form and on paper, under Section 801(a)(ii)):

400 x _____ = **i3**
 fee per sheet

Add amounts entered at i1, i2 and i3 and enter total at I **I**

(Applicants from certain States are entitled to a reduction of 75% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 25% of the international filing fee.)

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

5. TOTAL FEES PAYABLE
 Add amounts entered at T, S, I and P, and enter total in the TOTAL box

TOTAL

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

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> authorization to charge deposit account (see below) | <input type="checkbox"/> postal money order | <input type="checkbox"/> cash | <input type="checkbox"/> coupons |
| <input type="checkbox"/> cheque | <input type="checkbox"/> bank draft | <input type="checkbox"/> revenue stamps | <input type="checkbox"/> other (specify): |

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT 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 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 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. 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.

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*, Volume I, 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*, Volume I, 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*, Volume I, Annex C.

Box I: International Filing Fee for the benefit of the International Bureau (Rule 15): The amount of the international filing fee is as set out in Swiss francs in the Schedule of Fees and the applicable amount of this fee in other currencies is as published in the *PCT Gazette* (Rule 15.2). Information about this fee is also contained in the *PCT Applicant's Guide*, Volume I, Annex C.

Reduction of the International Filing Fee Where PCT-EASY Software Is Used: A fee reduction of 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) is available in certain cases where the PCT-EASY software is used to prepare the request, provided that the necessary conditions are met. For further details, see the *PCT Applicant's Guide*, Volume I, International Phase and Annex C, as well as information published in the *PCT Gazette* and the *PCT Newsletter*. Since applicants using the PCT-EASY software will file the Request Form and Fee Calculation Sheet in the form of a printout prepared using that software, 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 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 3(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 3(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 3(d)). For further details, see the *PCT Applicant's Guide*, Volume I, International Phase and Annex C, as well as information published in the *PCT Gazette* and the *PCT Newsletter*.

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 whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997) or an applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations, is entitled, to a reduction of 75% 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 is 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 75% of certain PCT fees, including the international filing fee, is contained in the *PCT Applicant's Guide*, Volume I, Annex C and on the WIPO website (see www.wipo.int/pct/en/index.html), and is also published and regularly updated in the *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 25% of the international filing fee (see below).

Box I: International Filing Fee: The amount of the international filing fee depends on the number of sheets of the international application indicated under item (a) of Box No. IX of the request as explained below.

That number is the **Total number of sheets** where items (b) and (c) of Box No. IX of the request do not apply (that is, where the international application either does not contain a sequence listing and/or tables related thereto or where it contains such listing and/or tables but not filed in electronic form under Section 801(a)(i) or (ii)); in such a case, item "i3" must not be filled in.

Otherwise, where items (b) and/or (c) of Box No. IX of the request apply (that is, where the international application contains a sequence listing and/or tables related thereto which are filed in electronic form only, under Section 801(a)(i), or both in that form and on paper under Section 801(a)(ii)), the number of sheets to be used for the purpose of calculating the amount of the international filing fee is the **Sub-total number of sheets**. In such a case, item “i3” must be filled in on the basis that the sequence listing and/or tables related thereto in electronic form are considered to be equal to 400 sheets (see Section 803).

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

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*, Volume I, 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.

Total Box: The total of the amounts entered in boxes T, S, I and P should be entered in this box. If the applicant so wishes, the currency 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.

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

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

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

INVITATION TO CORRECT THE PURPORTED
INTERNATIONAL APPLICATION

(PCT Article 11(2)(a) and Rules 20.3, 20.6 and 20.7)

	Date of mailing <i>(day/month/year)</i>
Applicant's or agent's file reference	REPLY DUE within TWO MONTHS from the above date of mailing. See also last two paragraphs below.
International application No.	Date of receipt <i>(day/month/year)</i>
Applicant	
Title of the invention	

The applicant is hereby invited, within the time limit indicated above, to correct the purported international application since it does not fulfill the requirements under Article 11(1) for the according of an international filing date, for the reason(s) indicated below.

1. The applicant obviously lacks for reasons of residence and nationality the right to file an international application with this receiving Office (Article 11(1)(i) and Rules 18 and 19).
2. The description is not in (one of) the prescribed language(s), which is (are): _____
(Article 11(1)(ii) and Rules 12.1(a) and 20.1(c)).
3. The claims are not in (one of) the prescribed language(s), which is (are): _____
(Article 11(1)(ii) and Rules 12.1(a) and 20.1(c)).
4. The application does not contain an indication that it is intended as an international application (Article 11(1)(iii)(a) and Rule 4.2).
5. The application does not contain the name of the applicant, as prescribed (Article 11(1)(iii)(c) and Rule 20.1(b)).
6. The application does not contain a part which on the face of it appears to be a description (Article 11(1)(iii)(d) and Rule 5) (See Annex).
7. The application does not contain a part which on the face of it appears to be a claim or claims (Article 11(1)(iii)(e) and Rule 6) (See Annex).

Where item 6 and/or 7 apply the applicant is hereby invited, within the time limit indicated above, at the applicant's option:

- (i) to furnish the required correction under Article 11(2); or
 - (ii) to confirm in accordance with Rule 20.6(a) that the element referred to in Article 11(1)(iii)(d) and/or (e) was incorporated by reference under Rule 4.18 (see Annex for details);
- and to make observations, if any.

ATTENTION

- Except where a missing element is considered to have been contained in the international application under Rule 20.6(b), the international filing date will be the date on which the corrections are received, if that date falls within the time limit indicated above. If the corrections are not received within that time limit, the application will not be treated as an international application.
- The time limit for responding to this invitation expires later than 14 months from the filing date of the earliest application the priority of which is claimed. Thus, any correction under Article 11(2) which is received by this receiving Office after the expiration of this 14-month period may result in that priority claim being considered void for the purposes of the procedure under the PCT (Rule 26bis.2(c)(iii)).

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

ANNEX TO FORM PCT/RO/103

International application No.

Continuation of item 6. and 7.:

Where the applicant wishes to confirm in accordance with Rule 20.6(a) that the element referred to in Article 11(1)(iii)(d) and/or (e) was incorporated by reference under Rule 4.18, the applicant shall furnish, within two months from the date of mailing of this invitation (Rule 20.7(a)(i)), the following:

1. Written notice confirming that the element referred to in Article 11(1)(iii)(d) and/or (e) was incorporated by reference in the international application under Rule 4.18 (*no special Form required*)
2. Sheet or sheets embodying the entire element as contained in the earlier application in the following language (Rule 12.1*bis*):
 - a. language of filing, that is, in _____
 - b. language of translation under Rule 12.3(a), that is, in _____
 - c. language of translation under Rule 12.4(a), that is, in _____
3. Where the applicant has not already complied with Rules 17.1(a), (b) or (b-*bis*) in relation to the priority document, a copy of the earlier application as filed
4. Translation of the earlier application into the following language (Rule 20.6(a)(iii)):
 - a. language of filing, that is, into _____
 - b. language of translation under Rule 12.3(a), that is, into _____
 - c. language of translation under Rule 12.4(a), that is, into _____

If this receiving Office finds that the requirements of Rules 4.18 and 20.6 have been complied with and that the element referred to in Article 11(1)(iii)(d) and/or (e) was completely contained in the earlier 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 this receiving Office.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION THAT THE PURPORTED
INTERNATIONAL APPLICATION IS NOT
AND WILL NOT BE TREATED
AS AN INTERNATIONAL APPLICATION

(PCT Rule 20.4(i))

Date of mailing <i>(day/month/year)</i>	IMPORTANT NOTIFICATION
Applicant's or agent's file reference	IMPORTANT NOTIFICATION
International application No.	Date of receipt <i>(day/month/year)</i>
Applicant	
Title of the invention	

<p>1. The applicant is hereby notified that the purported international application is not and will not be treated as an international application for the reason(s) indicated below.</p> <p>2. An invitation to correct (Form PCT/RO/103) was mailed to the applicant on _____</p> <p>3. However <input type="checkbox"/> the applicant has failed to reply to that invitation. <input type="checkbox"/> the applicant's reply to that invitation was received on _____ i.e., after the expiration of the time limit under Rule 20.7. <input type="checkbox"/> the applicant's reply to that invitation does not fulfill the requirements which were indicated under No. _____ of that invitation.</p> <p>4. Any payments made by the applicant in respect of the international fee and search fee will be refunded in due course.</p> <p>5. A copy of this notification has been sent to the International Bureau to inform it that the number indicated above will no longer be used as an international application number.</p>
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Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

NOTIFICATION OF THE INTERNATIONAL
APPLICATION NUMBER AND OF THE
INTERNATIONAL FILING DATE

(PCT Rule 20.2(c))

To:

Date of mailing (day/month/year)

Applicant's or agent's file reference		IMPORTANT NOTIFICATION
International application No.	International filing date (day/month/year)	
Applicant		
Title of the invention		

<p>1. The applicant is hereby notified that the international application has been accorded the international application number and the international filing date indicated above.</p> <p>2. The applicant is further notified that the record copy of the international application:</p> <p><input type="checkbox"/> was transmitted to the International Bureau on _____</p> <p><input type="checkbox"/> has not yet been transmitted to the International Bureau for the reason indicated below and a copy of this notification has been sent to the International Bureau*:</p> <p style="padding-left: 40px;"><input type="checkbox"/> because the necessary national security clearance has not yet been obtained.</p> <p style="padding-left: 40px;"><input type="checkbox"/> because (reason to be specified):</p> <p style="margin-top: 20px;">* The International Bureau monitors the transmittal of the record copy by the receiving Office and will notify the applicant (with Form PCT/IB/301) of its receipt. Should the record copy not have been received by the expiration of 14 months from the priority date, the International Bureau will notify the applicant (Rule 22.1(c)).</p>

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

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

INVITATION RELATING TO CERTAIN PARTS OF
 THE INTERNATIONAL APPLICATION THAT
 ARE, OR APPEAR TO BE, MISSING

(PCT Rule 20.5(a))

Applicant's or agent's file reference		Date of mailing (day/month/year)
		REPLY DUE within TWO MONTHS from the above date of mailing. See also item 4 below.
International application No.	Date of receipt (day/month/year)	Priority date (day/month/year)
Applicant		

1. This receiving Office has found that:

a. parts of the description are, or appear to be, missing (*specify pages*): _____

b. a part of a claim or a part of the claims are, or appear to be, missing (*specify pages*): _____

c. parts or all of the drawings are, or appear to be, missing (*specify pages*): _____

d. reference to drawings which appear to be missing is made on pages _____

2. The applicant is hereby invited, within the time limit indicated above, at the applicant's option:

(i) to complete the purported international application by furnishing the missing part(s); or

(ii) to confirm in accordance with Rule 20.6(a) that the part was incorporated by reference under Rule 4.18 (see Annex for details);

and to make observations, if any.

3. Where missing drawings are not furnished to this receiving Office within the time limit indicated above, any reference to such drawings in the international application will be considered non-existent (Article 14(3)).

4. **Attention:**

Where the applicant furnishes to this receiving Office, after the date on which all of the requirements of Article 11(1) were fulfilled (and an international filing date has been accorded) but within the time limit indicated above, the missing part so as to complete the international application, this receiving Office will correct the international filing date to the date on which it received that part (Rule 20.5(c)).

The time limit for responding to this invitation expires later than 14 months from the filing date of the earliest application the priority of which is claimed. In the case referred to in paragraph a), any missing part received by this receiving Office after the expiration of this 14-month period may result not only in the international filing date being corrected but also in that priority claim being considered void for the purposes of the procedure under the PCT (Rule 26bis.2(c)(iii)).

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

ANNEX TO FORM PCT/RO/107

International application No.

Continuation of item 2:

Where the applicant wishes to confirm in accordance with Rule 20.6(a) that the missing part was incorporated by reference under Rule 4.18, the applicant shall furnish, within two months from the date of mailing of this invitation (Rule 20.7(a)(i)), the following:

1. Written notice confirming that the missing part was incorporated by reference in the international application under Rule 4.18 (*no special Form required*)
2. Sheet or sheets embodying the part concerned as contained in the earlier application in the following language (Rule 12.1*bis*):
 - a. language of filing, that is, in _____
 - b. language of translation under Rule 12.3(a), that is, in _____
 - c. language of translation under Rule 12.4(a), that is, in _____
3. Where the applicant has not already complied with Rules 17.1(a), (b) or (b-*bis*) in relation to the priority document, a copy of the earlier application as filed
4. Translation of the earlier application into the following language (Rule 20.6(a)(iii)):
 - a. language of filing, that is, into _____
 - b. language of translation under Rule 12.3(a), that is, into _____
 - c. language of translation under Rule 12.4(a), that is, into _____

If this receiving Office finds that the requirements of Rules 4.18 and 20.6 have been complied with and that the missing part was completely contained in the earlier application, 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 this receiving Office.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

INVITATION TO REQUEST RECTIFICATION

(PCT Rules 91.1(h) and 91.2)

Date of mailing (day/month/year)	
Applicant's or agent's file reference	REPLY DUE see item 2 and the last paragraph below
International application No.	International filing date (day/month/year)
Applicant	

1. This receiving Office has discovered in the international application/in other documents submitted by the applicant to this Authority what appears to be an obvious mistake:

as shown on the attached copy

as specified hereafter:

2. The applicant is hereby **invited to submit a request for rectification** to the following authority:

this receiving Office

the International Searching Authority

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

HOW TO CORRECT A MISTAKE ?

Except where the mistake is in the request, any rectification must be submitted in the form of a replacement sheet or sheets, accompanied by a letter drawing attention to the differences between the replaced sheet and the replacement sheet. For a mistake in the request, the desired rectification may simply be stated in a letter if it is of a nature where the change can be transferred clearly onto the request record copy (Rule 26.4).

ATTENTION

No rectification will be made without the express authorization of the competent authority indicated above and the request for rectification must be submitted to that authority within 26 months from the priority date (Rule 91.2).

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

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

**NOTIFICATION OF DECISION CONCERNING
REQUEST FOR RECTIFICATION**

(PCT Rule 91.3(a) and (d))

	Date of mailing <i>(day/month/year)</i>
Applicant's or agent's file reference	REPLY DUE NONE However, see last paragraph below
International application No.	International filing date <i>(day/month/year)</i>
Applicant	

The applicant is hereby notified that this receiving Office has considered the request for rectification of obvious mistakes in the request of the international application/in other documents submitted by the applicant to this Authority, and has decided:

1. to authorize the rectification:

as requested by the applicant

to the extent set forth below*:

2. to refuse to authorize the rectification or part of it for the following reasons*:

A copy of this notification, together with a copy of the applicant's request for rectification, has been sent to the International Bureau.

* **If the authorization of the rectification has been refused in whole or in part**, the applicant may request the International Bureau, within two months from the date of the refusal and subject to the payment of a special fee, to publish the request for rectification and the reasons for refusal by this Authority and any further brief comments that may be submitted by the applicant together with the international application. See Rule 91.3(d) and, for the amount of the fee, see the *PCT Applicant's Guide*, Volume I, Annex B2(IB).

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

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

INVITATION TO CORRECT PRIORITY CLAIM
AND/OR NOTIFICATION OF POSSIBILITY
TO REQUEST RESTORATION OF
THE RIGHT OF PRIORITY

(PCT Rules 4.10, 26bis.1, 26bis.2(a) and (b), 26bis.3)

Applicant's or agent's file reference		Date of mailing (day/month/year)
		REPLY DUE See item 1
International application No.	International filing date (day/month/year)	Priority date (day/month/year)
Applicant		

The applicant is hereby **invited** to correct, by a notice submitted to the receiving Office, within the time limit indicated below, defects in the priority claim as indicated in Annex A.

Time limit to respond to this Invitation (Rule 26bis.1(a)):

- within 16 months from the (earliest) priority date; or
- if the (earliest) priority date is changed as a result of the correction or addition of the (earliest) priority claim, within 16 months from that (earliest) priority date so changed,

whichever expires first, provided that such a notice may, in any event, be submitted until the expiration of four months from the international filing date.

Failure to respond to this Invitation within the prescribed time limit may result in the priority claim concerned to be considered void for the purposes of the procedure under the PCT (Rule 26bis.2(b)).

The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within 2 months from that date. The applicant is hereby **notified** of the possibility of submitting to the receiving Office, within the time limit indicated below, a request to restore the right of priority as indicated in Annex B.

Time limit to request the restoration of the right of priority (Rule 26bis.3(e)):

- within 2 months from the date on which the priority period expired.

In the case where **multiple priorities** have been claimed, this notice relates to the following priority claim:

A copy of this Invitation/Notification is being sent to the International Bureau.

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

ANNEX A TO FORM PCT/RO/110

International application No.

This receiving Office has found the following defects in the priority claim(s):

1. Failure to Comply with the Requirements of Rule 4.10

a. **National** application

- Missing indication of the filing date of the earlier application.
- Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
- Missing indication of the number of the earlier application.**
- Missing indication of the country party to the Paris Convention for the Protection of Industrial Property, or of the Member of the World Trade Organization that is not party to that Convention, in which the earlier national application was filed.
- The country indicated is neither a party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization.

b. **Regional** application

- Missing indication of the filing date of the earlier application.
- Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
- Missing indication of the number of the earlier application.**
- Missing indication of the authority entrusted with the granting of regional patents under the applicable regional patent treaty.
- The authority indicated as the authority entrusted with the granting of regional patents does not grant regional patents.
- The priority claim in relation to the ARIPO application does not indicate either at least one country party to the Paris Convention for the Protection of Industrial Property, or at least one Member of the World Trade Organization, for which the earlier application was filed.

c. **International** application

- Missing indication of the filing date of the earlier application.
- Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
- Missing indication of the number of the earlier application.**
- Missing indication of the receiving Office with which it was filed.

2. Inconsistency with the Corresponding Indications in the Priority Document**

a. Inconsistency with regard to the filing date of the earlier application:

The request indicates:
The priority document indicates:

b. Inconsistency with regard to the number of the earlier application:

The request indicates:
The priority document indicates:

c. Inconsistency with regard to the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization in which the **national** application was filed:

The request indicates:
The priority document indicates:

d. Inconsistency with regard to the authority entrusted with the granting of *regional patents* under the applicable regional patent treaty:

The request indicates:
The priority document indicates:

e. Inconsistency with regard to the receiving Office with which the **international** application was filed:

The request indicates:
The priority document indicates:

* If the international filing date is later than the date on which the priority period expired, but is within two months from that expiration date, the priority claim will not be considered void (Rule 26bis.2(c)(iii)).

** Even if this defect is not corrected in response to this Invitation, the priority claim concerned will not be considered void (Rule 26bis.2(c)(i) and (ii)).

ANNEX B TO FORM PCT/RO/110

International application No.

NOTIFICATION OF POSSIBILITY TO REQUEST RESTORATION OF THE RIGHT OF PRIORITY

(Rule 26bis.3)

The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. If the filing date of the earlier application has been indicated correctly and no request for correction of that filing date is submitted under Rule 26bis.1(a), the applicant may submit to the receiving Office, within the time limit indicated below, a request to restore the right of priority.

REQUEST TO RESTORE THE RIGHT OF PRIORITY

The **request to restore the right of priority** must be filed **within 2 months** from the date on which the priority period expired provided that, where the applicant makes a request for early publication under Article 21(2)(b), the request must be submitted before technical preparations for international publication have been completed (Rule 26bis.3(e)).

The **request to restore the right of priority** must state the reasons for the failure to file the international application within the priority period. This receiving Office will restore the right of priority if it finds that the following criterion or one of the following criteria for restoration is satisfied, namely that the failure to file the international application within the priority period:

occurred in spite of due care required by the circumstances having been taken,

and/or

was unintentional.

This receiving Office may invite the applicant to furnish a declaration or other evidence in support of the statement of reasons (Rule 26bis.3(f)). Preferably, such declaration or other evidence should already be furnished together with the request for restoration of the right of priority.

FEE PAYMENT

The submission of the request to restore the right of priority is subject to **the payment of a fee**, payable **within 2 months** from the date on which the priority period expired, in the amount of:

_____ (amount/currency) for restoration based on the criterion of due care;

or

_____ (amount/currency) for restoration based on the criterion of unintentional

No fee payment is required.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
 Administrative Instructions, Sections 302 and 314)

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

The applicant is hereby **notified** of the following in respect of the priority claim(s) made in the international application.

1. **Correction of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been corrected to read as follows:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. **Addition of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been added:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, the **(earliest) priority date** is:
4. The priority claim (*see also item 5, below, if applicable*) is **considered void** because:
 - the applicant failed to respond to the invitation under Rule 26bis.2(a) (Form PCT/RO/110) within the prescribed time limit.
 - the applicant's notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a).
 - the applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).
5. The priority claim cannot be corrected/added since the applicant's notice was received on _____ after expiration of the prescribed time limit under Rule 26bis.1(a).
 The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(1B).
6. In case where **multiple priorities** have been claimed, the above item(s) relate to the following priority claim(s):
7. A copy of this notification has been sent to the International Bureau and
 to the International Searching Authority.

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

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION ON DECISION OF CONFIRMATION
OF INCORPORATION BY REFERENCE
OF ELEMENT OR PART

(PCT Rule 20.6(b) and (c))

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

This receiving Office has found that:

1. the requirements of Rules 4.18 and 20.6(a) have been complied with and that an element or part is 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 this receiving Office (for further details on the international filing date accorded see Form PCT/RO/105 issued separately) (Rule 20.6(b)).

This decision concerns page number(s) _____ and, for the purposes of Rule 20.6(a)(ii), has been based on:

a. the priority document furnished under Rule 17.1(a), (b) or (b-bis)

b. a copy of the earlier application as filed (Rule 20.6(a)(ii))

2. the requirements of Rules 4.18 and 20.6(a) have **not** been complied with and that an element or part is **not** 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 this receiving Office (Rule 20.6(c)) because (*specify*):

This decision concerns page number(s) _____

For further details concerning the processing of the later submitted parts, see Form PCT/RO/126.

A copy of this notification has been sent to 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), as required under Rule 26bis.3(h)(i)
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(c)(iv), 310(b)(iv), 310bis(b)(v), or 310ter(iv))
11. _____ 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

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION CONCERNING LATER
 SUBMITTED PARTS OF AN
 INTERNATIONAL APPLICATION

(PCT Rule 20.5(b) and (c),
 Administrative Instructions, Section 309)

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

1. The applicant is hereby notified that a missing part or parts of the description, claims or drawings pertaining to the (purported) international application furnished by the applicant to complete the international application were received by this receiving Office on _____, that is, on a date later than the date on which one or more elements referred to in Article 11(1)(iii) were first received by this receiving Office.

2. As the date of receipt of those later submitted parts is within two months from the date of the invitation issued under Rule 20.5(a) (Form PCT/RO/107, dated _____) or, where no such invitation was issued, within two month from the date on which one or more elements of this international application referred to in Article 11(1)(iii) were first received by this receiving Office, and since an incorporation by reference of these later submitted parts was not confirmed in accordance with Rules 4.18 and 20.6(a):

a. the later submitted parts are included in the application and since, to date, not all of the requirements of Article 11(1) are fulfilled, this receiving Office will accord an international filing date once all of those requirements are fulfilled (Rule 20.5(b));

b. the later submitted parts are included in the application and the international filing date is corrected to the date on which this receiving Office received those later submitted parts, that is, to _____ (corrected international filing date).

NOTE: The applicant may, in a notice submitted to the receiving Office within one month from the date of mailing of this notification, **request that the missing part concerned be disregarded**, in which case the missing part shall be considered not to have been furnished and the correction of the international filing date shall be considered not to have been made (Rule 20.5(e)).

3. As the date of receipt of those later submitted parts is not within two months from the date of the invitation issued under Rule 20.5(a) (Form PCT/RO/107, dated _____) or, where no such invitation was issued, is not within two months from the date on which one or more elements of this international application referred to in Article 11(1)(iii) were first received by this receiving Office, the later submitted parts will not be included in the application and will not be taken into account for the purposes of international processing.

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

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION OF INTENDED REFUSAL
 OF REQUEST TO RESTORE RIGHT OF
 PRIORITY AND/OR INVITATION TO FURNISH
 DECLARATION OR OTHER EVIDENCE

(PCT Rule 26bis.3(f) and (g))

Applicant's or agent's file reference		Date of mailing (day/month/year)	
		REPLY DUE	
		See below	
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)	
Applicant			

This receiving Office has received from the applicant a request for restoration of the right of priority which was:

- included in Form PCT/RO/101 at the time of filing of this international application.
- received on _____

The request for restoration of the right of priority concerns the priority claim(s) identified as item(s) _____ of Box No. VI of the request (Form PCT/RO/101). The applicant is hereby notified that this receiving Office **intends to refuse** the request for the reason(s) set out below and, where appropriate, more fully in the Annex to this form:

1. the request to restore the right of priority was not received within the applicable time limit under Rule 26bis.3(e).
2. the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(b)(ii)); the applicant may submit, within the **time limit** applicable under Rule 26bis.3(e)*, a (sufficient) statement of reasons.
3. the required declaration in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)); the applicant is hereby invited to furnish such a (sufficient) declaration **within** _____ (**days/months**) from the date of this Invitation (Rule 26bis.3(f)).
4. the required evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)); the applicant is hereby invited to furnish such (sufficient) evidence **within** _____ (**days/months**) from the date of this Invitation (Rule 26bis.3(f)).
5. lack of or insufficient payment of the fee required under Rule 26bis.3(d); the applicant may pay, within the **time limit** applicable under Rule 26bis.3(e)*, in full the amount due.
6. a priority claim in respect of the earlier application is not contained in the international application; the applicant may submit, within the **time limit** applicable under Rule 26bis.3(e)*, a notice under Rule 26bis.1(a) adding the priority claim.

The applicant is given the opportunity to make **observations** on the intended refusal **within** a time limit of _____ (**day/months**) from the date of this Notification (Rule 26bis.3(g)).

* The **time limit** applicable under Rule 26bis.3(e) is two months from the date on which the priority period expired, provided that, where the applicant makes a request for early publication under Article 21(2)(b), the time limit is the date of completion of technical preparations for international publication.

A copy of this Notification/Invitation is being sent to the International Bureau.

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

ANNEX TO FORM PCT/RO/158

International application No.

This receiving Office intends to refuse the request to restore the right of priority for the following reason(s):

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION OF
 DECISION ON REQUEST
 TO RESTORE RIGHT OF PRIORITY

(PCT Rule 26bis.3(h)(iii))

Applicant's or agent's file reference		Date of mailing (day/month/year)
		REPLY DUE See below
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)
Applicant		

Upon the request of the applicant:

included in Form PCT/RO/101 at the time of filing of this international application, or

received on _____

to restore the right of priority in respect of the priority claim identified as item (____) in Box No. VI of the request (Form PCT/RO/101), this receiving Office has decided:

to restore the right of priority, based on the finding by this receiving Office that the criterion for restoration applied by it is **satisfied**, namely that the failure to file the international application within the priority period:

occurred in spite of due care required by the circumstances having been taken

was unintentional.

to refuse the request to restore the right of priority, following issuance of the Notification of Intended Refusal of Request to Restore Right of Priority (Form PCT/RO/158) dated _____ for the following reason(s):

1. the request to restore the priority right was not received within the applicable time limit under Rule 26bis.3(e).
2. the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(b)(ii)).
3. a declaration in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
4. evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
5. lack of payment of the fee for restoration (Rule 26bis.3(d)).
6. lack of a priority claim in respect of an earlier application in the international application as required under Rule 26bis.3(c).

Where appropriate, the reason(s) for refusal are set out fully in the Annex to this form.

A copy of this Decision is being sent to the International Bureau.

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

ANNEX TO FORM PCT/RO/159

International application No.

This receiving Office has refused the request to restore the right of priority for the following reason(s):

PATENT COOPERATION TREATY

PCT

INTERNATIONAL-TYPE SEARCH REPORT

(PCT Article 15(5))

National application No.	Country or Office of filing	Applicant's or agent's file reference
Filing date (day/month/year)		(Earliest) Priority date (day/month/year)
Applicant		

Date of request for international-type search	International-type search request No.
---	---------------------------------------

This international-type search report has been prepared by this International Searching Authority and is transmitted to the applicant.

This international-type search report consists of a total of _____ sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international-type search was carried out on the basis of:

the application in the language in which it was filed.

a translation of the application into _____ which is the language of a translation furnished for the purposes of the international-type search.

b. This international-type search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91.

c. With regard to any **nucleotide and/or amino acid sequence** disclosed in the application, see Box No. I.

2. **Certain claims were found unsearchable** (See Box No. II).

3. **Unity of invention is lacking** (See Box No. III).

Annex IV to Circular C. PCT 1089
page 2

INTERNATIONAL-TYPE SEARCH REPORT

Search request No.

Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the application, this international-type search was carried out on the basis of :
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - on paper
 - in electronic form
 - c. time of filing/furnishing
 - contained in the application as filed
 - filed together with the application in electronic form
 - furnished subsequently to this Authority for the purposes of search
2. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

INTERNATIONAL-TYPE SEARCH REPORT

Search request No.

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international-type search report has not been established in respect of certain claims for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
because they relate to parts of the national application that do not comply with the prescribed requirements to such an extent that no meaningful international-type search can be carried out, specifically:

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this national application, as follows:

1. As all required additional search fees were timely paid by the applicant, this international-type search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. As only some of the required additional search fees were timely paid by the applicant, this international-type search report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this international-type search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- No protest accompanied the payment of additional search fees.

Annex IV to Circular C. PCT 1089
page 4

INTERNATIONAL-TYPE SEARCH REPORT

Search request No.

A. CLASSIFICATION OF SUBJECT MATTER	
According to International Patent Classification (IPC) or to both national classification and IPC	
B. FIELDS SEARCHED	
Minimum documentation searched (classification system followed by classification symbols)	
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched	
Electronic data base consulted during the international search (name of data base, and, where practicable, search terms used)	
C. DOCUMENTS CONSIDERED TO BE RELEVANT	
Category*	Citation of document, with indication, where appropriate, of the relevant passages
	Relevant to claim No.
<input type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> Patent family members are listed in annex.	
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family
Date of the actual completion of the international-type search	Date of mailing of the international-type search report
Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

Annex IV to Circular C. PCT 1089
page 5

INTERNATIONAL-TYPE SEARCH REPORT

Search request No.

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

INTERNATIONAL-TYPE SEARCH REPORT
Information on patent family members

Search request No.

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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
in its capacity as receiving Office

PCT

**NOTIFICATION OF FACTS WHICH SHOULD
 HAVE PRECLUDED THE ACCORDING OF
 AN INTERNATIONAL FILING DATE**

(PCT Rule 29.3)

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

The International Searching Authority hereby calls the following facts to the attention of the receiving Office and considers that the receiving Office should make a finding that the international application is to be considered withdrawn (Article 14(4) and Rule 30.1).

1. The applicant obviously lacks for reasons of residence and nationality the right to file an international application with the receiving Office (Article 11(1)(i) and Rules 18 and 19).
2. The description is not in (one of) the prescribed language(s), which is (are): _____
 (Article 11(1)(ii) and Rules 12.1(a) and 20.1(c)).
3. The claims are not in (one of) the prescribed language(s), which is (are): _____
 (Article 11(1)(ii) and Rules 12.1(a) and 20.1(c)).
4. The application does not contain an indication that it is intended as an international application
 (Article 11(1)(iii)(a) and Rule 4.2).
5. The application does not contain the name of the applicant, as prescribed
 (Article 11(1)(iii)(c) and Rule 20.1(b)).
6. The application does not contain a part which on the face of it appears to be a description
 (Article 11(1)(iii)(d) and Rule 5).
7. The application does not contain a part which on the face of it appears to be a claim or claims
 (Article 11(1)(iii)(e) and Rule 6).

A copy of this notification has been sent to the International Bureau.

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

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority Date (<i>day/month/year</i>)
Applicant		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of _____ sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

the international application in the language in which it was filed.

a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).

c. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. **Certain claims were found unsearchable** (see Box No. II).

3. **Unity of invention is lacking** (see Box No. III).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. _____

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - on paper
 - in electronic form
 - c. time of filing/furnishing
 - contained in the international application as filed
 - filed together with the international application in electronic form
 - furnished subsequently to this Authority for the purposes of search
2. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

INTERNATIONAL SEARCH REPORT

International application No.

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

Annex IV to Circular C. PCT 1089
page 13

INTERNATIONAL SEARCH REPORT

International application No.

A. CLASSIFICATION OF SUBJECT MATTER
According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
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C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

<input type="checkbox"/> Further documents are listed in the continuation of Box C.	<input type="checkbox"/> See patent family annex.
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* Special categories of cited documents:	“T” later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
“A” document defining the general state of the art which is not considered to be of particular relevance	“X” document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
“E” earlier application or patent but published on or after the international filing date	“Y” document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
“L” document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	“&” document member of the same patent family
“O” document referring to an oral disclosure, use, exhibition or other means	
“P” document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search	Date of mailing of the international search report
---	--

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

International application No.

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.

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INTERNATIONAL SEARCH REPORT

International application No.

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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

INVITATION TO REQUEST RECTIFICATION

(PCT Rules 91.1(h) and 91.2)

To:	
	Date of mailing <i>(day/month/year)</i>
Applicant's or agent's file reference	REPLY DUE see item 2 and the last paragraph below
International application No.	International filing date <i>(day/month/year)</i>
Applicant	

1. This International Searching Authority has discovered in the international application/in other documents submitted by the applicant to this Authority what appears to be an obvious mistake:

as shown on the attached copy.

as specified hereafter:

2. The applicant is hereby **invited to submit a request for rectification** to the following authority:

the receiving Office this International Searching Authority the International Bureau of WIPO
34 chemin des Colombettes
1211 Geneva 20, Switzerland

HOW TO CORRECT A MISTAKE?

Except where the mistake is in the request, any rectification must be submitted in the form of a replacement sheet or sheets, accompanied by a letter drawing attention to the differences between the replaced sheet and the replacement sheet. For a mistake in the request, the desired rectification may simply be stated in a letter if it is of a nature where the change can be transferred clearly onto the request record copy (Rule 26.4).

ATTENTION

No rectification will be made without the express authorization of the competent authority indicated above and the request for rectification must be submitted to that authority within 26 months from the priority date (Rule 91.2).

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

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF DECISION CONCERNING
 REQUEST FOR RECTIFICATION

(PCT Rule 91.3(a) and (d))

To:	
Applicant's or agent's file reference	REPLY DUE NONE However, see last paragraph below
International application No.	International filing date <i>(day/month/year)</i>
Applicant	

The applicant is hereby notified that this International Searching Authority has considered the request for rectification of obvious mistakes in the international application/in other documents submitted by the applicant to this Authority, and has decided:

1. a. to authorize the rectification:
- as requested by the applicant.
- to the extent set forth below*:
- b. The rectification **will be or has been taken into account** for the purposes of the international search (Rule 43.6bis(a)).
- The rectification **has not been taken into account** because it was authorized by this Authority after this Authority has begun to draw up the international search report (Rule 43.6bis(b)).
2. to refuse to authorize the rectification or part of it for the following reasons*:

A copy of this notification, together with a copy of the applicant's request for rectification, has been sent to the receiving Office and to the International Bureau.

* **If the authorization of the rectification has been refused in whole or in part**, the applicant may request the International Bureau, within two months from the date of the refusal and subject to the payment of a special fee, to publish the request for rectification and the reasons for refusal by this Authority and any further brief comments that may be submitted by the applicant together with the international application. See Rule 91.3(d) and, for the amount of the fee, see the *PCT Applicant's Guide*, Volume I, Annex B2(IB).

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

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference	FOR FURTHER ACTION See paragraph 2 below
---------------------------------------	--

International application No.	International filing date (day/month/year)	Priority date (day/month/year)
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International Patent Classification (IPC) or both national classification and IPC

Applicant

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ Facsimile No.	Date of completion of this opinion	Authorized officer Telephone No.
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

Box No. I **Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of:
 - the international application in the language in which it was filed
 - a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing

 - b. format of material
 - on paper
 - in electronic form

 - c. time of filing/furnishing
 - contained in the international application as filed
 - filed together with the international application in electronic form
 - furnished subsequently to this Authority for the purposes of search

4. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

Box No. II Priority

1. The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.
2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No. _____

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

- the entire international application.
- claims Nos. _____

because:

- the said international application, or the said claims Nos. _____ relate to the following subject matter which does not require an international search (*specify*):

- the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____ are so unclear that no meaningful opinion could be formed (*specify*):

- the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):

- no international search report has been established for said claims Nos. _____

- a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

- furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

- pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).

- a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

- the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

- See Supplemental Box for further details.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

Box No. IV Lack of unity of invention

1. In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:
- paid additional fees
 - paid additional fees under protest and, where applicable, the protest fee
 - paid additional fees under protest but the applicable protest fee was not paid
 - not paid additional fees
2. This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- complied with.
 - not complied with for the following reasons:
4. Consequently, this opinion has been established in respect of the following parts of the international application:
- all parts
 - the parts relating to claims Nos. _____

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	_____	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	_____	YES
	Claims	_____	NO

2. Citations and explanations:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

Box No. VI Certain documents cited

1. Certain published documents (Rules 43bis.1 and 70.10)

<u>Application No. Patent No.</u>	<u>Publication date (day/month/year)</u>	<u>Filing date (day/month/year)</u>	<u>Priority date (valid claim) (day/month/year)</u>
---------------------------------------	--	---	---

2. Non-written disclosures (Rules 43bis.1 and 70.9)

<u>Kind of non-written disclosure</u>	<u>Date of non-written disclosure (day/month/year)</u>	<u>Date of written disclosure referring to non-written disclosure (day/month/year)</u>
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

INVITATION TO REQUEST RECTIFICATION

(PCT Rules 91.1(h) and 91.2)

To:

Date of mailing (day/month/year)	REPLY DUE See item 2 and the last paragraph below
Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
Applicant	

1. The International Bureau has discovered in the international application/in other documents submitted by the applicant to the International Bureau what appears to be an obvious mistake:

- as shown on the attached copy
- as specified hereafter:

2. The applicant is hereby **invited to submit a request for rectification** to the following authority:

- the receiving Office
- the International Searching Authority
- the International Preliminary Examining Authority
- the International Bureau, at the address indicated below

HOW TO CORRECT A MISTAKE?

Except where the mistake is in the request, any rectification must be submitted in the form of a replacement sheet or sheets, accompanied by a letter drawing attention to the differences between the replaced sheet and the replacement sheet. For a mistake in the request, the desired rectification may simply be stated in a letter if it is of a nature where the change can be transferred clearly onto the request record copy (Rule 26.4).

ATTENTION

No rectification will be made without the express authorization of the competent authority indicated above and the request for rectification must be submitted to that authority within 26 months from the priority date (Rule 91.2).

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 BUREAU

PCT

NOTIFICATION OF DECISION CONCERNING
REQUEST FOR RECTIFICATION

(PCT Rule 91.3(a) and (b))

To:

Date of mailing (day/month/year)	
Applicant's or agent's file reference	REPLY DUE NONE However, see last paragraph below
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby notified that the International Bureau has considered the request for rectification of obvious mistakes in the documents submitted by the applicant to the International Bureau, and has decided:

1. to authorize the rectification:
- as requested by the applicant
 - to the extent set forth below*:
2. to refuse to authorize the rectification or part of it for the following reasons*:

* **If the authorization of the rectification has been refused in whole or in part**, the applicant may request the International Bureau, within two months from the date of the refusal and subject to the payment of a special fee, to publish the request for rectification and the reasons for refusal by this Authority and any further brief comments that may be submitted by the applicant together with the international application. See Rule 91.3(d) and, for the amount of the fee, see the *PCT Applicant's Guide*, Volume I, Annex B2(IB).

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

From the INTERNATIONAL BUREAU

PCT

INVITATION TO CORRECT PRIORITY CLAIM
AND/OR NOTIFICATION OF POSSIBILITY
TO REQUEST RESTORATION OF
THE RIGHT OF PRIORITY

(PCT Rules 4.10, 26bis.1, 26bis.2(a) and (b), 26bis.3)

To:

Date of mailing (day/month/year)	
Applicant's or agent's file reference	REPLY DUE See item 1
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby **invited** to correct, by a notice submitted to the International Bureau within the time limit indicated below, defects in the priority claim as indicated in Annex A:

Time limit to respond to this Invitation (Rule 26bis.1(a)):

- within 16 months from the (earliest) priority date; or
 - if the (earliest) priority date is changed as a result of the correction or addition of the (earliest) priority claim, within 16 months from that (earliest) priority date so changed,
- whichever expires first, provided that such a notice may, in any event, be submitted until the expiration of four months from the international filing date.

Failure to respond to this invitation within the prescribed time limit may result in the priority claim concerned to be considered void for the purposes of the procedure under the PCT (Rule 26bis.2(b)).

The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within 2 months from that date. The applicant is hereby **notified** of the possibility of submitting to the receiving Office, within the time limit indicated below, a request to restore the right of priority as indicated in Annex B.

Time limit to request the restoration of the right of priority with the receiving Office (Rule 26bis.3(e)):

- within 2 months from the date on which the priority period expired.

In the case where **multiple priorities** have been claimed, this notice relates to the following priority claim:

A copy of this Invitation/Notification is being sent to the receiving Office.

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

ANNEX A TO FORM PCT/IB/316

International application No.

The International Bureau has found the following defects in the priority claim(s):

1. Failure to Comply with the Requirements of Rule 4.10

- a. **National** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
 - Missing indication of the number of the earlier application.**
 - Missing indication of the country party to the Paris Convention for the Protection of Industrial Property, or of the Member of the World Trade Organization that is not party to that Convention, in which the earlier national application was filed.
 - The country indicated is neither a party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization.
- b. **Regional** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
 - Missing indication of the number of the earlier application.**
 - Missing indication of the authority entrusted with the granting of regional patents under the applicable regional patent treaty.
 - The authority indicated as the authority entrusted with the granting of regional patents does not grant regional patents.
 - The priority claim in relation to the ARIPO application does not indicate either at least one country party to the Paris Convention for the Protection of Industrial Property, or at least one Member of the World Trade Organization, for which the earlier application was filed.
- c. **International** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
 - Missing indication of the number of the earlier application.**
 - Missing indication of the receiving Office with which it was filed.

2. Inconsistency with the Corresponding Indications in the Priority Document**

- a. Inconsistency with regard to the filing date of the earlier application:
The request indicates:
The priority document indicates:
- b. Inconsistency with regard to the number of the earlier application:
The request indicates:
The priority document indicates:
- c. Inconsistency with regard to the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization in which the **national** application was filed:
The request indicates:
The priority document indicates:
- d. Inconsistency with regard to the authority entrusted with the granting of **regional patents** under the applicable regional patent treaty:
The request indicates:
The priority document indicates:
- e. Inconsistency with regard to the receiving Office with which the **international** application was filed:
The request indicates:
The priority document indicates:

* If the international filing date is later than the date on which the priority period expired, but is within two months from that expiration date, the priority claim will not be considered void (Rule 26bis.2(c)(iii)).

** Even if this defect is not corrected in response to this invitation, the priority claim concerned will not be considered void (Rule 26bis.2(c)(i) and (ii)).

ANNEX B TO FORM PCT/IB/316

International application No.

NOTIFICATION OF POSSIBILITY TO REQUEST RESTORATION OF RIGHT OF PRIORITY
(Rule 26bis.3)

The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. If the filing date of the earlier application has been indicated correctly and no request for correction of that filing date is submitted under Rule 26bis.1(a), the applicant may submit to the receiving Office, within the time limit indicated below, a request to restore the right of priority.

REQUEST TO RESTORE THE RIGHT OF PRIORITY

The **request to restore the right of priority** must be filed with the receiving Office **within 2 months** from the date on which the priority period expired provided that, where the applicant makes a request for early publication under Article 21(2)(b), the request must be submitted before technical preparations for international publication have been completed (Rule 26bis.3(e)).

The **request to restore the right of priority** must state the reasons for the failure to file the international application within the priority period; where required by the receiving Office, the request to restore the right of priority should preferably already be accompanied by a declaration or other evidence in support of the statement of reasons referred to in Rule 26bis.3(b)(iii) and the applicable fees should be paid (Rule 26bis.3(d)).

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
 Administrative Instructions, Sections 402(c) and 409)

To:

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

The applicant is hereby **notified** of the following in respect of the priority claim identified as item (_____) in Box No. VI of the request (Form PCT/RO/101).

1. **Correction of priority claim.** In accordance with the applicant's notice received on _____ the following priority claim has been corrected to read as follows:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. **Addition of priority claim.** In accordance with the applicant's notice received on _____ the following priority claim has been added:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. As a **result of the correction and/or addition** of (a) priority claim(s) under items 1 and/or 2, the **(earliest) priority date** is:
4. **Priority claim considered void**
 - The applicant failed to respond to the invitation under Rule 26bis.2(a) (Form PCT/IB/316) within the prescribed time limit.
 - The applicant's notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a).
 - The applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).
5. The priority claim cannot be corrected/added since the applicant's notice was received on _____ after the expiration of the prescribed time limit under Rule 26bis.1(a).
 The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(1B).
6. A copy of this notification has been sent to the receiving Office and
 - to the International Searching Authority (*where the international search report and the written opinion of the International Searching Authority have not yet been issued*).
 - to the International Preliminary Examining Authority (*where a demand for international preliminary examination has been filed*).
 - the designated Offices (*in accordance with Rule 93bis*).

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

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF FACTS WHICH
 SHOULD HAVE PRECLUDED THE ACCORDING
 OF AN INTERNATIONAL FILING DATE

(PCT Rule 29.3)

To:

in its capacity as receiving Office

Date of mailing <i>(day/month/year)</i>	
International application No.	International filing date <i>(day/month/year)</i>
Applicant	

The International Bureau hereby calls the following facts to the attention of the receiving Office and considers that the receiving Office should make a finding that the international application is to be considered withdrawn (Article 14(4) and Rule 30.1).

1. The applicant obviously lacks for reasons of residence and nationality the right to file an international application with the receiving Office (Article 11(1)(i) and Rules 18 and 19).
2. The description is not in (one of) the prescribed language(s), which is (are): _____
 (Article 11(1)(ii) and Rules 12.1(a) and 20.1(c)).
3. The claims are not in (one of) the prescribed language(s), which is (are): _____
 (Article 11(1)(ii) and Rules 12.1(a) and 20.1(c)).
4. The application does not contain an indication that it is intended as an international application
 (Article 11(1)(iii)(a) and Rule 4.2).
5. The application does not contain the name of the applicant, as prescribed
 (Article 11(1)(iii)(c) and Rule 20.1(b)).
6. The application does not contain a part which on the face of it appears to be a description
 (Article 11(1)(iii)(d) and Rule 5).
7. The application does not contain a part which on the face of it appears to be a claim or claims
 (Article 11(1)(iii)(e) and Rule 6).

Further observations, if necessary:

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

Annex VI to Circular C. PCT 1089

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No.	International filing date <i>(day/month/year)</i>	Priority date <i>(day/month/year)</i>
International Patent Classification (IPC) or national classification and IPC		
Applicant		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of _____ sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> <i>(sent to the applicant and to the International Bureau)</i> a total of _____ sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> <i>(sent to the International Bureau only)</i> a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/ Facsimile No.	Authorized officer Telephone No.

Annex VI to Circular C. PCT 1089
page 2

International application No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

- the international application in the language in which it was filed.
- a translation of the international application into _____, which is the language of a translation furnished for the purposes of:
- international search (Rules 12.3(a) and 23.1(b)).
- publication of the international application (Rule 12.4(a)).
- international preliminary examination (Rules 55.2(a) and/or 55.3(a)).

2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- the international application as originally filed/furnished.
- the description:
pages _____ as originally filed/furnished.
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- the claims:
pages _____ as originally filed/furnished.
pages* _____ as amended (together with any statement) under Article 19
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- the drawings:
pages _____ as originally filed/furnished.
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

- the description, pages _____
- the claims, Nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages _____
- the claims, Nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

5. This report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Box No. II **Priority**

1. This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
 - copy of the earlier application whose priority has been claimed (Rule 66.7(a)).
 - translation of the earlier application whose priority has been claimed (Rule 66.7(b)).
2. This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

- the entire international application
- claims Nos. _____

because:

- the said international application, or the said claims Nos. _____ relate to the following subject matter which does not require an international preliminary examination (*specify*):

- the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____ are so unclear that no meaningful opinion could be formed (*specify*):

- the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):

- no international search report has been established for said claims Nos. _____

- a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Preliminary Examining Authority in a form and manner acceptable to it.

- furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Preliminary Examining Authority in a form and manner acceptable to it.

- pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13ter.1(a) or (b) and 13ter.2.

- a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Preliminary Examining Authority in a form and manner acceptable to it.

- the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

- See Supplemental Box for further details.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Box No. IV Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has, within the applicable time limit:
 - restricted the claims
 - paid additional fees
 - paid additional fees under protest and, where applicable, the protest fee
 - paid additional fees under protest but the applicable protest fee was not paid
 - neither restricted the claims nor paid additional fees
2. This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
 - complied with
 - not complied with for the following reasons:
4. Consequently, this report has been established in respect of the following parts of the international application:
 - all parts
 - the parts relating to claims Nos. _____

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	_____	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	_____	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70.7)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

<u>Application No. Patent No.</u>	<u>Publication date (day/month/year)</u>	<u>Filing date (day/month/year)</u>	<u>Priority date (valid claim) (day/month/year)</u>
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2. Non-written disclosures (Rule 70.9)

<u>Kind of non-written disclosure</u>	<u>Date of non-written disclosure (day/month/year)</u>	<u>Date of written disclosure referring to non-written disclosure (day/month/year)</u>
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Supplemental Box Relating to Sequence Listing

Continuation of Box No. I, item 2:

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this report was established on the basis of:

a. type of material

a sequence listing

table(s) related to the sequence listing

b. format of material

on paper

in electronic form

c. time of filing/furnishing

contained in the international application as filed

filed together with the international application in electronic form

furnished subsequently to this Authority for the purposes of search and/or examination

received by this Authority as an amendment* on _____

2. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

3. Additional comments:

* If item 4 in Box No. I applies, the listing and/or table(s) related thereto, which form part of the basis of the report, may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

INVITATION TO REQUEST RECTIFICATION

(PCT Rules 91.1(h) and 91.2)

To:	
	Date of mailing <i>(day/month/year)</i>
Applicant's or agent's file reference	REPLY DUE see item 2 and the last paragraph below
Internataional application No.	International filing date <i>(day/month/year)</i>
Applicant	

1. This International Preliminary Examining Authority has discovered in the international application/in other documents submitted by the applicant to this Authority what appears to be an obvious mistake:

as shown on the attached copy.

as specified hereafter:

2. The applicant is hereby **invited to submit a request for rectification** to the following authority:

the receiving Office this International Preliminary Examining Authority the International Bureau of WIPO
34 chemin des Colombettes
1211 Geneva 20, Switzerland

HOW TO CORRECT A MISTAKE?

Except where the mistake is in the request, any rectification must be submitted in the form of a replacement sheet or sheets, accompanied by a letter drawing attention to the differences between the replaced sheet and the replacement sheet. For a mistake in the request, the desired rectification may simply be stated in a letter if it is of a nature where the change can be transferred clearly onto the request record copy (Rule 26.4).

ATTENTION

No rectification will be made without the express authorization of the competent authority indicated above and the request for rectification must be submitted to that authority within 26 months from the priority date (Rule 91.2).

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

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION OF DECISION CONCERNING
REQUEST FOR RECTIFICATION

(PCT Rule 91.3(a) and (d))

To:

Date of mailing (day/month/year)

Applicant's or agent's file reference	REPLY DUE NONE However, see last paragraph below
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International application No.	International filing date (day/month/year)
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Applicant

The applicant is hereby notified that this International Preliminary Examining Authority has considered the request for rectification of obvious mistakes in the international application/in other documents submitted by the applicant to this Authority, and has decided:

1. a. to authorize the rectification:
 - as requested by the applicant.
 - to the extent set forth below*:
 - b. The rectification **will be or has been taken into account** for the purposes of the international preliminary examination (Rule 70.2(e))
 - The rectification **has not been taken into account** because it was authorized by this Authority after this Authority has begun to draw up the international preliminary examination report (Rule 70.2(e))
2. to refuse to authorize the rectification or part of it for the following reasons*:

A copy of this notification, together with a copy of the applicant's request for rectification, has been sent to the International Bureau.

* **If the authorization of the rectification has been refused in whole or in part**, the applicant may request the International Bureau, within two months from the date of the refusal and subject to the payment of a special fee, to publish the request for rectification and the reasons for refusal by this Authority and any further brief comments that may be submitted by the applicant together with the international application. See Rule 91.3(d) and, for the amount of the fee, see the *PCT Applicant's Guide*, Volume I, Annex B2(IB).

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