

C. PCT 1659

November 28, 2023

Madam,  
Sir,

*Request for additional information to be provided for publication in the PCT Applicant's Guide*

The purpose of this Circular is to request your Office, in its capacity as a receiving Office, International Searching Authority, International Preliminary Examining Authority, Authority specified for supplementary search, and/or designated or elected Office (DO/EO) under the Patent Cooperation Treaty (PCT), to provide additional information to the International Bureau of the World Intellectual Property Organization (WIPO) for publication in the *PCT Applicant's Guide* (the "*Guide*"), so as to provide more complete information to the Offices and applicants which are the *Guide's* users.

Taking advantage of the occasion of the recently launched fully electronic version of the *Guide* (eGuide), the International Bureau proposes to add certain entries in the *Guide* based on suggestions received from Offices and users and accordingly requests the cooperation of your Office to provide the corresponding information. The proposed new questions are as follows:

## **Annex B**

Payment methods accepted by the Office (if different payment methods apply in respect of different PCT roles, please specify)

*[NB: the International Bureau frequently received questions from applicants asking about how to pay fees to some Offices. It would be very useful to collect such information from all Offices and reflect the acceptable payment methods in the Guide. As Offices often accept the same payment methods irrespective of various PCT roles, it would be desirable to provide this information in a single place in Annex B in order to simplify the provision and maintenance of such information, noting that if for any particular Office different payment methods apply in its different PCT roles, specific information may also be provided here. The International Bureau will add links after fee-related items in the particular Annexes directing applicant's attention to this place.]*

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**Annex C**

Does the receiving Office accept incorporation by reference (PCT Rule 20.6)?

*[NB: the relevant information should already have been notified to the International Bureau. Including this item in the Guide is just to reflect any existing notifications of incompatibility in the Guide so that it can provide comprehensive information about the practice and requirements of the respective Office. It is the same with respect to the other questions below of which the International Bureau should have already been notified of an answer.]*

Does the receiving Office accept the submission of pre-conversion documents and, if yes, in which format (Section 706 of the Administrative Instructions under the PCT)?

*[NB: see the explanation above.]*

Does the receiving Office accept the submission of color drawings on an informal basis and transmit them to the International Bureau?

*[NB: although under PCT Rule 11.13(a) applicants are still not allowed to formally file color (or greyscale) drawings or photographs, it has been an accepted practice under the PCT to permit receiving Offices to accept color drawings on an informal basis, and once provided to the International Bureau, it makes them available on PATENTSCOPE, so that any designated Office may accept them directly in the national phase if permissible under its national law. It would be beneficial to applicants to know before filing an international application which receiving Offices accept such color drawings on an informal basis.]*

**Annex E**

Are there any restrictions with regard to the competence of the Authority acting as an International Preliminary Examining Authority:

*[NB: in practice some Authorities have restrictions, and they are usually written in the respective Agreements between the Authorities and the International Bureau. Reflecting this information in the Guide will serve to better inform applicants about the restrictions.]*

**National Chapter (Summary)**

Does the Office accept the effect of restoration of the right of priority by the receiving Office (PCT Rule 49ter.1)?

*[NB: see the explanation above.]*

Does the Office permit reinstatement of rights (PCT Rule 49.6)?

*[NB: see the explanation above. Unless there is an applicable notification of incompatibility, designated Offices should provide information about the particular criterion and any fee charged for this purpose.]*

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Does the Office accept color drawings under its national law?

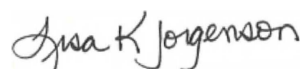
*[NB: for the same reason mentioned above concerning informal color drawings, it would also be beneficial to applicants to know which designated Offices accept color drawings in the national phase.]*

Should your Office have any comments about the new questions, please send them to the International Bureau by December 29, 2023, by e-mail to: [pct.legal@wipo.int](mailto:pct.legal@wipo.int). After that date, the International Bureau intends to integrate these new questions into the *Guide* and will contact each Office to request answers to the above questions (by email to: [pct.guide@wipo.int](mailto:pct.guide@wipo.int)).

*Missing national phase information and related issues*

The occasion of this Circular is also taken to draw the attention of DOs/EOs to the need to provide to the International Bureau complete and up-to-date information on national phase requirements so that it can be correctly reflected in the *Guide*. The International Bureau requests DOs/EOs to transmit any missing information to it (by e-mail to: [pct.guide@wipo.int](mailto:pct.guide@wipo.int)) and to continue to update all such information whenever changes occur. The International Bureau is also available to provide advice and assistance concerning any questions which may arise relating to the national phase obligations of DOs/EOs.

Yours sincerely,



Lisa Jorgenson  
Deputy Director General  
Patents and Technology Sector