

PFC 11/001

August 20, 2011

ADMINISTRATIVE INSTRUCTIONS UNDER THE
PATENT COOPERATION TREATY (PCT)
STANDARD FOR THE ELECTRONIC FILING AND PROCESSING
OF INTERNATIONAL APPLICATIONS

INSTRUCTIONS ADMINISTRATIVES DU
TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS (PCT)
NORME CONCERNANT LE DÉPÔT ET LE TRAITEMENT ÉLECTRONIQUES
DES DEMANDES INTERNATIONALES

PROPOSAL FOR CHANGE FILE DOSSIER RELATIF À LA PROPOSITION DE MODIFICATION			
SUBJECT: Changes to Annex F, Appendix I, section 3.6 (Addition of DTDs for RO/ISA/IPEA PCT forms)		PROPOSED BY: EP, JP, US	
SUJET : Modifications de la section 3.6 de l'appendice I de l'annexe F (Ajout de DTD pour formulaires du PCT RO / ISA / IPEA)		PROPOSÉE PAR :	
HANDLING: Expedited cycle		PROPOSED DATE OF ENTRY INTO FORCE:	
TRAITEMENT : Cycle accéléré		DATE PROPOSÉE D'ENTRÉE EN VIGUEUR : 01.01.2012	
ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
1	Specifications of modified elements and new DTDs required for the XML processing of PCT RO, ISA and IPEA forms	EP, JP, US	29.07.2011

[Annex follows/
L'annexe suit]

NEXT ACTION:	Comments	BY:	16.10.2011
PROCHAINE ACTION :	Comments	POUR LE :	

ADDITION OF DTDS FOR RO/ISA/IPEA PCT FORMS

1-1)	<p>Change: <!-- 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, unless otherwise indicated under this item. This opinion has been established on the basis of a translation from the original language into the following language _____ , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)). --></p> <p><!ELEMENT translation-of-appl EMPTY></p> <p><!ATTLIST translation-of-appl lang CDATA #IMPLIED ></p> <p>Change: (PCT/EF/PFC 10/002) <!ELEMENT translation-of-appl EMPTY></p> <p><!ATTLIST translation-of-appl translation (yes no) 'no' translation-purpose (international-search international-publication supplementary-international-search international-type-search international-preliminary-examination entry-regional-phase priority-document national-search national-examination opposition) #IMPLIED lang CDATA #IMPLIED ></p> <p>To: <!-- 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, unless otherwise indicated under this item. This opinion has been established on the basis of a translation from the original language into the following language _____ , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)). (PCT/RO/103 and PCT/RO/107) language of translation under Rule 12.3(a) : international-search language of translation under Rule 12.4(a) : international-publication --></p> <p><!ELEMENT translation-of-appl EMPTY ></p> <p><!ATTLIST translation-of-appl translation (yes no) "no" translation-purpose (international-search </p>
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	<p>international-publication supplementary- international-search international-type-search international-preliminary-examination entry-regional-phase priority-document national-search national-examination opposition)</p> <p>#IMPLIED</p> <p>lang CDATA #IMPLIED ></p>
Items impacted	search-report.dtd
Reason	<p>Attributes "translation-purpose" and "lang" of element "translation-of-appl" correspond to following checkboxes and spaces;</p> <p>Checkboxes and spaces under "[] Sheet or sheets embodying.. " in second page of PCT/RO/103 and PCT/RO/107;</p> <p>" [] language of translation under Rule 12.3(a),that is, in _____ "</p> <p>"[] language of translation under Rule 12.4(a),that is, in _____ "</p> <p>Checkboxes and spaces under " [] Translation of the earlier into.." in second page of PCT/RO/103 and PCT/RO/107;</p> <p>" [] language of translation under Rule 12.3(a),that is, into _____ "</p> <p>"[] language of translation under Rule 12.4(a),that is, into _____ "</p> <p>Hence, the JPO adds the comment which says attributes "translation-purpose" and "lang" of the element "translation-of-appl" are used in PCT/RO/103 and PCT/RO/107.</p> <p>The definition of these attributes are from "PCT/EF/PFC 10/002".</p>
Notes	

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1-2)	<p>Change : <!ELEMENT email (#PCDATA)></p> <p><!ATTLIST email email-purpose (informal general advance main) #IMPLIED ></p> <p>To: <!ELEMENT email (#PCDATA) ></p> <p><!ATTLIST email email-purpose (informal general advance main not-to-be-used) #IMPLIED ></p>
Items impacted	amendment-request.dtd application-body.dtd declaration.dtd demand.dtd ex-officio-correction.dtd fee-sheet.dtd iprp.dtd power-of-attorney.dtd request.dtd search-report.dtd table-external.dtd wo-application-body.dtd wo-bibliographic-data.dtd wo-notification.dtd wo-published-application.dtd
Reason	An attribute "email-purpose" corresponds to checkbox "[] Notifications by e-mail authorized" in the column "E-mail address" under "2. This receiving Office hereby..." in PCT/RO/113. The added value "not-to-be-used" indicates uncheck of this checkbox specifically.
Notes	

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<p>1-3)</p>	<p>Change: <!-- Previous record of bibliographic in application before changing --></p> <p><!ELEMENT previous-record (applicant inventor deceased-inventor agent) ></p> <p>To: <!-- Previous record of bibliographic in application before changing --></p> <p><!ELEMENT previous-record ((applicant , agent?) inventor deceased- inventor agent) ></p>
<p>Items impacted</p>	<p>wo-bibliographic-data.dtd wo-published-application.dtd</p>
<p>Reason</p>	<p>The JPO lets the element "previous-record" corresponds to following checkboxes under " 1. The following indications appear on record concerning : " in PCT/RO/113 ; " <input type="checkbox"/> the applicant" , "<input type="checkbox"/> the inventor" , "<input type="checkbox"/> the agent" , "<input type="checkbox"/> the common representative" .</p> <p>The JPO changes the construction of the element "previous-record" to allow the following cases ;</p> <p>Checkboxes "<input type="checkbox"/> the applicant" and "<input type="checkbox"/> the common representative" are checked simultaneously.</p> <p style="padding-left: 40px;">applicant @app-type = "applicant" agent @rep-type = "common-representative"</p> <p>Checkboxes "<input type="checkbox"/> the applicant" , "<input type="checkbox"/> the inventor" , and "<input type="checkbox"/> the common representative" are checked simultaneously.</p> <p style="padding-left: 40px;">applicant @ app-type = "applicant-inventor" agent @rep-type = "common-representative"</p>
<p>Notes</p>	

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1-4)	<p>Change: <!-- Date of actual receipt of the purported international application. (ST.32:B234) The date of receipt will be determined according to the usual principles applicable to the filing of applications on paper, including filing by electronic means (such as by facsimile transmission), that is, based on the date prevailing at the location of the Office at the time when the complete transmission of the application has been received. --></p> <p><!ELEMENT date-of-actual-receipt (date)></p> <p>To: <!-- Date of actual receipt of the purported international application. (ST.32:B234) The date of receipt will be determined according to the usual principles applicable to the filing of applications on paper, including filing by electronic means (such as by facsimile transmission), that is, based on the date prevailing at the location of the Office at the time when the complete transmission of the application has been received.</p> <p>Attributes: for (PCT/IPEA/402) date-of-receipt-type="by-authority" : the actual date of receipt of the demand by this Authority (Rule 61.1(b)). date-of-receipt-type="on-behalf-of-authority" : the actual date of receipt of the demand on behalf of this Authority (Rule 59.3(e)). date-of-receipt-type="receipt-of-corrections" : the date on which this Authority has, in response to the invitation to correct defects in the demand (Form PCT/IPEA/404), received the required corrections. --></p> <p><!ELEMENT date-of-actual-receipt (date) ></p> <p><!ATTLIST date-of-actual-receipt date-of-receipt-type (by-authority on-behalf-of-authority receipt-of-corrections) #IMPLIED ></p>
Items impacted	ipea-demand-receiving-info.dtd ro-request-receiving-info.dtd
Reason	Three enumeration values of attribute "date-of-receipt-type" correspond to following three checkboxes under "2. That date of receipt is:" in PCT/IPEA/402; "[]" the actual date of receipt of the demand by this Authority (Rule 61.1(b))." "[]" the actual date of receipt of the demand on behalf of

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	<p>this Authority (Rule 59.3(e)).” “[] the date on which this Authority has, in response to the invitation to correct defects in the demand (Form PCT/IPEA/404), received the required corrections.”</p> <p>Hence, the JPO adds the attribute “date-of-receipt-type” and the comment.</p>
Notes	

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1-5)	<p>Change: <!-- PCT/IPEA/401 The date of receipt of the demand is AFTER the expiration of 19 months from the priority date --></p> <p><!ELEMENT receipt-after-19month EMPTY></p> <p>To: <!-- PCT/IPEA/401 The date of receipt of the demand is AFTER the expiration of 19 months from the priority date (PCT/IPEA/402) 3. ATTENTION: That date of receipt is after the expiration of 19 months from the priority date. Consequently, in respect of some Offices, the demand does not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). However, in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the PCT Applicant's Guide, Volume II, National Chapters and the WIPO Internet site. --></p> <p><!ELEMENT receipt-after-19month (date-of-communication?) ></p> <p><!ELEMENT date-of-communication (date) ></p>
Items impacted	ipea-demand-receiving-info.dtd wo-bibliographic-data.dtd wo-published-application.dtd
Reason	<p>The element "date-of-communication" corresponds to second checkbox "[] (If applicable) This notification ..." and the textbox under "3. ATTENTION: That date of receipt is..." in PCT/IPEA/402.</p> <p>Hence, the JPO adds the element "date-of-communication" and the comment.</p>
Notes	

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1-6)	<p>Change: <!-- Sequential identification of priority documents. PCT/RO/101 Box VI. --></p> <p><!ELEMENT sequence-number (#PCDATA)></p> <p>To: <!-- (PCT/RO/101) Sequential identification of priority documents. PCT/RO/101 Box VI.</p> <p>(PCT/IPEA/427) the _____ written opinion</p> <p>(PCT/IPEA/432) to draw up the _____ written opinion. If he so wishes, the applicant may submit these amendments again in response to that written opinion. --></p> <p><!ELEMENT sequence-number (#PCDATA) ></p>
Items impacted	demand.dtd request.dtd
Reason	<p>The JPO lets the element "sequence-number" correspond to items in PCT/IPEA/427 and PCT/IPEA/432.</p> <p>The element "sequence-number" corresponds to first checkbox and space "[] the _____ written opinion" under "1. In response to the applicant's..." in PCT/IPEA/427 and "[] to draw up the _____ written opinion." in PCT/IPEA/432.</p> <p>Hence, the JPO adds the comment to this element.</p>
Notes	

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1-7)	<p>Change: <!-- Checklist; a letter is being furnished. See PCT/IPEA/401 box VI --></p> <p><!ELEMENT cl-letter EMPTY></p> <p><!ATTLIST cl-letter quantity CDATA #REQUIRED ></p> <p>To: <!-- Checklist; a letter is being furnished. See PCT/IPEA/401 box VI (PCT/IPEA/431) (PCT Rule 60.1(g)) letter accompanying amendments under Article 34. --></p> <p><!ELEMENT cl-letter EMPTY ></p> <p><!ATTLIST cl-letter quantity CDATA #IMPLIED ></p>
Items impacted	demand.dtd ipea-demand-receiving-info.dtd
Reason	The JPO lets the element "cl-letter" correspond to second checkbox "[] letter accompanying amendments under Article 34." under "1. The applicant is hereby invited, within ..." in PCT/IPEA/431. However, the attribute "quantity" has no corresponding item in PCT/IPEA/431. Hence, the JPO revises cardinality of this attribute to IMPLIED.
Notes	

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1-8)	Change: <!ELEMENT preliminary-examin-fee (amount-each , payment-mode) > To: <!ELEMENT preliminary-examin-fee (amount-each , payment-mode?) >
Items impacted	fee-sheet-chapter2.dtd
Reason	The element "preliminary-examin-fee" corresponds to the space of "Preliminary examination fee" under "2. The applicant is hereby invited ..." in PCT/IPEA/440. However, the element "payment-mode" has no corresponding item in PCT/IPEA/440. Hence, the JPO revises cardinality of this attribute to IMPLIED.
Notes	

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1-9)	Change: <!ELEMENT handling-fee (amount-each , payment-mode) > To: <!ELEMENT handling-fee (amount-each , payment-mode?) >
Items impacted	fee-sheet-chapter2.dtd
Reason	The element "handling-fee" corresponds to the space of "Handling fee" under "2. The applicant is hereby invited ..." in PCT/IPEA/440. However, the element "payment-mode" has no corresponding item in PCT/IPEA/440. Hence, the JPO revises cardinality of this attribute to IMPLIED.
Notes	

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<p>1-10)</p>	<p>Add:</p> <p>Add new DTD which defines RO forms.</p> <pre><!ELEMENT form-ro (doc-page+ (form-ro-info, form-ro-body?)) ></pre> <pre><!ELEMENT form-ro-info (form-ro-application-info, form-ro-communication-info) ></pre> <pre><!ELEMENT form-ro-body (document-referred-to?, (ro103 ro104 ro105 ro106 ro107 ro108 ro109 ro110 ro112 ro113 ro115 ro117 ro118 ro119 ro122 ro124 ro126 ro131 ro132 ro133 ro135 ro136 ro138 ro140 ro141 ro142 ro143 ro146 ro148)?,list-of-copy?, doc-page*) ></pre> <p>[The rest of the definition is omitted here.]</p>
<p>Items impacted</p>	<p>form-ro.dtd</p>
<p>Reason</p>	<p>Add form-ro.dtd which defines following RO forms. (Please refer to attached files for detail.)</p> <p>PCT/RO/103 PCT/RO/104 PCT/RO/105 PCT/RO/106 PCT/RO/107 PCT/RO/108 PCT/RO/109 PCT/RO/110 PCT/RO/112 PCT/RO/113 PCT/RO/115 PCT/RO/117 PCT/RO/118 PCT/RO/119 PCT/RO/122 PCT/RO/123 PCT/RO/124 PCT/RO/125 PCT/RO/126 PCT/RO/127 PCT/RO/131 PCT/RO/132 PCT/RO/133 PCT/RO/135 PCT/RO/136 PCT/RO/138 PCT/RO/140 PCT/RO/141 PCT/RO/142 PCT/RO/143 PCT/RO/146 PCT/RO/147 PCT/RO/148</p>

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	PCT/RO/149
Notes	The complete definition is omitted here and is furnished in a separate file available at http://www.wipo.int/pct/efiling_standard/fr/pfc_files.htm .

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1-11)	<p>Add:</p> <p>Add new DTD which defines ISA forms.</p> <pre><!ELEMENT form-isa (doc-page+ (form-isa-info, form-isa-body)) ></pre> <pre><!ELEMENT form-isa-info (form-isa-application-info, form-isa-communication-info) ></pre> <pre><!ELEMENT form-isa-body (document-referred-to?, (isa202 isa205 isa206 isa212 isa216 isa217 isa218 isa219 isa223 isa224 isa225), doc-page*) ></pre> <p>[The rest of the definition is omitted here.]</p>
Items impacted	form-isa.dtd
Reason	<p>Add form-isa.dtd which defines following ISA forms. (Please refer to attached files for detail.)</p> <p>PCT/ISA/202 PCT/ISA/205 PCT/ISA/206 PCT/ISA/212 PCT/ISA/216 PCT/ISA/217 PCT/ISA/218 PCT/ISA/219 PCT/ISA/223 PCT/ISA/224 PCT/ISA/225</p>
Notes	<p>The complete definition is omitted here and is furnished in a separate file available at http://www.wipo.int/pct/efiling_standard/fr/pfc_files.htm.</p>

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1-12)	<p>Add:</p> <p>Add new DTD which defines IPEA forms.</p> <pre><!ELEMENT form-ipea (doc-page+ (form-ipea-info, form-ipea-body)) ></pre> <pre><!ELEMENT form-ipea-info (form-ipea-application-info, form-ipea-communication-info) ></pre> <pre><!ELEMENT form-ipea-body (document-referred-to?, (ipea402 ipea404 ipea405 ipea407 ipea411 ipea412 ipea414 ipea415 ipea420 ipea423 ipea424 ipea427 ipea428 ipea429 ipea431 ipea432 ipea440 ipea441),list-of-copy?, doc-page*) ></pre> <p>[The rest of the definition is omitted here.]</p>
Items impacted	form-ipea.dtd
Reason	<p>Add form-ipea.dtd which defines following IPEA forms. (Please refer to attached files for detail.)</p> <p>PCT/IPEA/402 PCT/IPEA/404 PCT/IPEA/405 PCT/IPEA/407 PCT/IPEA/411 PCT/IPEA/412 PCT/IPEA/414 PCT/IPEA/415 PCT/IPEA/420 PCT/IPEA/423 PCT/IPEA/424 PCT/IPEA/427 PCT/IPEA/428 PCT/IPEA/429 PCT/IPEA/431 PCT/IPEA/432 PCT/IPEA/440 PCT/IPEA/441</p>
Notes	<p>The complete definition is omitted here and is furnished in a separate file available at http://www.wipo.int/pct/efiling_standard/fr/pfc_files.htm.</p>

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1-13)	<p>Add:</p> <p>Add new DTD which defines header and footer part of RO, ISA and IPEA forms.</p> <pre><!ELEMENT info (application-info, communication-info) > <!ELEMENT application-info (file-reference-id?, invention-title?, application- reference?, date-of-earliest-priority?, date-of-actual-receipt?, applicant-name?, classifications-ipcr?) > <!ELEMENT communication-info (date-of-mailing?, date-of-informal-communication?, type-of-notification?, office-admin?, examiners?, applicant-or-agent?, list-of-copies?, reply-to?) ></pre> <p>[The rest definition is omitted here.]</p>
Items impacted	info.dtd
Reason	Add info.dtd which defines header and footer part of RO, ISA and IPEA forms. (Please refer to attached files for detail.)
Notes	The complete definition is omitted here and is furnished in a separate file available at http://www.wipo.int/pct/efiling_standard/fr/pfc_files.htm .

[End of Annex and of file/
Fin de l'annexe et du dossier]

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