

Annex I

To Request for Proposals N° PTD/10/040



Terms of Reference

for the

Provision of Translation Services of PCT Abstracts, IPRPs, WOSAs from English, French, German, Spanish and Russian into English and/or French, and the Translation of Patent-Related Documents on Request

CONFIDENTIAL NOTICE

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1 INTRODUCTION

1.1 The World Intellectual Property Organization

The **World Intellectual Property Organization (WIPO)** is an intergovernmental organization with Headquarters in Geneva, Switzerland. It is one of the 16 Specialized Agencies of the United Nations System. WIPO is responsible for the promotion of intellectual property throughout the world.

1.2 Purpose of the RFP

The Request for Proposals (RFP) consists of the following three (3) components:

- i. Translation of *Abstracts* from English, French, German, Spanish and Russian into English and/or French
- ii. Translation of *International Preliminary Reports on Patentability (IPRPs)* and *Written Opinions of the Searching Authority (WOSAs)* from French, German, Spanish and Russian into English
- iii. Translation of *Patent-related Documents on Request*

It is possible to bid for the entire package (items i-iii) or for separate items contained therein (such as the translation of French Abstracts into English only). Preference will be given to bidders who can furnish translations of all language combinations and all document types.

WIPO retains the right not to award any of the components of the RFP if no satisfactory bids have been received for them.

2 TYPE OF DOCUMENT TO BE OUTSOURCED

2.1 Abstracts

Scientific and technical abstracts of international patent applications in English, French, German, Spanish and Russian are to be translated into English and/or French for the weekly PCT electronic publication.

Each abstract consists of a title; a short summary of the invention indicating the technical field to which the invention pertains, allowing clear understanding of the technical problem, the solution of that problem through the invention and the principal use or uses of the invention. About one third of abstracts have text to be translated in the accompanying drawing. The abstract serves as a scanning tool for the purpose of searching in the particular art, especially by assisting the scientist, engineer or researcher in formulating an opinion on whether there is a need for consulting the international patent application itself. The description and the claims of the invention will not be transmitted to the Contractor.

The abstract is as concise as the disclosure permits (preferably 50 to 150 words in English or when translated into English). However, in some cases abstracts may exceed 150 words. Generally, the volume of the text of the abstract, including the title and one of the figures from the drawings (if any) does not exceed what can be accommodated on an A4 sheet of typewritten matter, 1½-spaced.

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By way of indication, in 2009, the average length of an abstract, including the title, abstract body and any drawings containing text matter was the equivalent of 120 words in English. The breakdown of language combinations in 2009 was: English into French 81.87%, German into French 5.65%, German into English 8.48%, French into English 3.72% and Spanish into English 0.28%. Small amounts of Russian abstracts into English (approx. 920) and French (approx. 920) are foreseen for 2011.

Even though it is a short summary, the abstract is confidential and must be handled appropriately (see Section 6, “Confidentiality and Information Security”).

Samples of abstracts in all languages requiring translation into English and/or French can be found at <http://www.wipo.int/pctdb/en/search-simp.jsp>

Wherever possible, translation guidelines prepared by the PCT Translation Service will be provided to the Contractor.

2.2 Written Opinions of the Searching Authority (WOSAs) and International Preliminary Reports on Patentability (IPRPs)

Examination reports (*the Written Opinion of the Searching Authority, and the International Preliminary Report on Patentability*), providing an opinion as to whether an international application meets the criteria of patentability (novelty, inventive step and industrial applicability), are to be translated from French, German, Spanish and Russian into English only.

The original documents generally contain a technical discussion of the invention described in the application, accompanied by legal arguments based on the articles and rules of the Patent Cooperation Treaty (<http://www.wipo.int/pct/en/texts/articles/atoc.htm>) and the criteria set forth in the PCT International Search and Preliminary Examination Guidelines (<http://www.wipo.int/pct/en/texts/pdf/ispe.pdf>). The average number of target words per report is 600 words (WOSAs) and 650 (IPRPs) in English, but this figure may vary between individual reports. The reports cover a wide range of technical fields.

The Contractor will be able to access related documents useful in the translation of the reports, such as the description, claims and drawings of each International Application, via the WIPO website, at: <http://www.wipo.int/pctdb/en/>.

Background documents such as the PCT Guidelines, the Patent Cooperation Treaty and translation guidelines prepared by PCT Translation Service will be provided to the Contractor.

Generally, the Contractor will be required to translate all text matter contained in the reports, excluding the standard text that appears on the form, and to enter a certain limited amount of data. This standard text is already translated and appears on the translation templates provided (examples of the templates are attached at the end of this document, Annex I).

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Specifically with respect to each part of the form, the Contractor is to perform the following:

Front page: No translation required.

Boxes I to IV: Translation of text matter (if any). This text matter can be included in the box itself and/or on a separate sheet.

Box V (Reasoned statement): Entering claim numbers listed under section 1. Translation of text matter under section 2. This text matter can be included in the box itself and/or on a separate sheet.

Boxes VI to VIII: Translation of text matter (if any). This text matter can be included in the box itself and/or on a separate sheet.

Supplemental Box Relating to Sequence Listing (in the International Preliminary Report on Patentability only): Translation of text matter (if any).

Representative samples of IPRPs and WOSAs in English can be found at: <http://www.wipo.int/pctdb/en/index.jsp> (under “documents”).

2.3 Translation of Patent-related Documents on Request

There may be a requirement for translation on request of patent descriptions, claims and other patent-related documents such as the World Patent Report, PCT Yearly Review and PCT Guidelines. Said translation would be from English and/or French into German, Spanish, Russian or Arabic. There may also be an occasional need to translate from and into other languages to be specified on an ad hoc basis. A representative sample of the type of documents to be outsourced for translation on request can be found at: http://www.wipo.int/ipstats/en/statistics/patents/wipo_pub_931.html.

3 QUANTITY OF OUTSOURCED DOCUMENTS

3.1 Abstracts

The estimated number of English, French, German, Spanish and Russian abstracts to be outsourced in 2011 is: into English 26,500 (French into English 5,528; German into English 18,627; Spanish into English 1,414; Russian into English 920) and into French 124,300 (English into French 103,322; German into French 18,627; Spanish into French 1,414; Russian into French 920).

These above-mentioned volumes may be divided up by WIPO among several Contractors, based on quality of service and price.

The number of abstracts outsourced for translation will not normally exceed a certain volume specified by the Contractor, e.g. 25, 50, 100, 200, 300, 400 files per week, unless the Contractor agrees to a request made by WIPO for an increase in this volume. WIPO does not, however, guarantee to meet or exceed said estimated quantities. The number of words per abstract may also vary.

The Contractor will have two calendar weeks to deliver the translated abstracts to WIPO.

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3.2 International Preliminary Reports on Patentability (IPRPs) and Written Opinions of the Searching Authority (WOSAs)

The estimated number of *International Preliminary Reports on Patentability* (IPRPs) and *Written Opinions of the Searching Authority* (WOSAs) to be outsourced for translation in 2011 is: 24,700.

The average number of target words per report is 600 words (WOSAs) and 650 (IPRPs) in English, but this figure may vary between individual reports.

3.3 Translation of Patent-related Documents on Request

The quantities of documents to be translated on request will fluctuate according to demand. It is expected that, initially, said quantities will remain small.

4 FORMAT OF OUTSOURCED DOCUMENTS

4.1 Abstracts

The abstracts will be transmitted by WIPO to the Contractor in electronic form **via a secure server** in the form of a ZIP package made available on the WIPO server for Electronic Data Interchange (EDI).

This ZIP package will contain:

- (i) A WORD template (.rtf) in which the translation is to be entered and containing the IA number, the IPC codes and the title and abstract text in source language;
- (ii) A zipped file containing the page of the drawing (if any) that is to be translated (.tif), and
- (iii) An index file (.csv) containing the list of IA numbers corresponding to the documents in the ZIP package.

During the life of the contract, distribution in the form of an SDL Trados package or alternative computer-assisted translation package may also be implemented.

4.2 Written Opinions of the Searching Authority (WOSAs) and International Preliminary Reports on Patentability (IPRPs)

The Contractor will receive ZIP packages from WIPO containing a number of original reports for translation, together with the translation forms that are to be completed and returned to WIPO. The ZIP package will contain:

- (i) The original, source language report as a ZIP file containing a number of TIFF images (scanned pages of the original paper document);
- (ii) A form in WORD format in which the translation is to be entered and containing administrative information from the original report (such as international

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application (IA) number, main applicant's name, priority date, various checkboxes, etc.);

- (iii) An index file (.csv), containing a list of IA numbers corresponding to the documents in the ZIP.

During the life of the contract, distribution in the form of an SDL Trados package or alternative computer-assisted translation package may also be implemented.

4.3 Translation of Patent-related Documents on Request

Documents outsourced for translation on request will be transmitted in an electronic format agreed upon by WIPO.

5 FORMAT OF DOCUMENTS RETURNED

5.1 Abstracts

The translations will be transmitted by the Contractor to WIPO in electronic form **via a secure server** in the form of a ZIP package. This package will contain the templates in WORD format (.rtf) in which translations have been entered.

The Contractor will also return, by email, the index file containing the list of IA numbers corresponding to the documents translated.

The Contractor must also check that each file submitted to WIPO is a translation into the target language.

During the life of the contract, transmission in the form of an SDL Trados package or alternative computer-assisted translation package may also be implemented.

5.2 International Preliminary Reports on Patentability (IPRPs) and Written Opinions of the Searching Authority (WOSAs)

The translations will be transmitted by the Contractor to WIPO in electronic form **via a secure server** in the form of a ZIP package. This package will contain the templates in WORD format (.doc) in which translations have been entered.

The original source language reports sent to the Contractor should not be returned to WIPO.

The Contractor will also send, by email, a list containing the IA numbers of the documents translated with their word count.

During the life of the contract, transmission in the form of an SDL Trados package or alternative computer-assisted translation package may also be implemented.

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5.3 Translation of Patent-related Documents on Request

The translated documents will be returned by the Contractor to WIPO in an electronic format agreed upon by WIPO.

During the life of the contract, distribution and return in the form of an SDL Trados package or alternative computer-assisted translation package may also be implemented.

6 CONFIDENTIALITY AND INFORMATION SECURITY

All documents subject to this Request for Proposals (RFP) are confidential, including without limitation all information provided to the bidder by WIPO. It is the responsibility of the bidder to ensure that all such documents and information remain protected from public disclosure or access, even when they are in the possession of subcontractors.

The means of transmitting these documents between WIPO and the bidder must be secure. WIPO data must be encrypted at rest and in communication across open public networks, with encryption keys being centrally managed and master keys being stored securely. The bidder must explain how it will ensure said security (in Annex III - *Questionnaire*).

The bidder's internal means of handling Abstracts and Patentability Reports must also be secure. A firewall must be installed and maintained, and access to sites such as social media sites must be restricted. In any case, an integral and essential component of the bidder's proposal must be a detailed presentation of its information security arrangements (in Annex III – *Questionnaire*).

After the award of a contract, the Contractor will be expected to sign specific Non-disclosure and Information Security Agreements, copies of which are attached as Annexes VIII and IX to this RFP and which can be subject to further negotiation.

At any stage in the life of a contract, Contractors translating large volumes of WIPO documents may be required to submit to an information security audit carried out by an external company. The costs of said audit would be borne by the Contractor.

In any event, the Contractor should be aware that any failure to ensure confidentiality of WIPO information, including any breach by any subcontractor, will expose the Contractor to a full range of remedies, including damages.

7 QUALITY STANDARD

All translations by the Contractor should be rendered publication-ready, commensurate with what an experienced technical translator can offer. The term "publication-ready" is to be understood to mean that the translation respects the formatting conventions specified by WIPO and is devoid of typographical, spelling and grammatical mistakes. The translations should also be written in clear, correct and readable English and/or French, the content and meaning of the original must have been accurately rendered in the target language, and a high level of terminological consistency and technical accuracy must be achieved.

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WIPO will carry out a quality control procedure with regard to the translations received and will apply any measures it deems necessary, including reduction of volumes of outsourced translations and termination of the contract, in order to improve and ensure quality.

WIPO's quality control procedure will involve checking a percentage of each batch of translations supplied by the Contractor, assessing the translations according to criteria of quality and grading them according to levels of acceptability. If more than 20% of a sample is found not to meet WIPO's quality standards, WIPO reserves the right to return the entire batch to the Contractor. The Contractor will resubmit the failed and returned batch to WIPO within a time-limit agreed to by both parties in writing. WIPO will only pay for a translation batch that has previously failed the WIPO minimum quality standard if the batch is resubmitted to WIPO on schedule and if it subsequently meets WIPO's minimum standards.

WIPO will also endeavor to provide such guidelines as are deemed necessary to ensure that the Contractor has sufficient guidance with regard to preferred terminology, standard phraseology, background documents and in-house style.

8 INTELLECTUAL PROPERTY

All translations provided by the Contractor shall remain the exclusive property of WIPO. The Contractor shall also agree to share with WIPO, at no additional cost, any and all translation memories resulting from the process of translating WIPO-related documents.

9 TESTS

Bidders wishing to submit proposals will be required to provide test translations in the appropriate language combinations (see "Tests" contained in Annex II – *Response Requirements and Tests*). Only bidders which have successfully completed the tests for abstracts and/or IPRPs/WOSAs will be considered for translation of Patent-related Documents on Request.

10 QUESTIONNAIRE

Bidders wishing to submit proposals are required to complete the confidential questionnaire contained in Annex III.

11 PRICE

Abstracts

The bidder will quote a unit price per abstract per language combination in Swiss Francs.

Reports

The bidder will quote a price per 1,000 target words (English) per language combination in Swiss Francs.

Translation on Request

The bidder will quote a price in Swiss Francs per 1,000 words per language combination (English and/or French into German, Spanish, Russian or Arabic).

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Please note that all prices quoted must be valid for three (3) years. The bidder should also indicate any quantity discounts wherever possible.

12 DURATION OF CONTRACT

The contract will be awarded for a period of three (3) years and will be renewable annually on two occasions up to a maximum of five (5) years from the start date. The contract can be terminated at fourteen (14) days' notice. An initial probationary period of three (3) months will be foreseen for all Contractors.

13 ENTRY INTO EFFECT OF CONTRACT

Contracts for the translation of the above-mentioned documents will enter into effect no earlier than 1st April 2011.

[Examples of the templates for an *International Preliminary Report on Patentability* (IPRP) and a *Written Opinion of the International Searching Authority* (WOSA) follow.]

TRANSLATION

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		

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.

2. This REPORT consists of a total of _____ sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. (*sent to the applicant and to the International Bureau*) a total of _____ sheets, as follows:

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).

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.

b. (*sent to the International Bureau only*) 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).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input checked="" type="checkbox"/>	Box No. II	Priority
<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input checked="" type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" 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
<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited
<input checked="" type="checkbox"/>	Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application

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

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 (Rule 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:
 nos. _____ as originally filed/furnished
 nos.* _____ as amended (together with any statement) under Article 19
 nos.* _____ received by this Authority on _____
 nos.* _____ received by this Authority on _____
- the drawings:
 sheets _____ as originally filed/furnished
 sheets* _____ received by this Authority on _____
 sheets* _____ 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:

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 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.

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)

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

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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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:

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:

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.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)

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 43bis.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 66.1bis(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.

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:

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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:

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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.

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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. _____

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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 (Rule 43bis.1 and 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
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2. Non-written disclosures (Rule 43bis.1 and 70.9)

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

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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
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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: