



WORLD INTELLECTUAL PROPERTY ORGANIZATION  
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE  
GENEVA/GENÈVE

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

|                                                                                      |  |
|--------------------------------------------------------------------------------------|--|
| <p>PROPOSAL FOR CHANGE FILE<br/>DOSSIER RELATIF À LA PROPOSITION DE MODIFICATION</p> |  |
|--------------------------------------------------------------------------------------|--|

|                                                                |                                           |                                              |             |
|----------------------------------------------------------------|-------------------------------------------|----------------------------------------------|-------------|
| <b>SUBJECT:</b> New DTD on priority documents                  |                                           | <b>PROPOSED BY:</b>                          |             |
| <b>SUJET :</b> Nouvelle DTD relative aux documents de priorité |                                           | <b>PROPOSÉE PAR :</b> IB                     |             |
| <b>HANDLING:</b> Expedited consideration                       |                                           | <b>PROPOSED DATE OF ENTRY INTO FORCE:</b>    |             |
| <b>TRAITEMENT :</b> Examen accéléré                            |                                           | <b>DATE PROPOSÉE D'ENTRÉE EN VIGUEUR :</b> - |             |
| <b>ANNEX/<br/>ANNEXE</b>                                       | <b>CONTENT/CONTENU</b>                    | <b>ORIGIN/<br/>ORIGINE</b>                   | <b>DATE</b> |
| 1                                                              | Proposal/Proposition                      | IB                                           | 30.10.03    |
| 2                                                              | Circular C. PCT 959/Circulaire C. PCT 959 | IB                                           | 05.11.03    |
| 3                                                              | Comments/Commentaires                     | EP, JP, US, IB                               | 16.12.03    |

[Annex 1 follows/  
L'annexe 1 suit]

|                                                                                         |                                  |
|-----------------------------------------------------------------------------------------|----------------------------------|
| <b>NEXT ACTION:</b> Proposal withdrawn<br><b>PROCHAINE ACTION :</b> Proposition retirée | <b>BY:</b> -<br><b>POUR LE :</b> |
|-----------------------------------------------------------------------------------------|----------------------------------|

PROPOSAL BY THE INTERNATIONAL BUREAU OF THE  
WORLD INTELLECTUAL PROPERTY ORGANIZATION

### **Addition to Annex F DTDs: priority-doc**

#### *Description:*

The following is a proposal for a new DTD for the exchange of priority document and priority document certification information. The proposed DTD would replace the priority-doc and pdoc-body DTDs.

#### **Priority-doc:**

```
<?xml version='1.0' encoding='UTF-8' ?>
<!ENTITY % name_group "((name | (prefix? , (last-name | orgname) , first-name?
, middle-name? , suffix? , iid? , role? , orgname? ,
department?
, synonym*)) , registered-number?)">
<!ENTITY % address_group "((address-1? , address-2? , address-3? , mailcode? ,
pobox?
, room? , address-floor? , building? , street? , city?
, county? , state? , postcode? , country) | text)">
<!--
*****
* priority-doc v1.1 2003 OCTOBER *
*****
* PUBLIC "-//WIPO//DTD PRIORITY DOC 1.0//EN" "priority-doc-v1-1.dtd" *
*****
* http://pcteasy.wipo.int/efiling_standards/schemaDocs/ *
* priority-doc-v1-1.dtd *
*****
* contacts: *
* EPO: Paul Brewin; pbrewin@epo.org *
* JPO: Shiro Ankyu; ankyu-shiro@jpo.go.jp *
* USPTO: Bruce B. Cox; bruce.cox@uspto.gov *
* WIPO: John Dunning; john.dunning@wipo.int *
* WIPO: Hideto Tanaka; hideto.tanaka@wipo.int *
*****
PRIORITY DOCUMENT
Attributes:
  lang          = language of application - use ISO639 language code
  dtd-version   = dtd version number
  file          = filename of the whole application
  status        = status of the application;
                 values: n = new application
  produced-by   = creator of this document
  date-produced = YYYYMMDD e.g, 20011230
                 if desired, 12 characters maximum
-->
<!ELEMENT priority-doc (application-reference , pdoc-reference , pdoc-body-doc?
, pdoc-certification* , pct-pdoc-info?)>
<!ATTLIST priority-doc lang CDATA #REQUIRED
  dtd-version CDATA #IMPLIED
  file CDATA #IMPLIED
  status CDATA #IMPLIED
  produced-by (applicant | RO | ISA | IPEA | IB | DO | EO )
               #REQUIRED
  date-produced CDATA #IMPLIED >
```

```

<!--
  PCT Rule 17.1:  Obligation to Submit Copy of Earlier
  National or International Application
  -->
<!ELEMENT pct-rule17-1 EMPTY>
<!ATTLIST pct-rule17-1  compliance    (yes | no )  #REQUIRED >
<!--
  a signature represented by electronic means
  -->
<!ELEMENT electronic-signature (basic-signature | enhanced-signature)>
<!ATTLIST electronic-signature  date          CDATA  #REQUIRED
                                place-signed CDATA  #IMPLIED >
<!--
  a TIFF image of a signature
  -->
<!ELEMENT fax-image EMPTY>
<!ATTLIST fax-image  file CDATA  #REQUIRED >
<!ELEMENT certification-statement (#PCDATA)>
<!ATTLIST certification-statement  lang CDATA  #IMPLIED >

<!--
  doc-page - DOCUMENT or PAGE
  This is primarily to be used when data for the whole or
  major sections of an application are in image format
  OR other formats such as pdf. Page range attributes are
  given when required pp- page range ppf - first page
  ppl - last page (for pdf). The 'img' may also be used
  for complete pages, eg. in drawings
  Recommended id = docp01, docp02, etc.
  -->
<!ELEMENT doc-page EMPTY>
<!ATTLIST doc-page  id          ID          #IMPLIED
                    he          NMTOKEN    #REQUIRED
                    wi          NMTOKEN    #REQUIRED
                    type        (jpg | pdf | tif )  #REQUIRED
                    alt         CDATA      #IMPLIED
                    pp          CDATA      #IMPLIED
                    ppf         CDATA      #IMPLIED
                    ppl         CDATA      #IMPLIED
                    file        CDATA      #REQUIRED
                    color       (color | bw )  #IMPLIED
                    orientation (portrait | landscape )  'portrait' >

<!--
  Office is the ST.3 country code, including the regional authorities.
  Office-dtd is the file which contains the DTD for the
  office-specific elements.
  -->
<!ELEMENT office-specific-data EMPTY>
<!ATTLIST office-specific-data  office      CDATA  #REQUIRED
                                office-dtd  CDATA  #REQUIRED
                                file        CDATA  #REQUIRED
                                id          ID      #IMPLIED
                                lang        CDATA  #IMPLIED
                                status      CDATA  #IMPLIED >

<!--
  application reference information: application number, country
  -->
<!ELEMENT application-reference (document-id)>
<!ATTLIST application-reference  appl-type CDATA  #REQUIRED >

<!--
  Document identification refers to patents (and patent
  applications) only.  See WIPO ST.14
  -->
<!ELEMENT document-id (country , doc-number , kind? , name? , date?)>

```

```
<!--
name: if no distinction or detail can be given.
Also to be used for: personal (natural person) and corporate
(legal entity) names
-->
<!--
name-type (legal | natural ) #IMPLIED >
-->
priority document information
-->
pct-pdoc-info ((received-at-ro | applicant-requested)? , received-at-ib?
, pct-rule17-1?)>

International Bureau receipt date
-->
received-at-ib (date)>
date on which applicant requested that RO create
and transfer to IB a priority document
-->
applicant-requested (date)>

Receiving Office date of receipt of priority document
-->
received-at-ro (date)>
pdoc-certification (certificate-date? , office-specific-data*
, (doc-page+ | (certification-statement+ ,
signatories?)))>
signatories
-->
signatories (signatory+)>
PCT/RO/101 Box No. X:
The signature must be that of the applicant (if there are several
applicants, all must sign); however, the signature may be that of
the agent, or the common representative, where a separate power of
attorney appointing the agent or the common representative,
respectively, or a copy of a general power of attorney is already
in possession of the receiving Office, is furnished...
(PCT Rules 4.1(d), 4.15, and 90)
Indicate the capacity of the signer with 'signatory-capacity'
-->
signatory (%name_group; , address? , electronic-signature , signatory-
capacity?)>
the capacity in which the person signs
-->
signatory-capacity (#PCDATA)>
A PKI / PKCS #7 digital signature data type
-->
enhanced-signature (pkcs7)>
PKCS7 digital signature
-->
pkcs7 EMPTY>
a non-PKI electronic signature
-->
basic-signature (fax-image | text-string | click-wrap)>
a simple 'signature', e.g., clicking a button
labeled 'accept' or 'I agree'
-->
```

```
<!ELEMENT click-wrap EMPTY>
<!--
  a simple text string is to be used as the basic electronic
  signature, e.g., John Doe <text-string>/jd/</text-string>
  -->
<!ELEMENT text-string (#PCDATA)>
<!--
  address components:
  Address formats differ from country to country
  If no structure possible use text
  -->
<!ELEMENT address (%address_group;)>
<!--
  if no structure is possible, enter text (without markup)
  -->
<!ELEMENT text (#PCDATA)>
<!--
  postal code or zip code
  -->
<!ELEMENT postcode (#PCDATA)>
<!--
  Region of country eg. state, province, etc.
  -->
<!ELEMENT state (#PCDATA)>
<!--
  County, parish, department, etc (mainly UK, USA)
  -->
<!ELEMENT county (#PCDATA)>
<!--
  City or town name
  -->
<!ELEMENT city (#PCDATA)>
<!--
  street may contain house number or name
  -->
<!ELEMENT street (#PCDATA)>
<!--
  building information in address, e.g., Hoffman building
  -->
<!ELEMENT building (#PCDATA)>
<!--
  address floor, e.g., 10th
  -->
<!ELEMENT address-floor (#PCDATA)>
<!--
  address room; e.g., Room 55B
  -->
<!ELEMENT room (#PCDATA)>
<!--
  Post Office Box number
  -->
<!ELEMENT pobox (#PCDATA)>
<!--
  organizational mail code
  -->
<!ELEMENT mailcode (#PCDATA)>
<!--
  Address, third line
  -->
<!ELEMENT address-3 (#PCDATA)>
<!--
  Address, second line
  -->
<!ELEMENT address-2 (#PCDATA)>
<!--
  Address, first line
  -->
<!ELEMENT address-1 (#PCDATA)>
```

```

<!--
    registered number
        -->
<!ELEMENT registered-number (#PCDATA)>
<!--
    synonym
        -->
<!ELEMENT synonym (#PCDATA)>
<!--
    department, division, section, etc. name
        -->
<!ELEMENT department (#PCDATA)>
<!--
    organisation name or company name
        -->
<!ELEMENT orgname (#PCDATA)>
<!--
    role, e.g. President, Chairman, etc.
        -->
<!ELEMENT role (#PCDATA)>
<!--Citations-->
<!--
    individual id
        -->
<!ELEMENT iid (#PCDATA)>
<!--
    name suffix (e.g., II, Jr., Dip., Ing., BA, etc.)
        -->
<!ELEMENT suffix (#PCDATA)>
<!--
    middle name(s) or initial(s)
        -->
<!ELEMENT middle-name (#PCDATA)>
<!--
    First or given name(s), initial(s)
        -->
<!ELEMENT first-name (#PCDATA)>
<!--
    last, family, surname
        -->
<!ELEMENT last-name (#PCDATA)>
<!--
    title: e.g., Mr., Mrs., Dr. etc
        -->
<!ELEMENT prefix (#PCDATA)>
<!--
        -->
<!ELEMENT certificate-date (date)>
<!--
    body of the priority document
        -->
<!ELEMENT pdoc-body-doc EMPTY>
<!--
    pdoc-body-doc attributes
        -->
<!--
    priority document reference information: application number, country
        -->
<!ELEMENT pdoc-reference (document-id)>

```

```
<!--  
    date: components of a date.  Format: YYYYMMDD  
        -->  
<!ELEMENT date (#PCDATA)>  
  
<!--  
    document kind code; e.g. A1  
        -->  
<!ELEMENT kind (#PCDATA)>  
  
<!--  
    the number of the referenced patent (or application) document  
        -->  
<!ELEMENT doc-number (#PCDATA)>  
<!--  
    Country: use ST.3 country code, e.g. DE, FR, GB, NL, etc.  
    Also includes EP, WO  
        -->  
<!ELEMENT country (#PCDATA)>
```

[Annex 2 follows/  
L'annexe 2 suit]



C. PCT 959  
– 07.2

November 5, 2003

Madam,  
Sir,

*Proposed modifications of Annex F  
of the Administrative Instructions under the PCT*

*Standard for the electronic filing and processing of international applications:  
Proposals for change (files PCT/EF/PFC 03/001 to 005)*

1. This circular concerns proposals for change to the standard for the electronic filing and processing of international applications under the Patent Cooperation Treaty (PCT) which will, if adopted, result in modifications of Annex F of the Administrative Instructions under the PCT. It is being sent, for the purposes of consultation pursuant to Rule 89.2(b) of the Regulations under the PCT, and under the change procedure provided for in section 2.5.5 of Annex F (expedited consideration of proposals for change), to the national and regional patent Offices of, or acting for, all PCT Contracting States, including all receiving Offices, International Searching Authorities, International Preliminary Examining Authorities, and designated and elected Offices, and to interested intergovernmental organizations, as well as to certain non-governmental organizations representing users of the PCT system.
2. The International Bureau has received and prepared a number of proposals for change to the standard for the electronic filing and processing of international applications relating to corrections and additions to the DTDs in view of the entering into force of a number of changes to the PCT Regulations on January 1, 2004 (see [http://www.wipo.int/pct/reform/en/measures\\_adopted.htm](http://www.wipo.int/pct/reform/en/measures_adopted.htm)). Those proposals are available on WIPO's Website as annexes to the following proposal for change (PFC) files (see [http://www.wipo.int/pct/efiling\\_standard/en](http://www.wipo.int/pct/efiling_standard/en)):

/...

- PCT/EF/PFC 03/001 “Corrections to the DTDs consequential to the modifications of the PCT Regulations which enter into force on January 1, 2004” (Annex F, Appendix I) (proposal by the International Bureau, the European Patent Office, the United States Patent and Trademark Office and the Japan Patent Office);
- PCT/EF/PFC 03/002 “Corrections to version 1.1 DTDs” (Annex F, Appendix I) (proposal by the International Bureau);
- PCT/EF/PFC 03/003 “New DTD on priority documents” (Annex F, Appendix I) (proposal by the International Bureau);
- PCT/EF/PFC 03/004 “Corrections and additions to the recommended file naming convention and to Appendix I” (Annex F, section 4.3, and Appendix I) (proposal by the International Bureau);
- PCT/EF/PFC 03/005 “Corrections to version 1.2 DTDs” (Annex F, Appendix I) (proposal by the International Bureau).

3. The International Bureau would appreciate receiving any comments on the proposals by December 15, 2003. Comments should preferably be made via the “Submit comments” facility on the Website (at [http://www.wipo.int/pct/efiling\\_standard/en/submit\\_comment.htm](http://www.wipo.int/pct/efiling_standard/en/submit_comment.htm)), but may alternatively be made in writing by letter or by fax to 41-22-338 8040. Comments will be included as Annexes to the relevant PFC files. Copies of the proposals on paper are available from the International Bureau on request. Inquiries concerning the proposals should be directed to Mr. Thiam Ming Song (e-mail: [thiam ming.song@wipo.int](mailto:thiam ming.song@wipo.int); phone: 41-22-338 9640; fax: 41-22-338 8040). Please note that, in order for the International Bureau to update the electronic filing systems in view of the entry into force of modifications to the PCT Regulations on January, 1, 2004, the Consultative Group has also been asked to make its recommendations on the proposals contained in PCT/EF/PFC 03/001, 002 and 005 files by December 15, 2003.

4. The International Bureau intends to promulgate the proposals contained in the PCT/EF/PFC 03/001, 002 and 005 files, revised if necessary in the light of any comments received, by December 2003, with effect from January 1, 2004. The International Bureau intends to promulgate the proposals contained in PCT/EF/PFC 03/003 and 004 files, revised if necessary in the light of any comments received, by February 2004, with immediate effect.

Sincerely yours,



Francis Gurry  
Assistant Director General



C. PCT 959  
– 07.2

Le 5 novembre 2003

Madame,  
Monsieur,

*Propositions de modification de l'annexe F  
des instructions administratives selon le PCT*

*Norme concernant le dépôt et le traitement électroniques  
des demandes internationales :  
Propositions de modification (dossiers PCT/EF/PFC 03/001 à 005)*

1. La présente circulaire concerne des propositions de modification de la norme concernant le dépôt et le traitement des demandes internationales selon le Traité de coopération en matière de brevets (PCT) qui, si elles étaient adoptées, aboutiraient à la modification de l'annexe F des instructions administratives du PCT. Elle est adressée, aux fins de la consultation prévue à la règle 89.2.b) du règlement d'exécution du PCT, et conformément à la procédure de modification prévue à la section 2.5.5 de l'annexe F (examen accéléré des propositions de modification), aux offices de brevets nationaux et régionaux de tous les États contractants du PCT ou agissant pour eux, notamment l'ensemble des offices récepteurs, des administrations chargées de la recherche internationale, des administrations chargées de l'examen préliminaire international et des offices désignés et élus, ainsi qu'aux organisations intergouvernementales intéressées et à certaines organisations non gouvernementales représentant les utilisateurs du système du PCT.

2. Le Bureau international a reçu et préparé un certain nombre de propositions de modification de la norme concernant le dépôt et le traitement électroniques des demandes internationales relatives à des corrections et à des adjonctions apportées aux DTDs en vue de l'entrée en vigueur au 1<sup>er</sup> janvier 2004 d'un certain nombre de modifications du Règlement d'exécution du PCT (voir [http://www.wipo.int/pct/reform/fr/measures\\_adopted.htm](http://www.wipo.int/pct/reform/fr/measures_adopted.htm)). Ces propositions peuvent être consultées sur le site Web de l'OMPI en tant qu'annexes des dossiers de propositions de modification suivants (voir [http://www.wipo.int/pct/efiling\\_standard/fr](http://www.wipo.int/pct/efiling_standard/fr)) :

/...

- PCT/EF/PFC 03/001 “Corrections apportées aux DTDs en rapport avec les modifications du Règlement d'exécution du PCT avec effet le 1<sup>er</sup> janvier 2004” (appendice I de l'annexe F) (proposition du Bureau international, de l'Office européen des brevets, de l'Office des brevets et des marques des Etats-Unis d'Amérique et de l'Office des brevets du Japon);
- PCT/EF/PFC 03/002 “Corrections apportées à la version 1.1 des DTDs” (appendice I de l'annexe F) (proposition du Bureau international);
- PCT/EF/PFC 03/003 “Nouvelle DTD relative aux documents de priorité” (appendice I de l'annexe F) (proposition du Bureau international);
- PCT/EF/PFC 03/004 “Corrections apportées à la version 1.2 des DTDs” (section 4.3 et appendice I de l'annexe F) (proposition du Bureau international);
- PCT/EF/PFC 03/005 “Corrections apportées à la version 1.2 des DTDs” (appendice I de l'annexe F) (proposition du Bureau international).

3. Le Bureau international souhaiterait recevoir tout commentaire sur ces propositions le 15 décembre 2003 au plus tard. Les commentaires doivent de préférence être envoyés grâce à la fonction “envoyer un commentaire” prévue sur le site Web (voir [http://www.wipo.int/pct/efiling\\_standard/fr/submit\\_proposal-fr.htm](http://www.wipo.int/pct/efiling_standard/fr/submit_proposal-fr.htm)), mais peuvent aussi être envoyés par courrier postal ou par télécopie (41-22-338 8040). Les commentaires éventuels seront inclus dans les annexes des différents dossiers de propositions de modification. Des copies de ces propositions sous forme imprimée sont disponibles auprès du Bureau international sur demande. Les demandes de renseignements concernant ces propositions sont à adresser à M. Thiam Ming Song (courriel : [thiam ming.song@wipo.int](mailto:thiam ming.song@wipo.int); téléphone : 41-22-338 9640; télécopie : 41-22-338 8040). Veuillez noter que, afin que le Bureau international mette à jour les systèmes de dépôt électronique en vue de l'entrée en vigueur des modifications du Règlement d'exécution du PCT avec effet le 1<sup>er</sup> janvier 2004, il a également été demandé au groupe consultatif de présenter ses recommandations portant sur les propositions qui figurent dans les dossiers PCT/EF/PFC 03/001, 002 et 005, le 15 décembre 2003 au plus tard.

4. Le Bureau international a l'intention de promulguer les propositions qui figurent dans les dossiers PCT/EF/PFC 03/001, 002 et 005 en décembre 2003, si nécessaire après les avoir révisées en fonction des commentaires reçus, avec effet le 1<sup>er</sup> janvier 2004. Le Bureau international a l'intention de promulguer les propositions qui figurent dans les dossiers PCT/EF/PFC 03/003 et 004 en février 2004, si nécessaire après les avoir révisées en fonction des commentaires reçus, avec effet immédiat.

Veillez agréer, Madame, Monsieur, l'assurance de ma considération distinguée.



Francis Gurry  
Sous-directeur général

COMMENTS BY THE EUROPEAN PATENT OFFICE, THE JAPAN PATENT OFFICE,  
AND THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(THE TRILATERAL OFFICES) AND THE INTERNATIONAL BUREAU

The TWXWG reviewed the proposed DTD and compared it to the existing DTD. The primary difference was the inclusion of elements to support a fully electronic certificate rather than merely an image of a certificate. The TWXWG noted that the Trilateral Offices had agreed at the Trilateral Conference of 2003-11-03 that they would provide on-line access to each other's electronic file wrappers for examiners, including access to priority documents, starting in 2004 July. Although other offices may have a need for the DTD proposed, the TWXWG agreed to table the discussion until the Trilateral Offices had determined the technical details of the planned on-line file wrapper access.

In the meantime, the Trilateral Offices recommend that the PFC should be withdrawn and resubmitted at a later date.

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