



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 align="center">PROPOSAL FOR CHANGE FILE DOSSIER RELATIF À LA PROPOSITION DE MODIFICATION</p>			
SUBJECT: Support for more transaction types in the package-data DTD for the Applicant-Office sector (Annex F, Appendix I, section 3.1) SUJET : Base permettant davantage de types de transaction dans la DTD relative au paquet de données pour le secteur de communication entre le déposant et l'office (section 3.1 de l'appendice I de l'annexe F)		PROPOSED BY: AU PROPOSÉE PAR :	
HANDLING: Expedited cycle TRAITEMENT : Cycle accéléré		PROPOSED DATE OF ENTRY INTO FORCE: DATE PROPOSÉE D'ENTRÉE EN VIGUEUR : -	
ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
1	Proposal/Proposition	AU	26.04.2004
2	Comment/Observation	US, EP, JP	06.07.2004
3	Withdrawal/Retrait	AU	23.09.2005

[Annex 1 follows/
L'annexe 1 suit]

NEXT ACTION: Proposal withdrawn PROCHAINE ACTION : Proposition retirée		BY: POUR LE : -	
---	--	----------------------------------	--

**Support for more transaction types in the package-data DTD
for the Applicant-Office sector**

It is IP Australia's intention to use the WAD and WASP standards nationally for electronic filing and further for all electronic exchange (across all transmission sectors) and expect that other Offices may be considering or planning the same. To enable the use of these standards flexibility needs to be introduced that allows for varying transaction models. Currently the standard restricts the transaction model by limiting the nature of applicant to office sector transactions to 'new-application' and 'subsequent-filing' only.

The "package-data" DTD does not allow for support of generic national transactions. The draft ST.36 specifies that the "package-data" DTD shall not be modified for national use. It is IP Australia's proposal that the transmittal-info element allow office specific elements.

To support national transactions IP Australia would add the 'au-applicant-to-office' element as an office-specific element to transmittal-info:

```
<!ELEMENT transmittal-info  
    (new-application | subsequent-filing | office-to-office  
    | office-to-applicant | au applicant-to-office)>
```

```
<!ELEMENT au-applicant-to-office (#PCDATA)>  
<!ATTLIST au-applicant-to-office (transaction-type)>
```

National transactions would include but not be limited to national phase entry, trade mark and designs applications, national patent applications and renewals.

Consideration has been made to limit the impact of the proposed change so that any existing software supporting the current package-data dtd would not require modification.

[Annex II follows/
L'annexe II suit]

Comment by US, EP and JP / Commentaires de US, EP et JP

The United States Patent and Trademark Office, the European Patent Office, and the Japan Patent Office have agreed that PCT/EF/PFC04/003 should be rejected, for the following reasons :

1. Annex F was designed only for patent processing in the context of the PCT, not for trademarks or other IP types ;
2. package-data.dtd is part of the core technology for e-filing and should not be modified for national use to avoid limiting potential interoperability of patent electronic filing systems ;
3. package-data.dtd already includes markup for submissions subsequent to initial filing ;
4. There is an international forum that is creating XML for Trademarks to which the PCT Electronic Filing community should defer with respect to this question.

[Annex II follows/
L'annexe II suit]

Withdrawal by AU / Retrait de AU

**E-mail from IP Australia to WIPO, dated 23 September 2005 /
Courriel de l'Office australien des brevets à l'OMPI, en date du 23 septembre 2005 :**

Re: Withdrawal of PFC/EP/PFC 04/003.

This is to formally notify the PFC Consultative Group that IP Australia hereby withdraws its submission of PFC/EP/PFC 04/003.

Samantha Hoy
Technical Coordinator, International Cooperation & Development
Business & Information Management Solutions Group
IP Australia

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