



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

PROPOSAL FOR CHANGE FILE
DOSSIER RELATIF À LA PROPOSITION DE MODIFICATION

SUBJECT: Changes to Annex F, Appendix I, section 3.6 (PCT 2008 Rule Changes)		PROPOSED BY: IB	
SUJET : Modifications de la section 3.6 de l'appendice I de l'annexe F (PCT 2008 Rule Changes)		PROPOSÉE PAR :	
HANDLING: Expedited cycle		PROPOSED DATE OF ENTRY INTO FORCE:	
TRAITEMENT : Cycle accéléré		DATE PROPOSÉE D'ENTRÉE EN VIGUEUR : 01.07.2008	
ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
1	Updates to DTD relating to PCT rule changes 2008	IB	7.1.2008
2	Comments from the Japan Patent Office	JP	26.2.2008
3	Comment from the International Bureau	IB	14.4.2008

[Annexes follow/
Les annexes suivent]

NEXT ACTION:	None	BY:	
PROCHAINE ACTION :	None	POUR LE :	

NEXT ACTION:	None	BY:
PROCHAINE ACTION :	None	POUR LE :

PCT/EF/PFC 08/003
Annex I/Annexe I, page 2

2-1) Fees for transmission of documents related to earlier search	<p>Change:</p> <pre><!-- Calculation of prescribed fees designation-fee-paid: whether the designation fee has been paid or not --> <!ELEMENT prescribed-fees (transmittal-fee , search-fee , international-fee , pdoc-fee? , restoration-fee?)> <!ATTLIST prescribed-fees designation-fee-paid (yes no) #IMPLIED ></pre> <p>To:</p> <pre><!-- Calculation of prescribed fees designation-fee-paid: whether the designation fee has been paid or not --> <!ELEMENT prescribed-fees (transmittal-fee , search-fee , international-fee , pdoc-fee? , restoration-fee?, earlier-search- document-fee?)> <!ATTLIST prescribed-fees designation-fee-paid (yes no) #IMPLIED ></pre> <p>And add:</p> <pre><!-- Fee for supply of earlier search documents from the RO --> <!ELEMENT earlier-search-document-fee (earlier-search-document- quantity , amount-each , amount-total , payment-mode)> <!ATTLIST earlier-search-document-fee currency CDATA #REQUIRED > <!-- Quantity of earlier search documents furnished --> <!ELEMENT earlier-search-document-quantity (#PCDATA)></pre>
Items impacted	Additional ST.36 elements earlier-search-document-fee, earlier-search-document-quantity ; Annex F DTDs fee-sheet
Reason	Add capability to the fee sheet for the recording of this new fee for the transfer of documents related to the search of earlier applications that are substantively the same as the international application being filed.

NEXT ACTION:	None	BY:	
PROCHAINE ACTION :	None	POUR LE :	

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Annex I/Annexe I, page 3

2-1) Fees for transmission of documents related to earlier search	<p>Change:</p> <pre><!ELEMENT srep-for-pub (doc-page+ (classification-ipc? , classifications-ipcr? , classification-national? , srep-fields- searched , srep-citations , incomplete-search? , srep-admin? , srep-patent-family?))></pre> <p>To:</p> <pre><!ELEMENT srep-for-pub (doc-page+ (classification-ipc? , classifications-ipcr? , classification-national? , srep-fields- searched , srep-citations , incomplete-search? , srep-admin? , srep-patent-family? , earlier-search*))></pre> <p><!ELEMENT earlier-search (document-id) ></p> <p><!ATTLIST earlier-search id ID #IMPLIED ></p>
Items impacted	Additional ST.36 elements earlier-search, ; Annex F DTDs search-report
Reason	Add capability to the fee sheet for the recording of this new fee for the transfer of documents related to the search of earlier applications that are substantively the same as the international application being filed.

[Annex II follows /
L'annexe II suit]

NEXT ACTION:	None	BY:	
PROCHAINE ACTION :	None	POUR LE :	

ANNEX II/ANNEXE II

Comment by the Japan Patent Office

The JPO has not been informed of the drafts of Administrative Instructions based on the rule changes. Therefore, the JPO is of the opinion that the details of the Administrative Instructions should, be considered before the new specifications of Annex Fare established in order to avoid causing any problems with the new specifications. For this reason, the JPO requests to circulate the drafts of Administrative Instructions as soon as possible.

[Annex III follows /
L'annexe III suit]

NEXT ACTION:	None	BY:
PROCHAINE ACTION :	None	POUR LE :

ANNEX III/ANNEXE III

Comment by the International Bureau

Following the extension of the consultation period in order to permit comparison with the relevant draft Administrative Instructions, this PFC will be implemented as proposed in version 1.6 of the Annex F DTDs and will enter into force on July 1, 2008.

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

NEXT ACTION:	None	BY:
PROCHAINE ACTION :	None	POUR LE :