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Assembly

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PROPOSED AMENDMENTS TO THE PCT REGULATIONS AND MODIFICATIONS TO DIRECTIVES OF THE PCT UNION ASSEMBLY

Document prepared by the International Bureau

SUMMARY

1. This document contains proposed amendments to the Regulations under the Patent Cooperation Treaty (PCT) (“the Regulations”) and proposed modifications to the Directives of the PCT Assembly Relating to the Establishment of Equivalent Amounts of Certain Fees (“the Directives”) for submission to this session of the Assembly.

PROPOSED AMENDMENTS TO THE PCT REGULATIONS

2. Annexes I to IV to this document set out proposed amendments to the Regulations, as recommended by the PCT Working Group at its eighteenth session from February 18 to 20, 2025 and on February 2, 2026, and by the PCT Committee for Technical Cooperation at its thirty-third session on February 2 and 3, 2026. The proposed amendments relate to the following matters:

- (a) to require an email address and telephone number for processing of the international application, allow the exclusion of certain personal data from public access, and provide a basis for changing the address to which correspondence is to be addressed later than 30 months from the priority date (Rule 4, Rule 45*bis*, Rule 92*bis* and Rule 94, as set out in Annex I); see document [PCT/WG/18/8](#), and paragraphs 9 and 10 and Annex I of document [PCT/WG/18/20](#);

(b) to correct the French language text of Rule 26.3*ter* (as set out in Annex II); see document [PCT/WG/18/3](#), and paragraphs 39 and 40 of document [PCT/WG/18/20](#);

(c) to clarify that the processing of an international application considered withdrawn following failure to supply an electronic copy of an international application filed on paper in accordance with Rule 89*bis*.1(d-*ter*) will take place in the same way as other cases where the receiving Office declares that an international application is considered withdrawn (Rule 29, as set out in Annex III); see document [PCT/WG/18/19](#), and paragraphs 41 and 42 and Annex IV of document [PCT/WG/18/20](#); and

(d) to enable the use of the draft model Agreement that the International Bureau proposes as the basis for the individual agreements under Articles 16(3)(b) and 32(3) with each Office or organization that will act as an International Searching and Preliminary Examining Authority with effect from January 1, 2028; see document [PCT/CTC/33/28](#), and paragraphs 12 to 14 and the Annex of document [PCT/CTC/33/29](#).

3. Annex V to the present document sets out a “clean” text of the relevant Rules as they would stand after their amendment, omitting Rule 26 that is only amended in the French language text.

ENTRY INTO FORCE AND TRANSITIONAL ARRANGEMENTS

4. It is proposed that the Assembly adopt the following decisions in relation to entry into force and transitional arrangements of the proposed amendments to the Regulations, as set out in Annexes I to IV:

(a) The amendments to Rule 4, Rule 45*bis*, Rule 92*bis* and Rule 94 set out in Annex I shall enter into force on July 1, 2027; the amendments to Rule 4 as applicable to the contents of the request shall apply to any international application filed on or after that date, the amendments to Rule 4 as applicable under Rules 53.4 and 53.5 shall apply to any demand filed on or after that date, the amendments to Rule 45*bis* shall apply to any supplementary search request made on or after that date, and the amendments to Rule 92*bis* shall apply to any request for recording received by the International Bureau on or after that date.

(b) The amendments to Rule 26.3*ter* (French language text) set out in Annex II shall enter into force on July 1, 2027.

(c) The amendments to Rule 29 set out in Annex III shall enter into force on July 1, 2027.

(d) The amendments to Rule 16, Rule 44, Rule 45*bis* and Rule 71 set out in Annex IV shall enter into force on January 1, 2028.

DIRECTIVES OF THE PCT UNION ASSEMBLY RELATING TO THE ESTABLISHMENT OF EQUIVALENT AMOUNTS OF CERTAIN FEES

5. Annex VI to this document sets out proposed modifications to the Directives of the PCT Union Assembly relating to the Establishment of Equivalent Amounts of Certain Fees that were approved at the eighteenth session of the PCT Working Group. The proposals aim to streamline the process of establishing equivalent amounts for certain PCT fees, eliminating unnecessary actions by the International Bureau and receiving Offices and reducing the time between changes in exchange rates and the entry into force of a new equivalent amount; see document [PCT/WG/18/12](#), and paragraphs 15 and 16 and Annex II of document [PCT/WG/18/20](#).

6. Annex VII to the present document sets out a “clean” text of the Directives as they would stand after modification.

7. It is proposed that the Assembly adopt the following decisions in relation to entry into force of the proposed modifications to the Directives set out in Annex VI:

(a) The modifications to the Directives shall enter into force on January 1, 2027, subject to the following:

(i) Paragraph (4) of the Directives in force before that date shall cease to apply from July 15, 2026; and

(ii) Paragraph (5) of the Directives in force before January 1, 2027, shall continue to apply to establish a new equivalent amount consequential on changes in exchange rates for a fee where consultations under this paragraph have begun before January 1, 2027, until that new equivalent amount has become applicable.

(b) The Assembly invites the International Bureau to review the Directives two years after their entry into force and consider making any recommendations or proposing modifications to the Directives to further streamline the process for establishing equivalent amounts, reduce the time for new amounts to take effect or otherwise further improve the process for applicants, Offices and the International Bureau.

8. *The Assembly of the PCT Union is invited to:*

(i) adopt the proposed amendments to the Regulations under the PCT set out in Annexes I to IV of document PCT/A/58/1, and the entry into force and transitional arrangements set out in paragraph 4 of the same document; and

(ii) adopt the proposed modifications to the Directives relating to the Establishment of Equivalent Amounts of Certain Fees set out in Annex VI of document PCT/A/58/1, and the proposals relating to the entry into force set out in paragraph 7 of the same document.

[Annexes follow]

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¹ Proposed additions and deletions are indicated, respectively, by underlining and striking through the text concerned.

Rule 4
The Request (Contents)

4.1 to 4.3 *[No change]*

4.4 *Names and Addresses*

(a) and (b) *[No change]*

(c) Addresses shall be indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and, in any case, shall consist of all the relevant administrative units up to, and including, the house number, if any. Where the national law of the designated State does not require the indication of the house number, failure to indicate such number shall have no effect in that State. In order to allow rapid communication with the applicant, ~~it is recommended to indicate any teleprinter address, telephone and facsimile machine numbers, or corresponding data for other like means of communication, of the applicant or, where applicable, the agent or the common representative.~~ an email address and telephone number shall be provided for at least one person to whom correspondence is to be addressed, being the agent, if appointed, or otherwise the applicant or common representative.

(d) *[No change]*

4.5 to 4.19 *[No change]*

Rule 45bis
Supplementary International Searches

45bis.1 Supplementary Search Request

(a) [No change]

(b) A request under paragraph (a) (“supplementary search request”) shall be submitted to the International Bureau and shall indicate:

(i) the name and address of the applicant and of the agent (if any), the title of the invention, the international filing date and the international application number; [Rule 4.4 shall apply mutatis mutandis](#);

(ii) the International Searching Authority that is requested to carry out the supplementary international search (“Authority specified for supplementary search”); and

(iii) where the international application was filed in a language which is not accepted by that Authority, whether any translation furnished to the receiving Office under Rule 12.3 or 12.4 is to form the basis of the supplementary international search.

(c) to (e) [No change]

45bis.2 to 45bis.9 [No change]

Rule 92bis
Recording of Changes in
Certain Indications in the Request or the Demand

92bis.1 Recording of Changes by the International Bureau

(a) The International Bureau shall, on the request of the applicant or the receiving Office, record changes in the following indications appearing in the request or demand:

- (i) person, name, residence, nationality or address of the applicant,
- (ii) person, name or address of the agent, the common representative or the inventor,

provided that following the changes, an email address and telephone number remain available for at least one person to whom correspondence is to be addressed, being the agent, applicant or common representative, as applicable.

(b) ~~The~~ Subject to paragraph (c), the International Bureau shall not record the requested change if the request for recording is received by it after the expiration of 30 months from the priority date.

(c) The International Bureau shall, at any time prior to the expiration of the time limit referred to in Rule 93.1, record a change to the person, address and/or communication details of the person to whom correspondence is to be addressed, being the agent, applicant or common representative, as applicable.

Rule 94
Access to Files

94.1 Access to the File Held by the International Bureau

(a) [No change]

(b) The International Bureau shall, at the request of any person but not before the international publication of the international application and subject to Article 38 and ~~paragraphs (d) to (g)~~ [Rule 94.4](#), furnish copies of any document contained in its file. The furnishing of copies may be subject to reimbursement of the cost of the service.

(c) [No change]

(d) to (g) [Content moved to Rule 94.4]

94.1bis Access to the File Held by the Receiving Office

(a) and (b) [No change]

(c) The receiving Office shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(l) or from public access in accordance with Rule ~~94.1(d) or (e)~~ [94.4\(a\) or \(b\)](#).

94.1ter Access to the File Held by the International Searching Authority

(a) and (b) [No change]

(c) The International Searching Authority shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(l) or from public access in accordance with Rule ~~94.1(d) or (e)~~ [94.4\(a\) or \(b\)](#).

(d) [No change]

94.2 *Access to the File Held by the International Preliminary Examining Authority*

(a) and (b) [No change]

(c) The International Preliminary Examining Authority shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(I) or from public access in accordance with Rule ~~94.1(d) or (e)~~ 94.4(a) or (b).

94.2bis and 94.3 [No change]

94.4 *Exceptions to Access to File*

(a) [Moved from Rule 94.1(d)] The International Bureau shall not provide access to any information contained in its file which has been omitted from publication under Rule 48.2(I) and to any document contained in its file relating to a request under that Rule.

(b) [Moved from Rule 94.1(e)] Upon a reasoned request by the applicant, the International Bureau shall not provide access to any information contained in its file and to any document contained in its file relating to such a request, if it finds that:

(i) this information does not obviously serve the purpose of informing the public about the international application;

(ii) public access to such information would clearly prejudice the personal or economic interests of any person; and

(iii) there is no prevailing public interest to have access to that information.

Rule 26.4 shall apply *mutatis mutandis* as to the manner in which the applicant shall present the information which is the subject of a request made under this paragraph.

(c) [Moved from Rule 94.1(f) with consequential changes to paragraph references] Where the International Bureau has omitted information from public access in accordance with paragraphs (a) or (b), and that information is also contained in the file of the international application held by the receiving Office, the International Searching Authority, the Authority specified for supplementary search or the International Preliminary Examining Authority, the International Bureau shall promptly notify that Office and Authority accordingly.

[Rule 94.4, continued]

(d) [Moved from Rule 94.1(g)] The International Bureau shall not provide access to any document contained in its file which was prepared solely for internal use by the International Bureau.

(e) The Administrative Instructions may provide for measures to exclude from public access references to the following personal data, provided that said data shall be made available to the receiving Office, International Searching Authority, the Authority specified for supplementary search, the International Preliminary Examining Authority, and designated and elected Offices:

(i) the email address, telephone number, or corresponding data for other like means of communication, of any applicant, inventor or agent; and

(ii) the postal address of any applicant, inventor or agent, provided that means of contact shall be publicly available for at least one agent or, if none, applicant.

[Annex II follows]

PROPOSED AMENDMENTS TO THE PCT REGULATIONS²

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² Proposed additions and deletions are indicated, respectively, by underlining and striking through the text concerned. The text in this Annex is shown in French as the proposed amendments only relate to the French language text of the PCT Regulations.

Règle 26

Contrôle et correction de certains éléments de la demande internationale auprès de l'office récepteur

26.1 à 26.3bis [Sans changement]

26.3ter Invitation à corriger des irrégularités en vertu de l'article 3.4)i)

a) Lorsque l'abrégé ou tout texte contenu dans les dessins est déposé dans une langue qui est différente de celle, sous réserve des règles 12.1bis et 26.3ter.e), de la description et des revendications, l'office récepteur, sauf

i) si une traduction de la demande internationale est exigée en vertu de la règle 12.3.a) dans ~~une~~ la langue dans laquelle la demande internationale doit être publiée ou

ii) si l'abrégé ou le texte contenu dans les dessins est rédigé dans la langue dans laquelle la demande internationale doit être publiée,

invite le déposant à remettre une traduction de l'abrégé ou du texte contenu dans les dessins dans la langue dans laquelle la demande internationale doit être publiée. Les règles 26.1, 26.2, 26.3, 26.3bis, 26.5 et 29.1 s'appliquent *mutatis mutandis*.

b) à d) [Sans changement]

e) Lorsque la description d'une demande internationale est déposée dans une langue différente de celle des revendications, ou lorsque certaines parties de la description ou certaines parties des revendications sont déposées dans une langue différente de celle du reste de cet élément, et dans la mesure où ces langues sont acceptées par l'office récepteur au titre de la règle 12.1.a), l'office récepteur invite le déposant, le cas échéant, à remettre, dans un délai d'un mois à compter de la date de réception de la demande internationale par l'office récepteur, une traduction de la description, des revendications ou de toute partie de celles-ci rédigée dans une seule langue qui remplit les conditions ci-après :

i) une des langues ~~indiquées~~ utilisées dans la description ou les revendications telles qu'elles ont été déposées;

ii) une langue acceptée par l'administration chargée de la recherche internationale qui procédera à la recherche internationale; et

[Suite de la règle 26.3ter]

iii) la langue dans laquelle la demande internationale doit être publiée.

La règle 12.3.c) à e) s'applique *mutatis mutandis*.

[Annex III follows]

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³ Proposed additions and deletions are indicated, respectively, by underlining and striking through the text concerned.

Rule 29

International Applications Considered Withdrawn

29.1 *Finding by Receiving Office*

If the receiving Office declares, under Article 14(1)(b) and Rule 26.5 (failure to correct certain defects), or under Article 14(3)(a) (failure to pay the prescribed fees under Rule 27.1(a)), or under Article 14(4) (later finding of non-compliance with the requirements listed in items (i) to (iii) of Article 11(1)), or under Rule 12.3(d), 12.4(d) or 26.3~~ter~~ (failure to furnish a required translation or, where applicable, to pay a late furnishing fee), [or under Rule 89bis.1\(d-ter\) \(failure to resubmit the international application by electronic means\)](#), or under Rule 92.4(g)(i) (failure to furnish the original of a document), that the international application is considered withdrawn:

- (i) the receiving Office shall transmit the record copy (unless already transmitted), and any correction offered by the applicant, to the International Bureau;
- (ii) the receiving Office shall promptly notify both the applicant and the International Bureau of the said declaration, and the International Bureau shall in turn notify each designated Office which has already been notified of its designation;
- (iii) the receiving Office shall not transmit the search copy as provided in Rule 23, or, if such copy has already been transmitted, it shall notify the International Searching Authority of the said declaration;
- (iv) the International Bureau shall not be required to notify the applicant of the receipt of the record copy;
- (v) no international publication of the international application shall be effected if the notification of the said declaration transmitted by the receiving Office reaches the International Bureau before the technical preparations for international publication have been completed.

29.2 *[Remains deleted]*

29.3 and 29.4 *[No change]*

[Annex IV follows]

PROPOSED AMENDMENTS TO THE PCT REGULATIONS⁴

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⁴ Proposed additions and deletions are indicated, respectively, by underlining and striking through the text concerned.

Rule 16
The Search Fee

16.1 and 16.2 *[No change]*

16.3 *Partial Refund*

Where the International Searching Authority takes into account, under Rule 41.1, the results of an earlier search in carrying out the international search, that Authority shall refund the search fee paid in connection with the international application to the extent and under the conditions ~~provided for~~ published in the Gazette under the procedure in the applicable agreement under Article 16(3)(b).

Rule 44
Transmittal of the International
Search Report, Written Opinion, Etc.

44.1 and 44.2 *[No change]*

44.3 *Copies of Cited Documents*

(a) [No change] The request referred to in Article 20(3) may be presented any time during seven years from the international filing date of the international application to which the international search report relates.

(b) The International Searching Authority may require that the party (applicant or designated Office) presenting the request pay to it the cost of preparing and mailing the copies. The level of the cost of preparing copies shall be ~~provided for~~ [notified to the International Bureau under the procedure](#) in the agreements referred to in Article 16(3)(b) between the International Searching Authorities and the International Bureau.

(c) [Remains deleted]

(d) [No change] Any International Searching Authority may perform the obligations referred to in paragraphs (a) and (b) through another agency responsible to it.

Rule 45bis
Supplementary International Searches

45bis.1 Supplementary Search Request

(a) [No change] The applicant may, at any time prior to the expiration of 22 months from the priority date, request that a supplementary international search be carried out in respect of the international application by an International Searching Authority that is competent to do so under Rule 45bis.9. Such requests may be made in respect of more than one such Authority.

(b) to (d) [No change]

(e) The supplementary search request shall be considered not to have been submitted, and the International Bureau shall so declare:

(i) if it is received after the expiration of the time limit referred to in paragraph (a); or

(ii) if the Authority specified for supplementary search has not ~~stated, in the applicable agreement under Article 16(3)(b), notified the International Bureau of~~ its preparedness to carry out such searches, or has notified the International Bureau that the Authority is no longer prepared to carry out such searches and that notification has taken effect, or is not competent to do so under Rule 45bis.9(b).

45bis.2 [No change]

45bis.3 Supplementary Search Fee

(a) to (c) [No change]

[Rule 45bis.3, continued]

(d) [No change] The International Bureau shall refund the supplementary search fee to the applicant if, before the documents referred to in Rule 45bis.4(e)(i) to (iv) are transmitted to the Authority specified for supplementary search, the international application is withdrawn or considered withdrawn, or the supplementary search request is withdrawn or is considered not to have been submitted under Rules 45bis.1(e) or 45bis.4(d).

(e) The Authority specified for supplementary search shall, to the extent and under the conditions ~~provided for~~ published in the Gazette under the procedure in the applicable agreement under Article 16(3)(b), refund the supplementary search fee if, before it has started the supplementary international search in accordance with Rule 45bis.5(a), the supplementary search request is considered not to have been submitted under Rule 45bis.5(g).

45bis.4 [No change]

45bis.5 Start, Basis and Scope of Supplementary International Search

(a) to (e) [No change]

(f) The supplementary international search shall cover at least the documentation that the Authority has notified to the International Bureau for that purpose ~~in the applicable agreement under Article 16(3)(b).~~

(g) [No change] If the Authority specified for supplementary search finds that carrying out the search is entirely excluded by a limitation or condition referred to in Rule 45bis.9(a), other than a limitation under Article 17(2) as applicable by virtue of Rule 45bis.5(c), the supplementary search request shall be considered not to have been submitted, and the Authority shall so declare and shall promptly notify the applicant and the International Bureau accordingly.

(h) [No change]

45bis.6 to 45bis.8 [No change]

45bis.9 *International Searching Authorities Competent to Carry Out Supplementary*

International Search

(a) An International Searching Authority shall be competent to carry out supplementary international searches if it has notified the International Bureau of its preparedness to do so ~~is stated~~ under the procedure in the applicable agreement under Article 16(3)(b), subject to any limitations and conditions to the extent set out in that ~~agreement~~ notification, unless a notification from the Authority that it is no longer prepared to carry out supplementary international searches has taken effect.

(b) [No change] The International Searching Authority carrying out the international search under Article 16(1) in respect of an international application shall not be competent to carry out a supplementary international search in respect of that application.

(c) [No change] The limitations referred to in paragraph (a) may, for example, include limitations as to the subject matter for which supplementary international searches will be carried out, other than limitations under Article 17(2) as applicable by virtue of Rule 45bis.5(c), limitations as to the total number of supplementary international searches which will be carried out in a given period, and limitations to the effect that the supplementary international searches will not extend to any claim beyond a certain number of claims.

Rule 71
Transmittal of the International Preliminary Examination Report
and Related Documents

71.1 *[No change]*

71.2 *Copies of Cited Documents*

(a) [No change] The request under Article 36(4) may be presented any time during seven years from the international filing date of the international application to which the report relates.

(b) The International Preliminary Examining Authority may require that the party (applicant or elected Office) presenting the request pay to it the cost of preparing and mailing the copies. The level of the cost of preparing copies shall be ~~provided for~~ [notified to the International Bureau under the procedure](#) in the agreements referred to in Article 32(2) between the International Preliminary Examining Authorities and the International Bureau.

(c) [Remains deleted]

(d) [No change] Any International Preliminary Examining Authority may perform the obligations referred to in paragraphs (a) and (b) through another agency responsible to it.

[Annex V follows]

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Rule 4
The Request (Contents)

4.1 to 4.3 *[No change]*

4.4 *Names and Addresses*

(a) and (b) *[No change]*

(c) Addresses shall be indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and, in any case, shall consist of all the relevant administrative units up to, and including, the house number, if any. Where the national law of the designated State does not require the indication of the house number, failure to indicate such number shall have no effect in that State. In order to allow rapid communication with the applicant, an email address and telephone number shall be provided for at least one person to whom correspondence is to be addressed, being the agent, if appointed, or otherwise the applicant or common representative.

(d) *[No change]*

4.5 to 4.19 *[No change]*

Rule 16
The Search Fee

16.1 and 16.2 *[No change]*

16.3 *Partial Refund*

Where the International Searching Authority takes into account, under Rule 41.1, the results of an earlier search in carrying out the international search, that Authority shall refund the search fee paid in connection with the international application to the extent and under the conditions published in the Gazette under the procedure in the applicable agreement under Article 16(3)(b).

Rule 29

International Applications Considered Withdrawn

29.1 *Finding by Receiving Office*

If the receiving Office declares, under Article 14(1)(b) and Rule 26.5 (failure to correct certain defects), or under Article 14(3)(a) (failure to pay the prescribed fees under Rule 27.1(a)), or under Article 14(4) (later finding of non-compliance with the requirements listed in items (i) to (iii) of Article 11(1)), or under Rule 12.3(d), 12.4(d) or 26.3~~ter~~ (failure to furnish a required translation or, where applicable, to pay a late furnishing fee), or under Rule 89~~bis~~.1(d-~~ter~~) (failure to resubmit the international application by electronic means), or under Rule 92.4(g)(i) (failure to furnish the original of a document), that the international application is considered withdrawn:

(i) the receiving Office shall transmit the record copy (unless already transmitted), and any correction offered by the applicant, to the International Bureau;

(ii) the receiving Office shall promptly notify both the applicant and the International Bureau of the said declaration, and the International Bureau shall in turn notify each designated Office which has already been notified of its designation;

(iii) the receiving Office shall not transmit the search copy as provided in Rule 23, or, if such copy has already been transmitted, it shall notify the International Searching Authority of the said declaration;

(iv) the International Bureau shall not be required to notify the applicant of the receipt of the record copy;

(v) no international publication of the international application shall be effected if the notification of the said declaration transmitted by the receiving Office reaches the International Bureau before the technical preparations for international publication have been completed.

29.2 *[Remains deleted]*

29.3 and 29.4 *[No change]*

Rule 44
Transmittal of the International
Search Report, Written Opinion, Etc.

44.1 and 44.2 *[No change]*

44.3 *Copies of Cited Documents*

(a) *[No change]*

(b) The International Searching Authority may require that the party (applicant or designated Office) presenting the request pay to it the cost of preparing and mailing the copies. The level of the cost of preparing copies shall be notified to the International Bureau under the procedure in the agreements referred to in Article 16(3)(b) between the International Searching Authorities and the International Bureau.

(c) *[Remains deleted]*

(d) *[No change]*

Rule 45bis
Supplementary International Searches

45bis.1 Supplementary Search Request

(a) [No change]

(b) A request under paragraph (a) (“supplementary search request”) shall be submitted to the International Bureau and shall indicate:

(i) the name and address of the applicant and of the agent (if any), the title of the invention, the international filing date and the international application number; Rule 4.4 shall apply *mutatis mutandis*;

(ii) the International Searching Authority that is requested to carry out the supplementary international search (“Authority specified for supplementary search”); and

(iii) where the international application was filed in a language which is not accepted by that Authority, whether any translation furnished to the receiving Office under Rule 12.3 or 12.4 is to form the basis of the supplementary international search.

(c) and (d) [No change]

(e) The supplementary search request shall be considered not to have been submitted, and the International Bureau shall so declare:

(i) if it is received after the expiration of the time limit referred to in paragraph (a); or

(ii) if the Authority specified for supplementary search has not notified the International Bureau of its preparedness to carry out such searches, or has notified the International Bureau that the Authority is no longer prepared to carry out such searches and that notification has taken effect, or is not competent to do so under Rule 45bis.9(b).

45bis.2 [No change]

45bis.3 Supplementary Search Fee

(a) to (d) [No change]

[Rule 45bis.3, continued]

(e) The Authority specified for supplementary search shall, to the extent and under the conditions published in the Gazette under the procedure in the applicable agreement under Article 16(3)(b), refund the supplementary search fee if, before it has started the supplementary international search in accordance with Rule 45bis.5(a), the supplementary search request is considered not to have been submitted under Rule 45bis.5(g).

45bis.4 [No change]

45bis.5 Start, Basis and Scope of Supplementary International Search

(a) to (e) [No change]

(f) The supplementary international search shall cover at least the documentation that the Authority has notified to the International Bureau for that purpose.

(g) and (h) [No change]

45bis.6 to 45bis.8 [No change]

45bis.9 International Searching Authorities Competent to Carry Out Supplementary International Search

(a) An International Searching Authority shall be competent to carry out supplementary international searches if it has notified the International Bureau of its preparedness to do so under the procedure in the applicable agreement under Article 16(3)(b), subject to any limitations and conditions to the extent set out in that notification, unless a notification from the Authority that it is no longer prepared to carry out supplementary international searches has taken effect.

(b) and (c) [No change]

Rule 71
Transmittal of the International Preliminary Examination Report
and Related Documents

71.1 *[No change]*

71.2 *Copies of Cited Documents*

(a) *[No change]*

(b) The International Preliminary Examining Authority may require that the party (applicant or elected Office) presenting the request pay to it the cost of preparing and mailing the copies. The level of the cost of preparing copies shall be notified to the International Bureau under the procedure in the agreements referred to in Article 32(2) between the International Preliminary Examining Authorities and the International Bureau.

(c) *[Remains deleted]*

(d) *[No change]*

Rule 92bis
Recording of Changes in
Certain Indications in the Request or the Demand

92bis.1 Recording of Changes by the International Bureau

(a) The International Bureau shall, on the request of the applicant or the receiving Office, record changes in the following indications appearing in the request or demand:

(i) person, name, residence, nationality or address of the applicant,

(ii) person, name or address of the agent, the common representative or the inventor,

provided that following the changes, an email address and telephone number remain available for at least one person to whom correspondence is to be addressed, being the agent, applicant or common representative, as applicable.

(b) Subject to paragraph (c), the International Bureau shall not record the requested change if the request for recording is received by it after the expiration of 30 months from the priority date.

(c) The International Bureau shall, at any time prior to the expiration of the time limit referred to in Rule 93.1, record a change to the person, address and/or communication details of the person to whom correspondence is to be addressed, being the agent, applicant or common representative, as applicable.

Rule 94
Access to Files

94.1 Access to the File Held by the International Bureau

(a) [No change]

(b) The International Bureau shall, at the request of any person but not before the international publication of the international application and subject to Article 38 and Rule 94.4, furnish copies of any document contained in its file. The furnishing of copies may be subject to reimbursement of the cost of the service.

(c) [No change]

(d) to (g) [Deleted]

94.1bis Access to the File Held by the Receiving Office

(a) and (b) [No change]

(c) The receiving Office shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(l) or from public access in accordance with Rule 94.4(a) or (b).

94.1ter Access to the File Held by the International Searching Authority

(a) and (b) [No change]

(c) The International Searching Authority shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(l) or from public access in accordance with Rule 94.4(a) or (b).

(d) [No change]

94.2 *Access to the File Held by the International Preliminary Examining Authority*

(a) and (b) [No change]

(c) The International Preliminary Examining Authority shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(I) or from public access in accordance with Rule 94.4(a) or (b).

94.2bis and 94.3 [No change]

94.4 *Exceptions to Access to File*

(a) The International Bureau shall not provide access to any information contained in its file which has been omitted from publication under Rule 48.2(I) and to any document contained in its file relating to a request under that Rule.

(b) Upon a reasoned request by the applicant, the International Bureau shall not provide access to any information contained in its file and to any document contained in its file relating to such a request, if it finds that:

(i) this information does not obviously serve the purpose of informing the public about the international application;

(ii) public access to such information would clearly prejudice the personal or economic interests of any person; and

(iii) there is no prevailing public interest to have access to that information.

Rule 26.4 shall apply *mutatis mutandis* as to the manner in which the applicant shall present the information which is the subject of a request made under this paragraph.

(c) Where the International Bureau has omitted information from public access in accordance with paragraphs (a) or (b), and that information is also contained in the file of the international application held by the receiving Office, the International Searching Authority, the Authority specified for supplementary search or the International Preliminary Examining Authority, the International Bureau shall promptly notify that Office and Authority accordingly.

(d) The International Bureau shall not provide access to any document contained in its file which was prepared solely for internal use by the International Bureau.

[Rule 94.4, continued]

(e) The Administrative Instructions may provide for measures to exclude from public access references to the following personal data, provided that said data shall be made available to the receiving Office, International Searching Authority, the Authority specified for supplementary search, the International Preliminary Examining Authority, and designated and elected Offices:

(i) the email address, telephone number, or corresponding data for other like means of communication, of any applicant, inventor or agent; and

(ii) the postal address of any applicant, inventor or agent, provided that means of contact shall be publicly available for at least one agent or, if none, applicant.

[Annex VI follows]

PROPOSED MODIFICATIONS TO THE DIRECTIVES OF THE PCT ASSEMBLY RELATING
TO THE ESTABLISHMENT OF EQUIVALENT AMOUNTS OF CERTAIN FEES⁵

The Assembly establishes in the following terms the directives relating to the establishment of equivalent amounts of the international filing fee, the handling fee, the search fee and the supplementary search fee (see [Rules 15.2\(d\)\(i\)](#), [16.1\(d\)\(i\)](#), [45bis.3\(b\)](#) and [57.2\(d\)\(i\)](#)), it being understood that, in the light of experience, the Assembly may at any time modify these directives:

Establishment of Equivalent Amounts

(1) The equivalent amounts [in prescribed currencies](#) of the international filing fee and the handling fee in any currency other than Swiss franc, and of the search fee and the supplementary search fee in any currency other than the fixed currency, shall be established by the Director General [in accordance with these directives](#), ~~in the case of:~~

- ~~(i) — the international filing fee, after consultation with each receiving Office which prescribes payment of that fee in such currency;~~
- ~~(ii) — the search fee, after consultation with each receiving Office which prescribes payment of that fee in such currency;~~
- ~~(iii) — the handling fee, after consultation with each International Preliminary Examining Authority which prescribes payment of that fee in such currency.~~

~~In the case of the international filing fee, the search fee and the handling fee, the equivalent amounts shall be established according to the exchange rates prevailing on the day preceding the day on which the consultations are initiated by the Director General. In the case of the supplementary search fee, the equivalent amounts shall be established according to the exchange rates prevailing on the day on which the Director General receives the notification of the amount of the supplementary search fee or prevailing on the day two months prior to the entry into force of the supplementary search fee, whichever is the later.~~

- (2) The amounts so established shall be the equivalent, in round figures,
- (i) of the amount of the international filing fee and of the handling fee, respectively, in Swiss franc set out in the Schedule of Fees;
 - (ii) of the amount of the search fee and the supplementary search fee (if applicable) established by the International Searching Authority in the fixed currency.

They shall be notified by the International Bureau to each receiving Office, International Searching Authority and International Preliminary Examining Authority, as applicable, prescribing payment or establishing fees in the currency concerned and shall be published in the Gazette.

⁵ Changes are shown using underline and strikethrough compared to the directives in force since July 1, 2010.

Establishment of New Equivalent Amounts Consequential on Changes in the Amount of the Fee Concerned

~~(3) Paragraphs (1) and (2) shall apply mutatis mutandis where the amount of the international filing fee, the handling fee, the search fee or the supplementary search fee is changed. The new equivalent amounts in the prescribed currencies shall be applied from the same date as the changed amount of the international filing fee or of the handling fee set out in the amended Schedule of Fees, or from the same date as the changed amount of the search fee or the supplementary search fee in the fixed currency.~~

Establishment of New Equivalent Amounts Consequential on Changes in Exchange Rates

~~(4) In the month of October of each year, the Director General shall, where applicable, after consultations with the Offices or Authorities referred to in paragraph (1), establish new equivalent amounts of the international filing fee, the handling fee, the search fee and the supplementary search fee according to the exchange rates prevailing on the first Monday in the month of October. Unless otherwise decided by the Director General, any adjustment under this paragraph shall enter into force on the first day of the subsequent calendar year.~~

Establishment of New Equivalent Amounts Consequential on Changes in Exchange Rates

~~(5) Where, for more than four consecutive Fridays Mondays (midday, Geneva time), the exchange rate between Swiss franc (in the case of the international filing fee and the handling fee) or the fixed currency (in the case of the search fee and the supplementary search fee) and any applicable prescribed currency is by at least 5% higher, or by at least 5% lower, than the last exchange rate applied, the Director General shall, where applicable, after consultations with the Offices or Authorities referred to in paragraph (1), establish new equivalent amounts of the international filing fee, the search fee, the supplementary search fee and/or the handling fee, as applicable, according to the exchange rate prevailing on the first at midday on the final Monday following the expiration of the period referred to in the first sentence of this paragraph. The newly established amount shall be notified promptly to Offices concerned and shall become applicable two months eight weeks after the date of that notification its publication in the Gazette, provided that the receiving Offices or the International Preliminary Examining Authorities concerned, as applicable, and the Director General may agree on a date falling during the said two-month period, in which case the said amount shall become applicable from that date.~~

Establishment of New Equivalent Amounts Consequential on Changes in the Amount of the Fee Concerned

(4) Where the amount of the international filing fee or the handling fee in Swiss francs, or the amount of the search fee or the supplementary search fee in the fixed currency, is changed, the Director General shall establish equivalent amounts in the prescribed currencies according to the exchange rates prevailing at midday Geneva time on the Monday on or immediately preceding the day eight weeks before the entry into force of the new amount, or the Monday immediately preceding receipt of the notification of the new fee amount, whichever is the later. The newly established equivalent amount shall be notified promptly to Offices concerned and shall become applicable on the same date as the change in the amount in Swiss francs (in the case of the international filing fee or handling fee) or in the fixed currency (in the case of the search fee or the supplementary search fee) unless the Director General decides otherwise in the case where details concerning the change in fee amounts are received less than eight weeks before entry into force of the new amount.

Changes for Short Periods

(5) The Director General may decide not to establish a new equivalent amount in accordance with paragraph (3), above, if a new amount of the international filing fee or the handling fee in Swiss francs, or of the search fee or supplementary search fee in the fixed currency has been set or notified to him, which would cause the new equivalent amount to be superseded less than four weeks after it would otherwise have entered into force by a new equivalent amount established under paragraph (4).

[Annex VI follows]

PROPOSED MODIFICATIONS TO THE DIRECTIVES OF THE PCT ASSEMBLY RELATING
TO THE ESTABLISHMENT OF EQUIVALENT AMOUNTS OF CERTAIN FEES
(CLEAN TEXT)

The Assembly establishes in the following terms the directives relating to the establishment of equivalent amounts of the international filing fee, the handling fee, the search fee and the supplementary search fee (see Rules 15.2(d)(i), 16.1(d)(i), 45bis.3(b) and 57.2(d)(i)), it being understood that, in the light of experience, the Assembly may at any time modify these directives:

Establishment of Equivalent Amounts

- (1) The equivalent amounts in prescribed currencies of the international filing fee and the handling fee in any currency other than Swiss franc, and of the search fee and the supplementary search fee in any currency other than the fixed currency, shall be established by the Director General in accordance with these directives.
- (2) The amounts so established shall be the equivalent, in round figures,
 - (i) of the amount of the international filing fee and of the handling fee, respectively, in Swiss franc set out in the Schedule of Fees;
 - (ii) of the amount of the search fee and the supplementary search fee (if applicable) established by the International Searching Authority in the fixed currency.

They shall be notified by the International Bureau to each receiving Office, International Searching Authority and International Preliminary Examining Authority, as applicable, prescribing payment or establishing fees in the currency concerned and shall be published in the Gazette.

Establishment of New Equivalent Amounts Consequential on Changes in Exchange Rates

- (3) Where, for four consecutive Mondays (midday, Geneva time), the exchange rate between Swiss franc (in the case of the international filing fee and the handling fee) or the fixed currency (in the case of the search fee and the supplementary search fee) and any applicable prescribed currency is by at least 5% higher, or by at least 5% lower, than the last exchange rate applied, the Director General shall establish new equivalent amounts of the international filing fee, the search fee, the supplementary search fee and/or the handling fee, as applicable, according to the exchange rate prevailing at midday on the final Monday. The newly established amount shall be notified promptly to Offices concerned and shall become applicable eight weeks after the date of that notification.

Establishment of New Equivalent Amounts Consequential on Changes in the Amount of the Fee Concerned

(4) Where the amount of the international filing fee or the handling fee in Swiss francs, or the amount of the search fee or the supplementary search fee in the fixed currency, is changed, the Director General shall establish equivalent amounts in the prescribed currencies according to the exchange rates prevailing at midday Geneva time on the Monday on or immediately preceding the day eight weeks before the entry into force of the new amount, or the Monday immediately preceding receipt of the notification of the new fee amount, whichever is the later. The newly established equivalent amount shall be notified promptly to Offices concerned and shall become applicable on the same date as the change in the amount in Swiss francs (in the case of the international filing fee or handling fee) or in the fixed currency (in the case of the search fee or the supplementary search fee) unless the Director General decides otherwise in the case where details concerning the change in fee amounts are received less than eight weeks before entry into force of the new amount.

Changes for Short Periods

(5) The Director General may decide not to establish a new equivalent amount in accordance with paragraph (3), above, if a new amount of the international filing fee or the handling fee in Swiss francs, or of the search fee or supplementary search fee in the fixed currency has been set or notified to him, which would cause the new equivalent amount to be superseded less than four weeks after it would otherwise have entered into force by a new equivalent amount established under paragraph (4).

[End of Annex VII and of document]