

# WIPO



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INTERNATIONAL PATENT COOPERATION UNION  
(PCT UNION)

ASSEMBLY

**Fifth Session (3<sup>rd</sup> Extraordinary)\***

**Geneva, June 9 to 16, 1980**

PROPOSALS FOR POSSIBLE AMENDMENTS TO THE REGULATIONS UNDER THE  
PATENT COOPERATION TREATY (PCT) AND TO THE REGULATIONS UNDER THE  
BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT  
OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

*Memorandum prepared by the International Bureau*

The Annex to this document contains a subsidiary proposal concerning the amendment to Rule 49.3 of the Regulations under the Patent Cooperation Treaty s contained in document PCT/A/V/2.

[Annex follows]

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\* *Editor's Note:* This electronic document has been created from the paper original and may contain errors. Please bring any such errors to the attention of the PCT Legal Division by e-mail at [pct.legal@wipo.int](mailto:pct.legal@wipo.int)

ANNEX

1. In paragraph 6(a) of document PCT/A/V/2, the Assembly of the PCT, Union (“the Assembly”) is invited to take a decision “on the proposal to insert a new Rule 13*bis* into the PCT Regulations and to make a consequential amendment to Rule 49.3”. The text of the consequential amendment to Rule 49.3 appears at the bottom of documents PCT/A/V/2 and BP/IAC/III/2, Annex A, page 2.

2. In document PCT/A/V/S Add., it is proposed to substitute for the present text of Rule 49.3 a different text for the Rule which will be the following:

49.3 Translation of Amendments

“Where the claims have been amended under Article 19(1), the claims as amended (but not the claims as filed) shall be translated”.

3. The proposal contained in Annex A, page 2, of documents PCT/A/V/2 and BP/IAC/III/2 is maintained only to the extent that the proposal contained in document PCT/A/V/S Add. is not adopted. In the event that the latter proposal is adopted, the International Bureau will propose that, instead of amending Rule 49.3 as proposed in document PCT/A/V/2, paragraph 6(a), the Assembly should adopt a new Rule 49.4 in the following form:

“49.4 Indications under Rule 13*bis*.4

“For the purposes of Article 22 and the present Rule, any indication furnished under Rule 13*bis*.4 shall be considered part of the international application.”

[End of Annex  
and of document]