



---

**WO/GA/54/14**  
**ORIGINAL: ENGLISH**  
**DATE: AUGUST 23, 2021**

## **WIPO General Assembly**

**Fifty-Fourth (25<sup>th</sup> Ordinary) Session**  
**Geneva, October 4 to October 8, 2021**

### **MATTERS CONCERNING THE IMPLEMENTATION DATE OF WIPO STANDARD ST.26**

*Document prepared by the Secretariat*

#### **INTRODUCTION**

1. The Committee on WIPO Standards (CWS), at its fourth session, reconvened in March 2016, adopted WIPO Standard ST.26 "Recommended Standard for the Presentation of Nucleotide and Amino Acid Sequence Listings using XML (eXtensible Markup Language)".
2. In order to support the implementation of WIPO Standard ST.26, the International Bureau of WIPO, in close collaboration with the Offices of the CWS Sequence Listings Task Force, has been developing the WIPO Sequence Suite. This includes WIPO Sequence: a desktop tool that enables patent applicants to prepare amino acid and nucleotide sequence listings compliant with WIPO Standard ST.26 and the WIPO Sequence Validator: a web service to support Offices in verifying that filed sequence listings are also compliant with the Standard.
3. At its fifth session held in 2017, the Member States reached agreement on the simultaneous implementation of WIPO Standard ST.26 at national, regional and international levels on January 1, 2022 (hereinafter referred to as the "big-bang date", see paragraphs 42 to 44 of document CWS/5/22).
4. Due to lack of time to implement the amended PCT Regulations for the implementation of WIPO Standard ST.26, which is expected to be adopted at the PCT Assembly to be held in October 2021, some Offices indicated to the International Bureau that they would have difficulty in completing the necessary preparations before January 1, 2022; either to recognize the

amendments to the PCT Regulations, or to amend their own regulations to implement national processes, based on the PCT processes in the Regulations and Administrative Instructions.

5. Taking the above into account, the Sequence Listing Task Force has agreed on the proposal to postpone the big-bang date until July 1, 2022. Consequently, it is proposed that the amendments to the PCT Regulations be brought into force on July 1, 2022, rather than January 1, 2022, as previously recommended, and that Member States modify their arrangements to bring their national laws and IT systems into force from the same date.

6. In order to gather feedback on the proposal from patent Offices, the International Bureau issued [the Circular C. PCT 1626/C. CWS. 150](#), inviting Offices to comment on the recommendation for the postponement of the big-bang implementation date of WIPO Standard ST.26 at all levels.

#### SUMMARY OF RESPONSES TO THE CIRCULAR

7. The International Bureau has received responses to the Circular mentioned above from Offices of the following 29 Member States and regional Offices: Austria, Brazil, Bulgaria, Canada, Chile, China, Croatia, Denmark, Germany, Hungary, Israel, Japan, Kyrgyzstan, Lithuania, Mexico, New Zealand, Norway, Peru, Portugal, Republic of Korea, Russian Federation, Singapore, Slovakia, Sweden, Ukraine, United Kingdom, United States of America, Eurasian Patent Office (EAPO) and European Patent Office (EPO).

8. All responses support the recommendation for the postponement of the big-bang implementation date of WIPO Standard ST.26 at national, regional and international levels to July 1, 2022. Some Offices mentioned that they were ready to implement ST.26 on the original implementation date, but they support the postponement because they believe what is most important is the coordinated and simultaneous transition from Standard ST.25 to ST.26 on the agreed date. This is to prevent applicants from being confused with divergent filing requirements between Offices and to similarly limit the parallel processing of ST.25 and ST.26 files.

9. Some Offices also stated that the postponement would provide an opportunity for all Offices to continue providing feedback on the WIPO Sequence Suite to ensure it provides all of the necessary functionality for applicants and Offices, as well as provide additional time for Offices and users to get more acquainted with this suite.

10. One Office suggested the need for "refresher" training for stakeholders delivered by the International Bureau closer to the new implementation date. The early scheduling of the original training (in English), combined with the acceptance of this six-month delay, could result in some users requiring further training. Taking into account this suggestion and requests from others, the International Bureau intends to offer the requested training before the newly proposed implementation date. This Office also requested that further detail be added to the user guide and operations manual for the WIPO Sequence Suite. The International Bureau is waiting on feedback regarding what further information should be added to these manuals.

11. Another Office requested confirmation that the delayed transition date would not revert to the original transition date after agreement amongst Member States. This Office also said that WIPO (and Member States) recognizes that as a PCT International Searching Authority (ISA) it has no other choice but to use a revised ISA/202 form. This form will be used from January 1, 2022, irrespective of whether the transition is delayed or not, even before its formal promulgation, due to restrictions in its IT system updates.

## PROPOSAL

12. Taking into account all the positive responses to the Circular mentioned above, it is proposed that the big-bang implementation date of WIPO Standard ST.26 at national, regional and international levels be postponed until July 1, 2022, from January 1, 2022.

*13. The WIPO General Assembly is invited to take note of the content of this document, consider and approve the new big-bang implementation date of WIPO Standard ST.26, July 1, 2022, at national, regional and international level, which is proposed in paragraph 12 above.*

[End of document]