



PCT/CTC/33/29
ORIGINAL: ENGLISH
DATE: FEBRUARY 3, 2026

Patent Cooperation Treaty (PCT) Committee for Technical Cooperation

**Thirty-Third Session
Geneva, February 2 to 6, 2026**

SUMMARY BY THE CHAIR

AGENDA ITEM 1: OPENING OF THE SESSION

1. Mr. Tsuyoshi Isozumi, Senior Director, PCT Services Department, Patents and Technology Sector, opened the session and welcomed the participants on behalf of the Director General, Mr. Daren Tang. Mr. Michael Richardson (WIPO) acted as Secretary to the Committee.
2. The list of participants is set out in document PCT/CTC/33/INF/2.

AGENDA ITEM 2: ELECTION OF A CHAIR AND TWO VICE-CHAIRS

3. The Committee unanimously elected Mr. Unnat P. Pandit (India) as Chair of the session.
4. There were no nominations for the two Vice-Chairs for the session.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

5. The Committee adopted the agenda as set out in document PCT/CTC/33/1 Prov. 2.

AGENDA ITEM 4: ADVICE TO THE ASSEMBLY OF THE PCT UNION ON THE PROPOSED APPOINTMENT OF THE MEXICAN INSTITUTE OF INDUSTRIAL PROPERTY AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

6. Discussions were based on document PCT/CTC/33/27.

7. The Committee unanimously recommended to the Assembly that the Mexican Institute of Industrial Property be appointed as an International Searching and Preliminary Examining Authority under the PCT.

AGENDA ITEM 5: ADVICE TO THE ASSEMBLY OF THE PCT UNION ON EXTENSIONS OF APPOINTMENT OF INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITIES UNDER THE PCT

8. Discussions were based on documents PCT/CTC/33/2 to 26.

9. The Committee agreed to recommend to the PCT Union Assembly the extension of appointment of all the 25 national Offices and intergovernmental organizations currently acting as International Searching and Preliminary Examining Authorities under the PCT.

10. It is to be noted that the Ukrainian National Office for Intellectual Property and Innovations expressed its dissociation from the advice provided by the Committee with regard to the extensions of appointment of the Federal Service for Intellectual Property of the Russian Federation and the Eurasian Patent Office.

11. It is to be noted that the Federal Service for Intellectual Property of the Russian Federation and the Eurasian Patent Office expressed their dissociation from the advice provided by the Committee with regard to the extension of appointment of the Ukrainian National Office for Intellectual Property and Innovations.

AGENDA ITEM 6: MODEL AGREEMENT BETWEEN AN OFFICE AND THE INTERNATIONAL BUREAU IN RELATION TO ITS FUNCTIONING AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY AND PROPOSED AMENDMENTS TO THE PCT REGULATIONS FOR USE OF THE MODEL AGREEMENT

12. Discussions were based on document PCT/CTC/33/28.

13. The Committee approved the format of the draft model Agreement between each Office or organization and the International Bureau in relation to its functioning as an International Searching and Preliminary Examining Authority, as set out in Annex I to document PCT/CTC/33/28, with a view to its use in the agreements to be submitted for approval by the Assembly when taking a decision on appointments or extensions of appointment of International Searching and Preliminary Examining Authorities that take effect from January 1, 2028.

14. The Committee approved the proposed amendments to the PCT Regulations set out in the Annex to document PCT/CTC/33/29 with a view to their submission to the Assembly.

AGENDA ITEM 7: SUMMARY BY THE CHAIR

15. The Committee noted this summary, established under the responsibility of the Chair, and agreed to make it available to the Assembly of the PCT Union as a record of the advice given under agenda items 4 and 5.

AGENDA ITEM 8: CLOSING OF THE SESSION

16. The Chair closed the session on February 3, 2026.

[Annex follows]

PROPOSED AMENDMENTS TO THE PCT REGULATIONS¹

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¹ 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]

(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.

[End of Annex and of document]