

# WIPO



PCT/MIA/16/4

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DATE: March 5, 2009

WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

INTERNATIONAL PATENT COOPERATION UNION  
(PCT UNION)

MEETING OF INTERNATIONAL AUTHORITIES  
UNDER THE PATENT COOPERATION TREATY (PCT)

Sixteenth Session  
Seoul, March 16 to 18, 2009

CONTENT AND FORMAT OF INTERNATIONAL SEARCH  
AND PRELIMINARY EXAMINATION REPORTS

*Document prepared by the International Bureau*

## SUMMARY

1. International Authorities are invited to review both the content and format of international search and preliminary examination reports, having regard to the ease of reports in production and transmission of tagged character coded (XML) format, the ease of use of reports by applicants, Offices and the International Bureau, and the effectiveness of the reports for the purposes of assisting national processing.

## BACKGROUND

2. At its seventh to tenth sessions, the Meeting considered a number of proposals by the European Patent Office for a “linear” format of report, to replace the box-style which is currently used for international search reports, written opinions and international preliminary reports on patentability. This could simplify the production of reports by examiners, who currently (depending on the particular systems of International Authorities) may need to fill in a set of box-style forms and make reference to separate continuation sheets for much of the substantive content. It might also make the reports more easily read by applicants, agents, designated Offices and third parties. Annex I reproduces the example international search report which was shown in Annex I of document PCT/MIA/10/7.

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3. In document PCT/MIA/16/3, the Meeting is asked to consider measures which might be taken to make international preliminary examination more useful. Among the issues to be considered are whether the standards against which international applications are tested are useful for assisting the determination of whether national standards are met, and the extent to which it is useful for international reports to cover issues other than novelty, inventive step and industrial applicability. It would be useful to consider the substance and the presentation of reports in parallel in order to ensure that any developments are of maximum use to applicants, third parties and designated and elected Offices.

4. The International Bureau is particularly keen to begin receiving international search reports, written opinions and international preliminary reports on patentability in text-based electronic formats and especially in XML format since this is an area where, to a much greater extent than for the application body, there is an opportunity for quick and significant improvements in the quality, efficiency and scope of the services delivered by the International Bureau. However, the detail of how reports are rendered for viewing is essential for ensuring that potential benefits can actually be realized and that the reports are as valuable as possible to applicants, third parties and designated and elected Offices.

#### MAIN CONSIDERATIONS

5. The content and format of international search and preliminary examination reports need to meet the following requirements:

(a) the information provided must be useful to applicants, third parties and designated Offices – in particular, comments made in accordance with the PCT should be as relevant as possible to the questions which must be addressed in order to determine whether an invention is patentable in any particular Contracting State;

(b) the information must be presented in a sufficiently standardized format that users of the system who read many reports (notably, but not limited to examiners in designated Offices, patent attorneys and frequent applicants) are able to easily understand the reports and find different types of information, no matter which International Authority has established the report and noting that many users will be reading the document (whether the original or a translation into English) in a language which is not their native language;

(c) there needs to be sufficient flexibility in the format to ensure that a wide variety of complex interrelations between different issues can be explained effectively;

(d) it must be possible for examiners to prepare the reports efficiently without the need for Authorities to maintain excessively complicated IT systems to support them;

(e) the reports must be easily processed by the International Bureau, including extracting certain items of information from documents in any language of publication, separating the various sections (which may be published or made available in different ways and at different times), and efficiently translating the content of certain parts.

6. The main requirements referred to in paragraph 5(a), above, are considered in document PCT/MIA/16/3, but should always be kept in mind when addressing the remaining requirements.

## “BOX-STYLE” VS “LINEAR” OUTPUT

7. As noted in paragraph 2, above, the European Patent Office (EPO) has for some years advocated moving to a “linear” output of report instead of the traditional “box” format. Examples of each type are shown in the Annexes: in Annex I, an international search report in linear format and in Annex II an international preliminary report on patentability in box format. There is a particular need to consider this matter again in the near future because of an intention within the EPO to move to new IT systems with XML-based output.

8. Some of the advantages of a linear format include:

(i) simplicity of production;

(ii) efficiency in use of space (particularly relevant when printing paper copies in an International Authority which performs large numbers of international searches and international preliminary examinations);

(iii) the ability to include as much information as required in any section without having to refer to continuation sheets; and

(iv) (depending on the particular implementation) flexibility, allowing material to be presented in different orders depending on what may be most effective for the particular case.

9. One aspect which is both an advantage and a disadvantage of a linear format is that it is easy to omit sections which do not appear to be of relevance. This saves space and makes it less difficult to find the important material which might otherwise be lost amongst pages of boxes, few of which are checked. On the other hand, it is essential to consider carefully whether any particular item should be omitted since the fact that a checkbox is not marked may in some circumstances itself be important information which requires a positive statement. In adopting any linear format, it will be necessary to make clear which pieces of information which are currently represented by checkboxes (or places for numbers, dates or similar structured information) must always be included, even if they are presenting “negative” information.

10. The main advantage of the box format is consistency: the same information can be found in the same place on any form, no matter what language it is prepared in. This permits experienced users to locate and (for the highly structured sections) understand, even when looking at a document which is in a foreign language, any particular piece of information very rapidly. In particular, it allows them to pick out certain pieces of information without needing to read the surrounding standard text – and there is a greater confidence that such text is genuinely “standard”, rather than having been manually adjusted to present a different meaning.

### Processing Requirements of the International Bureau

11. Within the International Bureau, the consistency offered by the box format is used to maintain the efficiency of processing and translation (noting that at present no International Authorities send international search and preliminary examination reports in an electronic format which can be automatically processed):

(a) Processing teams are able very quickly to locate the items of information which need to be input into the International Bureau's systems, such as the date of mailing, any modified title, abstract or drawing figures, and IPC codes.

(b) At present, the standard information on reports which require translation is quickly transferred to a blank English form by staff who do not necessarily read the language of the original form. This minimizes the amount of work which requires the active attention of translators. Any departure from the box format for the standard text (as distinct from the use of word processor documents as "continuation sheets" containing most of the free text information) would cause a major loss in efficiency of translation at the International Bureau, unless the structured information is made available in a form which can be processed easily and reliably by the International Bureau, or else the overall report is presented and transmitted in a form which is usable directly by computer-aided translation tools.

12. Consequently, the International Bureau would have a number of concerns about any move away from the box format by Authorities which send the reports to the International Bureau on paper, as image files or even as conventional word-processor files (though it would be useful to receive these for the purpose of assisting the translation of the free text parts of the reports). Any move away from the box format (other than, perhaps, for the part of the search report recording citations) would need to be carefully reviewed to ensure that it remained possible to process reports efficiently.

13. On the other hand, in the case where the reports are established in Annex F-compliant XML format, all of the structured information would be automatically available in largely language-independent form, so that translations of those parts would require only that the English (or, indeed, any other desired language) "style sheet" be used to generate the standard texts. In this case, while such style sheets could generate a box format report, the International Bureau agrees that a linear report would be significantly easier to develop and maintain, minimizing costs and increasing the speed with which developers could respond to changing needs, or customize the style sheets to provide output suitable for use in national phases.

14. Furthermore, while there is a need for as much consistency as possible in international reports to avoid confusion amongst regular users of the system, it is unlikely that there would be any significant difficulty as long as the styles could be limited to just one "box" format and one "linear" format, rather than there being a proliferation of different formats.

15. Consequently, subject to comments by designated and elected Offices and representatives of user groups as to their needs, the International Bureau would support the development of style sheets for XML international search and preliminary examination reports to deliver reports whose viewable versions are in a linear format along the general lines shown in Annex I. Subject to the possible exception in paragraph 17, below, the Administrative Instructions would probably continue to require the use of the standard box format, except that Authorities which provided their reports in XML would be permitted to generate the linear format output by the common international style sheet.

16. One of the essential requirements of any such style sheets would be that sections which require different processing start on new pages so that the different parts of the human-readable version can be separated efficiently. Notably, the international search report contains a part for publication and a part which is used for other internal processing. Furthermore, careful consideration would need to be given to which information must always

be shown, even where it is equivalent to leaving a box on the conventional form empty. Finally, there should be careful consideration of how to present the standard text sections so as to clearly distinguish them from the structured information content and the free text sections so as to ensure that regular readers of reports are able to read them efficiently in a similar manner to the structured information of the box format.

17. The International Bureau would be willing to consider the use by Authorities of a linear format for at least some parts of reports which were delivered on paper or in non-XML electronic format, provided that these were closely consistent with the results of the XML style sheets and it had been shown that the results could be reliably processed automatically, including, where appropriate, ensuring that the output permitted accurate OCR and/or providing electronic copies in a text-based format. However, this should only be considered on the basis of careful consultations between the International Bureau and the relevant Authority before any work on such a change begins.

#### CONTENT AND FLEXIBILITY

18. As noted in paragraph 6, above, document PCT/MIA/16/3 considers the main issues concerning the content of international reports, such as whether comments on clarity and support should be included and whether special categories of citations such as oral disclosures and “secret prior art” should be reported in the same way as normal citations, rather than merely being listed as at present.

19. Nevertheless, the manner in which the content is presented can strongly affect how useful it is to applicants and Offices. One example of this is whether it is possible to explain defects in a logical order, for example, if matters of novelty can only be understood following an explanation of how the claim has been interpreted given a serious lack of clarity.

20. Furthermore, if international reports are to be truly useful, it should be possible for them to be used directly in the national phase: a designated or elected Office might either require applicants to respond to defects noted in the international preliminary reports on patentability before any national examination begins, or else a first national phase report might take the content of the international preliminary report on patentability as a basis, to be adjusted slightly according to the specific needs of the national law.

21. In either case, it would be beneficial to know of barriers to direct use of the international preliminary report on patentability which stem from the presentation of the reports. Furthermore, for the benefit of work-sharing in general, it would be beneficial to be able to develop at least the XML standards for search and examination reports (and possibly the paper reports) in such a way that national Offices might see it as desirable to move towards a common standard for reports which could then be more easily transferred between Offices, understood by examiners and used as a direct basis for assisting the creation of national reports in other Offices. For this, it would be useful to consider the types of information which need to be recorded in national reports, for which there is no space in the international report.

#### PROPOSED WAY FORWARD

22. It is proposed that, following comments in the Meeting:

(i) the International Bureau should seek comments from other Offices and users on the requirements of the presentation of reports;

(ii) the International Bureau should prepare any revisions which appear desirable to the paper international search reports, written opinions and international preliminary reports on patentability.

(iii) the International Bureau should work in cooperation with the European Patent Office and any other interested Offices to develop a stylesheet for XML search and examination reports which meet the requirements of all interested parties for international reports and which are easily extended to meet the requirements of any national Office, both for the PCT national phase and more generally.

*23. The Meeting is invited to comment on the issues raised in this document and the proposed way forward.*

[Annex I follows]

ANNEX I

**PATENT COOPERATION TREATY (PCT)**  
**INTERNATIONAL SEARCH REPORT (ISR) - PART 1**  
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

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**FOR FURTHER ACTION** See Notification of Transmittal of ISR (Form PCT/ISA/220) as well as, where applicable, abstract information below

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Applicant's or agent's file reference:	AGGR/01/01
International application No:	PCT/EP01/98989
International filing date:	01 April 2001 (01/04/2001)
(Earliest) priority date:	02 April 2000 (01.04.2000)
Applicant:	Heath Robinson

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This international search report has been prepared by this International Searching Authority (ISA) and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

It consists of two parts: Part 1 contains comments on the international application. Part 2 contains the results of the search, the subject matter classification and the fields searched.

It is also accompanied by a copy of each prior art document cited in this report.

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**(1) Basis of the report**

With regard to the **language**, the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, and necessary to the claimed invention, the international search was carried out on the basis of:

A sequence listing and table(s) related to the sequence listing;  
in written format and in computer readable form;  
contained in the international application as filed;  
furnished subsequently to this Authority for the purposes of search.

In addition, as more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

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**PATENT COOPERATION TREATY (PCT)**  
**INTERNATIONAL SEARCH REPORT (ISR) - PART 1**  
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

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**(2) Certain claims were found unsearchable**

This report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

Claim(s) No(s): 1,2

because they relate to subject matter not required to be searched by this Authority, namely:

*Claims 1,2 directed to an instruction manual with particular wording are considered to be mere presentations of information and is subject matter the ISA is not required to search under Article 17(2)(a)(i) and Rule 39.1(v).*

Claim(s) No(s): 3,4

because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

*Claims 3,4 seek protection for a "whatsit" which has no generally-recognised meaning and is undefined in the application as filed.*

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**(3) Unity of invention is lacking**

This International Searching Authority found multiple inventions in this international application, as follows:

- *Claims 1 - 18 directed to a sealing body and an instruction manual for its use*
- *Claim 19 - 28 directed to an apparatus, but not limited to an apparatus comprising the sealing body of claims 3 - 18*

No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos. 3-18

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**(4) Title**

The text is approved as submitted by the applicant.

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**(5) Abstract**

The text is approved as submitted by the applicant.

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**PATENT COOPERATION TREATY (PCT)**  
**INTERNATIONAL SEARCH REPORT (ISR) - PART 1**  
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

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**(6) Drawings**

The figure of the drawings to be published with the abstract is Figure No: **1** as suggested by the applicant.

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**\*\* End of Part 1 of the ISR \*\***

**PATENT COOPERATION TREATY (PCT)**  
**INTERNATIONAL SEARCH REPORT (ISR) - PART 2**  
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

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(21) **International application No.:** PCT/EP01/98989

(51) **CLASSIFICATION OF SUBJECT MATTER**

**IPC<sup>7</sup>:** G06K11/14

(58) **FIELDS SEARCHED**

**Minimum documentation searched:**

**IPC<sup>7</sup>:** G06K

**Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched:**

Not applicable

**Electronic database consulted during the international search:**

EPO-Internal, PAJ, WPI Data

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**DOCUMENTS CONSIDERED TO BE RELEVANT**

(Citation of document, with indication, where appropriate, of the relevant passage(\*), followed by category and claim(s) No(s))

(1) US 5 332 238 A (BORUCKI G) 26 July 1994; cited in the application

*\*column 2, line 1-27; figures 4,5\**

Category: **Y** Claims: **1,6,7,9**

*\*column 7, line 32-55\**

Category: **X** Claims: **18**

(2) US 5 784 054 A (KENT JOEL C ET AL) 21 July 1998; cited in the application

*\*column 6, line 61-65; figures 1,2,4,8, column 7, line 35-65\**

Category: **X** Claims: **1,6,7,14,15,18**

(3) US 4 816 811 A (BOGATIN ERIC L ET AL) 28 March 1989

*\*column 4, line 57,58; figures 2-4\**

Category: **A** Claims: **1,9**

(4) EP 0 740 264 A (GORE & ASS) 30 October 1996

*\*column 8, line 7-10; figure 1; column 9, line 18-column 13, line 8\**

Category: **Y** Claims: **1,6,7,9**

Category: **A** Claims: **2, 18**

**PATENT COOPERATION TREATY (PCT)**  
**INTERNATIONAL SEARCH REPORT (ISR) - PART 2**  
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

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(5) WO 98 52184 A (ELO TOUCHSYSTEMS INC) 19 November 1998

*\*page 21, line 9-1; figures 5,6\**

Category: **A**      Claims: **1, 18**

(6) US 5 852 433 A (TODA KOHJI) 22 December 1998

*\*column 6, line 20-28; figure 1\**

Category: **A**      Claims: **1, 18**

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Special categories of cited documents:

A: document defining the general state of the art which is not considered to be of particular relevance.

X: The claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone.

Y: The claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

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**Patent family information**

\* **US 4 816 811 A:**

EP 0 196 186      A,B    01.10.1986

JP 61223932      A      04.10.1986

US 4 816 811      A      28.03.1989

CA 1 270 309      A      12.06.1990

DE 3 682 927      D      30.01.1992

KR 9 309 671      B      08.10.1993

\* **EP 0 740 264 A:**

JP 9044291      A      14.02.1997

\* **WO 98 52184 A:**

AU 7 151 098      A      08.12.1998

JP 11065765      A      09.03.1999

EP 1 019 897      A      19.07.2000

BR 9 809 121      A      01.08.2000

CN 1 269 043      T      04.10.2000

AU 732877      B      03.05.2001

US 6 236 391      B      22.05.2001

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**PATENT COOPERATION TREATY (PCT)**  
**INTERNATIONAL SEARCH REPORT (ISR) - PART 2**  
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

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**ISA/Examiner:** European Patent Office  
SPIGARELLI, Alfred  
PB 5818, Patentlaan 2  
NL 2280 HV Rijswijk  
Tel. +31 - 70 340 2040  
Fax. +31 - 70 340 3016

Search completed: 24 July 2001  
ISR mailed: 28 July 2001

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**\*\* End of the ISR \*\***

[Annex II follows]

## ANNEX II

## ANNOTATED CURRENT FORM PCT/IPEA/409

## PATENT COOPERATION TREATY

**PCT**

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416
International application No.	International filing date ( <i>day/month/year</i> )	Priority date ( <i>day/month/year</i> )	
International Patent Classification (IPC) or national classification and IPC			
Applicant			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of _____ sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows:</p> <p style="margin-left: 20px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 20px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand		Date of completion of this report	
Name and mailing address of the IPEA/		Authorized officer	
Facsimile No.		Telephone No.	

International application No. \_\_\_\_\_

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

**Box No. I Basis of the report**

1. With regard to the **language**, this report is based on:
- the international application in the language in which it was filed.
  - a translation of the international application into \_\_\_\_\_ translation furnished for the purposes of:
    - international search (Rules 12.3(a) and 23.1(b)).
    - publication of the international application (Rule 12.4(a)).
    - international preliminary examination (Rules 55.2(a) and/or 55.3(a)).
2. With regard to the **elements** of the international application, this report is based on (furnished to the receiving Office in response to an invitation under Article 14 are referred and are not annexed to this report):
- the international application as originally filed/furnished.
  - the description:
    - pages \_\_\_\_\_ as originally filed/furnished.
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - the claims:
    - pages \_\_\_\_\_ as originally filed/furnished.
    - pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - the drawings:
    - pages \_\_\_\_\_ as originally filed/furnished.
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3.  The amendments have resulted in the cancellation of:
- the description, pages \_\_\_\_\_
  - the claims, Nos. \_\_\_\_\_
  - the drawings, sheets/figs \_\_\_\_\_
  - the sequence listing (*specify*): \_\_\_\_\_
  - any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- the description, pages \_\_\_\_\_
  - the claims, Nos. \_\_\_\_\_
  - the drawings, sheets/figs \_\_\_\_\_
  - the sequence listing (*specify*): \_\_\_\_\_
  - any table(s) related to sequence listing (*specify*): \_\_\_\_\_
5.  This report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).
6.  Supplementary international search report(s) from Authority(ies) \_\_\_\_\_ have been received and taken into account in drawing up this report (Rule 45bis.8(b) and (c)).

This box will shortly require updating to allow for amended paragraphs or drawings and later (noting that there will be a significant transitional period) to allow for the fact that from July 1, 2009, any amendments to the claims must provide a complete new set of claims.

\* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

**Box No. II    Priority**

1.  This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
  - copy of the earlier application whose priority has been claimed (Rule 66.7(a)).
  - translation of the earlier application whose priority has been claimed (Rule 66.7(b)).
2.  This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

International application No. \_\_\_\_\_

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

**Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

- the entire international application.
- claims Nos. \_\_\_\_\_

because:

- the said international application, or the said claims Nos. \_\_\_\_\_ relate to the following subject matter which does not require an international preliminary

It may be desirable to consider the relationship between Boxes III and IV: in addition to their function of commenting on the different issues of substance, they also have an overlapping effect in relation to indicating the effective scope of the report.

- the description, claims or drawings (*indicate particular elements below*) or said claims Nos. \_\_\_\_\_ are so unclear that no meaningful opinion could be formed (*specify*):

- the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):

- no international search report has been established for said claims Nos. \_\_\_\_\_

- a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Preliminary Examining Authority in a form and manner acceptable to it.
- furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Preliminary Examining Authority in a form and manner acceptable to it.
- pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13<sup>ter</sup>.1(a) or (b) and 13<sup>ter</sup>.2.

- a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions, and such tables were not available to the International Preliminary Examining Authority in a form and manner acceptable to it.

- the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

- See Supplemental Box for further details.





INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. \_\_\_\_\_

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims _____	YES
	Claims _____	NO
Inventive step (IS)	Claims _____	YES
	Claims _____	NO
Industrial applicability (IA)	Claims _____	YES
	Claims _____	NO

2. Citations and explanations (Rule 70.7)

The Yes/No indications in Part 1 of this Box appear in the written opinion of the ISA and the International Preliminary Report on Patentability, but not in the written opinion of the IPEA - it may be worth considering whether this should be made consistent through all reports (and whether this would require an amendment of Rule 66.2(a)(ii))

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

**Box No. VI Certain documents cited**

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date ( <i>day/month/year</i> )	Filing date ( <i>day/month/year</i> )	Priority date (valid claim) ( <i>day/month/year</i> )
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It may be appropriate to consider incorporating the citation of secret prior art and non-written disclosures into Box 5, giving a fuller explanation of the potential relevance, with an appropriate indication of the "special" type of disclosure to warn that it may not be relevant in some jurisdictions.

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure ( <i>day/month/year</i> )	Date of written disclosure referring to non-written disclosure ( <i>day/month/year</i> )
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

**Box No. VII Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

**Box No. VIII Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

**Supplemental Box Relating to Sequence Listing**

**Continuation of Box No. I, item 2:**

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this report was established on the basis of:

a. type of material

- a sequence listing
- table(s) related to the sequence listing

b. format of material

- on paper
- in electronic form

c. time of filing/furnishing

- contained in the international application as filed
- filed together with the international application in electronic form
- furnished subsequently to this Authority for the purposes of search and/or examination
- received by this Authority as an amendment\* on \_\_\_\_\_

It may be desirable to separate the issues of which sequence listing forms the basis of the search or examination from potential "defects" such as whether accompanying statements have been made or not.

2.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

3. Additional comments:

\* If item 4 in Box No. I applies, the listing and/or table(s) related thereto, which form part of the basis of the report, may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.  
Continuation of: