

Meeting of International Authorities under the Patent Cooperation Treaty (PCT)

Thirty-Third Session
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REVIEW OF THE SUPPLEMENTARY INTERNATIONAL SEARCH SYSTEM

Document prepared by the International Bureau

SUMMARY

1. In October 2021, the PCT Union Assembly reviewed the supplementary international search system and agreed that it would review it again “at a time to be recommended by the International Bureau, or on request by a Contracting State, but no later than 2027”. This document contains background information on which such a review might be based.

BACKGROUND

2. The PCT Union Assembly (“the Assembly”), at its thirty-sixth session held in September/October 2007, amended the PCT Regulations to introduce a supplementary international search system. These amendments entered into force on January 1, 2009 (document [PCT/A/36/13](#)).

3. Applicants may request a supplementary international search on an international application up to 22 months from the priority date at one or more of the 10 International Searching Authorities (ISAs) prepared to carry out such searches. However, the ISA that has performed the international search under Article 16(1) on an international application is not competent to perform supplementary international search.

4. The Assembly reviewed the supplementary international search system at its forty-third session in October 2012, at its forty-seventh session in October 2015 and at its fifty-third session in October 2021. The most recent review was informed by discussions at the thirteenth session of the PCT Working Group (“the Working Group”) in October 2020 based on document [PCT/WG/13/4 Rev](#), which presented two possible decisions to recommend to the Assembly. The first option, in paragraph 21 of the document, was to continue supplementary international search with the Assembly performing a further review no later than 2027; the second option, in

paragraph 22 of the document, was for the International Bureau to prepare proposals to amend the PCT Regulations that would lead to abolishing supplementary international search.

5. For setting the latest date for a further review in the first option, paragraph 17(a) of document PCT/WG/13/4 Rev. cited certain future developments that could be considered by Contracting States, as follows:

“17. ...

“(a) The first option would be to maintain supplementary international search and set arrangements for the Assembly to review the system again. In determining when to perform the next review, Contracting States could consider future developments in international search. A pilot project involving the IP5 Offices for collaborative search and examination is currently under way and will report on a variety of subjects concerning practicality, costs and benefits. In addition, receiving Offices specifying more International Searching Authorities as competent for international applications filed at their Office, as proposed in document [PCT/MIA/27/6](#), may provide applicants with more options for the main international search. However, if the Assembly decides on this option, the International Bureau would propose not to plan investment in any additional automation of supplementary international search beyond what was essential to ensure the exchange of supplementary search copies and supplementary search reports.

...”

6. Full details of the discussions on supplementary international search during the thirteenth session of the Working Group are set out in paragraphs 60 to 74 of the Report of the session (document [PCT/WG/13/15](#)). The discussions are summarized in paragraphs 11 to 13 of the Summary by the Chair, document [PCT/WG/13/14](#), as follows:

“11. Discussions were based on document PCT/WG/13/4 Rev.

“12. Some delegations stated that the costs of maintaining the supplementary international search (SIS) system were not justified by the level of use and favored discontinuing the service. Some other delegations considered that the system was of benefit to certain applicants and should be maintained pending further developments, such as the outcome of the collaborative search and examination pilot or the making available of further options within the SIS system.

“13. The Chair noted that, in the absence of consensus, it was unlikely that agreement could be reached on amendments to the PCT Regulations and suggested to adopt the proposal in paragraph 21 of the document, noting that doing so maintained the possibility for any Contracting State to request a further review when it deemed that there was consensus for change.”

7. Following its review in 2021, the Assembly adopted the following decision (see paragraph 7 of document [PCT/A/53/2](#) and paragraph 22 of document [PCT/A/53/4](#)):

“The PCT Assembly, having reviewed the supplementary international search system in 2012, 2015 and 2021, decided:

“(a) to invite the International Bureau to continue to monitor the system and report to the Meeting of International Authorities and the Working Group on significant developments; and

“(b) to review the system again at a time to be recommended by the International Bureau, or on request by a Contracting State, but no later than 2027.”

8. To prepare for the review by the Assembly in 2027, this document provides information on the use of the supplementary international search system and discusses future options for the system.

DEVELOPMENTS SINCE THE PREVIOUS REVIEW

IP5 COLLABORATIVE SEARCH AND EXAMINATION PILOT

9. The third pilot project on collaborative search and examination under the PCT among the IP5 Offices (the China National Intellectual Property Administration (CNIPA), the European Patent Office (EPO), the Japan Patent Office (JPO), the Ministry of Intellectual Property of the Republic of Korea (MOIP), and the United States Patent and Trademark Office (USPTO)) began with a decision by the IP5 Heads of Offices in June 2016 to establish the Collaborative Search and Examination Pilot Group, and concluded with the presentation of a final assessment report to the IP5 Heads in June 2023. The EPO prepared a final report on the pilot for the Meeting of International Authorities at its thirtieth session in November 2023 (document [PCT/MIA/30/3](#)), which was then presented to the Working Group at its seventeenth session in February 2024 (document [PCT/WG/17/17](#)).

10. The operational phase dedicated to the processing of applications ran from July 1, 2018, to June 30, 2020. For international applications in the pilot, a provisional international search report (ISR) and written opinion from the main examiner at the competent ISA was reviewed by peer examiners at the other participating Offices who provided contributions for the main examiner to consider for establishing the final ISR and written opinion. The operational phase was followed by an evaluation phase which assessed the applications in the pilot during the international phase and on their entry into the national/regional phases at the IP5 Offices. The International Bureau also conducted a survey of participants in the pilot in 2021. The results of the pilot are presented in paragraphs 7 to 13 of document PCT/WG/17/17.

11. The conclusion of the pilot is set out in paragraph 14 of document PCT/WG/17/17, as follows:

“14. The pilot was concluded in June 2023 with the presentation of a final assessment report to the IP5 Heads of Offices. A thorough evaluation of the pilot came to the conclusion that whilst the scheme enriched the work products of the participating Offices, the Collaborative Search and Examination would not be implemented in the PCT framework for the time being and in its present form. No consensus could be found on the way to set the amount of the collaborative search fee and there were hurdles in the operational handling of these patent applications, especially in cases of non-unity.”

SPECIFICATION OF COMPETENT INTERNATIONAL SEARCHING AUTHORITIES BY A RECEIVING OFFICE

12. During considerations by the Working Group in preparation for the 2021 review of the supplementary international search system, paragraph 17(a) of document PCT/WG/13/4 Rev., reproduced in paragraph 5, above, referred to receiving Offices specifying more ISAs as competent for international applications filed at their Office, thereby providing more options for the main international search.

13. As discussed in document PCT/WG/13/4 Rev. the most common combination of ISA and Supplementary International Searching Authority (SISA) for supplementary international search is CNIPA as ISA (ISA/CN) and the EPO as SISA (SISA/EP), counting for 47.4% of requests up until August 2020. With effect from December 1, 2020, CNIPA has specified the EPO as a competent ISA for international applications filed in English at CNIPA or at the receiving Office

of the International Bureau by nationals and residents of China. This began as a two-year pilot, which has since been extended several times, most recently until November 30, 2031. The pilot is limited to a maximum of 3,000 international applications per year, but this threshold has never been reached.

OPTIONS IN SUPPLEMENTARY INTERNATIONAL SEARCH

14. Supplementary international search is offered by 10 ISAs. Some of these ISAs offer a supplementary international search limited to patent documentation in local languages and/or the patent collections of certain offices at a reduced fee compared to the “main” international search. All these ISAs offer the option of supplementary international search covering the entire PCT minimum documentation, although at one ISA, this is only available where the “main” ISA has issued a declaration under Article 17(2)(a) that no international search report will be established. In most cases, where the supplementary international search covers the full PCT minimum documentation, the Authority charges the same fee for supplementary international search as for international search. Full details of the options available for supplementary international search can be found in the [PCT Applicant's Guide](#).

15. Since the previous review in 2021, there have been no new options for supplementary international search.

REQUESTS FOR SUPPLEMENTARY INTERNATIONAL SEARCH

16. Tables 1 and 2, below, provide details on the use of supplementary international search since this option became available in 2009.

Main ISA	SISA	AT	EP	FI	RU	SE	SG	TR	UA	XN	XV	Total
AT			2			1						3
AU			4				1					5
BR			1									1
CA			52		2				1	1		56
CL			1		1		1					3
CN			457									457
EG			3									3
EP		19		2	205	13	6	3	5	9	3	265
ES			5									5
IL			1									1
IN		1	4		1							6
JP			24									24
KR		1	21		4	1	4					31
RU		1	15			1	1	1	5	1	1	26
SE			1		9							10
SG			9									9
UA			1									1
US			61		3	2	1					67
XN			1									1
Total		22	663	2	225	18	14	4	11	11	4	974

Table 1: Number of Supplementary International Search Requests by International Searching Authority and Supplementary International Searching Authority (until end August 2026)

SISA	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
AT			1	2	2	2	2		1	1
EP		3	7	21	30	61	40	44	40	54
FI				1						
RU	23	35	31	19	32	46	22	3	6	
SE	2	2	2		3					3
SG								1		3
TR										1
UA									2	1
XN		1		3						
XV										
Total	25	41	41	46	67	109	64	48	49	63

SISA	2019	2020	2021	2022	2023	2024	2025	2026	Total 2009 to 2026
AT	2	2	1		3	2	1		22
EP	94	50	48	48	28	22	27	46	663
FI							1		2
RU	3	1	3				1		225
SE	1	1	1	1	1		1		18
SG	4	2		3				1	14
TR	2	1							4
UA	4	1		1		1	1		11
XN	2	1	1			1	2		11
XV	2	1					1		4
Total	114	60	54	53	32	26	35	47	974

Table 2: Supplementary International Search Requests by Year (until end August 2026)

17. Overall, the uptake of supplementary international search has been very low and is yet to reach 1,000 in total. Since 2009, the numbers of requests have exceeded 100 in only two of these years (2014 and 2019). By contrast, the number of international search reports established has risen from 157,741 to 263,818 between 2009 and 2025.

18. Table 1 shows that 67.9% of all supplementary international search requests involve two combinations:

- (a) ISA/CN and SISA/EP (457 requests, 46.9%); and
- (b) ISA/EP and SISA/RU (205 requests, 21.0%).

Table 2 shows that most requests in the second of these combinations occurred before 2016. Since the previous review in 2021, the Federal Service for Intellectual Property (Rospatent) only received four requests.

19. Since the preparation of the last review of supplementary international search in 2020, the EPO has received 87.5% of requests (269 out of 307 requests). Table 3 shows a breakdown of those requests by main ISA.

Main ISA	2020	2021	2022	2023	2024	2025	2026	Total since 2020
AU		1			1	1		3
BR			1					1
CA	1	3	7	8	7	2	4	32
CN	36	35	27	4	7	19	24	152
EG					1	1		2
ES	1	1						2
IN	1			1	2			4
JP	2	1	2	4	1	2	3	15
KR		1		1			1	3
RU	5	2	3					10
SE		1						1
SG						1	8	9
UA				1				1
US	4	3	8	9	3	1	6	34
Total	50	48	48	28	22	27	46	269

Table 3: Supplementary International Search Requests at the EPO since 2020

20. Since 2020, more than half (56.5%) of the supplementary international search requests filed at the EPO were for international applications searched by CNIPA. Following the specification of the EPO as a competent ISA for international applications filed in English with CNIPA from December 1, 2020 (see paragraph 13, above), the number of supplementary international search requests at the EPO from applicants based in China dropped significantly as applicants filing in English at CNIPA had the choice of the EPO to perform the “main” international search.

First Applicant Name	Main ISA	Filing Language	SISA	Total	Year of first request	Peak year	Most recent year
The Procter & Gamble Company	CN	EN	EP	343			
		ZH	EP	1			
	EP	EN	RU	1			
			SE	1			
			XN	1			
The Procter & Gamble Company Total				347	2010	2018	2023
Delaval Holding AB	EP	EN	RU	162			
	SE	EN	RU	5			
Delaval Holding AB Total				167	2009	2014	2015
Wonderland Switzerland AG	CN	ZH	EP	39			
	SG	ZH	EP	3			
Wonderland Switzerland AG Total				42	2025	2026	2026

Table 4: Highest Users of Supplementary International Search showing International Searching Authority, Supplementary International Searching Authority and Filing Language

21. Table 4 shows data concerning published international applications from the three companies that have made the most supplementary international search requests since the option became available in 2009, making up 57.1% of all requests. The next highest user of supplementary international search, Guangdong Oppo Mobile Telecommunications Corp., Ltd filed 16 requests, all in 2019 at the EPO following an international search at CNIPA.

22. Almost all of the requests from the highest user of supplementary international search, the Procter & Gamble Company, were made to the EPO from international applications in English filed at CNIPA as the receiving Office (RO/CN). Since the EPO has become a competent ISA for such applications, Procter & Gamble has filed more than 200 international applications at RO/CN requesting ISA/EP. This has corresponded with a decrease in its use of supplementary international search having not filed any requests since 2023.

23. Wonderland Switzerland AG is the most active current user of the supplementary international search but only started requesting supplementary international search in 2025. Wonderland Switzerland AG has filed all its supplementary international search requests at the EPO for international applications filed in Chinese, noting that international applications must be filed in English for the EPO to be a competent ISA for RO/CN.

24. In summary, there continues to be very little use of supplementary international search. As highlighted in the previous review, most requests come from a few users who select particular ISA and SISA combinations. Most of these combinations have a SISA that is not a competent ISA for the international application, whether non-competence is due to the filing language of the international application or applies to all international applications filed at the receiving Office. These users would also appear to use supplementary international search as a filing strategy for potential actions in the national phase as much as way for searching additional prior art beyond the “main” international search, noting that a designated Office can reduce some fees payable during the national phase when a supplementary search has been performed by the Office in its capacity as a SISA, similar to reductions the Office applies when it has been the ISA for the international application.

FUTURE OF SUPPLEMENTARY INTERNATIONAL SEARCH

25. At the previous review in 2021, those supporting the continuation of supplementary international search cited the benefits to certain applicants and future developments that could provide more options to applicants wishing to involve more than one ISA in a prior art search during the international phase of the PCT (see paragraph 6, above). The collaborative search and examination pilot has now concluded. While participants found the exercise enriched international work products, the decision by the IP5 Heads of Office not to propose implementation in the PCT framework for the time being leaves supplementary international search as the only possibility of involving an additional ISA to the main ISA as part of the Chapter I procedure. Discussions during previous reviews of supplementary international search have shown interest in International Authorities providing more options in supplementary international search, for example, by new Authorities with expertise in languages other than the working languages of current SISAs starting to offer supplementary international search. However, there have been no new SISAs since the previous review.

26. Supplementary international search provides the possibility for a full prior art search to be performed by an ISA that is not specified as competent by the receiving Office where the application is filed. Increasing the options of ISAs for applicants could therefore result in less demand for supplementary international search, as experienced at the EPO in 2023 as more applicants filing at CNIPA selected the EPO for international search under the ongoing pilot between these two Offices. While more options to select an ISA have become available, some possibilities are limited to certain languages of filing of the international application. If

supplementary international search is continued, it would therefore be important to monitor the impact of significant changes to the options in the main international search.

27. The operating costs for the International Bureau of maintaining supplementary international search are low, but data exchange has not been automated to the extent of other processes. As discussed in paragraphs 13 to 15 of document PCT/WG/13/4 Rev., setting up automated data transfer for the different combinations of ISA and SISAs within the supplementary international search system, particularly providing for the possibility for the applicant to select several SISAs, would require special development beyond mapping equivalent functions for standard international search (see paragraph 15 of document PCT/WG/13/4 Rev.). Given the low use, the International Bureau has not undertaken further IT development in supplementary international search beyond ensuring exchange of supplementary international search copies and supplementary search reports as needed.

28. Consequently, in the view of the International Bureau, there are two options for PCT Contracting States to consider in the review of the supplementary international search system in 2027.

(a) The first option would be to maintain supplementary international search and set arrangements for the Assembly to review the system again. The pilot specifying the EPO as a competent ISA for applications filed in English at CNIPA or the receiving Office of the International Bureau, by nationals and residents of China, runs until 2031. A further review could therefore consider how this pilot evolves and other new options that might become available to applicants for the main international search. While the uptake remains low, limiting possibilities to implement cost-effective automation, supplementary international search provides opportunities for the applicant to have one or more further prior art searches during the international phase, whether this is at an ISA that is not competent for the “main” international search for a particular international application, or if the applicant wishes to have a further prior art search to supplement the “main” international search, either across the whole PCT minimum documentation or one limited to documents in particular languages.

(b) The second option would be to abolish supplementary international search, noting continued very low use by applicants for more than 15 years. As ceasing supplementary international search would require amendment to the PCT Regulations, if the Assembly decided to recommend this option during the review in 2027, the International Bureau would propose the necessary amendments to the PCT Regulations for adoption at the session of the Assembly in July 2028. The earliest likely date for entry into force of the amendments and the end of supplementary international search would therefore be July 1, 2029.

CONSIDERATION BY THE MEETING OF INTERNATIONAL AUTHORITIES

29. International Authorities are invited to provide feedback on the supplementary international search system and comment on the issues concerning the future of supplementary international search, outlined in paragraphs 25 to 28, above. The International Bureau will provide a summary of the discussions during this session to all Contracting States in a document for the PCT Working Group as it prepares for the review of supplementary international search by the Assembly in July 2027.

30. The Meeting is invited to comment on the issues related to supplementary international search in this document.

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