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FURTHER STREAMLINING AND SIMPLIFICATION OF PCT PROCEDURES:
ANNEXES TO THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Document prepared by the International Bureau

BACKGROUND

1. Present Rule 70.16 of the Regulations under the PCT¹ provides for amendments to the international application that have been made in the course of the international preliminary examination procedure to be annexed to the international preliminary examination report. However, a replacement sheet which has been superseded by a later replacement sheet or amendments resulting in the cancellation of entire sheets under Rule 66.8(b) is not to be annexed.
2. In a case where the International Preliminary Examining Authority considers that the relevant superseding replacement sheet or sheets or amendments contain an amendment that goes beyond the disclosure in the international application as filed, the report will contain an

¹ References in this document to "Articles" and "Rules" are to those of the Patent Cooperation Treaty (PCT) and the Regulations under the PCT ("the Regulations"), or to such provisions as proposed to be amended or added, as the case may be.

indication accordingly under Rule 70.2(c). In order to make the report clear in this respect, it would be preferable for the superseded replacement sheet, suitably marked, also to be annexed to the report. The Annex to this document contains a proposal to amend Rule 70.16 accordingly.

3. The Working Group is invited to consider the proposals contained in the Annex.

[Annex follows]

ANNEX

PROPOSED AMENDMENTS OF THE PCT REGULATIONS:

ANNEXES TO THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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Rule 70

**International Preliminary Report on Patentability by
the International Preliminary Examining Authority
(International Preliminary Examination Report)**

70.1 to 70.15 [No change]

70.16 *Annex to the Report*

(a) Each replacement sheet under Rule 66.8(a) or (b), each replacement sheet containing amendments under Article 19 and each replacement sheet containing rectifications of amistake ~~obvious errors~~ authorized under Rule 91.1(b)(iii) ~~91.1(e)(iii)~~ shall, unless superseded by later replacement sheets or amendments resulting in the cancellation of entire sheets under Rule 66.8(b), be annexed to the report. Amendments under Article 19 which have been considered as reversed by an amendment under Article 34 and letters under Rule 66.8 shall not be annexed. ²

(b) Notwithstanding paragraph (a), a superseded replacement sheet shall also be annexed to the report where the International Preliminary Examining Authority considers that the relevant superseding replacement sheet or sheets or amendments contain an amendment that goes beyond the disclosure in the international application as filed and the report contains an indication referred to in Rule 70.2(c). In such a case, the superseded replacement sheet shall be marked as provided by the Administrative Instructions.

70.17 [No change]

[End of Annex and of document]

² The proposed amendments shown in paragraph (a) simply reproduce those proposed for Rule 70.16 in document PCT/R/WG/4/4Add.2.