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**INTERIM ADVISORY COMMITTEE
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TIME LIMITS UNDER THE PCT

prepared by the International Bureau

(symbolic name)

Summary

The Patent Cooperation Treaty and the Regulations thereunder contain a number of time limits, the keeping of which is extremely important for PCT applicants, for PCT Authorities and for designated and elected Offices. The present document sets out, in its Annex, the situations for which time limits are provided, together with information necessary for determining the time limits and the consequences (if any) of failure to meet any particular time limit, and also certain provisions of the PCT that need to be taken into account when considering time limits.

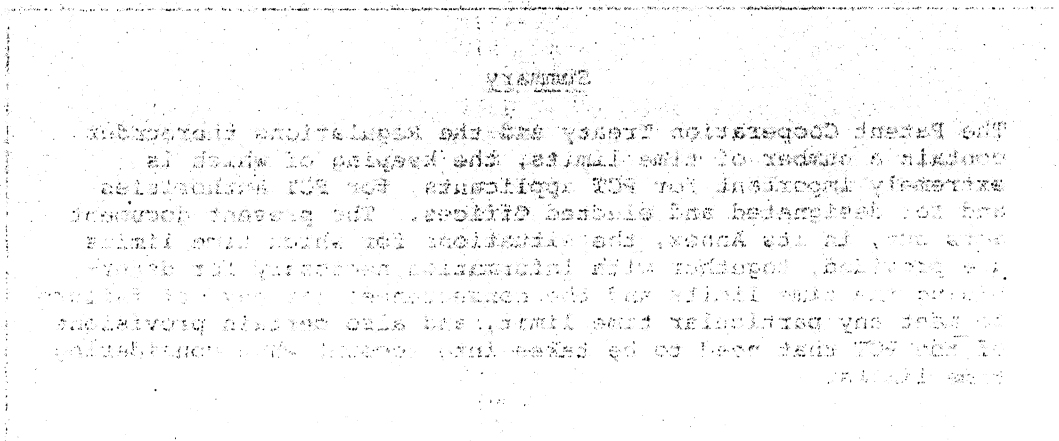
Background and purpose of this document

1. The PCT Interim Advisory Committee for Administrative Questions and the PCT Interim Committee for Technical Cooperation (hereinafter referred to as "the Interim Committees"), at their November 1976 sessions, placed on their programs for 1977 a study relating to time limits under the PCT (see the reports of the said sessions, documents PCT/AAQ/VII/19, paragraph 170(i) and PCT/TCO/VI/16, paragraph 89(i), under the title "Activities Relating to both AAQ and TCO").

2. The Annex to this document presents the results of the said study, in the form of reference material concerning the time limits under the PCT. The main reference material is set out in the form of tables in Part I of the Annex. Part II of the Annex sets out relevant provisions of the PCT that have to be taken into account when considering time limits. The said reference material contained in the Annex to this document may be regarded as complementary to certain PCT Guidelines, in particular, the Guidelines for Applicants Filing under the Patent Cooperation Treaty (PCT), the Guidelines for Receiving Offices under the Patent Cooperation Treaty (PCT), the Guidelines for International Search to be Carried Out under the Patent Cooperation Treaty (PCT) and the Guidelines for International Preliminary Examination to be Carried Out under the Patent Cooperation Treaty (PCT).

3. The Interim Committees are invited to take note of this document and to provide any advice to the International Bureau that they may consider desirable.

[Annex follows]



Explanatory NotePart I of the Annex: Tables

1. The tables contained in this Part specify each action in the PCT procedure to which a "time limit" is applicable, the relevant provision of the PCT under which the time limit arises, the person or Authority to whose action the time limit applies, the period, including, where applicable, the starting date of the time limit and, also where applicable, the consequences of failure to meet the time limit.
2. For the purposes of presentation, the tables have been arranged according to procedures before specified PCT Authorities (or Offices) which have been indicated in the tables by abbreviated expressions as follows: the receiving Office (RO), the International Bureau (IB), the International Searching Authority (ISA), the designated Office (DO), the International Preliminary Examining Authority (IPEA) and the elected Office (EO). Abbreviations have also been used to indicate the applicant (A) and the international application (IA).
3. A large proportion of the actions specified are not regular occurrences in the PCT procedure, i.e., they arise only due to special circumstances. These actions are indicated by an asterisk in the column entitled "Item."
4. The column of the tables entitled "Responsibility for action (●)" indicates by the use of dots the person or Authority responsible for the corresponding action. Where applicable, the Authority to which the action is directed is indicated by an arrow associated with the dot. Although the actions have, as already mentioned, been divided according to procedures before various Authorities, all actions in respect of which the applicant or any particular Authority is responsible can be readily identified by the use of the dots appearing in the column entitled "Responsibility for action (●)."
5. The column of the tables entitled "Time Limit" sets out the various applicable time limits. For reasons of completeness of information, some time requirements which may not be time limits in the strict sense have been included. Thus, time requirements, e.g., specified times after which an action has to be taken, or periods during the whole of which a particular obligation or action must be fulfilled or carried out, are indicated. Likewise, requirements that an action should be taken "promptly" are also indicated; information of this kind is thought useful since, in some cases, other actions for which specific time limits are provided follow an action which must be taken promptly and also because Authorities will be concerned to identify situations in which a prompt action or response is required of them.

Part II of the Annex: Relevant provisions of the PCT

6. Part II sets out the provisions of the PCT (including the Regulations thereunder) and the Administrative Instructions under the PCT which govern in general the questions related to time limits, such as computation of time limits, modification of time limits, delay in meeting time limits, irregularities in the mail service, procedure for amendment of time limits and the manner of expressing dates. The said provisions are not referred to as such in the tables of Part I of the Annex since they are not connected with specific actions but apply in general to matters related to time limits and dates.

[Part I follows]

PART I - TABLES

Table of ContentsPages

Procedure Before Receiving Office	3 to 7
Procedure Before International Bureau	8 to 15
Procedure Before International Searching Authority	16 to 18
Procedure Before Designated Office	19 to 23
Procedure Before International Preliminary Examining Authority	24 to 28
Procedure Before Elected Office	29 to 33

Procedure Before Receiving Office *

Item	Action	Article/Rule/Section	Responsibility for action (•)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start	
1.	Payment of fees:	Art. 3(4)(iv)	•	•								
	(a) transmittal fee (if provided for by RO)	Rule 14 Art. 14(3)(a) Rule 27.1(a)								fixed by RO	fixed by RO	IA considered withdrawn
	(b) international fee	Rule 15										
	(i) basic fee	Rule 15.4(a) Art. 14(3)(a) Rule 27.1(a)								up to one month as fixed and, if allowed, by RO	date of receipt of IA	IA considered withdrawn
	(ii) designation fee	Art. 4(2) Rule 15.4(b) Art. 14(3)(a), (b) Rule 27.1(b)								one year	priority date	IA or certain designation considered withdrawn
	(c) search fee (if provided for by ISA)	Rule 16.1(b) Art. 14(3)(a) Rule 27.1(a)								up to one month as fixed and, if allowed, by RO	date of receipt of IA	IA considered withdrawn
2.*	Request for cancellation or correction of priority date	Rule 4.10(d)	•	•						1 month	date of invitation to cancel or correct	declaration of priority claim cancelled <u>ex officio</u>
3.*	Mailing of invitation to correct IA under Art. 11(2)	Rule 20.6(b)	•	•						promptly		
4.*	Correction of IA under Art. 11(2)	Rule 20.6(b) Rule 20.7(i)	•	•						not less than 10 days and not more than 1 month, as fixed by RO	date of invitation to correct	application is not and will not be treated as IA
5.	Notification whether an international filing date has been accorded	Rule 20.5(c) Rule 20.7(i)	•	•						promptly		
6.*	Sending of missing sheets where there is no invitation to correct under Art. 11(2)(a)	Rule 20.2(a) (i) Section 309 (c)	•	•						30 days	date of first receipt of sheets	sheets not taken into consideration for purposes of international processing

Procedure Before Receiving Office (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IP	EA	EO	Period/Time	Start	
7.*	Sending of missing sheets where there is an invitation to correct under Art. 11(2) (a)	Rule 20.2 (a) (ii) Section 309(c)	●→								from 10 days to 1 month, as fixed by RO	date of invitation	sheets not taken into consideration for purposes of international processing
8.*	Sending of missing drawings under Art. 14(2)	Rule 20.2 (a) (iii) Section 310(d)	●→								30 days	date of filing of incomplete papers	drawings not taken into consideration for purposes of international processing
9.*	Request for record or certified copy	Rule 22.1 (b) Rule 22.2 (c)	●→								13 months and 10 days	priority date	-
10.*	Record copy held at disposal of A	Rule 22.2 (d)	←●								10 days before expiration of 13 months	priority date	-
11.*	Mailing of record copy	Rule 22.2 (d)	←●								15 days before expiration of 13 months	priority date	-
12.	Notification of receipt of record copy (whether timely or not)	Rule 24.2	←●								promptly upon receipt	-	-
13.	Notification of receipt of search copy	Rule 25.1	←●								promptly upon receipt unless RO and ISA are the same	-	-
14.*	Invitation to correct IA under Art. 14(1) (b)	Rule 26.1	←●								as soon as possible 1 month (preferably)	date of receipt of IA	-
15.*	Correcting defects under Art. 14(1) (b)	Art. 14(1) (b) Rule 26.2	●→								from 1 to normally not more than 2 months, as fixed by RO	date of invitation to correct	IA considered with-drawn

Procedure Before Receiving Office (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start		
16.*	Notification of later finding of non-compliance with Art. 11 requirements	Art. 14(4) Rule 30	←							6 months	international filing date	-	
17.*	Submitting of arguments of disagreement with tentative finding	Rule 29.4	→							1 month	date of notification	IA considered withdrawn	
18.*	Notification of IA or designation considered withdrawn	Rule 29.1(a) (ii), (b)	←							promptly	-	-	
19.*	Withdrawal of IA as such	Rule 32	→							20 months	priority date	-	
20.*	Withdrawal of a designation where - (a) national law of DO does not provide for later time limit under Art. 22(3)	Rule 32	→							until date on which national processing or examination may start, i.e., the earliest of the following: (i) 20 months from priority date, or (ii) 2 months from date of notification to applicant of declaration under Art. 17(2) (a), or (iii) request of applicant under Art. 23(2) for start of national processing or examination, if national law so permits	(priority date)	-	

Procedure Before Receiving Office (cont'd)

Item	Action	Article/Rule/ Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	PEA	EO	Period/Time	Start		
	(b) national law of DO does provide for later time limit under Art. 22(3)									until date on which national processing or examination may start, i.e., the earlier of the following: (i) later time limit fixed under Art. 22(3) (ii) start of national processing or examina- tion upon request of applicant under Art. 23(3), if national law so permits	-	-	
21.*	Notification of fact of withdrawal of IA or designation	Rule 32.1(d)		●						promptly	-	-	
22.	Keeping IA confidential	Art. 30(2) (a) (3)		●						unless requested or authorized by appli- cant, the earliest of the following dates (i) date of interna- tional publication of IA (ii) date of receipt of communication of IA under Art. 20 (iii) date of receipt of copy of IA under Art. 22	-	-	

Procedure Before Receiving Office (cont'd)

[illegible]

Procedure Before International Bureau

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	PEA	EO	Period/Time	Start		
1.	Transmittal of record copy	Art. 12(3) Rule 22											
	<u>Rule 22.1 and 22.2(c) Procedure</u>												
	(a) by any means	Rule 22.1(a) Rule 22.2(c)	•	•	•					time permitting record copy to reach IB by expiration of 13th month	priority date	-	
	(b) if by mailing	Rule 22.1(a) Rule 22.2(c)	•	•	•					as under (a) above and, in any event, 5 days prior to expiration of 13th month	priority date	-	
	(c) receipt of record copy	Rule 22.3(a) (i)			•					14 months	priority date	IA considered with-drawn	
	<u>Rule 22.2 Procedure (additional actions)</u>												
	(a) notification	Rule 22.2(d)		•	•					13 months	priority date	-	
	(b) mailing of provisional record copy permitted	Rule 22.2(e)	•	•	•					10 days before the expiration of 13 months	priority date	-	
	(c) receipt of record copy or provisional record copy	Rule 22.3(a) (ii) Rule 22.2(d) Rule 22.2(e)			•					13 months	priority date	IA considered with-drawn	
	(d) receipt of record copy or substitute copy	Rule 22.3(a) (ii) Rule 22.2(e)			•					14 months	priority date	IA considered with-drawn	
2.	Notification of receipt of record copy (whether timely or not)	Rule 24.2	•	•	•					promptly upon receipt	-	-	

Procedure Before International Bureau (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO		Period/Time	Start	
3.	Notification of receipt of search copy	Rule 25.1			•						promptly upon receipt	-	-
4.	Filing a certified copy of priority application	Rule 17.1(a) (b)	•	→							(a) 16 months (b) date of request for earlier processing or examination	priority date	priority claim may be disregarded by any designated State
5.	Making available to public of copy of priority application	Rule 17.2 (b)			•						after date of international publication of IA	-	-
6.*	Request for cancellation or correction of priority date	Rule 4.10(d)	•	→							1 month	date of invitation	declaration of priority claim cancelled <u>ex officio</u>
7.*	Furnishing of application number of earlier application	Rule 4.10(a) (iii) and (c)	•	→							16 months	priority date	DOs not required to consider number furnished in time
8.*	Transmittal of letter and any replacement sheet	Rule 26.4(c)		•	→						promptly upon receipt	-	-
9.*	Notification of IA or designation considered withdrawn	Rule 29.1(a) (ii), (b)		•	→						promptly	-	-
10.*	Notification of maintaining effect of IA	Rule 29.2			•	←					promptly	-	-

Procedure Before International Bureau (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	PE	EO		Period/Time	Start	
11.*	Amending claims	Art. 19(1) Rule 46.1	•	→							3 months	date of transmittal of international search report to IB and to applicant by ISA	-
											2 months	(a) if such date is before expiration of 14 months from priority date (b) if such date is after expiration of 14 months from priority date	
12.*	International publication of IA	Art. 21 Rule 48			•						promptly after expiration of 18th month (see, however, Art. 64 (3))	priority date	-
13.*	Publication of IA on applicant's request under Art. 21(2) (b) and 64(3) (c)	Rule 48.4(b) Section 405			•						promptly upon receipt of special publication fee	-	
14.*	Notification of effecting national publication of IA	Rule 48.5 Art. 64(3) (c) (ii)			•						promptly after national publication	-	
15.*	Withdrawal of IA as such	Rule 32	•	→							20 months	priority date	-

Procedure Before International Bureau (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start		
16.*	Withdrawal of designation where— (a) national law of DO does not provide for later time limit under Art. 22(3). <												

Procedure Before International Bureau (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start		
17.	Notification of fact of withdrawal of IA or designation	Rule 32.1(d)	←	●						promptly	-	-	
18.*	Notification of the abstract approved or established	Rule 44.2(b), (c)			←	●				after expiration of time limit for applicant to comment on suggestion of ISA in respect of abstract (see item ISA/7)	-	-	
19.*	Request for documents to be sent to DO for review of loss of effects of IA	Art. 25(1) (c) Rule 51.1	●	→						2 months	date of notification under Rules 20.7(i), 24.2(b), 29.1(a) (ii), or 29.1(b)	-	
20.*	Notification of treatment of IA as if error or omission referred to in Art. 25(2) had not occurred	Rule 51.4			←	●				promptly	-	-	
21.	Sending original copy of demand	Rule 61.1(a)			←	●				promptly	-	-	
22.*	Payment of supplement to handling fee	Art. 31(5) Rule 57.3(b)	●	→						date of submitting later election	-	invitation to pay	
23.*	Paying supplement to handling fee on invitation	Art. 31(5) Rule 57.5(a)	●	→						1 month	date of invitation	later election considered as it had not been submitted	
24.	Notification of date of receipt of later election	Rule 61.1(c)	←	●						promptly	-	-	

None of the following
shall be the
shall be processed and
shall be examined. Time Limit

Item	Action	Article/Rule/Section	Responsibility for action (a)								Time Limit	Consequence of failure to meet time limit	
			A	RO	IB	ISA	DO	IPA	EO				
25.*	Correcting defects in later elections	Rule 60.2	●	→							1 month	date of invitation	later election considered as it had not been submitted
26.	Transmittal of copy of translation of international preliminary examination report	Rule 72.2	←	●							at the same time as it communicates such translation to EO (see item EO/2)	-	-
27.*	Withdrawal of demand or all elections (except as to any elected State in which national processing or examination has already started)	Art. 37 Rule 75.1 Rule 75.4	●	→							25 months	priority date	-
28.*	Withdrawal of election of an elected State (a) election effected prior to expiration of 19 months from priority date (i) national law of EO does not provide for later time limit under Art. 39(1)(b)	Art. 37 Rule 75.1 Rule 75.4	●	→							until date on which national examination or other processing may start, i.e., the expiration of the earliest of the following: (i) expiration of 25 months from priority date (ii) request of applicant under Art. 40(2), for start of national examination or other processing if national law so permits	(priority date)	-

Procedure Before International Bureau (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	PEA	EO	Period/Time	Start		
	(ii) national law of EO does provide for later time limit under Art. 39(1) (b)									until date on which national examination or other processing may start, i.e., the earliest of the following: (i) the later time limit fixed under Art. 39(1) (b)	-	-	
	(b) election not effected prior to expiration of 19 months from priority date									(ii) request of applicant under Art. 40(2) for start of national examination or other processing if national law so permits	-	-	
	(i) national law of EO does not provide for later time limit under Art. 22(3)									until date on which national examination or other processing may start, i.e., expiration of the earliest of the following: (i) 20 months from priority date (priority date)	-	-	
	(ii) national law of EO does provide for later time limit under Art. 22(3)									(ii) request of applicant under Art. 40(2) for start of national examination or other processing if national law so permits	-	-	
	(ii) national law of EO does provide for later time limit under Art. 22(3)									until date on which national examination or other processing may start, i.e., the earliest of the following:	-	-	

Procedure Before International Bureau, (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IEA	EO	Period/Time	Start		
										(i) the later time limit fixed under Art. 22(3)	-	-	
										(ii) request of applicant under Art. 40(2) for start of national examination or other processing if national law so permits	-	-	
29.*	Authorization for rectification	Rule 91.1(g), (i)	←		•					until date of communication of IA under Art. 20	-	-	
30.	Notification of authorization for rectification	Rule 91.1(h)		•	•	•	•	•		promptly	-	-	
31.	Keeping file including record copy of IA	Rule 93.2(a)			•					at least 30 years or indefinitely as to basic records of IB	date of receipt of record copy	-	
32.	Keeping IA confidential	Art. 30(1)			•					unless requested or authorized by applicant up to date of international publication of IA	-	-	
33.	Keeping nature of international preliminary examination confidential	Art. 38			•					until date of establishment of international preliminary examination report	-	-	
34.*	Requesting copies of publications	Rule 87.2		•	•	•	•	•		November 30 of the preceding year	-	-	
35.*	Renewing request for copies of IA under Art. 13(1)	Rule 31.1(a)			•					November 30 of the preceding year	-	-	

Procedure Before International Searching Authority

Item	Action	Article/Rule/Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IEA	EO	Period/Time	Start		
1.	Transmittal of search copy	Art. 12 Rule 23.1(a)		●	→					day record copy is transmitted to IB or, under Rule 22.2(d), to applicant	-	-	
2.*	Transmittal of copy of IA	Rule 23.1(b)			●	→				promptly after 10 days from receipt of record copy, if not informed by ISA that it is in possession of search copy	date of receipt of record copy by IB	-	
3.	Notification of receipt of record copy (whether timely or not)	Rule 24.2			●	→				promptly upon receipt		-	
4.	Notification of receipt of search copy	Rule 25.1	←	●						promptly upon receipt	-	-	
5.*	Transmittal of copy of letter and any replacement sheet	Rule 26.4(d)		●	→					promptly upon receipt	-	-	
6.*	Notification of fact of withdrawal of IA (where international search report or declaration under Art. 17(2) (a) has not yet issued)	Rule 32.1(d)			●	→				promptly upon receipt	-	-	
7.*	Commenting on abstract established by ISA	Rule 38.2(a)	●	→						1 month	date of invitation	-	

Procedure Before International Searching Authority (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO		Period/Time	Start	
8.*	Payment of additional fees (lack of unity of invention)	Art. 17(3) (a) Rule 40.3	•	•	•	•					as fixed by ISA, and being not longer than 45 days nor shorter than 15 or 30 days, depending on whether the applicant's address is in the same country or in a different country from that in which the ISA is located	date of invitation	international search report established on the "main" invention only or on those parts of IA which relate to inventions in respect of which additional fees were paid
9.	Establishment of international search report or declaration referred to in Art. 17(2) (a)	Art. 18(1) Rule 42				•					as provided in agreement between IB and ISA not to exceed - 3 months from receipt of search copy by ISA, or 9 months from priority date, whichever expires later. (Subject to provisions relating to transitional period)	(date of receipt) (priority date)	-
10.*	Notification of abstract approved or established where time limit for comment on suggestion of ISA had not expired when international search report established	Rule 44.2(b), (c)			•	•					upon expiration of time limit for comment on suggestion of ISA (see item ISA/7)	-	
11.*	Request to send copies of documents cited in international search report	Art. 20(3) Rule 44.3(a)	•	•	•	•					7 years	international filing date	

Procedure Before International Searching Authority (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IP	EA	EO	Period/Time	Start	
12.*	Preparation of English translation of IA	Rule 48.3(b)				●					in time to permit communication under Art. 20 by prescribed date (see item DO/5), or, if international publication is due at earlier date than said communication, to permit international publication by prescribed date (see item IB/12)	international filing date	-
13.*	Commenting on draft translation of IA	Rule 48.3(b)	●	→							as fixed by ISA	-	-
14.*	Authorization for rectification	Rule 91.1(g) (ii)	←			●					until date of establishment of international search report or making of declaration under Art. 17(2) (a)	-	-
15.	Keeping file of IA	Rule 93.3				●					at least 10 years	international filing date	-
16.	Keeping IA confidential	Art. 30(1)				●					unless requested or authorized by applicant up to date of international publication of IA	-	-

Procedure Before Designated Office

Item	Action	Article/Rule/ Section	Responsibility for action (•)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start	
1.	Notification of designation and receipt of record copy of	Rule 24.2(a)			•	•	•			promptly upon receipt	-	-
2.*	Transmittal of copies of IA under Art. 13	Art. 13 Rule 31										
	(a) by IB at request of DO	Art 13(1)			•	•	•			as soon as possible after expiration of one year	priority date	-
	(b) by applicant on his own wish	Art. 13(2) (a)	•	•	•	•	•			any time	-	-
	(c) by IB at request of applicant	Art. 13(2) (b)			•	•	•			as soon as possible after request	-	-
3.*	Notification of IA or designation considered withdrawn	Rule 20.1(ii), (b)			•	•	•			promptly	-	-
4.*	Furnishing a certified copy of priority application at specific request of DO	Rule 17.2(a)			•	•	•			promptly after the expiration of 16 months (but if processing or examination is requested, then not later than that request)	priority date	-
5.	Communication under Art. 20 (copy of IA, international search report or declaration and translation of said report or declaration) (not applicable where application is withdrawn)	Art. 20 Rule 47.1(b)			•	•	•			promptly after IB has received amendments from applicant or declaration that applicant does not wish to make amendments before IB or when time limit for such amendments or declaration has expired, whichever is	-	-

Procedure Before Designated Office (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit	Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO			
6.	Furnishing a copy of IA, payment of national fee and furnishing translation of IA (a) no declaration under Art. 17(2) (a) (b) declaration under Art. 17(2) (a)	Art. 22 Art. 24(1) (iii), (2)	•							20 months (or any later time limit fixed by national law of DO) two months (or any later time limits fixed by national law of DO)	priority date date of notification sent to applicant of declaration	possible loss of effect of IA in designated State possible loss of effect of IA in designated State
7.*	Notification of fact of withdrawal of designation	Rule 32.1(d)			•					promptly	-	-
8.*	Furnishing translation of protest and of decision	Rule 40.2(c)	•							date of furnishing of (with) translation of IA under Art. 22 (see item DO/6)	-	-
9.	Furnishing indications concerning inventor where not required in IA as filed (a) no declaration under Art. 17(2) (a)	Art. 4(1) (v) Art. 22(1) Art. 24(1) (iii), (2) Rule 50	•							20 months (or any later time limit fixed by national law of DO)	priority date	according to national law of designated State

Procedure Before Designated Office (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPA	EO		Period/Time	Start	
	(b) declaration under Art. 17(2) (a)										two months (or any later time limit fixed by national law of DO)	date of notification sent to applicant of declaration	-
10.*	Furnishing certified translation of priority application	Rule 17.2(a)	•	→							after the expiration of the applicable time limit under Art. 22	-	-
11.	Beginning of national processing	Art. 22 and 23					•				after the earlier of the following:	-	-
	(a) national law of DO has not fixed (later) time limit under Art. 22(3)										(i) 20 months from priority date;	(priority date)	-
	(ii) request by applicant under Art. 23(2) for processing or examination if procedure of DO so permits										after the earlier of the following:	-	-
	(i) time limit fixed by national law of DO;										(ii) request by applicant under Art. 23(2) for processing or examination if procedure of DO so permits	-	-
12.*	Filing of drawings	Art. 7(2) (ii) Rule 7.2	•	→							as prescribed by DO but not shorter than two months	date of written invitation	-

Procedure Before Designated Office (cont'd)

Item	Action	Article/Rule/ Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start		
13.*	Amending claims, de- scription and drawings	Art. 28(1) Rule 52	●									-	
	(a) designated State in which processing or examination starts without special request											-	
	(i) where communication under Rule 47.1 (see item DO/5) has been effected by expiration of time limit under Art.22 (see item DO/6)								one month (or any later time permitted by national law of DO)	time the requirements of Art. 22 are ful- filled	-		
	(ii) where communica- tion under Rule 47.1 has not been effected by expiration of time limit under Art. 22								four months (or any later time permitted by national law of DO)	time the requirements of Art. 22 are ful- filled	-		
	(b) designated State in which national law provides that examina- tion starts only on special request								within same time limit or at same time as for filing of amendments under national law of DO in the case of ex- amination, on special request, of national applications or, if that time limit or time is earlier than time limit under (a) (i) or (ii) above, as applicable, then the applicable time limit under (a) (i) or (ii)	-	-		
14.*	Adapting IA to utility model application	Rules 6.5; 13.5	●							at least two months, as fixed by DO	date of expiration of time limit applicable under Art. 22 (see item DO/6)	-	

Procedure Before Designated Office (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start	
15.*	Sending of copies of documents in file for review purposes	Art. 25(1)				●	→			promptly after receipt of request from applicant	-	-
16.*	Payment of national fee and furnishing of translation under Art. 25(2) (a)	Rule 51.3	●	→						2 months	date of notification under Rules 20.7(i), 24.2(b), 29.1(a) (ii) or 29.1(b)	-
17.	Keeping IA confidential	Art. 30(2)						●		unless requested or authorized by applicant, the earliest of the following dates: (i) date of international publication of IA (ii) date of receipt of communication of IA under Art. 20 (iii) date of receipt of copy of IA under Art. 22	-	-

Procedure Before International Preliminary Examining Authority

Item	Action	Article/Rule/Section	Responsibility for action (●)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start	
1.	Payment of handling fee	Art. 31(5) Rule 57.3(a)	●							date of submitting demand	-	invitation to pay
2.	Notification of date of receipt of demand	Rule 61.1(b)	●							promptly	-	-
3.*	Paying handling fee on invitation	Rule 57.4	●							1 month date of invitation	date of invitation	demand considered as if it had not been submitted
4.	Payment of preliminary examination fee (if provided for by IPEA)	Art. 31(5) Rule 58	●							as fixed by IPEA (not earlier than due date of handling fee)	-	-
5.*	Notification of date of receipt of later election	Rule 61.1(c)			●					promptly	-	-
6.*	Correcting defects in the demand	Art. 31(3) Rule 60.1	●							1 month date of invitation	date of invitation	demand considered as if it had not been submitted
7.*	Correcting defects in later election	Rule 60.2	●							1 month date of invitation to correct	date of invitation to correct	later election considered as if it has not been submitted
8.*	Transmission of copy of IA and international search report where same national Office is not both ISA and IPEA	Rule 62.1			●						-	-
	(a) if demand is received by IB after receipt of international search report or declaration under Art. 17(2) (a).									promptly upon receipt of the demand		

Procedure Before International Preliminary Examining Authority (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start	
	(b) otherwise											
9.*	Transmission of amendments under Art. 19	Rule 62.2			•					promptly upon receipt of international search report or declaration	-	-
10.*	Filing copies of amendments under Art. 19 where at time of filing such amendments, a demand has already been submitted	Rule 62.2(a)	•							promptly after filing date of filing amendments with IB	-	-
11.*	Furnishing of translation of IA	Rule 55.2	•							the later of the following two dates: (i) date on which time limit under Rule 46.1 expires (see item IB/11) (ii) date on which demand is submitted	-	invitation to furnish translation
12.*	Submitting translation and/or signed statement as to faithfulness of translation of IA	Rule 55.2(d)	•							1 month	date of invitation	demand considered as if it had not been submitted
13.*	Furnishing priority document and its translation	Rule 66.7(a), (c)	•							2 months	date of request or invitation	international preliminary examination report established as if the priority had not been claimed
14.*	Furnishing priority document	Rule 66.7(a)			•					promptly after request	-	-

Procedure Before International Preliminary Examining Authority (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start	
15.	Amending claims, description and drawings	Art. 34(2) (b) Rule 66.1	●	—	—	—	—	—	—	until start of international preliminary examination (see item IPEA/16)		
16.	Start of the international preliminary examination	Rule 69.1(b)						●		time of receipt by IPEA of the first of the following: (i) under Rule 62.2(a), of claims as amended under Art. 19; (ii) under Rule 62.2(b) of notice from IB that no amendments under Art. 19 have been filed within prescribed time limit or that applicant has declared that he does not wish to make such amendments; (iii) of notice, after international search report is in possession of IPEA, from applicant expressing wish that international preliminary examination should start and be directed to the claims as specified in such notice, or (iv) of notice of declaration by ISA that no international search report will be established (Art. 17(2) (a))		

Procedure Before International Preliminary Examining Authority (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start	
17.*	Responding to written opinion of IPEA	Rule 66.2(d)	•					•		as fixed in notification of written opinion, being reasonable under the circumstances; normally two months after that date; in no case shorter than one month after that date; at least two months after the said date where international search report is transmitted at same time as notification containing the opinion; and in no case more than three months after the said date	date of notification	-
18.*	Restricting claims or paying additional fees	Art. 34(3) (a), (c) Rule 68.2	•					•		as fixed by IPEA (not shorter than one month and not longer than two months)	date of invitation	international preliminary examination report established on "main" invention only
19.	Establishment of the international preliminary examination report	Art. 35(1) Rule 69.1(a) Rule 69.1(c)						•		as provided in agreement between IB and IPEA not to exceed -		
	(a) where international preliminary examination has been started at the same time as international search under Rule 69.1(c)									6 months	time limit for amendment of claims under Art. 19 (see item IB/11)	
	(b) where (a) does not apply and where no invitation is issued to restrict claims or to pay additional fees under Art. 34(3)									6 months	date of start of international preliminary examination (see item IPEA/16)	

Procedure Before International Preliminary Examining Authority (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (●)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start		
	(c) where (a) does not apply and where IPEA issues an invitation to restrict claims or pay additional fees under Art. 34(3)									8 months	date of start of international preliminary examination (see item IPEA/16)		
20.*	Authorization for rectification	Rule 91.1(g) (iii)								until date of establishment of international preliminary examination report	-	-	
21.	Keeping nature of international preliminary examination confidential	Art. 38								until date of establishment of international preliminary examination report	-	-	
22.*	Notification of withdrawal of the demand or all elections where at the time of withdrawal, IPEA had been informed of the existence of the demand	Rule 75.3								promptly	-		
23.	Request to send copies of documents cited in international preliminary examination report	Art. 36(4) Rule 71.2								7 years	international filing date	-	
24.	Keeping file of IA	Rule 93.3								at least 10 years	international filing date	-	

Procedure Before Elected Office

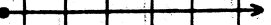
Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IE	EA	EO	Period/Time	Start	
1.	Notification of election (a) international preliminary examination report is not communicated before 18 months from the priority date (b) international preliminary examination report is communicated earlier than 18 months from the priority date (c) elections are effected after such notification	Art. 31(7) Rule 61.2(c)			•						promptly after expiration of 18th month	priority date	-
2.	Communication of international preliminary examination report together with its translation and its annexes (in the English language)	Art. 36(3) (a) Rule 73.2			•						as promptly as possible	-	-
3.*	Furnishing translation of annexes of international preliminary examination report (a) replacement sheet or amendment in the form of a letter referred to in Rule 70.16 filed not less than 1 month prior to the furnishing of the translation of IA under Art. 39 or, where the furnishing of such translation is governed by Art. 64 (2) (a) (1)	Art. 36(3) (b) Rule 74	•								with furnishing of IA under Art. 39 (see item EO/4) or, where applicable, under Art. 22 (see item DO/6)	-	-

Procedure Before Elected Office (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	PEA	EO	Period/Time	Start	
	not less than one month prior to the furnishing of the translation of IA under Art. 22											
	(b) such replacement sheet or amendment filed less than one month before such furnishing under Art. 39 or, if applicable, Art. 22 or filed after such furnishing								1 month	date of filing of replacement sheet or amendment	-	
4.	Furnishing copy of IA, payment of national fee and furnishing translation of IA where election (of Contracting State) effected prior to expiration of 19 months from priority date and where, as regards furnishing of copy of IA and its translation, Contracting State has not made declaration under Art. 64(2) (a) (1)	Art. 39 and 64(2) (a) (1) Rule 76.1(c) Rule 77	•						25 months (or any later time limit fixed by national law of EO)	priority date		possible loss of effect of IA in elected State
5.*	Notification of withdrawal of the demand or all elections	Rule 75.2(a)			•				promptly	-	-	
6.*	Notification of withdrawal of the election	Rule 75.2(b)			•				promptly	-	-	

Item	Action	Article/Rule/Section	Responsibility for action (●)							Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO	Period/Time	Start	
7.	Beginning of national processing (a) election (of Contracting State) effected prior to expiration of 19 months from priority date (i) national law of EO has not fixed (later) time limit under Art. 39(1) (b) (ii) national law of EO has fixed (later) time limit under Art. 39(1) (b) (b) election (of Contracting State) effected after expiration of 19 months from priority date	Art. 39 and 40								25 months (or upon earlier request by applicant under Art. 40(2), if procedure of EO so permits) as fixed by national law (or upon earlier request by applicant under Art. 40(2), if procedure of EO so permits) same as beginning of national processing before designated Office (see item DO/11)	- priority date - - -	- - - -
8.*	Furnishing certified translation of priority document where election submitted before expiration of 19 months from priority date	Rule 76.4	●							as fixed by EO, not being before date of expiration of applicable time limit under Art. 39 i.e., not before 25 months after priority date or if later time limit fixed by national law under Art. 39(1) (b), that later time limit	-	-

Procedure Before Elected Office (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IP	EA	EO	Period/Time	Start	
9.*	Amending claims, description and drawings (a) elected State in which examination <u>does not start</u> only on special request (i) election effected prior to expiration of 19 months from priority date (ii) election effected after expiration of 19 months from priority date (b) elected State in which examination <u>starts only</u> on special request (i) election effected prior to expiration of 19 months from priority date (ii) election effected after expiration of 19 months from priority date	Art. 41(1) Rule 78									25 months after priority date or any later time permitted by national law of elected State the time limit applicable under Art. 28 (see Action (a) under item DO/13) the same time limit or at the same time as for filing of amendments under national law of EO in the case of examination, on special request of national applications, or if that time limit or time is earlier than the time limit under Action (a) (i) above, then the time limit under Action (a) (i) the time limit applicable under Art. 28 (see Action (b) under item DO/13)	(priority date)	

Procedure Before Elected Office (cont'd)

Item	Action	Article/Rule/Section	Responsibility for action (•)								Time Limit		Consequence of failure to meet time limit
			A	RO	IB	ISA	DO	IPEA	EO		Period/Time	Start	
10.*	Adapting IA to utility model application where election made before expiration of the 19th month from the priority date	Rule 78.3	•								at least 2 months as fixed by EO	date of expiration of the time limit applicable under Art. 39 i.e., 25 months from the priority date or, if later time limit fixed by national law of EO under Art. 39(1) (b) that later time limit	-
11.	Keeping IA confidential	Art. 30(2)								•	unless requested or authorized by the applicant, until the earliest of the following: (i) date of international publication of IA (ii) date of receipt of communication of IA under Art. 20 (iii) date of receipt of a copy of IA under Art. 22	-	-

PART II - RELEVANT PROVISIONS

DATE	DESCRIPTION	AMOUNT	CHECK NO.	BANK	INITIALS
10/1/51	...	...	...	...	...
10/2/51	...	...	...	...	...
10/3/51	...	...	...	...	...
10/4/51	...	...	...	...	...
10/5/51	...	...	...	...	...
10/6/51	...	...	...	...	...
10/7/51	...	...	...	...	...
10/8/51	...	...	...	...	...
10/9/51	...	...	...	...	...
10/10/51	...	...	...	...	...
10/11/51	...	...	...	...	...
10/12/51	...	...	...	...	...
10/13/51	...	...	...	...	...
10/14/51	...	...	...	...	...
10/15/51	...	...	...	...	...
10/16/51	...	...	...	...	...
10/17/51	...	...	...	...	...
10/18/51	...	...	...	...	...
10/19/51	...	...	...	...	...
10/20/51	...	...	...	...	...
10/21/51	...	...	...	...	...
10/22/51	...	...	...	...	...
10/23/51	...	...	...	...	...
10/24/51	...	...	...	...	...
10/25/51	...	...	...	...	...
10/26/51	...	...	...	...	...
10/27/51	...	...	...	...	...
10/28/51	...	...	...	...	...
10/29/51	...	...	...	...	...
10/30/51	...	...	...	...	...
10/31/51	...	...	...	...	...
TOTAL	...	...	...	...	...

ARTICLE 47

Time Limits

(1) The details for computing time limits referred to in this Treaty are governed by the Regulations.

(2)(a) All time limits fixed in Chapters I and II of this Treaty may, outside any revision under Article 60, be modified by a decision of the Contracting States.

(b) Such decisions shall be made in the Assembly or through voting by correspondence and must be unanimous.

(c) The details of the procedure are governed by the Regulations.

RULE 80

Computation of Time Limits

80.1 Periods Expressed in Years

When a period is expressed as one year or a certain number of years, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire in the relevant subsequent year in the month having the same name and on the day having the same number as the month and the day on which the said event occurred provided that if the relevant subsequent month has no day with the same number the period shall expire on the last day of that month.

80.2 Periods Expressed in Months

When a period is expressed as one month or a certain number of months, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire in the relevant subsequent month on the day which has the same number as the day on which the said event occurred, provided that if the relevant subsequent month has no day with the same number the period shall expire on the last day of that month.

80.3 Periods Expressed in Days

When a period is expressed as a certain number of days, computation shall start on the day following the day on which the relevant event occurred, and the period shall expire on the day on which the last day of the count has been reached.

80.4 Local Dates

(a) The date which is taken into consideration as the starting date of the computation of any period shall be the date which prevails in the locality at the time when the relevant event occurred.

(b) The date on which any period expires shall be the date which prevails in the locality in which the required document must be filed or the required fee must be paid.

80.5 Expiration on a Non-Working Day

If the expiration of any period during which any document or fee must reach a national Office or intergovernmental organization falls on a day on which such Office or organization is not open to the public for the purposes of the transaction of official business, or on which ordinary mail is not delivered in the locality in which such Office or organization is situated, the period shall expire on the next subsequent day on which neither of the said two circumstances exists.

80.6 Date of Documents

Where a period starts on the day of the date of a document or letter emanating from a national Office or intergovernmental organization, any interested party may prove that the said document or letter was mailed on a day later than the date it bears, in which case the date of actual mailing shall, for the purposes of computing the period, be considered to be the date on which the period starts.

80.7 End of Working Day

(a) A period expiring on a given day shall expire at the moment the national Office or intergovernmental organization with which the document must be filed or to which the fee must be paid closes for business on that day.

(b) Any Office or organization may depart from the provisions of paragraph (a) up to midnight on the relevant day.

(c) The International Bureau shall be open for business until 6 p.m.

ARTICLE 2 (x1)

(xi) "priority date," for the purposes of computing time limits, means:

(a) when the international application contains a priority claim under Article 8, the filing date of the application whose priority is so claimed;

(b) where the international application contains several priority claims under Article 8, the filing date of the earliest application whose priority is so claimed;

(c) where the international application does not contain any priority claim under Article 8, the international filing date of such application;

RULE 81

Modification of Time Limits Fixed in the Treaty

81.1 Proposal

(a) Any Contracting State or the Director General may propose a modification under Article 47(2).

(b) Proposals made by a Contracting State shall be presented to the Director General.

81.2 Decision by the Assembly

(a) When the proposal is made to the Assembly, its text shall be sent by the Director General to all Contracting States at least 2 months in advance of that session of the Assembly whose agenda includes the proposal.

(b) During the discussion of the proposal in the Assembly, the proposal may be amended or consequential amendments proposed.

(c) The proposal shall be considered adopted if none of the Contracting States present at the time of voting votes against the proposal.

81.3 Voting by Correspondence

(a) When voting by correspondence is chosen, the proposal shall be included in a written communication from the Director General to the Contracting States, inviting them to express their vote in writing.

(b) The invitation shall fix the time limit within which the reply containing the vote expressed in writing must reach the International Bureau. That time limit shall not be less than 3 months from the date of the invitation.

(c) Replies must be either positive or negative. Proposals for amendments or mere observations shall not be regarded as votes.

(d) The proposal shall be considered adopted if none of the Contracting States opposes the amendment and if at least one-half of the Contracting States express either approval or indifference or abstention.

RULE 92.3

92.3 Mailings by National Offices and Intergovernmental Organizations

Any document or letter emanating from or transmitted by a national Office or an intergovernmental organization and constituting an event from the date of which any time limit under the Treaty or these Regulations commences to run shall be sent by registered air mail, provided that surface mail may be used instead of air mail in cases where surface mail normally arrives at its destination within 2 days from mailing or where air mail service is not available.

ARTICLE 48

Delay in Meeting Certain Time Limits

(1) Where any time limit fixed in this Treaty or the Regulations is not met because of interruption in the mail service or unavoidable loss or delay in the mail, the time limit shall be deemed to be met in the cases and subject to the proof and other conditions prescribed in the Regulations.

(2)(a) Any Contracting State shall, as far as that State is concerned, excuse, for reasons admitted under its national law, any delay in meeting any time limit.

(b) Any Contracting State may, as far as that State is concerned, excuse, for reasons other than those referred to in subparagraph (a), any delay in meeting any time limit.

RULE 82

*Irregularities in the Mail Service*82.1 *Delay or Loss in Mail*

(a) Subject to the provisions of Rule 22.3, any interested party may offer evidence that he has mailed the document or letter 5 days prior to the expiration of the time limit. Except in cases where surface mail normally arrives at its destination within 2 days of mailing, or where no airmail service is available, such evidence may be offered only if the mailing was by airmail. In any case, evidence may be offered only if the mailing was by mail registered by the postal authorities.

(b) If such mailing is proven to the satisfaction of the national Office or intergovernmental organization which is the addressee, delay in arrival shall be excused, or, if the document or letter is lost in the mail, substitution for it of a new copy shall be permitted, provided that the interested party proves to the satisfaction of the said Office or organization that the document or letter offered in substitution is identical with the document or letter lost.

(c) In the cases provided for in paragraph (b), evidence of mailing within the prescribed time limit, and, where the document or letter was lost, the substitute document or letter as well, shall be submitted within 1 month after the date on which the interested party noticed or with due diligence should have noticed the delay or the loss, and in no case later than 6 months after the expiration of the time limit applicable in the given case.

82.2 *Interruption in the Mail Service*

(a) Subject to the provisions of Rule 22.3, any interested party may offer evidence that on any of the 10 days preceding the day of expiration of the time limit the postal service was interrupted on account of war, revolution, civil disorder, strike, natural calamity, or other like reason, in the locality where the interested party resides or has his place of business or is staying.

(b) If such circumstances are proven to the satisfaction of the national Office or intergovernmental organization which is the addressee, delay in arrival shall be excused, provided that the interested party proves to the satisfaction of the said Office or organization that he effected the mailing within 5 days after the mail service was resumed. The provisions of Rule 82.1(c) shall apply *mutatis mutandis*.

SECTION 110

DATES

"Any date in the international application, or used in any correspondence emanating from International Authorities relating to the international application, shall be indicated by the Arabic number of the day, by the name of the month, and by the Arabic number of the year. The receiving Office, where the applicant has not done so, or the International Bureau, where the applicant has not done so and the receiving Office fails to do so, shall, after or below any date indicated by the applicant in the request, repeat the date, in parenthesis, by indicating it by two-digit Arabic numerals each for the number of the day, for the number of the month and for the last two numbers of the year, in that order and with a period after the digit pairs of the day and of the month (for example, "30 March 1978 (30.03.78)")."

RULE 88

*Amendment of the Regulations*88.1 *Requirement of Unanimity*

Amendment of the following provisions of these Regulations shall require that no State having the right to vote in the Assembly vote against the proposed amendment:

(iii) Rule 22.3 (Time Limit Under Article 12(3)).

(vi) Rule 81 (Modification of Time Limits Fixed in the Treaty).

88.4 *Procedure*

Any proposal for amending a provision referred to in Rules 88.1, . . . shall, if the proposal is to be decided upon in the Assembly, be communicated to all Contracting States at least 2 months prior to the opening of that session of the Assembly which is called upon to make a decision on the proposal.

RULE 79

*Calendar*79.1 *Expressing Dates*

Applicants' national Offices, receiving Offices, International Searching and Preliminary Examining Authorities, and the International Bureau, shall, for the purposes of the Treaty and the Regulations, express any date in terms of the Christian era and the Gregorian calendar, or, if they use other eras and calendars, they shall also express any date in terms of the Christian era and the Gregorian calendar.