

Patent Cooperation Treaty (PCT) Working Group

**Thirteenth Session
Geneva, October 5 to 8, 2020**

SEQUENCE LISTINGS TASK FORCE: STATUS REPORT

Document prepared by the European Patent Office

1. The Annex to this document contains a report prepared by the European Patent Office on the work of the Task Force on Sequence Listings created by the Committee on WIPO Standards (CWS) at its first session in October 2010.

2. *The Working Group is invited to note the contents of this document.*

[Annex follows]

TRANSITION FROM WIPO STANDARD ST.25 TO WIPO STANDARD ST.26 FOR THE PRESENTATION OF NUCLEOTIDE AND AMINO ACID SEQUENCE LISTINGS

BACKGROUND

1. The Task Force on Sequence Listings was created by the Committee on WIPO Standards (CWS), at its first session (October 25 to 29, 2010), to deal with Task No. 44 (see paragraph 29 of document CWS/1/10):

“Prepare a recommendation on the presentation of nucleotide and amino acid sequence listings based on eXtensible Markup Language (XML) for adoption as a WIPO standard. The proposal of the new WIPO standard should be presented along with a report on the impact of the said standard on the current WIPO Standard ST.25, including the proposed necessary changes to Standard ST.25.”

2. The Task Force was also requested:

“To liaise with the appropriate PCT body with regard to the possible impact of such standard on Annex C to the Administrative Instructions under the PCT.”

3. The European Patent Office (EPO) was assigned the role of Task Force Leader and the new standard, entitled WIPO Standard ST.26, was formally adopted during the reconvened fourth session of CWS (CWS/4BIS) in March 2016.

4. At its fifth session, the CWS agreed on the “big bang” scenario as the option for the transition, which requires all Intellectual Property Offices to transition from ST.25 to ST.26 at the same time. It was decided to consider the international filing date as the reference date and January 2022 as the transition date.

5. At this same session, the International Bureau informed the CWS that it would develop a new common software tool to enable applicants to prepare sequence listings and verify that such sequence listings are in compliance with WIPO Standard ST.26. The CWS therefore agreed to modify the description of Task No. 44:

“Support the International Bureau by providing users’ requirements and feedback on the ST.26 authoring and validation software tool; Support the International Bureau in the consequential revision of the PCT Administrative Instructions; and Prepare necessary revisions of WIPO Standard ST.26 upon request by the CWS.”

6. At the sixth session of the CWS, which took place in October 2018, the Task Force reported on the progress on the ST.26 tool, indicating that the business analysis, architecture and proof of concept had been successfully carried out and that the development was ongoing.

7. At the same session, the Committee adopted the second revision of ST.26 (version 1.2), as reproduced in the document CWS/6/16. The revision consisted in modifications to ST.26 main body and its Annexes I, II, III, IV and VI, as well as in the addition of a new Annex VII entitled “Transformation of a Sequence Listing from ST.25 to ST.26” to facilitate the transition between the two Standards.

8. At the seventh session, which took place in July 2019, the CWS adopted some substantive amendments and editorial corrections to Annexes I and VII of ST.26 (see document CWS/7/14).

PROGRESS REPORT

WIPO SEQUENCE (TOOL)

9. In March 2019, the International Bureau announced to the Task Force that official names had been adopted to designate the various components of the ST. 26 common software tool:

- (a) WIPO Sequence is now the official name of the authoring and validation tool for applicants (desktop application);
- (b) WIPO Sequence Validator designates the validation tool for IPOs as a standalone service in the IPO's network (microservice);
- (c) WIPO Sequence Server will provide updates to WIPO Sequence and WIPO Sequence Validator and will be deployed in the WIPO network. Current users will receive an indication when new releases are available.

10. The International Bureau established a dedicated wiki page restricted to Task Force members and the development team aiming at working on the functional specifications and reviewing the graphic user interface (GUI). Since November 2018, the Task Force has been actively providing feedback on the various sprints released for testing to ensure that functionalities have been accurately implemented, and also fine tuning existing functionalities to ensure the needs of users are met.

11. In August 2020, the Canadian Intellectual Property Office, the European Patent Office, the Israel Patent Office, the Japan Patent Office, the Korean Intellectual Property Office, the National Institute of Industrial Property (Brazil) and United States Patent and Trademark Office provided feedback on the first release candidate of the WIPO Sequence and WIPO Sequence Validator (beta3 release).

REVISION OF WIPO STANDARD ST.26

12. The Task Force is discussing some changes to ST.26, which will be presented to the eighth session of the CWS, scheduled to take place from November 30 to December 4, 2020.

REVISION OF THE PCT LEGAL FRAMEWORK (PCT REGULATIONS AND ADMINISTRATIVE INSTRUCTIONS)

13. Amendments to the PCT Regulations and modifications to the PCT Administrative Instructions are required to implement the transition from current PCT Sequence Listing Standard ST. 25 to new WIPO Standard ST. 26. The International Bureau had prepared a first proposal at the eleventh session of the PCT Working Group (see document PCT/WG/11/24), followed by a revised version for the twelfth session in 2019 (see document PCT/WG/12/13). Due to the coronavirus situation, the session of the PCT Working Group foreseen in May 2020 was postponed to October 2020. Consequently, these amendments have not been submitted to the forty-second session of the PCT Assembly that will take place from September 21 to 25, 2020. Instead, a further revised proposal will be discussed at this session of the PCT Working Group (see document PCT/WG/13/8). It is foreseen that the amendments will be submitted to a future session of the Assembly for adoption to allow their entry into force on January 1, 2022.

ROADMAP

14. The Task Force plans to:

- (a) support the International Bureau by continuing to participate in the development and testing of WIPO Sequence;
- (b) support the International Bureau in the consequential revision of the PCT legal framework (PCT Regulations and Administrative Instructions); and

(c) work on any further revision of WIPO Standard ST. 26, if required, to further facilitate the implementation of WIPO Standard ST. 26 by Offices and applicants.

[End of Annex and of document]