



PCT/WG/18/20
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Patent Cooperation Treaty (PCT) Working Group

Eighteenth Session
Geneva, February 18 to 20, 2025 and
Geneva, February 2, 2026 (Reconvened Meeting)

SUMMARY BY THE CHAIR

AGENDA ITEM 1: OPENING OF THE SESSION

1. The Chair of the Working Group, Ms. Aleksandra Mihailović (Serbia), opened the session. Ms. Lisa Jorgenson, Deputy Director General, Patents and Technology Sector, welcomed the participants on behalf of Mr. Daren Tang, Director General of WIPO. Mr. Michael Richardson (WIPO) acted as Secretary to the Working Group.
2. The list of participants is set out in document PCT/WG/18/INF/2.

AGENDA ITEM 2: ADOPTION OF THE AGENDA

3. Discussions were based on document PCT/WG/18/1 Prov.3.

AGENDA ITEM 3: ELECTION OF VICE-CHAIRS FOR THE SESSION

4. There were no nominations for Vice-Chairs for the session.

AGENDA ITEM 4: ELECTION OF OFFICERS FOR THE NINETEENTH SESSION

5. The Working Group elected Ms. Aleksandra Mihailović (Serbia) as Chair of the nineteenth session.

AGENDA ITEM 5: PCT STATISTICS

6. The Working Group noted a presentation by the International Bureau on recent PCT statistics¹.

AGENDA ITEM 6: MEETING OF INTERNATIONAL AUTHORITIES UNDER THE PCT: REPORT OF THE THIRTY-FIRST SESSION

7. Discussions were based on document PCT/WG/18/2.

8. The Working Group noted the Summary by the Chair of the thirty-first session of the Meeting of International Authorities under the PCT (document PCT/MIA/31/11), reproduced in the Annex to document PCT/WG/18/2.

AGENDA ITEM 7: ELECTRONIC PROCESSING OF INTERNATIONAL APPLICATIONS

9. Discussions were based on document PCT/WG/18/8.

10. The Working Group approved the proposed amendments to Rules 4, 45bis, 92bis and 94 set out in Annex I to this document with a view to their submission to the Assembly, and invited the International Bureau to continue work in the areas referred to in document PCT/WG/18/8, taking into account the comments made.

AGENDA ITEM 8: FILING MEDIUM FOR ENTERING THE NATIONAL PHASE BEFORE DESIGNATED OFFICES

11. Discussions were based on document PCT/WG/18/4 Rev.

12. The Working Group:

(i) noted the study on electronic only national phase entry in paragraphs 3 to 22 of document PCT/WG/18/4 Rev.; and

(ii) invited the International Bureau to consider possible alternative amendments to the PCT Regulations concerning electronic national phase entry for presentation to a future session of the Working Group, taking into account the comments made.

AGENDA ITEM 9: INTERNATIONAL PUBLICATION RELATED PROCESSES

13. Discussions were based on document PCT/WG/18/13.

14. The Working Group noted the contents of document PCT/WG/18/13 and invited the International Bureau to provide additional information or revised plans to Offices, and also to the next session of the Working Group, taking into account the comments made.

AGENDA ITEM 10: ESTABLISHING EQUIVALENT AMOUNTS FOR PCT FEES

15. Discussions were based on document PCT/WG/18/12.

16. The Working Group approved the proposed directives set out in Annex II to this document with a view to their submission to the Assembly, taking into account the comments made when implementing processes to support the revised arrangements.

¹ A copy of the presentation is available on the WIPO website at https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=641747.

AGENDA ITEM 11: PROPOSAL TO TRANSMIT THE COPY OF THE NOTIFICATION OF WITHDRAWAL (FORM PCT/RO/136) TO THE APPLICANT

17. Discussions were based on document PCT/WG/18/10.
18. The Working Group approved in principle the modifications to Section 326 of the PCT Administrative Instructions and paragraph 322 of the Receiving Office Guidelines set out in Annex III to this document and invited the International Bureau to circulate these proposals for formal consultation under PCT Rule 89.2(b), noting that receiving Offices were free to take the actions concerned without waiting for the modifications to be promulgated formally.

AGENDA ITEM 12: SEQUENCE LISTINGS

- (A) PROCESSING SEQUENCE LISTINGS
19. Discussions were based on document PCT/WG/18/14.
20. The Working Group noted the contents of document PCT/WG/18/14 and invited the International Bureau to study further the issues of processing of sequence listings under the PCT, taking into account the comments made.
- (B) SEQUENCE LISTINGS TASK FORCE: STATUS REPORT
21. Discussions were based on document PCT/WG/18/18 Rev.
22. The Working Group noted the contents of document PCT/WG/18/18 Rev.

AGENDA ITEM 13: INTERNATIONAL SEARCH REPORT FEEDBACK PILOT

23. Discussions were based on document PCT/WG/18/7.
24. The Working Group noted the comments and interest in using feedback as part of a quality process for the international search system and invited interested delegations to discuss potential further steps with the Delegation of the United Kingdom.

AGENDA ITEM 14: PCT MINIMUM DOCUMENTATION TASK FORCE: STATUS REPORT

25. Discussions were based on document PCT/WG/18/17.
26. The Working Group noted the contents of document PCT/WG/18/17.

AGENDA ITEM 15: EXTENSION OF APPOINTMENT OF INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITIES

- (A) PROCEDURE FOR EXTENSION OF APPOINTMENT
27. Discussions were based on document PCT/WG/18/5.
28. The Working Group approved the procedure and timeline for extension of appointment of International Searching and Preliminary Examining Authorities set out in document PCT/WG/18/5.

(B) FORMAT OF APPLICATIONS FOR EXTENSION OF APPOINTMENT

29. Discussions were based on document PCT/WG/18/15.

30. The Working Group approved in principle the format of applications for extension of appointment of International Searching and Preliminary Examining Authorities set out in document PCT/WG/18/15.

(C) MODEL AGREEMENT BETWEEN AN OFFICE OR ORGANIZATION AND THE INTERNATIONAL BUREAU IN RELATION TO ITS FUNCTIONING AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY

31. Discussions were based on document PCT/WG/18/6.

32. The Working Group expressed broad support for the draft model Agreement set out in Annex I to document PCT/WG/18/6 and invited the International Bureau and International Authorities to further consider the drafting, taking into account the comments made.

AGENDA ITEM 16: WIPO TREATY ON INTELLECTUAL PROPERTY, GENETIC RESOURCES AND ASSOCIATED TRADITIONAL KNOWLEDGE

33. Discussions were based on document PCT/WG/18/16.

34. There was no agreement on this agenda item.

AGENDA ITEM 17: COORDINATION OF TECHNICAL ASSISTANCE UNDER THE PCT

35. Discussions were based on document PCT/WG/18/9.

36. The Working Group noted the content of document PCT/WG/18/9.

AGENDA ITEM 18: COORDINATION OF PATENT EXAMINER TRAINING

37. Discussions were based on document PCT/WG/18/11.

38. The Working Group noted with approval the proposals set out in document PCT/WG/18/11.

AGENDA ITEM 19: CORRECTION OF RULE 26.3ter

39. Discussions were based on document PCT/WG/18/3.

40. The Working Group approved the proposed amendments to the French version of PCT Rule 26.3ter set out in the Annex to document PCT/WG/18/3 with a view to their submission to the Assembly.

AGENDA ITEM 20: FILING MEDIUM OF INTERNATIONAL APPLICATIONS: CONSEQUENTIAL AMENDMENT

41. Discussions were based on document PCT/WG/18/19.

42. The Working Group approved the proposed amendments set out in Annex IV to this document with a view to their submission to the Assembly.

AGENDA ITEM 21: OTHER MATTERS

43. The Delegations of the Republic of Korea and Japan underlined the importance of the protection of personal data within the PCT in the PCT Administrative Instructions that will implement the amendments to the PCT Regulations approved under agenda item 7.

44. The Delegation of Colombia referred to Circular C. PCT 1700 and expressed hope that discussions on these proposals could proceed in the future.

AGENDA ITEM 22: SUMMARY BY THE CHAIR

45. The Working Group noted the present summary, established under the responsibility of the Chair.

AGENDA ITEM 23: CLOSING OF THE SESSION

46. Following the suspension of the meeting of the eighteenth session of the Working Group on February 20, 2025, the Chair closed the reconvened session on February 2, 2026.

[Annexes follow]

PROPOSED AMENDMENTS TO THE PCT REGULATIONS
REFERRED TO IN AGENDA ITEM 7

Rule 4
The Request (Contents)

4.1 to 4.3 *[No change]*

4.4 *Names and Addresses*

(a) and (b) *[No change]*

(c) Addresses shall be indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and, in any case, shall consist of all the relevant administrative units up to, and including, the house number, if any. Where the national law of the designated State does not require the indication of the house number, failure to indicate such number shall have no effect in that State. In order to allow rapid communication with the applicant, ~~it is recommended to indicate any teleprinter address, telephone and facsimile machine numbers, or corresponding data for other like means of communication, of the applicant or, where applicable, the agent or the common representative.~~ an email address and telephone number shall be provided for at least one person to whom correspondence is to be addressed, being the agent, if appointed, or otherwise the applicant or common representative.

(d) *[No change]*

4.5 to 4.19 *[No change]*

Rule 45bis
Supplementary International Searches

45bis.1 Supplementary Search Request

(a) [No change]

(b) A request under paragraph (a) (“supplementary search request”) shall be submitted to the International Bureau and shall indicate:

(i) the name and address of the applicant and of the agent (if any), the title of the invention, the international filing date and the international application number; Rule 4.4 shall apply *mutatis mutandis*;

(ii) the International Searching Authority that is requested to carry out the supplementary international search (“Authority specified for supplementary search”); and

(iii) where the international application was filed in a language which is not accepted by that Authority, whether any translation furnished to the receiving Office under Rule 12.3 or 12.4 is to form the basis of the supplementary international search.

(c) to (e) [No change]

45bis.2 to 45bis.9 [No change]

Rule 92bis
Recording of Changes in
Certain Indications in the Request or the Demand

92bis.1 Recording of Changes by the International Bureau

(a) The International Bureau shall, on the request of the applicant or the receiving Office, record changes in the following indications appearing in the request or demand:

- (i) person, name, residence, nationality or address of the applicant,
- (ii) person, name or address of the agent, the common representative or the inventor.

provided that following the changes, an email address and telephone number remain available for at least one person to whom correspondence is to be addressed, being the agent, applicant or common representative, as applicable.

(b) ~~The~~ Subject to paragraph (c), the International Bureau shall not record the requested change if the request for recording is received by it after the expiration of 30 months from the priority date.

(c) The International Bureau shall, at any time prior to the expiration of the time limit referred to in Rule 93.1, record a change to the person, address and/or communication details of the person to whom correspondence is to be addressed, being the agent, applicant or common representative, as applicable.

Rule 94
Access to Files

94.1 Access to the File Held by the International Bureau

- (a) [No change]
- (b) The International Bureau shall, at the request of any person but not before the international publication of the international application and subject to Article 38 and ~~paragraphs (d) to (g)~~ [Rule 94.4](#), furnish copies of any document contained in its file. The furnishing of copies may be subject to reimbursement of the cost of the service.

- (c) [No change]

- (d) to (g) [Content moved to Rule 94.4]

94.1bis Access to the File Held by the Receiving Office

- (a) and (b) [No change]
- (c) The receiving Office shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(l) or from public access in accordance with Rule ~~94.1(d) or (e)~~ [94.4\(a\) or \(b\)](#).

94.1ter Access to the File Held by the International Searching Authority

- (a) and (b) [No change]
- (c) The International Searching Authority shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(l) or from public access in accordance with Rule ~~94.1(d) or (e)~~ [94.4\(a\) or \(b\)](#).

- (d) [No change]

94.2 Access to the File Held by the International Preliminary Examining Authority

- (a) and (b) [No change]
- (c) The International Preliminary Examining Authority shall not provide access under paragraph (b) to any information in respect of which it has been notified by the International Bureau that the information has been omitted from publication in accordance with Rule 48.2(l) or from public access in accordance with Rule ~~94.1(d) or (e)~~ [94.4\(a\) or \(b\)](#).

94.2bis and 94.3 [No change]

94.4 Exceptions to Access to File

(a) [Moved from Rule 94.1(d)] The International Bureau shall not provide access to any information contained in its file which has been omitted from publication under Rule 48.2(l) and to any document contained in its file relating to a request under that Rule.

(b) [Moved from Rule 94.1(e)] Upon a reasoned request by the applicant, the International Bureau shall not provide access to any information contained in its file and to any document contained in its file relating to such a request, if it finds that:

(i) this information does not obviously serve the purpose of informing the public about the international application;

(ii) public access to such information would clearly prejudice the personal or economic interests of any person; and

(iii) there is no prevailing public interest to have access to that information.

Rule 26.4 shall apply *mutatis mutandis* as to the manner in which the applicant shall present the information which is the subject of a request made under this paragraph.

(c) [Moved from Rule 94.1(f) with consequential changes to paragraph references] Where the International Bureau has omitted information from public access in accordance with paragraphs (a) or (b), and that information is also contained in the file of the international application held by the receiving Office, the International Searching Authority, the Authority specified for supplementary search or the International Preliminary Examining Authority, the International Bureau shall promptly notify that Office and Authority accordingly.

(d) [Moved from Rule 94.1(g)] The International Bureau shall not provide access to any document contained in its file which was prepared solely for internal use by the International Bureau.

(e) The Administrative Instructions may provide for measures to exclude from public access references to the following personal data, provided that said data shall be made available to the receiving Office, International Searching Authority, the Authority specified for supplementary search, the International Preliminary Examining Authority, and designated and elected Offices:

(i) the email address, telephone number, or corresponding data for other like means of communication, of any applicant, inventor or agent; and

(ii) the postal address of any applicant, inventor or agent provided that means of contact shall be publicly available for at least one agent or, if none, applicant.

[Annex II follows]

PROPOSED MODIFIED DIRECTIVES OF THE PCT UNION ASSEMBLY
REFERRED TO IN AGENDA ITEM 10

DRAFT DIRECTIVES OF THE PCT ASSEMBLY RELATING TO
THE ESTABLISHMENT OF EQUIVALENT AMOUNTS OF CERTAIN FEES

The Assembly establishes in the following terms the directives relating to the establishment of equivalent amounts of the international filing fee, the handling fee, the search fee and the supplementary search fee (see Rules 15.2(d)(i), 16.1(d)(i), 45bis.3(b) and 57.2(d)(i)), it being understood that, in the light of experience, the Assembly may at any time modify these directives:

Establishment of Equivalent Amounts

- (1) The equivalent amounts in prescribed currencies of the international filing fee and the handling fee in any currency other than Swiss franc, and of the search fee and the supplementary search fee in any currency other than the fixed currency, shall be established by the Director General in accordance with these directives.
- (2) The amounts so established shall be the equivalent, in round figures,
 - (i) of the amount of the international filing fee and of the handling fee, respectively, in Swiss franc set out in the Schedule of Fees;
 - (ii) of the amount of the search fee and the supplementary search fee (if applicable) established by the International Searching Authority in the fixed currency.

They shall be notified by the International Bureau to each receiving Office, International Searching Authority and International Preliminary Examining Authority, as applicable, prescribing payment or establishing fees in the currency concerned and shall be published in the Gazette.

Establishment of New Equivalent Amounts Consequential on Changes in Exchange Rates

- (3) Where, for four consecutive Mondays (midday, Geneva time), the exchange rate between Swiss franc (in the case of the international filing fee and the handling fee) or the fixed currency (in the case of the search fee and the supplementary search fee) and any applicable prescribed currency is by at least 5% higher, or by at least 5% lower, than the last exchange rate applied, the Director General shall establish new equivalent amounts of the international filing fee, the search fee, the supplementary search fee and/or the handling fee, as applicable, according to the exchange rate prevailing at midday on the final Monday. The newly established amount shall be notified promptly to Offices concerned and shall become applicable eight weeks after the date of that notification.

Establishment of New Equivalent Amounts Consequential on Changes in the Amount of the Fee Concerned

(4) Where the amount of the international filing fee or the handling fee in Swiss francs, or the amount of the search fee or the supplementary search fee in the fixed currency, is changed, the Director General shall establish equivalent amounts in the prescribed currencies according to the exchange rates prevailing at midday Geneva time on the Monday on or immediately preceding the day eight weeks before the entry into force of the new amount, or the Monday immediately preceding receipt of the notification of the new fee amount, whichever is the later. The newly established equivalent amount shall be notified promptly to Offices concerned and shall become applicable on the same date as the change in the amount in Swiss francs (in the case of the international filing fee or handling fee) or in the fixed currency (in the case of the search fee or the supplementary search fee) unless the Director General decides otherwise in the case where details concerning the change in fee amounts are received less than eight weeks before entry into force of the new amount.

Changes for Short Periods

(5) The Director General may decide not to establish a new equivalent amount in accordance with paragraph (3), above if a new amount of the international filing fee or the handling fee in Swiss francs, or of the search fee or supplementary search fee in the fixed currency has been set or notified to him, which would cause the new equivalent amount to be superseded less than four weeks after it would otherwise have entered into force by a new equivalent amount established under paragraph (4).

[Annex III follows]

DRAFT MODIFICATIONS
REFERRED TO IN ITEM 11

DRAFT MODIFICATIONS TO THE ADMINISTRATIVE INSTRUCTIONS

Section 326
Withdrawal by Applicant under Rule 90bis.1, 90bis.2 or 90bis.3

(a) The receiving Office shall promptly transmit to the International Bureau any notice from the applicant effecting withdrawal of the international application under Rule 90bis.1, of a designation under Rule 90bis.2 or of a priority claim under Rule 90bis.3 which has been filed with it together with an indication of the date of receipt of the notice. If the receiving Office so wishes, it may inform the applicant of the processing status at the same time. If the record copy has not yet been sent to the International Bureau, the receiving Office shall transmit the said notice together with the record copy.

(b) to (d) *[No change]*

DRAFT MODIFICATIONS TO THE RECEIVING OFFICE GUIDELINES

CHAPTER XVII
**WITHDRAWAL OF THE INTERNATIONAL APPLICATION,
ANY DESIGNATION OR ANY PRIORITY CLAIM**

Receipt of Notice Effecting Withdrawal of the International Application, Any Designation or Any Priority Claim under Rule 90bis.1, 90bis.2 or 90bis.3

314 to 321. *[No change]*

Transmittal of Notice Effecting Withdrawal

322. The receiving Office promptly transmits to the International Bureau any notice effecting a withdrawal under Rule 90bis.1, 90bis.2 or 90bis.3 (Form PCT/RO/136), of any notice effecting a withdrawal of kinds of protection (Form PCT/RO/132), with an indication of the date of receipt of the notice. If the receiving Office so wishes, it may inform the applicant of the processing status at the same time. If the record copy has not yet been transmitted to the International Bureau, the receiving Office transmits the notice of withdrawal to that Bureau together with the record copy (Section 326(a)). In the case of a withdrawal of the international application or of the (earliest) priority claim, it is often the applicant's intention to prevent or postpone international publication of the application. In such cases, the receiving Office must take into account the fact that the International Bureau will only be in a position to prevent or postpone that publication if the notice of withdrawal reaches it before technical preparations for international publication have been completed. In urgent cases, it is strongly recommended that the receiving Office send the notice of withdrawal to the International Bureau through ePCT, preferably using the corresponding Action. Using ePCT Action will ensure that the international application is immediately flagged as withdrawn in the International Bureau's processing system and prevent publication if submitted before the completion of technical preparations for international publication. In the rare situation where ePCT cannot be used, the upload service is available at www.wipo.int/pct/en/epct/contingencyupload.html.

[Annex IV follows]

PROPOSED AMENDMENTS TO THE PCT REGULATIONS
REFERRED TO IN AGENDA ITEM 20

Rule 29

International Applications Considered Withdrawn

29.1 *Finding by Receiving Office*

If the receiving Office declares, under Article 14(1)(b) and Rule 26.5 (failure to correct certain defects), or under Article 14(3)(a) (failure to pay the prescribed fees under Rule 27.1(a)), or under Article 14(4) (later finding of non-compliance with the requirements listed in items (i) to (iii) of Article 11(1)), or under Rule 12.3(d), 12.4(d) or 26.3ter (failure to furnish a required translation or, where applicable, to pay a late furnishing fee), or under Rule 89bis.1(d-ter) (failure to resubmit the international application by electronic means), or under Rule 92.4(g)(i) (failure to furnish the original of a document), that the international application is considered withdrawn:

- (i) the receiving Office shall transmit the record copy (unless already transmitted), and any correction offered by the applicant, to the International Bureau;
- (ii) the receiving Office shall promptly notify both the applicant and the International Bureau of the said declaration, and the International Bureau shall in turn notify each designated Office which has already been notified of its designation;
- (iii) the receiving Office shall not transmit the search copy as provided in Rule 23, or, if such copy has already been transmitted, it shall notify the International Searching Authority of the said declaration;
- (iv) the International Bureau shall not be required to notify the applicant of the receipt of the record copy;
- (v) no international publication of the international application shall be effected if the notification of the said declaration transmitted by the receiving Office reaches the International Bureau before the technical preparations for international publication have been completed.

29.2 *[Remains deleted]*

29.3 and 29.4 *[No change]*

[End of Annex IV and of document]