

Patent Cooperation Treaty (PCT) Working Group

**Fourth Session
June 6 to 10, 2011, Geneva**

PCT Online Services (“ePCT”)

Document prepared by the International Bureau

SUMMARY

1. This document contains an overview of the new PCT online private file inspection system developed as part of a new IT system (provisionally known as “ePCT”) and provides information about the envisaged future deployment of ePCT.

INTRODUCTION

2. The International Bureau is currently working to further improve the services provided under the PCT by developing a new IT system (provisionally known as “ePCT”) that, as a first deliverable, provides online private file inspection (“ePCT private services”) for applicants and/or their agents, enabling them to access their international applications online in a secure manner, including before international publication. This will:
 - increase efficiency and confidence in the communications between applicants and the International Bureau;
 - allow the applicant to check on the current status of the international application by accessing the documents and up-to-date bibliographic data on file at the International Bureau; and
 - increase the quality and timeliness of processing of the international application by reducing the risk of errors and allowing the introduction of more efficient processes.

3. It is expected that this project will be extended to offer improved services for Offices, with interfaces suitable for use by both large, highly automated Offices and small Offices with more limited IT infrastructure.
4. Work on an initial pilot version of the ePCT system containing *test* data only was completed at the end of 2010, and was made available in January 2011 to a subset of PCT users who file international applications electronically at the International Bureau as receiving Office (RO/IB) using the PCT-SAFE software and a WIPO digital certificate. A further improved pilot version of ePCT containing *production* data was launched with that same subset of users on May 2, 2011, meaning that external users are for the first time now able to securely access online live confidential data relating to international applications prior to international publication.
5. In parallel with ePCT *private* services, the ePCT portal also provides access to “ePCT *public* services,” which for the moment contains an improved version of the PCT Online Document Upload Service that was initially launched in 2010.

The screenshot shows the ePCT portal interface. At the top left, the text "ePCT" is displayed in red. Below it, a heading reads "The ePCT system offers two distinct types of online services:" followed by a bulleted list: "• ePCT *public* services, requiring the creation of a standard WIPO user account (no access to confidential documents or data)." and "• ePCT *private* services, requiring additional authentication by uploading a digital certificate to a WIPO user account." Below this list are two main service boxes. The left box is titled "ePCT *private* services" and contains text about access to international applications filed as of 1 January 2009, a requirement for additional authentication via a digital certificate, and links for "Create a WIPO user account" and "Obtain/Upload a certificate". At the bottom of this box is a button labeled "Access ePCT private services (certified account holders only)". The right box is titled "ePCT *public* services" and contains text about access via a standard WIPO user account, with a link for "Create a WIPO user account" and a button labeled "Access ePCT public services". At the bottom of the entire page, there is a footer: "Supported browsers: Mozilla Firefox 3.6+, Internet Explorer 7.0+ The system may not work correctly with other browsers and we will not be able to give assistance in these cases."

6. A demonstration of the current pilot version of the ePCT system will be provided during an informal lunchtime session to be organized during the fourth session of the Working Group.

CURRENT SCOPE OF ePCT PRIVATE SERVICES

7. The scope of ePCT private services during the current pilot phase is limited to online private file inspection for international applications that were filed electronically as of 1 January 2009, at the International Bureau as receiving Office, using the PCT-SAFE software and a WIPO digital certificate. Once the proof of concept is achieved with this initial sub-category of international applications, participation will gradually be extended to increasing groups of applicants/agents who file international applications electronically with other PCT receiving Offices using other types of electronic filing software and alternative methods of authentication. Ultimately, when sufficient experience has been gained with international applications filed in electronic form, the system will be extended to include also international applications filed on paper and those filed electronically on physical media without the use of digital certificates. The current target for achieving this extended coverage is end 2011/early 2012, subject to the progress made at each interim step.

8. The ePCT system builds on the operational success of the International Bureau's *internal* "E-Dossier" system for the electronic storage, processing and workflow management of international applications by providing an *external* extension of E-Dossier for the benefit of stakeholders in the PCT process that are located outside of WIPO (initially only applicants and/or their agents, but potentially later on any other stakeholders in any capacity).
9. By way of background, E-Dossier is the main working tool used by the staff of the PCT Operations Division of WIPO to process international applications fully electronically. The bibliographic data and documents relating to all international applications (regardless of whether they were initially filed electronically or in paper form) are processed by the International Bureau and stored in E-Dossier in electronic form, either as result of an electronic import (if received at the International Bureau in electronic format), or scanning (if received at the International Bureau in paper form). Prior to international publication, no data or documents held in E-Dossier can be accessed by anyone other than authorized staff at the International Bureau. At the time of international publication, the bibliographic data and documents on file that can be made publicly available are copied across into a separate database where external users can access them via PATENTSCOPE. However, the remainder of the E-Dossier's content is maintained as strictly confidential and available only to certain internal International Bureau staff.
10. Currently, applicants can only get access to the files of their international applications as held at the International Bureau upon request, and even then that access is given in the form of sending to the applicant paper printouts of documents on file in E-Dossier. Although the International Bureau has already launched a number of online services for applicants, for example, post-publication access to data and documents via PATENTSCOPE, online document upload, PCT e-Payment and PCT forms via e-mail, none of these services provide pre-publication access to any confidential data or documents on file, not even to any of the types of document that will eventually become publicly available after publication.
11. With the deployment of ePCT, applicants and/or agents can for the first time access securely online the complete contents of the file as held by the International Bureau in respect of international applications filed or managed by them, including before international publication. Although only a subset of documents on file for an international application are made publicly available in PATENTSCOPE at the time of international publication, ePCT on the other hand provides online access for applicants/agents to all documents and data on file, including those that are not publicly available after international publication, e.g., documents relating to the Chapter II procedure.

HOW DOES ePCT PRIVATE FILE INSPECTION WORK?

12. In order to open up an international application for secure online access via ePCT during the initial pilot phase, a number of steps are required:
 - the user must create a WIPO online user account (login with User ID and password) via the newly-established WIPO Accounts portal;

WIPOACCOUNTS
login page

REGISTRATION
create account
validate account
request new confirmation code
reset password
register user ID

Create account
Please fill in your details below in order to register for an online user account.
* Indicates required field

User information

User ID *
First Name *
Last Name *
Company/Organization
Phone
Address
Country *

E-mail
You will receive confirmation by e-mail about the creation of your user account. Please check that your e-mail address is indicated correctly.
E-mail *
Confirm E-mail *

Password
Password * [show/secret policy](#)
Confirm password *
Verification *
Type the characters displayed below.
pote d
Characters:

- a valid digital certificate must be uploaded to the WIPO user account, authenticating the user in question in order to be able to login securely to ePCT *private* services where confidential data and documents can potentially be accessed;

WIPO ACCOUNTS

ePCT
Account profile
Change password
Change e-mail

PCT FUNCTIONS
My e-handshakes
My certificates

HELP
User guide
FAQ

Manage Digital Certificates

My Digital Certificates

Name	E-mail	Organization	Serial Number	Expires on	
Ann Bardini	ann.bardini@wipo.int	World Intellectual Property Organization	2A:26:74:E2:87:1A:F6:99:D5:E1:F8:3A:B4:CE:06:0C	08.11.2012	view details

[Upload certificate](#)

Request new Digital Certificate

If you do not have a digital certificate, please obtain one from the following link [WIPO Digital Certificate](#).

- the user must prove that he has the appropriate access rights to an international application in ePCT (referred to in ePCT terminology as “e-ownership” rights) – for the initial pilot, this means having uploaded to his user account the same digital certificate that was used to file the international application, though alternative systems will be introduced to allow the system to be used with international applications filed on paper or in electronic form on a physical medium, such as CD-R;
- as an additional authentication step, during the process to claim “e-ownership” of an international application in ePCT (to subsequently be able to access the contents of the international application online before international publication) the user must also provide a unique confirmation code, which appears on Form PCT/IB/301 issued by the International Bureau for the application in question (this code becomes invalid from the date of international publication since it becomes visible in the public PATENTSCOPE view).

ePCT Show IA **eOwnership** Notifications Portfolios My Uploads My History Workbench

Confirm eOwnership

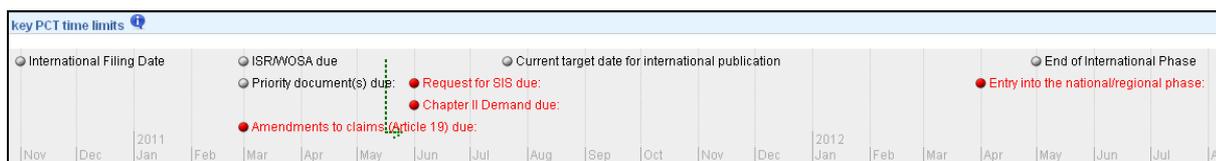
International Application Number :

Confirmation Code :

Confirmation code on Form PCTIB/301

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland		Authorized officer Cortiello Maria e-mail pt05.pct@wipo.int Telephone No. +4122 338 9645
Facsimile No. +41 22 338 89 75 Form PCT/IB/301 (July 2010)		1/EO2PY3C50

13. Once the process of taking e-ownership of an international application is complete, the user may access the contents of that application as stored in the International Bureau's internal file, including features such a timeline summary of key PCT time limits specific to the application in question.



WIPO PCT
The International Patent System
WORLD INTELLECTUAL PROPERTY ORGANIZATION

Ann Bardini | Logo

ePCT Show IA eOwnership Notifications Portfolios My Uploads My History Workbench

PCT/IB2010/068204

Title : TITLE
 International Filing Date : 01 Nov 2010
 Priority Date : 01 Nov 2009
 International Publication Date :
 International Publication Number :
 IA Status : Not yet Published
 International Application Status Report :
 Processing Team at IB : R&PT Tel. +41 22 338 92 22 e-mail: ro.lib@wipo.int

File Reference : tests0001
 Applicant Name : WIPO (+1)
 Inventor Name : BARDINI, Ann
 Filing Type : E-Filing XML
 Portfolio(s) : AEROSPACE
 My Comments : This is a nice place for a comment!

<input type="checkbox"/>	Documents on file at the International Bureau [Doc ID] ⁵	Date ▼	Status	Pages
<input type="checkbox"/>	Related Documents			
<input type="checkbox"/>	Communication in Cases for Which No Other Form is Applicable (IB/345) [53]	21 Apr 2011		1
<input type="checkbox"/>	Communication in Cases for Which No Other Form is Applicable (IB/345) [52]	21 Apr 2011		1
<input type="checkbox"/>	Communication in Cases for Which No Other Form is Applicable (IB/345) [51]	21 Apr 2011		1
<input type="checkbox"/>	Communication in Cases for Which No Other Form is Applicable (IB/345) [50]	21 Apr 2011		1
<input type="checkbox"/>	Not for PatentScope - Applicant Private [48]	19 Apr 2011		1
<input type="checkbox"/>	Cover Letter [49]	19 Apr 2011		1
<input type="checkbox"/>	Power of Attorney [46]	19 Apr 2011		1
<input type="checkbox"/>	Cover Letter [47]	19 Apr 2011		1
<input type="checkbox"/>	Notification Concerning Payment of Prescribed Fees (RO/102) [45]	15 Apr 2011		2
<input type="checkbox"/>	Sequence listing only for the purposes of international search (not part of IA) [43]	14 Apr 2011		0

14. Examples of other useful features include:

International Application Status Report : = View the up-to-date bibliographic data on file at the international Bureau. The data can be viewed in either PDF or XML format, depending on which icon you click and the user can also choose to preview this bibliographic data in the form of a formatted front page for when the application will be published.

International Publication Date = View information about international publication, including the scheduled target date for forthcoming publication:

PCT/IB2010/068233-International Publication Information

International Publication Number: Not yet Published
 Publication Language: English
 International Publication Date: Not yet Published
 Current target date for International Publication: 08 Mar 2012

DISCLAIMER: Please note that this is the expected date of international publication and could still be subject to change.

15. Once a user has taken “e-ownership” of an international application in the ePCT system by successfully completing the above steps, that person has the role of “e-owner” of the international application, which enables him to subsequently grant access rights to other users, provided that those users have taken the steps to meet certain conditions, namely:
- created a WIPO online user account and uploaded at least one valid digital certificate to that account for authentication purposes;
 - communicated their WIPO user account “Customer ID” (a unique account identifier automatically generated by the system at the time of account creation) to the e-owner for the purposes of concluding an “e-handshake”, the ePCT process for two consenting users to associate or link their user accounts in the system, similar to becoming “friends” on Facebook.

16. After the e-handshake process is approved, the two user accounts are associated in the system and the e-owner can proceed to assign access rights to the other user in respect of one or more international applications for which he has “e-owner” rights. Two different levels of user rights may in turn be delegated, either “e-editor” or “e-owner” rights:
- a user with e-editor rights can access, view the file contents and upload new documents for any international application in respect of which they have been granted e-editor rights;
 - a user with e-owner rights can perform the same actions as a user with e-editor rights and in addition can freely assign and also remove access rights to their international applications in respect of other users with whom they have an e-handshake; there can be more than one e-owner per international application and each e-owner is entitled to give e-owner or e-editor access rights to other users and to subsequently remove any access rights as necessary (even in respect of other e-owners or e-editors to whom they had not personally granted the access rights).
17. A user can delegate different levels of rights to other users for each international application for which he has e-owner rights. Where a user is to be given the same rights for several international applications, these can be assigned simultaneously.

Assign New Rights	
Users	New Rights
Tamira Lombardi	<input type="text"/>
victoria cortiello	<input type="text"/>
Ann Bardini	<input type="text"/>
murray leach	<input type="text"/>
Anita-Eva Zandrini	<input type="text"/>

NEXT STEPS FOR ePCT PRIVATE SERVICES FOR APPLICANTS AND/OR AGENTS

18. Once online private file inspection has been fully rolled out to all applicants/agents in respect of all types of international application regardless of their filing type and the receiving Office with which they were filed, the International Bureau will gradually expand the functionality offered by ePCT to include additional secure online services beyond file inspection and document upload. Such functions will permit applicants and/or agents to manage and interact more closely with their international applications electronically by performing a wide range of actions directly online, for example:
 - editing functions, allowing certain actions to be taken directly through the website instead of by filling in and uploading forms or letters;
 - improved portfolio management, allowing actions (notably Rule 92*bis* changes) to be undertaken for groups of international applications simultaneously;
 - web-based online filing, which would eliminate the need for a separate step to claim e-ownership in the system.

19. The timing of further developments to the system will be strongly dependent on the feedback from users and other stakeholders at each deployment stage, in particular during the current initial pilot production phase. The International Bureau's first priority is to ensure that the system is secure, including the need for users to understand their own responsibilities in maintaining the security of their confidential information within the system. Subject to that overriding consideration, the International Bureau will seek to ensure that the services which are provided are as easy to use as possible and meet the actual needs of the applicants and agents who use the system.

LONG-TERM VISION FOR ePCT

20. The current PCT system, notably with regards to maintaining records and transmitting copies of international applications and related documents, is a product of its time. It was designed in an age when paper was the only medium in which information could be exchanged between applicants and Offices in their various PCT capacities, with several copies of the application being held and worked on by several Offices at any given time (a "home copy" by the receiving Office, a "search copy" by the International Searching Authority and a "record copy" by the International Bureau). This has resulted in what today appears to be an overly-burdensome system of arduously sending and exchanging copies of documents and forms among all the different players in the process, aimed at keeping all files and players as up-to-date as possible. Admittedly, many positive steps have been taken to introduce the electronic transmittal of documents and data, such as online filing and PCT-EDI, but how would the PCT system change if it were to be re-designed today around such a centralized, interactive PCT electronic dossier such as ePCT?

21. Beyond the initial phase of the ePCT system described above which involves transactions exclusively between the applicant and the International Bureau, it is envisaged to gradually extend ePCT private services to include potentially also the workflow between all Offices and International Authorities involved in the A-Z processing of international applications throughout the international phase and beyond. ePCT has the potential to evolve into a centralized, interactive, PCT electronic “file” that would be shared and accessed by all stakeholders as required, thus adding significant value to the overall PCT process in terms of both efficiency and timeliness by extending centralized electronic communications to include Applicant-receiving Office, Applicant-International Authorities and Applicant-designated/elected Office transactions as well as further improving Office-Office transactions.
22. ePCT would offer a centralized communication hub: transmission of letters, forms, data and other documents to and from applicants, the International Bureau, receiving Offices, International Authorities and national/regional Offices, and including communications between any of those players, even if the International Bureau is not directly implicated.
23. As a starting point, below is a simple outline of how a redesigned PCT process could look. Note that this scenario reflects the *ideal* situation where international applications are filed electronically and all stakeholders (applicants and Offices in their various PCT capacities) are participating in the ePCT system. This is intended to demonstrate fully the advantages and possibilities of the new system, although it is obviously necessary to operate other solutions in parallel for those stakeholders who do not choose to (fully) participate in the ePCT system. Offices wishing to use their own systems for generating the relevant documentation, notably International Authorities whose systems may be closely integrated with their search tools, could still achieve many of the benefits by automatically uploading the relevant documents and workflow information to the central file using a machine interface instead of a web browser.

Initial filing an international application via ePCT

- Using the ePCT web interface, the applicant selects any competent receiving Office participating in the ePCT system with which to file a new international application: direct input or upload of bibliographic data with real-time online validations to avoid business errors; upload of full-text specification created using a normal word processor, from which the International Bureau can extract the full-text version reliably, including text within drawings where this is added as real text rather than images (color drawings supported).
- The newly-filed application is associated with the ePCT private services account of the filer – no additional step is required to take “e-ownership”; the person filing can see the new file which has been created immediately, as can any other user to whom the person filing has assigned e-owner or e-editor rights.
- All fees due for initial filing and for any subsequent online action taken in ePCT are paid directly online to the International Bureau in one of the currencies accepted by it (the International Bureau will transfer any fees as required to any other authority in the relevant currency).

Processing by the receiving Office

- The receiving Office performs initial formalities examination in ePCT: assigns international filing date; issues the necessary PCT/RO forms using a dedicated forms generation tool in ePCT; confirms that relevant national security requirements have been satisfied, after which the international application is flagged as available in ePCT to both the International Bureau and the International Searching Authority.

The receiving Office is able to flag documents for discussion with the relevant processing team at the International Bureau before issuing forms in cases where there may be doubt about whether the requirements of the Treaty have been met or not.

- The formalities examiner can use ePCT to generate and issue those forms which are still necessary (some forms which relate simply to information about workflow will become redundant and others may be replaced by direct data entry together with, where required, workflow actions indicating that the International Bureau or other relevant Office needs to confirm the changes which have been made).
- The International Searching Authority is automatically notified when all the necessary actions have been taken in the system ready for international search to begin, such as completion of receiving Office processing, payment of the search fee by the applicant and provision of any necessary translations.
- No actual transmittal of the record copy to the International Bureau takes place (nor of the search copy to the International Searching Authority), as the receiving Office has performed its work on a centralized electronic copy of the international application held in ePCT and on which the International Bureau and the Authority will subsequently continue the processing.

Processing by the International Searching Authority

- The examiner has access to a full text version of the international application, including any corrections or confirmations of incorporation by reference which have been submitted to the receiving Office, even if this was done only just before the international search began.
- Electronic international search reports and written opinions by the International Searching Authority templates available via ePCT assist the examiner in the preparation of international search reports and written opinions, with the up-to-date bibliographic data already filled in (in the relevant language) so that the Authority's staff need only complete the substantive content. The system automatically generates links to cited documents in PATENTSCOPE or similar databases wherever possible and International Searching Authorities can, copyright permitting, add links or upload other cited documents into ePCT for the benefit of designated/elected Offices processing during the national/regional phase.

Processing by the Supplementary Searching Authority or the International Preliminary Examining Authority

- Examiners at an Authority specified for supplementary search or International Preliminary Examining Authorities have direct access via ePCT to all the documents and data held in the centralized file of the international application, including links to cited documents in the international search report, documents searched, search strategies used, comments and notes added by the search examiner, and also including any observations/documents submitted via the (envisaged) 3rd party observations procedure.

General Benefits

- After initial filing, the applicant uses the various online web forms in ePCT to perform "post-filing actions" directly in the system, for example requests under Rule 92*bis* or withdrawals (particularly important that such actions reach the International Bureau in time to postpone or stop international publication if necessary). Documents intended for Offices other than the International Bureau, such as Chapter II

Demands and amended applications will be automatically routed via ePCT to the relevant competent Office.

- Working in a shared electronic environment favors a cross-pollination of search and examination techniques by International Searching and Preliminary Examining Authorities, contributing to the development of shared best practices and more consistent results. Access by the International Preliminary Examining Authority of the comments and notes made at the time of international search, in particular when it was performed by a different Office, will enrich the content of the preliminary examination report.
- The applicant uses ePCT as a central platform for entering the national phase in a single harmonized electronic procedure via dedicated web forms that are tailored to accommodate all the necessary data fields that are required by the selected Offices. Supporting documents, for example translations, are uploaded online by the applicant into ePCT, from where the national/regional Offices freely access them.
- Offices that make use of the ePCT centralized interactive dossier no longer need request the International Bureau to transmit data and documents to them but effectively “share” them with the International Bureau and with other Offices by accessing them via the ePCT system. Designated/elected Offices which carry out search and examination in the national phase in turn make their national reports available in ePCT for the benefit of other designated and elected Offices. Where permitted, these reports would also automatically become open to the public through PATENTSCOPE.
- Designated/elected Offices flag in ePCT whether or not a patent is actually granted for a particular international application, which the International Bureau in turn makes available in PATENTSCOPE, thus completing the full cycle of information about an international application, from filing all the way through to grant.

ENVISAGED IMPLEMENTATION STRATEGY FOR ePCT

24. Despite the obvious potential of the ePCT centralized communication hub for all the stakeholders, its ultimate impact and success will fully depend on buy-in by all the stakeholders and their perception of exactly what advantages the system will provide for them. In order to build up this ambitiously extensive system and deploy it successfully to a worldwide audience of target users (applicants and Offices alike), it is essential to break the ePCT implementation and deployment approach into small building blocks that build on each other and fit together in a logical and progressive manner, allowing more efficient workflows to be adopted by those Offices ready to use them, but retaining compatibility with applicants and Offices opting to continue to use the current processes. The current pilot version, which will be demonstrated during the fourth session of the Working Group, is the first modest layer in this process.
25. System security and stability through this gradual process are obviously paramount to ePCT's success, with the users expecting high reliability and 24/7 accessibility. Some element of redundancy is expected to be offered, such as a second system hosted in a different place allowing filing of time-critical documents in the hopefully rare event of non-availability of the main system and provisions for national Offices to accept correspondence on behalf of other Offices to send through EDI without loss of date.

26. The range of languages in which the system is to be made available will also play an important role in the success of ePCT and the extent to which it is embraced by all the stakeholders. Although it is expected that the system will initially be developed and rolled out in English only until it reaches a certain level of maturity, especially as regards the graphical user interface, WIPO envisages to make it available in all ten PCT publication languages as soon as possible.

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

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