

## ePCT for New Users (Part II)

15 & 17 March 2022

### Q&A Report

No.	Questions	Answers
1	It seems that the Art. 19 amendments can be filed in text format only. Which other mean should we use for uploading the PDF files?	Using the ePCT Action “Amendments under Art.19”, the amendments under Article 19 can only be uploaded in text based PDF format or in Docx. For non-text based PDFs, you can use the Upload Documents function and select the document types for Article 19 amendments.
2	If I want to correct the title of the invention, which action do I need to choose? Will it be Amendment under Article 19?	Article 19 is only for the amendments of claims and therefore cannot be used to modify the title. The title of invention can be established by the ISA in certain cases under <a href="#">PCT Rule 37</a> . You may contact the ISA for this before it establishes the international search report.
3	Once a PCT application has been filed, is it possible to generate from ePCT a PDF Declaration (for US inventorship purposes for example) to be sent out for signatures?	The best practice would be to create the declaration of inventorship after filing using the ePCT Action and use the <a href="#">external signature</a> function to collect signatures. The other solution would be to upload a PDF copy of declaration (iv) that is prepared using the template of the <a href="#">RO/101</a> .
4	When preparing the PCT/RO/101 request through ePCT, will the program ever be updated so that you can copy your previous declarations and past them into a new one? For example, the client I file for has two applicants and claims priority to multiple applications. I have to make declarations for each applicant and inventor under each priority claim, and this is very time consuming since the information has to be manually entered under each declaration.	The <a href="#">Clone IA</a> function allows you to copy all bibliographic data and documents including declarations except for the declaration of inventorship (iv).

5	I just saw under actions there is an upload document option, but it does not say anything about document type like RO/101.	There is no document type RO/101. However, if you need to upload a replacement sheet of the Request form to the IB for a RO/IB application, please select "Replacement sheet of the Request form".
6	I recently filed a PCT application using ePCT, I was told to upload a corrected version of the RO/101 as I have mentioned the priority wrongly, where can I download it and upload the corrected version of the Request form?	<p>You can download the RO/101 form from the Documents section of the filed IA screen by clicking on the document type "[RO/101] Request form", and in the next window click the standard "download" icon. If the form IB/301 has not yet been issued, please refer to Question 27 below for where to download a copy of the RO/101 without the watermark "Pending processing" indication.</p> <p>To upload the corrected version of the RO/101, go to the "Actions" or "Documents" section of that IA, select "Upload" and then the document type "Correction or addition of priority claim [Rule 26bis.1]".</p>
7	Who is authorized to sign? Can a paralegal prepare forms and sign on behalf of the attorney? Does the attorney need their own authentication?	<p>A paralegal can submit documents but all ePCT Actions and documents should be signed by someone who has the right to represent the applicant, e.g the agent. If you use the Upload Documents function in ePCT and the attached PDF letter is already signed by the agent, you can select the option "Document(s) signed by Applicant/Agent included in the attachment(s)".</p> <p>If the attorney has a WIPO Account, it's recommended to have strong authentication associated to it in order to be shared with access rights of applications, and the attorney can then access the applications in ePCT and sign documents/actions directly.</p>
8	Can an US attorney who is the attorney for the company (applicant of a PCT application) with USPTO Registration, file a request for a change under R92bis with the IB on behalf of the company although the US attorney is not the registered/authorized agent to the PCT application?	The formal requests under PCT must be signed by an authorized person who represents the applicant in the PCT application concerned. Therefore, the attorney must be recorded in the application as the agent in order for him/her to sign and file a change request under PCT R92bis. If the attorney is not the agent of record, he/she can submit the request/ document to the IB (e.g. using ePCT Upload Documents function) but the request should be signed by the applicant or the agent of record.
9	Is it possible to prepare a PCT Request and send it from ePCT to attorney and applicants for signatures before filing the PCT application if the attorney and applicants (clients) do not have WIPO Accounts?	You can use the <a href="#">external signature</a> function to collect a signature from someone who does not have a WIPO Account. However, the RO/101 or other documents should be sent by the person who initiated the external signature to the signatory (i.e. attorney or applicant). Such documents are not sent by the system with the external signature function. There is an unique ID code in the external signature request and on the draft documents concerned that

		you can download from ePCT, to make sure the signatory can identify for which documents he/she is signing.
10	When an applicant has assigned/transferred his rights to another party. Is this a change of person?	Yes, when it is an assignment/a transfer of rights between the applicant and another party, the change is a change of person/applicant.
11	Can I change the name of inventor under Rule 92bis without supporting documents? And if not, what are the supporting documents I need to upload to support my request for change of inventor's name?	For the change of the inventor's name, if the request is signed by the agent of record or an authorized signatory, there is no need to submit supporting documents to the IB.
12	If I want to change our company e-mail address, where do I do that?	The best practice is to submit your request via the ePCT "Action - Rule 92bis change request".
13	Can the Rule 92bis change request also be used to change the customer number for the USPTO?	<p>No. <a href="#">PCT Rule 92bis</a> stipulates that the IB shall, on the request of the applicant or the receiving Office, record changes in the following indications appearing in the request or demand, if the request for recording is received by it before the expiration of 30 months from the priority date:</p> <ul style="list-style-type: none"> <li>(i) person, name, residence, nationality or address of the applicant,</li> <li>(ii) person, name or address of the agent, the common representative or the inventor.</li> </ul> <p>Changes concerning the addition or deletion of indications relating to applicants and/or inventors, the order of applicants and/or inventors in the request form, changes relating to e-mail addresses etc. will also be recorded under Rule 92bis if requested.</p> <p>The customer number for the USPTO cannot be changed under this rule. RO/US should be contacted to update it.</p>
14	How long the access to the PCT application is suspended in ePCT when a request under Rule 92bis is submitted to the IB?	<p>Access is suspended until the change request under Rule 92bis is processed by the IB and Form PCT/IB/306 is issued.</p> <p>It's recommended to use the ePCT "Action – Rule 92bis change request" instead of using the Upload Documents function and selecting the document type "Rule 92bis change request". The Upload Documents function suspends access regardless of the type of change, whereas the ePCT Action will only suspend access if the change concerns:</p> <ul style="list-style-type: none"> <li>(i) Applicant or Agent: change of name, person and/or address</li> </ul>

		<p>(ii) Inventor only (not also applicant): change of name and/or person (change of address will NOT suspend access)</p> <p>(iii) Deletion of Applicant, Inventor or Agent</p> <p>However, adding a new Party (regardless of the type) or submitting a request for change concerning only the nationality, residence, country of address, telephone or facsimile number, e-mail address, notification method, or applicable designations will not result in online access being suspended.</p>
15	We (applicant) have recently uploaded a request for change of applicant address to IB, though we have already an agent on record. We submitted the document signed by authorized signatory in our company. Is that correct?	Anyone can use the Upload Documents function in ePCT to upload a request under PCT R92bis to the IB for a PCT application provided he/she has the PCT application number and the international filing date. The request/document to be uploaded must be signed by an authorized person who can represent the applicant, including such a person from the applicant's company and the agent.
16	When we are not eOwner, can we still upload any document? From find IA outside my Workbench as an applicant?	If you don't have access rights to an application in ePCT, you may still upload documents, only to the IB, using the Upload Documents function. To do so, click "Find IA outside my Workbench" and select the reason "Upload documents".
17	If I file the application for my attorney. Am I the eOwner?	The filer of the PCT application is the default eOwner when ePCT filing is used.
18	If an application is filed in a different receiving Office rather than RO/IB, how long does it take to add it to the ePCT Workbench? Do we have to wait until the application has been published?	If ePCT is used to file your PCT application and it's a RO accepting direct filing that is currently available with 74 ROs, the application will appear straight away on your Workbench even if the application is in RO Phase. However, for RO/US, RO/IL, RO/CA, as it's a two-steps process, before the application is transmitted by the RO to the IB, you only have access to your draft application as filed on your Workbench. It will be linked with the PCT application number when the IB receives the application from the RO.
19	If I need access rights to a PCT application, should I just submit a request or any documents that are required by WIPO?	In order to request eOwnership of a PCT application, you will need to click "Find IA outside my Workbench", enter the PCT application number and International Filing Date, select the reason "Request Access Rights" and follow the steps. Depending on the status of the application, you may need to enter the IB/301 code. For more information, refer to <a href="#">Action: Request access rights to an international application after filing (eOwnership)</a> .

20	Can the eOwner be someone other than the WIPO Registered Representative? Can it be a Paralegal?	Yes, eOwners can be paralegals. They will be able to manage applications in ePCT. However, all ePCT Actions and documents should be signed by someone who has the right to represent the applicant (e.g. the agent).
21	Are there provisions to update eViewer to eEditor by eOwner?	The eOwner of an application can update the access rights status of other eOwners, eEditors and eViewers of the same application. It's up to the eOwner to decide which level of access rights should be assigned to his/her eHandshake users.
22	Regarding having more than one eOwner, what do you recommend for solo law firm practitioners?	The recommendation of minimum two eOwners per application is to avoid the situation that the sole eOwner no longer manages the applications in ePCT and no one else can access the applications. In this case, if another person wants to have access rights to the applications, he/she needs to contact PCT Customer Support Section for the removal of the sole eOwner's ePCT rights. This procedure involves more verification and takes time.  If you are a sole practitioner, the best practice is to make sure that you share access rights with another person before you stop managing the applications in your account, if/when needed.
23	A PCT application is being transferred to my firm, can the current eOwner grant me access before I file the 92bis to request to change the agent of record? Will I still have access to the PCT application after the 92bis is granted?	It is possible that the current eOwner grants you the access rights before removing himself/herself. In such a case, the IB will maintain your access rights when processing the Rule 92bis change request.
24	If a person leaves the company, how can I search all the applications for that particular person that have access rights for the PCT applications in order to remove his or her access rights?	We always recommend our users to have at least two eOwners per application in order to facilitate Access Rights management. If you also have access rights to the IAs concerned and have an eHandshake with the person who left the company, go to the eHANDSHAKES screen -> MY eHANDSHAKES in your account and use <a href="#">Remove all ePCT rights for an eHandshake user</a> function to remove all access rights for a given eHandshake user.  If you don't have access rights to the applications, you will need to contact PCT Customer Support Section to request a removal of ePCT Rights of the person. After the removal, you will be able to submit requests for access rights to the applications.
25	Can an agent (company, registered as a group) define the same access rights to his international applications by all of the employees, and e.g. cancel access to these	If there is one WIPO account at your company having eOwner access rights to all applications, the account holder can establish eHandshake with all employees concerned in order to manage their access rights. The account holder can create an access rights group

	applications when an employee leaves the agent, i.e. company registered as a group?	<p>in his/her account including all these employees with their levels of access rights defined in the group, and then share access rights with them using the access rights group function. In this way, when an employee left the company, this account holder can remove the person's ePCT rights from all applications listed in the person's account in one operation. Please refer to <a href="#">Remove all ePCT rights for an eHandshake user</a>. To avoid any unexpected interruption of this account, which manages others' access rights, it is better to have two such accounts at your company.</p> <p>Please also be reminded that having the person who is going to leave the company remove all ePCT rights himself/ herself before leaving is the recommended way whenever possible.</p>
26	If you filed the PCT application via USPTO EFS-Web, can you still set up eOwners or share access?	Yes, if the draft application is prepared in ePCT, the filer will be the default eOwner and can share access rights even prior filing. If ePCT is not used to file the application, eOwnership can be requested after filing with the IB/301 code.
27	<p>1) Is it possible for a paralegal to prepare a PCT Request and send it via ePCT to the attorney and applicants for signatures before filing the PCT application?</p> <p>2) Is it possible to generate a PCT Request immediately after filing that does not have "Pending processing" all over it?</p>	<p>1) You can prepare a draft application in ePCT and share access of that application with the attorney in order for him/her to review and sign the Request form. In order to do so, you need to establish an eHandshake with the attorney's account first. You can also use <a href="#">external signature</a> function to collect signatures from the attorney and applicants before filing. Meanwhile you will need to download the draft Request form and send it to them outside of ePCT if they need to review it.</p> <p>2) "Pending processing" watermark is added by the system and will be disappeared when the application is processed by the IB and the IB/301 is issued. To get the draft document without the watermark, if it's a RO accepting direct filings, click the small triangle next to the PCT application number and select "View IA as filed via ePCT", then on the next page click the small triangle next to file reference and select "Download draft copy - NOT FOR SUBMISSION (single PDF file)". For RO/US, RO/IL and RO/CA, when it's immediately after filing, you don't have the PCT application number in ePCT but only have the file reference. You can select "Download draft copy - NOT FOR SUBMISSION (single PDF file)" after clicking the small triangle next to the file reference.</p>
28	What is the best way to enable colleagues within a law firm to have eOwner rights to all of that firm's applications, but	The filer who is the default eOwner of their applications can receive all ePCT notifications related to these IAs. Then the filer can add another eOwner to these applications as we recommend to have at least two eOwners per application to facilitate access rights

	to not receive the ePCT mailed notifications for those applications they personally did not file?	management. For other colleagues, the filer can add them as eEditor or eViewer, so they can untick the options for receiving ePCT notifications regarding applications where they have such roles. To do so, go to Notifications -> Preferences, untick eEditor and/or eViewer checkboxes.
29	How can I change my username in ePCT?	The username is unique in the system and cannot be changed after the creation of the WIPO Account, but you can access "MY WIPO ACCOUNT" to change other details in your account.
30	If I were to archive a case on my Workbench would that case also be archived for other eHandshake users/eOwners?	The application will only be archived on your Workbench.
31	If I add a comment to an application in my workbench, is that just for me, or who else can see it?	Warnings are visible to all persons who have access rights to that application and they are notified by an ePCT notification when a warning is added or modified. However, comments are only for yourself. Please also note the IB does not have access to the warnings and comments that you added to applications.
32	Can you create more than one address book? For example, I may wish to separate my client address book from my firm address book.	You can only create one address book in your account. However, your eHandshake contacts can share access rights of their address book with you. You will then have access to several address books. Please refer to <a href="#">Address book</a> .
33	Can the French Patent Office (INPI) be a receiving Office for ePCT?	RO/FR does not accept ePCT-Filings. The full list of Offices accepting ePCT-Filing can be found <a href="#">here</a> .
34	If PCT-SAFE is no longer accepted and a firm usually files via USPTO, how is that going to impact filings? Our firm is not ready to change yet (mostly due to payment methods). Can we file via ePCT and pay later? Firm is not ready to change from Deposit Account (and credit card set up through USPTO) to other payment forms.	Since 2016 it's possible to create a data package in ePCT to be uploaded to EFS-Web of USPTO (or now the new Patent Center), the same as you have been doing with PCT-SAFE. If you do not wish to make the payment at the time of filing, you can select the option "No payment for the time being". The payment options for RO/US are Credit Card, Deposit Account (with USPTO) and "No payment for the time being".
35	Is there a demo mode where we can try out the filing features?	Yes, you can practice in ePCT Demo mode ( <a href="https://pctdemo.wipo.int/">https://pctdemo.wipo.int/</a> ) using the same username and password + strong authentication of your WIPO Account.