

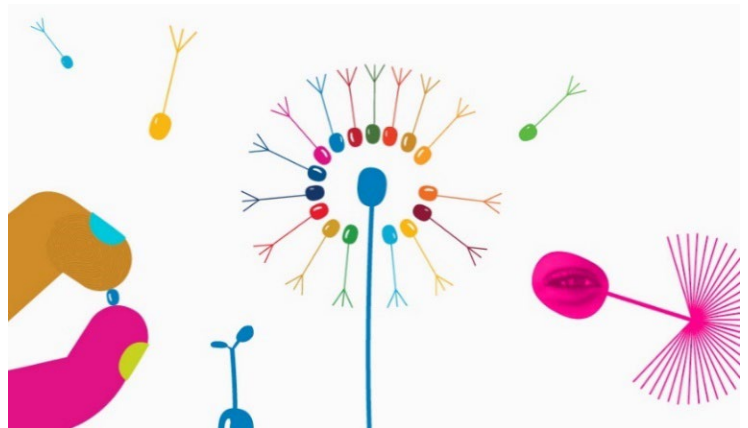
PCT NEWSLETTER

www.wipo.int/pct/en

April 2024 | No. 04/2024

World Intellectual Property Day, 26 April 2024 – Reminder

As already mentioned in *PCT Newsletter* No. 01/2024, [World Intellectual Property Day \(World IP Day\)](#) will be held on 26 April 2024. This year's theme, "IP and the SDGs: Building our common future with innovation and creativity", explores how intellectual property (IP) supports our drive to build a better future and meet the [United Nations Sustainable Development Goals \(SDGs\)](#).



To publicize all World IP day events, please enter details of World IP Day events you are organizing on the World IP Day events page at:

<https://www.wipo.int/ip-outreach/en/ipday/2024/events-calendar.html>

and feel free to enter your details or nominate a colleague or a friend for the World IP Day Changemaker's Gallery at:

<https://www.wipo.int/en/web/ipday/wipd-2024-gallery>

Also, don't forget to take part in the online public vote to select the winners of the People's Choice Prize at:

<https://wipo-wipd-2024-video-competition.wipo.int/entry/vote/EoeeKmdd>

A chronological evolution of the filing of PCT applications relating to the SDGs can be found at:

<https://public.flourish.studio/visualisation/17033752/>

More information on the PCT and the SDGs (including several representative examples of published PCT applications which relate to specific SDGs) is available at:

<https://www.wipo.int/pct/en/pct-sdg.html>

Don't miss out on our upcoming PCT Seminars, Webinars, and other PCT-related events – consult the PCT Seminar Calendar in this issue!



New WIPO Report Mapping Innovations: Patents and the Sustainable Development Goals

In conjunction with the 2024 World IP Day theme, the new WIPO report “Mapping Innovations: Patents and the Sustainable Development Goals” provides an extensive analysis of patents mapped to the Sustainable Development Goals (SDGs) and highlights the role of patents in advancing toward the achievement of the SDGs. This comprehensive guide serves to illuminate the path forward in a world where innovation and sustainability are intertwined. The report is available at:

<https://www.wipo.int/web/patent-analytics/mapping-innovations-patents-sustainable-development-goals>

Change to Publication Schedule

Publication of 9 May 2024

Due to the fact that Thursday, 9 May 2024, will be a non-working day at WIPO, PCT applications (as well as any *Official Notices (PCT Gazette)*) which would normally have been published on that day will be published on Friday, 10 May 2024. The date of completion of technical preparations for that publication will, however, remain unchanged, and any changes that should be taken into account for the purposes of international publication should be received by the International Bureau by midnight (Central European Summer Time (CEST)) on Tuesday, 23 April 2024.

Revised Version of WIPO Standard ST.26

In accordance with the Administrative Instructions under the PCT, Annex C, paragraph 5, and following the adoption of version 1.7 of WIPO Standard ST.26 by the eleventh session of the Committee on WIPO Standards (see document CWS/11/3 and paragraphs 49 and 50 of document CWS/11/27), the Director General has decided that the new version of the Standard will come into force for international applications filed on or after 1 July 2024. Sequence listings submitted after filing concerning applications filed prior to 1 July 2024 may use either version 1.6 or 1.7 of the Standard.

In practice, because the differences between versions 1.6 and 1.7 of the Standard are editorial in nature, applicants should continue to use WIPO Sequence to prepare sequence listings as it is compliant with both versions 1.6 and 1.7 of the Standard.

For further information please refer to:

<https://www.wipo.int/export/sites/www/standards/en/pdf/03-26-01.pdf>

WIPO Fee Transfer Service

It is recalled that, since 1 July 2020, any receiving Office, International Searching Authority, Authority specified for supplementary search or International Preliminary Examining Authority may participate in the WIPO Fee Transfer Service as a “participating Office”, in which PCT fees are transferred from one Office (the “collecting Office”) to another (the “beneficiary Office”) via the International Bureau (for further information, please refer to PCT/WG/12/20 at: https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=436911).

On 11 April 2024 the International Bureau (IB) published information on the Offices that have notified the IB of their participation, or of a change in the scope of their participation in the WIPO Fee Transfer Service in the *Official Notices (PCT Gazette)* (from page 77) at:

https://www.wipo.int/pct/en/docs/official_notices/officialnotices.pdf

Electronic Filing and Processing of International Applications

United States of America: EFS-Web no longer available

The United States Patent and Trademark Office has informed the International Bureau that, since 16 November 2023, in its capacity as receiving Office, it no longer accepts the filing of international applications in electronic form using EFS-Web. Applicants may continue to use Patent Center to file and manage international applications.

ePCT Update

A new version of the ePCT system was deployed on 15 April 2024. For full details on the new features of this version for applicants and for receiving Offices, designated Offices and International Authorities, please refer, respectively, to:

<https://www.wipo.int/pct/en/epct/learnmore.html?N=1710> and

<https://www.wipo.int/ipportal-support/epct-office-user-guide/faq>

A summary of the main new features follows.

What’s new in ePCT for applicants?

- Management of access rights following a request for change under PCT Rule 92*bis* is now an applicant self-service: more information can be found in the Practical Advice of this issue and the new ePCT video tutorial “Manage Access Rights following a Rule 92*bis* change request” available at <https://multimedia.wipo.int/wipo/en/pct/suspended-access-rights-2024-02-26-720p.mp4>;
- Signature requirements: only the common representative, deemed common representative (first named applicant who has the right to file the international application before the receiving Office according to nationality and residence) and appointed agent (Chapter I) are available to be selected to sign on most post-filing online actions in ePCT;

In the signature section, the “signatory” drop-down list showing the applicant, the agent (Chapter I) or the common representative, will continue to be displayed but only the parties authorized to sign will be active for selection. Parties not authorized to sign are

still displayed but are greyed-out with an indication next to the name and capacity as “[not authorized to sign]”;

- A new checkbox to confirm the authorization to sign on behalf of the Applicant (legal entity) or Agent (legal entity) must now be checked: this improvement concerns most ePCT post-filing online actions submitted to the IB;

When the selected signatory is an applicant (legal entity) or agent (legal entity), the signatory “capacity” field has been replaced with the aforesaid mandatory checkbox to confirm the authorization to sign on behalf of the applicant (legal entity) or agent (legal entity). For ePCT filings to RO/IB, the checkbox was already available for applicants (legal entities) to confirm their authorization to sign, and this feature has now been added for the agents (legal entities);

- Filing with RO/US – agent must be a natural person: when the selected receiving Office is RO/US, any agent to be added must be a natural person and the legal entity option is now greyed out;
- Business Continuity Service (BCS) Filing – change receiving Office to RO/IB before filing: when preparing an application in the BCS, it is now possible to change the selected receiving Office to RO/IB when another receiving Office had previously been selected; and
- The function “View document as it will be rendered at the IB” has been renamed to “Preview rendering of document after submission” for clarity – there is no change in the way the button/link works.

What’s new in ePCT for Offices?

In this version of ePCT, improvements have been implemented for the following features:

- RO:
 - It is now possible to attach documents to Forms PCT/RO/123 and PCT/RO/136 from the IA Documents section;
 - New ePCT Actions to generate Forms PCT/RO/158 and PCT/RO/159;
- ISA:
 - Import of citations data into Form PCT/ISA/237;
 - Save draft for Form PCT/ISA/212;
 - New task ‘Start international search’;
 - Automatic addition of E and P category patent documents into Form PCT/ISA/237;
 - Addition of “NONE” checkbox in Box V of Form PCT/ISA/237;
 - IPC format on Form PCT/ISA/210 aligned with Form PCT/ISA/237;
- ISA/IPEA:
 - New feature to import the text of the claims into Forms PCT/ISA/237, PCT/IPEA/408 and PCT/IPEA/409;

- Simple free-text field upgraded to an embedded text editor;
- Addition of new Unity clauses.

More details are available under “What’s New?” of the ePCT Office User Guide and FAQs at:

<https://www.wipo.int/ipportal-support/epct-office-user-guide/faq?selected=0>

As usual, Offices are encouraged to provide their feedback and to discuss their needs with the PCT International Cooperation Division at: pcticd@wipo.int.

Questions about the current ePCT system can be sent to the PCT eServices Help Desk via the ‘Contact Us’ link at:

<https://pct.eservices.wipo.int/direct.aspx?UG=4&T=en&N=769>

Exceptional Non-working Days

Intellectual Property Office of Singapore

The Intellectual Property Office of Singapore has notified the International Bureau that, due to the upgrade of its electronic filing system, it is extending the days on which it will not be open to the public for the transaction of official business. The additional dates are from Thursday 2 May 2024 to Monday 13 May 2024, inclusive (Wednesday 1 May 2024 was already scheduled as a closed date for the Office).

Consequently, pursuant to PCT Rule 80.5, if the expiration of any period during which any document or fee in connection with an international application is required to reach the Office falls on one of those days, that period will be extended so as to expire on the next succeeding business day, which is, Tuesday 14 May 2024.

For further information, please refer to the information published on the IPOS website at:

<https://www.ipos.gov.sg/news/updates/ViewDetails/circular--excluded-days-from-1-may-2024-to-13-may-2024-for-business-under-ip-acts-and-rules/>

Unavailability of the ePCT System

In accordance with PCT Rule 82*quater*.2(a), the International Bureau (IB) informs PCT users of the unavailability of the ePCT system during the following period:

28 March 2024, from 2:50 p.m. to 4:40 p.m. Central European Time.

Applicants who did not meet a time limit fixed in the PCT Regulations due to this particular unavailability may request excuse of delay in meeting that time limit under PCT Rule 82*quater*.2, in accordance with the applicable conditions announced in the notification of the IB published in the *Official Notices (PCT Gazette)* of 16 November 2023 (p.217 et seq.).

PCT Information Update

FI Finland (institutions with which deposits of microorganisms and other biological material may be made)

The address of the VTT Culture Collection (VTTCC), an International Depositary Authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, has changed as follows:

VTT Technical Research Centre of Finland
Tekniikantie 21
Espoo
Finland

Furthermore, the Office has specified the following storage conditions regarding the kind of microorganisms that may be deposited:

Bacteria (including actinomycetes) and fungi (including yeasts) that can be preserved without significant damage to or loss of their properties or viability in liquid nitrogen or by freeze-drying.

India (fee reductions)

The Indian Patent Office has notified changes with effect from 15 March 2024 to the conditions of eligibility for the reduction in the search fee, additional search fee, protest fee and late furnishing fee for sequence listings payable to it as International Searching Authority, as well as in the conditions of eligibility for reduction in the preliminary examination fee, additional fee, protest fee, and late furnishing fee for sequence listings payable to it as International Preliminary Examining Authority – the fees are reduced by 75% where the applicant is a natural person, startup, small entity, or an educational institution.

(Updating of *PCT Applicant's Guide*, Annex D (IN) and Annex E (IN))

Search fee (Egyptian Patent Office, Israel Patent Office)

As from 1 May 2024, there will be a change in the equivalent amount payable in CHF for an international search carried out by the Israel Patent Office. The new amount will be CHF 964.

As from 1 June 2024, there will be a change in the equivalent amounts payable in CHF, EUR and USD for an international search carried out by the Egyptian Patent Office. The new amounts will be CHF 76, EUR 78 and USD 84.

(Updating of *PCT Applicant's Guide*, Annex D (EG and IL))

Warning About Requests for Payment of Fees

New invitation

Further to the many warnings that have been published in the *PCT Newsletter* about invitations to PCT applicants and agents to pay fees that do not come from the International Bureau of WIPO (IB) and are unrelated to the processing of international applications under the PCT, a new invitation has been identified originating from “EPTP – European Patent & Trademark Protection”. To view an example of the invitation, as well as the many other examples that have

been brought to the attention of WIPO by PCT users, and for further information on such requests in general, please refer to:

https://www.wipo.int/pct/en/warning/pct_warning.html

PCT applicants and agents should note that it is the IB alone which publishes all PCT applications promptly after the expiration of 18 months from the priority date (PCT Article 21(2)(a)); there is no separate fee for such international publication, and the legal effects of international publication are set out in PCT Article 29.

If they have not already done so, PCT applicants and agents are advised to share this information with the persons responsible for handling payments of fees within their organizations, as well as to the attention of inventors who might also receive such requests. In case of doubt in relation to any such invitation, please do not hesitate to contact the IB at:

Telephone: (+41-22) 338 83 38

Fax: (+41-22) 338 83 39

E-mail: pct.legal@wipo.int

We also encourage PCT applicants, agents or inventors (PCT users) to take action with their governments or consumer protection associations. A suggested text for making complaints and a list of “Government authorities/consumer protection associations receiving complaints” are available at the above-mentioned web page.

New entries for publication in the *PCT Applicant’s Guide*

Following consultation with Offices via PCT Circular C. PCT 1659 (<https://www.wipo.int/export/sites/www/pct/en/docs/circulars/2023/1659.pdf>) the International Bureau is pleased to announce the inclusion in the *PCT Applicant’s Guide* of the new questions referred to in the Circular, in order to enhance the overall utility and comprehensiveness of the *Guide*.

The International Bureau is currently collecting answers to these questions from Offices of Contracting States and will publish them in the *PCT Applicant’s Guide* once they are available. A number of Offices have already provided the answers which have been published accordingly.

For further information on a particular State or Office, please refer to the *PCT Applicant’s Guide*, at:

<https://www.wipo.int/pct/en/guide/index.html>

New/Updated PCT Resources

New webinar recordings

Webinars in Russian

A recording of the following webinar in Russian:

- PCT System: Filing an International Application via ePCT – Live Demonstration (14 March 2024)

as well as the supporting documents, can now be accessed at:

<https://www.wipo.int/pct/ru/seminar/webinars/index.html>

Practical Advice

Access rights management in ePCT following a change of agent

Q: I am taking over representation of an international application and plan to submit the request for recording the change under PCT Rule 92bis, along with the power of attorney from the applicant, via ePCT. I have heard that the processing of access rights in ePCT has changed. As the new agent, how can I now get access rights to the application in ePCT?

A: Ideally, when making changes to an applicant or agent who has access rights to an international application in ePCT, it is recommended that someone with "eOwner" status in ePCT modifies the access rights *before* submission of the request for change under PCT Rule 92bis. This way, in the case of a change of agent, the outgoing agent with eOwner access rights in ePCT can assign access rights to the new agent in ePCT, provided that the new agent has a WIPO account with a strong authentication method and has a connection with the original agent. This will save you from having to submit a new online Access Rights request via the ePCT system and allow you to submit the request for change directly as an 'Action'.

Detailed procedures are available at:

<https://www.wipo.int/pct/en/epct/learnmore.html?N=527>

However, if this is not the case and the previous agent has not provided you with access rights to the application in ePCT, and if the application has not yet been published, you will need to use the normal upload function in ePCT to submit your letter requesting the change of agent under PCT Rule 92bis, making sure that you include your email address and the new file reference (if applicable), and a power of attorney signed by the first-named applicant or common representative, in order to appoint you as the new agent (please refer to "Upload Documents" at <https://www.wipo.int/pct/en/epct/learnmore.html?N=820> for more information). Note that if the application has already been published, you will be able to change the agent of record using an ePCT 'Action' (instructions can be found at <https://www.wipo.int/pct/en/epct/learnmore.html?N=854>).

As soon as a PCT Rule 92bis change request is submitted to the International Bureau (IB) using either the upload function or using a "Rule 92bis change request" action for a change of agent, ePCT online access to that application is automatically suspended. Previously, user access rights following a PCT Rule 92bis change were managed by the IB, but the applicant is now able to remove or reinstate access rights without IB intervention.

Once the IB has processed the change request, a new email notification entitled "Confirm ePCT access rights" is sent to the new agent (provided that you included your email address in the request for change). This notification outlines all the existing access rights as eOwner, eEditor, or eViewer and provides a link to an external page from which you, as new representative, must verify these rights and make any necessary removals.

The external page entitled "Confirm ePCT access rights" displays the names of those with current access rights and from the "Access rights" button, offers you two options:

- "Remove all access rights" removes all current access rights in ePCT, making the application eligible for a new access rights request (from you, in this case) via ePCT.
- "Keep current access rights" which reactivates access for the listed individuals.

As soon as you confirm the decision by clicking "I confirm the decision regarding access rights," access in ePCT will be updated and ePCT access to the application will be restored. For more detailed information, please refer to the video tutorial "Manage access rights following a Rule 92*bis* change request" available at:

<https://multimedia.wipo.int/wipo/en/pct/suspended-access-rights-2024-02-26-720p.mp4>

For security reasons, the link to confirm ePCT access rights expires after seven days. If no action is taken within this period, a new link can be requested from the email notice of expiry by clicking "Resend new link". ePCT access to the international application will remain suspended until the new agent has confirmed or denied the existing access rights in ePCT (please refer to <https://www.wipo.int/pct/en/epct/learnmore.html?N=525> for further information).

As the new agent, if you have received the Form PCT/IB/306 (Notification of the Recording of a Change) and have removed the existing access rights for the application concerned, you can submit your request for access rights. Full instructions can be found at:

<https://www.wipo.int/pct/en/epct/learnmore.html?N=1637>)

and in the video tutorial "Request Access Rights after Filing" available at:

<https://multimedia.wipo.int/wipo/en/pct/request-access-rights-after-filing-2023-01-23-720p.mp4>

Note that, if the e-mail address of the new agent recorded by the IB corresponds with the e-mail address associated with your WIPO Account which will be used to request the access rights, your access rights request will be automatically approved by the system.

If the application has not yet been published, the code indicated on PCT Form/IB/301 will be required as part of the process for requesting access rights to the application. If you do not have access to this form, please refer to "I'm the new agent and I don't have access to the IB/301 code to request access rights before publication" at:

<https://www.wipo.int/pct/en/epct/learnmore.html?N=938>

It is important to ensure you always have two eOwners per application to facilitate the management of access rights.

More information on access rights in ePCT can be found at:

<https://www.wipo.int/pct/en/epct/learnmore.html?N=693> and

<https://www.wipo.int/pct/en/epct/learnmore.html?N=694>

and from the ePCT video tutorials at:

https://www.wipo.int/pct/en/epct/access_rights.html

For more details on submitting change requests under PCT Rule 92*bis*, please refer to the "Practical advice" in *PCT Newsletter* Nos. 02/2012 and 03/2012 and the *PCT Applicant's Guide*, International Phase, paragraphs 11.018 to 11.022.

