

# PCT NEWSLETTER

[www.wipo.int/pct/en](http://www.wipo.int/pct/en)

September 2024 | No. 09/2024

## Advanced PCT Seminar at WIPO Headquarters

As previously announced, an advanced PCT seminar will be held at WIPO Headquarters in Geneva and online on 2 and 3 October 2024. The program will be conducted by the experienced PCT staff of the International Bureau and a guest speaker from the USPTO. The seminar is aimed at patent administrators, practitioners, and other users who are already familiar with the PCT system looking to deepen their knowledge, gain best practice tips and stay informed about the latest developments in the PCT system.

The first day will be offered in hybrid format, covering topics on best practices during the international phase and particular issues concerning entry into the national phase. The second day will include hands-on workshops on legal and processing issues, an ePCT clinic and visits with the PCT Operations Teams for participants attending in person.

There is no registration fee for the two-day seminar and the deadline for registrations is by close of business 27 September 2024. Interested persons may still register for online participation by 1 October 2024.

The full program is available at:

[https://www.wipo.int/edocs/mdocs/pct/en/wipo\\_pct\\_adv\\_ge\\_24/wipo\\_pct\\_adv\\_ge\\_24\\_www\\_634756.pdf](https://www.wipo.int/edocs/mdocs/pct/en/wipo_pct_adv_ge_24/wipo_pct_adv_ge_24_www_634756.pdf)

Further details including the list of speakers can be found at:

[https://www.wipo.int/pct/en/news/2024/news\\_0023.html](https://www.wipo.int/pct/en/news/2024/news_0023.html)

For more information on attending in person or online, and to register, please send an email to:

[pct.training@wipo.int](mailto:pct.training@wipo.int)

## Extension of the Pilot XML Rendering Arrangement for Publication of All International Applications Filed in XML Format

As announced in *PCT Newsletter* Nos. 10/2023 and 05/2024, the International Bureau (IB) has launched a pilot XML rendering arrangement for the publication of international applications, with an aim to better display modifications made to international applications and make more effective and consistent use of the XML data.

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

Based on the experience gained so far and following discussions with relevant Offices, the IB has decided to extend the pilot to all international applications filed in XML format, irrespective of the receiving Office, starting in October 2024.

For further information about the pilot, please refer to PCT Circular C. PCT 1656 at:

<https://www.wipo.int/export/sites/www/pct/en/docs/circulars/2023/1656.pdf>

### **Unavailability of Electronic Filing Services on 19 August 2024**

The filing of international applications was not available either through ePCT-Filing or through the ePCT Business Continuity Service during the following period:

19 August 2024, from 2:00 a.m. to 11:14 a.m. Central European Summer Time (CEST)

This affected filing of applications with the receiving Office of the International Bureau and with the other receiving Offices accepting filings directly from ePCT.

PCT applicants who were unable to file their applications within the priority period due to this particular unavailability but who are able to file them within 2 months from the expiration of the 12-month period, may request restoration of the right of priority under PCT Rule 26*bis*.3 before the receiving Offices which apply this provision. The receiving Office of the International Bureau applies this Rule.

### **Electronic Filing and Processing of International Applications**

#### **Industrial Property Office of Mauritius (IPOM) to begin receiving and processing international applications in electronic form**

The Industrial Property Office of Mauritius (IPOM), in its capacity as receiving Office, has notified the International Bureau (IB) under PCT Rules 89*bis*.1(d) and 89*bis*.2 that, with effect from 1 November 2024, it is prepared to receive and process international applications in electronic form. The Office will accept international applications filed in electronic form using ePCT-Filing. The applicable electronic filing fee reductions listed in item 4 of the Schedule of Fees are indicated in Fee Table I(a).

The notification containing the requirements and practices of the Office with regard to the filing of international applications in electronic form was published in the *Official Notices (PCT Gazette)* on 19 September 2024 at:

[https://www.wipo.int/pct/en/official\\_notices/index.html](https://www.wipo.int/pct/en/official_notices/index.html)

(Updating of *PCT Applicant's Guide*, Annex C (MU))

#### **Industrial Property Organization (OBI) (Greece) to begin receiving and processing international applications in electronic form**

The Industrial Property Organization (OBI) (Greece), in its capacity as receiving Office, has notified the IB under PCT Rules 89*bis*.1(d) and 89*bis*.2 that, with effect since 19 September 2024, it is prepared to receive and process international applications in electronic form. The Office will accept international applications filed in electronic form using ePCT-Filing and Front Office (GR epatents). The applicable electronic filing fee reductions listed in item 4 of the Schedule of Fees are indicated in Fee Table I(a).

The notification containing the requirements and practices of the Office with regard to the filing of international applications in electronic form was published in the *Official Notices (PCT Gazette)* on 19 September 2024 at:

[https://www.wipo.int/pct/en/official\\_notices/index.html](https://www.wipo.int/pct/en/official_notices/index.html)

(Updating of *PCT Applicant's Guide*, Annex C (GR))

### **Korean Intellectual Property Office (KIPO) – requirements and practices regarding the filing of international applications in electronic form**

The Korean Intellectual Property Office (KIPO), which already accepts international applications filed via ePCT-Filing, has updated its notification containing the requirements and practices of the Office with regard to the filing of international applications, as well as documents relating thereto, in electronic form. For further details, see the *Official Notices (PCT Gazette)* of 2 August 2024 at:

[https://www.wipo.int/pct/en/official\\_notices/index.html](https://www.wipo.int/pct/en/official_notices/index.html)

(Updating of *PCT Applicant's Guide*, Annex C (KR))

### **Updated notification concerning the China National Intellectual Property Administration (CNIPA)**

Further to the information published in *PCT Newsletter* No. 09/2023, the notification containing the requirements and practices of the China National Intellectual Property Administration (CNIPA) with regard to the filing of international applications in electronic form has been updated, and was published in the *Official Notices (PCT Gazette)* on 12 September 2024 at:

[https://www.wipo.int/pct/en/official\\_notices/index.html](https://www.wipo.int/pct/en/official_notices/index.html)

## **Exceptional Non-working Days**

### **Intellectual Property Office of the Philippines**

Due to inclement weather conditions, the Intellectual Property Office of the Philippines was not open to the public for the purposes of the transaction of official business on 24 and 25 July 2024, and 28 August 2024.

Consequently, pursuant to PCT Rule 80.5(i), if the expiration of any period during which any document or fee in connection with an international application was required to reach the Office fell on one of those days, that period is extended so as to expire on the next subsequent business day.

### **Mexican Institute of Industrial Property**

Due to the unavailability of its electronic systems, the Mexican Institute of Industrial Property was not open to the public for the purposes of the transaction of official business on 8 and 9 August 2024. 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 was required to reach the Office fell on that day, that period was extended so as to expire on the next subsequent business day, which was 12 August 2024.

This information updates the list of closed dates, as furnished to the IB by Offices, which is available at:

<https://pct.wipo.int/ePCTExternal/pages/ClosedDates.xhtml>

## WIPO Digital Access Service for Priority Documents

It is recalled that, by using the WIPO Digital Access Service for Priority Documents (DAS), a PCT applicant can request the International Bureau (IB) to retrieve a copy of an earlier application from DAS for use as a priority document, instead of providing or arranging for the provision of a certified copy. Note that, in order to be able to make use of the DAS service, it is the Office with which the earlier application was filed which needs to be a DAS depositing Office, and not necessarily the receiving Office with which the international application is filed.

### Belgian Intellectual Property Office (IPObel)

The Belgian Intellectual Property Office (IPObel), which has already been an accessing Office for national patent applications and national utility model applications since 1 November 2020, has notified the IB that, as from 1 September 2024, it extended the scope of its participation in DAS to include operation as a depositing Office for national patent applications.

The corresponding DAS Notification, which contains further information, is available at:

[https://www.wipo.int/en/web/das/participating\\_offices/search-details?territoryId=15](https://www.wipo.int/en/web/das/participating_offices/search-details?territoryId=15)

## PCT Information Update

### AU Australia (fees)

The transmittal fee will no longer be payable to the Australian Patent Office as receiving Office with effect from 1 October 2024.

Furthermore, the amounts of the following national fees, payable to the Office as designated (or elected) Office, will also change with effect from the same date, as follows:

Filing fee:

- where the following preferred means for specific transactions are used: eServices or Business to Business (B2B): .....AUD 400
- where other means such as mail or at a counter are used for specific transactions: .....AUD 600

(Updating of *PCT Applicant's Guide*, Annex C (AU) and National Chapter, Summary (AU))

### BE Belgium (name of Office)

The Intellectual Property Office (Belgium) has notified the International Bureau (IB) that the name of the Office is as follows:

Name of Office: Belgian Intellectual Property Office (IPObel)

(Updating of *PCT Applicant's Guide*, Annex B (BE))

**CA Canada (fees; requests for restoration of the right of priority; copies of documents cited in the international search and preliminary examination reports)**

As from 1 November 2024, there will be a change in the equivalent amounts of the international filing fee and the fee per sheet over 30, payable in CAD to the Canadian Intellectual Property Office as receiving Office, as well as a change in the equivalent amounts in CAD of the applicable fee reductions listed in item 4 of the Schedule of Fees, as indicated in Fee Table I(a).

The Canadian Intellectual Property Office as receiving Office has notified a change of the amount of the transmittal fee, payable to it with effect from 1 January 2025. The new amount is CAD 434.30.

The amounts of the following national fees, payable to the Office as designated (or elected) Office, will also change with effect from the same date, as follows (other fees not indicated have not changed):

Basic national fee: .....	CAD 579.42	(234.90) <sup>1</sup>
Additional fee for reinstatement of rights (late entry into the national phase): .....	CAD 289.19	

Furthermore, the Office has notified the IB of a new amount of the maintenance fee component of its national fee, payable in CAD to the Office in its capacity as designated (or elected) Office, with effect from 1 January 2025. This amount, payable in respect of each one-year period and due at the time of entry into the national phase, where that entry is effected on or after the 2<sup>nd</sup> or possibly 3<sup>rd</sup> anniversary of the international filing date, is CAD 125, or CAD 58.68 if the applicant is a small entity.

Additionally, the Office has provided further details concerning requests for restoration of the right of priority (PCT Rule 49<sup>ter</sup>.2). The Office does not accept requests under PCT Rule 49<sup>ter</sup>.2 but does, as a designated Office, accept requests for restoration of the right of priority under subsection 28.4(6) of the Canadian Patent Act and section 77 of the Canadian Patent Rules.

The Office, in its capacity as ISA and IPEA, has also notified the IB of a change concerning how applicants and designated (or elected) Offices can contact the Authority to obtain copies of documents cited in the international search report and the international preliminary examination report, as follows:

E-mail: [cipobpctpractice-opicpratiquepctdb@ised-isde.gc.ca](mailto:cipobpctpractice-opicpratiquepctdb@ised-isde.gc.ca)

(Updating of *PCT Applicant’s Guide*, Annexes C (CA), D (CA) and E (CA) and National Chapter, Summary (CA))

**CN China (special requirements for entry into the national phase; fees)**

There has been a change in the special requirement under PCT Rule 51<sup>bis</sup> concerning the instrument of assignment of the international application, with effect since 20 January 2024. The

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1 The amount in parentheses is applicable only if the applicant is entitled to pay certain fees at the “small entity” level. For further details about entitlement to “small entity” status, please refer to the *PCT Applicant’s Guide*, National Chapter, Summary (CA).

consolidated list of special requirements under this Rule is now as follows<sup>2</sup>:

- Name of the inventor if it has not been furnished in the request part of the international application<sup>3</sup>;
- Instrument of assignment of the priority right where the applicants are not identical<sup>3</sup>;
- If necessary, the documents certifying that the applicant as changed is entitled to the application;
- Appointment of an agent;
- Evidence concerning exceptions to lack of novelty if the applicant claims such exceptions in respect of the international application;
- Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form.

Furthermore, there has been a change in the conditions for exemptions, reductions or refunds of the national fee, which are now as follows:

- The filing fee and the additional filing fee for an international application entering the national phase shall be exempted, when the CNIPA acts as the receiving Office and the International Searching Authority;
- No examination fee is payable if the international search report and the international preliminary report on patentability have been issued by the CNIPA;
- A refund of 50% of the examination fee may be requested where the application has entered the substantive examination stage and the application is voluntarily withdrawn prior to the expiration of the time limit for responding to the first examination opinion (except when a response has already been submitted).

(Updating of *PCT Applicant's Guide*, National Chapter, Summary (CN))

### **CO Colombia (location and mailing address; telephone number; fees; discontinuance of use of fax machine)**

The location and mailing address and telephone number of the Superintendence of Industry and Commerce (Colombia) have changed, and now include an alternate address for its correspondence and filing service, as follows:

Location and mailing address: Carrera 13 No. 27-00, Piso 3  
Bogotá  
D.C.  
Colombia

Correspondence and filing service: Av. Carrera 7 Nos. 31a - 36, Piso 3  
Bogotá  
D.C.  
Colombia

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<sup>2</sup> If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

<sup>3</sup> This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

Telephone: (57-601) 587 00 00

The Office has also informed the IB that it has discontinued the use of its fax machine and therefore no longer accepts the filing of documents by fax.

In addition, the amounts of the transmittal fee, payable in COP to the Superintendence of Industry and Commerce (Colombia) as receiving Office, have changed with effect from 26 March 2024:

Transmittal fee:

- Electronic filing:.....COP 326,000
- Paper filing:.....COP 431,000

Furthermore, the amounts of several components of the national fee, payable to the Office as designated (or elected) Office, have also changed with effect from the same date. The new amounts are as follows:

	Online	On paper
For patent:		
Filing fee: .....	COP 107,000	132,500
Annual fee for the first to the fourth year, per year: .....	COP 351,500	422,000
– amount applicable in case of late payment within a grace period of six months from the due date:.....	COP 522,500	627,000
For utility model:		
Filing fee: .....	COP 95,000	116,500

(Updating of *PCT Applicant's Guide*, Annexes B (CO), C (CO) and National Chapter, Summary (CO))

### DE (telephone numbers)

The German Patent and Trade Mark Office has deleted one of its telephone numbers for contact purposes.

The number to be used is now as follows:

Telephone: (49-89) 2195-1000

(Updating of *PCT Applicant's Guide*, Annex B (DE))

### GR Greece (electronic filing)

For information on the acceptance, with effect from 19 September 2024, by the Industrial Property Organization (OBI) (Greece) as receiving Office, of international applications filed using ePCT-Filing and Front Office (GR epatents), as well as information on the electronic filing fee reductions listed in item 4 of the Schedule of Fees that are applicable, please refer to “Electronic Filing and Processing of International Applications”, above.

## HU Hungary (national security provisions)

The Hungarian Intellectual Property Office (HIPO) has provided details to the IB concerning restrictions in its national legislation which are applicable when filing international applications with other Offices. Please refer to the *PCT Applicant's Guide*, Annex B (HU), and the table entitled "International applications and national security considerations" at:

[https://www.wipo.int/pct/en/texts/nat\\_sec.html](https://www.wipo.int/pct/en/texts/nat_sec.html)

(Updating of *PCT Applicant's Guide*, Annex B (HU))

## IN India (e-mail addresses; who can act as agent; fees)

The Indian Patent Office has notified the IB of an additional e-mail address. The e-mail addresses to be used are now as follows:

E-mail:                      [kolkata-patent@nic.in](mailto:kolkata-patent@nic.in)  
                                     [delhi-patent@nic.in](mailto:delhi-patent@nic.in)  
                                     [patentin-pct@nic.in](mailto:patentin-pct@nic.in)  
                                     [roin.ipo@nic.in](mailto:roin.ipo@nic.in)  
                                     [chennai-patent@nic.in](mailto:chennai-patent@nic.in)  
                                     [mumbai-patent@nic.in](mailto:mumbai-patent@nic.in)

The Office has also notified the IB that the list of registered patent attorneys who can act as agents is now available at:

<https://iprsearch.ipindia.gov.in/AgentRegister/>

The category of applicant to which reduced fees, payable to the Office as receiving Office and designated (or elected) Office, are applicable, has changed with effect since 15 March 2024 to include "educational institution(s)". The applicant category is now as follows:

"natural person(s) or startup(s) or small entity(ies) or educational institution(s)."

Furthermore, there have been changes in the amounts of the following fees, payable to the Indian Patent Office as receiving Office, as follows:

	<i>Natural person(s)</i>	<i>Others</i>
Fee for priority document <sup>4</sup> up to 30 pages:		
– paper transmission:		
for an application filed electronically.....	INR 1,000	5,000
for an application filed on paper .....	INR 1,100	5,500

Additionally, the address of the Office's website at which the Office's fee schedule is available,

<sup>4</sup> The Indian Patent Office is a Participating Office in the WIPO Digital Access Service (DAS) (refer to *PCT Applicant's Guide*, Annex B (IN)). No fee is required by the Office where, as a depositing Office, it has made a certified copy of the priority document available through DAS.



has changed to:

[https://ipindia.gov.in/writereaddata/Portal/ev/schedules/Schedule\\_1.pdf](https://ipindia.gov.in/writereaddata/Portal/ev/schedules/Schedule_1.pdf)

(Updating of *PCT Applicant's Guide*, Annexes B (IN), C (IN) and National Chapter, Summary (IN))

### **IT Italy (location)**

The location of the Italian Patent and Trademark Office has changed to the following:

Location: 22, Via Quattro Fontane  
00184 Roma  
Italy

(Updating of *PCT Applicant's Guide*, Annex B (IT))

### **LA Lao People's Democratic Republic (time limit for entry into the national phase)**

The Department of Intellectual Property, Ministry of Science and Technology (Lao People's Democratic Republic), in its capacity as designated and elected Office, has notified the IB of a change in the time limit applicable for entry into the national phase under PCT Articles 22(1) and 39(1)(a). The new time limit is 30 months from the priority date and is applicable since 30 March 2023.

(Updating of *PCT Applicant's Guide*, National Chapter, Summary (LA))

### **MU Mauritius (competent International Searching and Preliminary Examining Authorities; electronic filing)**

The Industrial Property Office of Mauritius (IPOM) has specified, with effect from 1 September 2024, the Austrian Patent Office, in addition to the Australian Patent Office and the European Patent Office (EPO), as competent International Searching and Preliminary Examining Authority for international applications filed by nationals and residents of Mauritius with the Industrial Property Office of Mauritius (IPOM) (or with the IB) as receiving Office.

For information on the acceptance, with effect from 1 November 2024, by the Industrial Property Office of Mauritius (IPOM) as receiving Office, of international applications filed using ePCT-Filing, as well as information on the electronic filing fee reductions listed in item 4 of the Schedule of Fees that will be applicable, please refer to "Electronic Filing and Processing of International Applications", above.

(Updating of *PCT Applicant's Guide*, Annex C (MU))

### **NO Norway (fees)**

As from 1 November 2024, there will be a change in the equivalent amounts of the international filing fee and the fee per sheet over 30, payable in NOK to the Norwegian Industrial Property Office as receiving Office, as well as a change in the equivalent amounts in NOK of the applicable fee reductions listed in item 4 of the Schedule of Fees, as indicated in Fee Table I(a).

(Updating of *PCT Applicant's Guide*, Annex C (NO))

## RU Russian Federation (institutions with which deposits of microorganisms and other biological material may be made)

On 29 August 2024, the following depository institution acquired the status of International Depository Authority (IDA) under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, with which deposits of microorganisms and other biological material may be made:

Collection of Eubiotic and Epiphytic Microorganisms (CEEM)  
Kuban State Agrarian University named after I.T.Trubilin  
13 Kalinina Street  
Krasnodar, 350044  
Russian Federation

## Search fee and other fees relating to the international search (Australian Patent Office, Canadian Intellectual Property Office, Egyptian Patent Office, European Patent Office (EPO), Indian Patent Office, Japan Patent Office (JPO), Korean Intellectual Property Office, National Institute of Industrial Property (Brazil), United States Patent and Trademark Office (USPTO))

As from 1 October 2024, there will be changes in the equivalent amounts payable in the currencies specified below for international searches carried out by the following Offices:

Australian Patent Office .....KRW  
European Patent Office (EPO) .....JPY  
Japan Patent Office (JPO).....USD  
Korean Intellectual Property Office .....AUD  
National Institute of Industrial Property (Brazil).....USD

As from 1 November 2024, there will be changes in the equivalent amounts payable in the currencies specified below for international searches carried out by the following Offices:

Canadian Intellectual Property Office .....CHF  
Egyptian Patent Office.....CHF  
European Patent Office (EPO) .....JPY  
Indian Patent Office .....CHF, EUR  
Japan Patent Office (JPO).....USD  
United States Patent and Trademark Office (USPTO) .....ZAR

As from 1 January 2025, there will be a change in the amount payable in CAD, as well as in the equivalent amount in CHF for an international search carried out by the Canadian Intellectual Property Office, as indicated in Fee Table I(b). There will also be a change in the amount of the following fee payable from the same date:

Additional search fee: .....CAD           2,317.68

(Updating of *PCT Applicant's Guide*, Annex D (AT, BR, CA, EG, EP, IN, JP, KR and US))

## Preliminary examination fee and other fees relating to international preliminary examination (Canadian Intellectual Property Office)

As from 1 January 2025, there will be a change in the amount payable in CAD for an international preliminary examination carried out by the Canadian Intellectual Property Office, as indicated in Fee Table II. There will also be a change in the amount of the following fee payable from the same date:

Additional preliminary examination fee: .....CAD 1,158.84

(Updating of *PCT Applicant's Guide*, Annex E (CA))

## Handling fee (Canadian Intellectual Property Office)

A new equivalent amount of the handling fee payable in CAD to the Canadian Intellectual Property Office as International Preliminary Examining Authority has been established with effect from 1 November 2024. The new amount will be CAD 319.

(Updating of *PCT Applicant's Guide*, Annex E (CA))

## Upcoming Seminar at the United States Patent and Trademark Office (USPTO)

A PCT seminar hosted by WIPO will be held at the USPTO Headquarters in Alexandria on 28 October 2024. The morning session will cover PCT legal and operational issues, and the afternoon will be dedicated to ePCT. The program will be conducted by experienced staff of the International Bureau, with support from PCT experts from the USPTO. The seminar is aimed at patent administrators, paralegals and other users who are already familiar with the PCT system.

The training is free of charge. Please note that participation is limited to 75 participants and early registration is advised.

Further information about the seminar and registration details will be provided in the PCT calendar shortly.

## Upcoming PCT Webinars in Japanese

WIPO is organizing a series of PCT webinars in Japanese covering various aspects of the PCT and its advantages. Registration is free of charge at the address indicated below each webinar:

- PCT Overviews and Advantages

(Wednesday, 13 November 2024, 9.00 am to 10.00 am Central European Time (CET)  
(5.00 pm to 6.00 pm Japan Standard Time) followed by a 30-minute Q&A session)

The advantages of the PCT for obtaining a patent in a foreign country and the procedural flow will be explained. The webinar will also touch upon the patent application non-disclosure system that came into effect in May of this year.

[https://wipo-int.zoom.us/webinar/register/5717256266737/WN\\_1GDG9mRRRW6XsHc-jS59SQ](https://wipo-int.zoom.us/webinar/register/5717256266737/WN_1GDG9mRRRW6XsHc-jS59SQ)

– International Application and International Search

(Thursday, 21 November 2024, 9.00 am to 10.00 am Central European Time (CET)  
(5.00 pm to 6.00 pm Japan Standard Time) followed by a 30-minute Q&A session)

How to file an international application, the contents of an international search, and the effective use of the PCT system will be explained from a practitioner's point of view. At the end of the lecture, the JPO will also explain the fee support system for small and medium-sized enterprises.

[https://wipo-int.zoom.us/webinar/register/9617256299277/WN\\_SmamDIYxQMuNen3ek\\_c2cg](https://wipo-int.zoom.us/webinar/register/9617256299277/WN_SmamDIYxQMuNen3ek_c2cg)

– International Search and Related Procedures

Thursday 28 November 2024, 9.00 am to 10.00 am Central European Time (CET)  
(5.00 pm to 6.00 pm Japan Standard Time) followed by a 30-minute Q&A session)

This webinar will explain the procedures for international publication, international preliminary examination, and entry into the national phase, etc., demonstrating that the PCT is a simple and user-friendly system.

[https://wipo-int.zoom.us/webinar/register/3717256300000/WN\\_McUeiFY-S2GKvskRHkRXDw](https://wipo-int.zoom.us/webinar/register/3717256300000/WN_McUeiFY-S2GKvskRHkRXDw)

Further details about the webinars are available in the PCT Seminar Calendar.

## **New/Updated PCT Resources**

### **Learn the PCT Video Series: How to File your International Application**

#### *Chinese-subtitled version*

All 29 videos of the “Learn the PCT” video series (“How to File your International Application”) now contain Chinese subtitles. It is recalled that this is a series of 29 short videos (approximately 15 minutes each) presented by Matthias Reischle-Park, Deputy Director, PCT Legal and User Relations Division, WIPO, which provides a basic introduction to important aspects and issues in the international phase and national phase of PCT processing.

The Chinese subtitled versions can be selected from the subtitles in the video controls on the original videos at:

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

or you can select Chinese at the top right-hand side of the page for YouTube videos with the Chinese subtitles.

### **Modified PCT Receiving Office Guidelines in Chinese and Russian**

The consolidated version of the PCT Receiving Office Guidelines, revised with effect from 1 July 2024, is now available in Chinese and Russian at, respectively:

<http://www.wipo.int/pct/ru/texts/gdlines.html> and

<http://www.wipo.int/pct/zh/texts/gdlines.html>

## New ePCT video tutorials for applicants

The following new ePCT video tutorials have been added to the collection of ePCT video tutorials for applicants:

- ePCT Actions ([https://www.wipo.int/pct/en/epct/epct\\_actions.html](https://www.wipo.int/pct/en/epct/epct_actions.html)):
  - ePCT Action: Update file reference
  - ePCT-Action: Rule 92bis change request overview
  - ePCT-Action: How to use the Rule 92bis change request
  - ePCT General Features: Download ePCT-Filing data package for RO/US, IL, CA

## Change of Bank Name and Address for the Payment of Fees to the International Bureau

The name and address of the bank to which payments can be made by bank transfer to WIPO's bank account (for payment in Swiss francs, US dollars or euro) has changed to the following:

UBS SWITZERLAND AG (FORMERLY CREDIT SUISSE), ZURICH, SWITZERLAND

The methods of online payment, as well as the corresponding currencies accepted per method, remain unchanged.

For information on the payment of PCT fees to WIPO, please refer to:

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

For further information and assistance, please contact:

<https://www3.wipo.int/contact/en/area.jsp?area=finance>

## Practical Advice

### Withdrawing a demand to prevent public access to the international preliminary examination file

*Q: I have filed a demand for international preliminary examination under Chapter II of the PCT Treaty. The International Preliminary Examination Authority (IPEA) has issued a written opinion, but it has not yet established the International Preliminary Report on Patentability ("IPRP Chapter II"). Based on the response of the IPEA to arguments that we have submitted, it appears that the IPRP Chapter II will include negative statements on whether the claims appear to satisfy novelty and inventive step. Is there a way to prevent the contents of the international preliminary examination file from becoming publicly accessible?*

A: The objective of the international preliminary examination is to formulate a preliminary and non-binding opinion on whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), and if it is industrially applicable. The findings of the IPEA are set out in an IPRP Chapter II. Before the IPRP Chapter II is established, the IPEA may issue one or more written opinions. As opposed to the international search procedure, the applicant may respond to the written opinion of the IPEA, communicate orally and in writing with the substantive examiner, and submit amendments and arguments (PCT Articles 33, 34 and

Rules 66.2 to 66.6). PCT Article 38(1) sets out the confidential nature of international preliminary examination before the IPRP Chapter II is established.

Once the IPEA has established the Chapter II report, it will send a copy of it to both you and the International Bureau (IB) in accordance with PCT Article 36(1) and PCT Rule 71.1(a) and it will also transmit copies of some other documents in its file to the IB (PCT Rule 71.1(b) and Section 602*bis* of the Administrative Instructions under the PCT)<sup>5</sup>.

At the expiration of 30 months from the priority date the IB sends a copy of the report to the elected Offices (Article 36(3)(a) and PCT Rule 73.2(a)) and, on behalf of the elected Offices, makes the report, as well as any other documents received relating to international preliminary examination, publicly available on PATENTSCOPE (PCT Rules 71.1(b) and 94.1(c)).

IPEAs may also provide access to any document of the Chapter II file to elected Offices, if so requested, even before 30 months but only after a Chapter II report has been established (Rule 94.2(b)).

If you do not wish any information concerning the pending international preliminary examination of your application to become publicly accessible, you should withdraw the demand before the IPRP II report is established. The IPEA will then neither establish a report nor will it provide access to the file to any elected Office. Consequently, the IB will not provide such access on behalf of elected Offices and the international preliminary examination file will remain confidential as required under PCT Article 38(1). Please note that even if you withdraw the demand after the Chapter II report has been established but before it has been received by the IB, you could possibly still achieve the same result (Rule 73.2(c)). However, with electronic communications of the Chapter II reports, in many instances, there will be very little time between the establishment and the receipt of the Chapter II reports by the IB.

The notice to withdraw the demand can be addressed to the IB using Form PCT/IB/372. As withdrawal is effective from the date of receipt, you should preferably use ePCT as this will record the time of upload as the time of receipt. If you have eOwner or eEditor access rights to the application in ePCT, the notice should be submitted as an ePCT Action 'Withdraw Chapter II Demand' (please refer to <https://pct.eservices.wipo.int/direct.aspx?UG=4&T=en&N=866> for full instructions). If you do not have these access rights for the application, you can use the upload documents function in ePCT instead. When the withdrawal is received, the IB will notify the IPEA of the withdrawal. Please note that if you send the notice to withdraw the demand to the IPEA, the IPEA will mark the date of receipt on the notice and transmit it to the IB for processing. In this case, the notice will be considered to have been received by the IB on the date marked by the IPEA. If you are considering withdrawing the demand in order to prevent access to the file, it would be best to inform the IPEA as soon as possible about your intention and ask it to wait to receive the notice of withdrawal and not start to draw up the report.

If you do not withdraw the demand and wait until a report is established and received by the IB, the IB will keep the international preliminary examination file confidential only until 30 months from the priority date. As to elected Offices, they may obtain access to the international preliminary examination file as soon as the report is completed, which may be before 30 months if they request access. It is their national law that will apply as to access by third parties, that is, they may give access to third parties even before the expiry of 30 months from the priority date.

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<sup>5</sup> Any International Preliminary Examining Authority may decide to postpone the application of [paragraphs \(a\)](#) and [\(b\)](#) until such time as it is technically prepared to do so (Administrative Instructions under the Patent Cooperation Treaty, Section 602*bis*(c)).

**Corrigendum to Practical Advice published in *PCT Newsletter* No. 03/2024:  
Consequences of an international application being considered withdrawn and potential  
remedial procedures in the national phase**

The “Practical Advice” article published in *PCT Newsletter* No. 03/2024 discussed potential remedial procedures in the national phase for an international application which had been considered withdrawn in the international phase.

The first sentence of the second paragraph of the answer should read:

To address this issue, you may first wish to investigate whether the fact that you missed the time limit to pay the fees can be reviewed under any internal procedures of the Office acting as a receiving Office thus providing you with an opportunity to still pay the fees, in which case your application could potentially be reinstated.

























