

C. PCT 1308/CWS 14

June 27, 2011

Madam,
Sir,

In accordance with Rule 89.2(a) of the Regulations under the Patent Cooperation Treaty (PCT), modifications to the Administrative Instructions (AIs) under the PCT, including Annex C ("Standard for the Presentation of Nucleotide and Amino Acid Sequence Listings in International Applications Under the PCT") and certain PCT Forms for use by the International Searching Authority (ISA) and the International Preliminary Examining Authority (IPEA), are hereby promulgated with effect from July 1, 2011.

This follows consultations under Rule 89.2(b) of the Regulations under the PCT with your Office in its capacity as RO, ISA, IPEA and/or designated/elected Office (DO/EO), and also with certain intergovernmental and non-governmental organizations. The modifications are as proposed by Circular PCT 1283/CWS 09, dated September 15, 2010, and Circular PCT 1302, dated April 20, 2011, except where further changes have been made as a result of consultation, as indicated below (editorial and minor drafting changes are not specifically mentioned).

Modifications to the Administrative Instructions under the PCT

In respect of Sections 602 and 607 of the AIs, the modifications are as proposed by Circular PCT 1302 and as a result of consultation. In particular, the language of paragraph (a)(iii) of Section 602 has been further simplified.

Modifications to Annex C of the Administrative Instructions under the PCT ("Standard for the Presentation of Nucleotide and Amino Acid Sequence Listings in International Applications Under the PCT")

In respect of Annex C of the AIs, the modifications are as proposed by Circular PCT 1283/CWS 09.

Modifications to PCT Forms Relating to the ISA and IPEA

Forms PCT/ISA/237, PCT/IPEA/401, PCT/IPEA/408 and PCT/IPEA/443 are modified as proposed by Circular PCT 1302.

Form PCT/IPEA/409 is modified as proposed by Circular PCT 1302 and as a result of consultation. In particular, the wording of the third check-box under item 3.a. of the cover sheet of this form has been further modified as suggested by some Offices.

Form PCT/ISA/237 should be used as of July 1, 2011, irrespective of the date of filing of the international application. Form PCT/IPEA/401 should be used for any demand filed on or after July 1, 2011. Forms PCT/IPEA/408 and PCT/IPEA/409 should be used for any written opinion or international preliminary report on patentability established on or after July 1, 2011. Form PCT/IPEA/443 should be used in respect of any international applications filed on or after July 1, 2011. Where an Office is not in a position to use the modified forms from this date, the versions applicable before this date, to the extent that they are still applicable or, where required, with additions or corrections, may still be used for a transitional period.

Offices which use languages other than English and French are requested to prepare the Forms needed by them, in such other languages, with due regard to the provisions of Section 102 of the Administrative Instructions. The International Bureau encourages Offices to make such translations available to the International Bureau so that they can be accessed by all Offices from the WIPO website.

Availability of Modified Administrative Instructions and Modified Forms

The consolidated text of the AIs (containing the modifications referred to herein) is available from the WIPO website under "PCT Administrative Instructions (as in force from July 1, 2011)" at: www.wipo.int/pct/en/texts/.

The modified Forms are available from the WIPO website under "Forms in force as from July 1, 2011" at: www.wipo.int/pct/en/forms/.

Offices which need marked-up copies and/or electronic files of any of the Forms or AIs should contact the PCT Legal Division via the following e-mail address: pct.legal@wipo.int.

WIPO STANDARD ST.25

Noting that WIPO Standard ST.25 recommends that "Offices apply the provisions set out in the "Standard for the Presentation of Nucleotide and Amino Acid Sequence Listings in International Applications Under the Patent Cooperation Treaty (PCT)" as set out in Annex C to the Administrative Instructions under the PCT *mutatis mutandis* to all patent applications other than the PCT international applications ...", this Circular is also being sent to Members of the Committee on WIPO Standards (CWS).

Yours sincerely,



Francis Gurry
Director General