

PCT/FF/PFC 14/002
ORIGINAL: FRANCAIS / ENGLISH
SITUATION AT: OCTOBER 31, 2014
SITUATION AU : 31 OCTOBRE 2014

**Administrative Instructions Under the
Patent Cooperation Treaty (PCT)
Standard for the Electronic Filing and Processing of International Applications**

**Instructions administratives du
Traité de coopération en matière de brevets (PCT)
Norme concernant le dépôt et le traitement électroniques**

PROPOSAL FOR CHANGE FILE/
DOSSIER RELATIF A LA PROPOSITION DE MODIFICATION

SUBJECT: Changes to Annex F, Appendix I, section 3.6 (modification of PCT Demand DTD)		PROPOSED BY: IB	
SUJET : Modifications de la section 3.6 de l'appendice I de l'annexe F (modification de la DTD pour la Demande PCT)		PROPOSÉE PAR : IB	
HANDLING: Expedited cycle		PROPOSED DATE OF ENTRY INTO FORCE:	
TRAITEMENT : Cycle accéléré		DATE PROPOSÉE D'ENTRÉE EN VIGUEUR : 01.01.2015	
Annex/ Annexe	Content/Contenu	Origin/ Origine	Date
1	Modification of the demand DTD Modifications du fichier DTD de la demande	IB	07.09.2014
2	Comments	JP	03.10.2014
3	Comments	CL	17.10.2014
4	Comments	CN	24.10.2014
5	Comments	PH	24.10.2014
6	Comments	SE	24.10.2014
7	Comments	IB	31.10.2014
Next action: Entry into force		By: 01.01.2015	
Prochaine action : Entrée en vigueur		Pour le :	

[Annex I follows/
L'annexe I suit]

Item 1	
Location:	Annex F, Appendix I, section 3.6, Demand DTD
Change:	<p>FROM: <!-- The basis of the international preliminary examination concerns amendments. (PCT/IPEA/401 Box IV, 1-3, Rules 53.9(a)(i) and 53.9(c))</p> <p>--> <!ELEMENT concerning-amendments (the-application? , the-description? , the-claims? , the-drawings? , reverse-art19-amendment? , postpone-examination? , begin-examination-early?)></p> <p>TO: <!-- The basis of the international preliminary examination concerns amendments. (PCT/IPEA/401 Box IV, 1-3, Rules 53.9(a)(i) and 53.9(c))</p> <p>--> <!ELEMENT concerning-amendments (the-application? , the-description? , <u>the-sequence-listing?</u> , the-claims? , the-drawings? , reverse-art19-amendment? , postpone-examination? , begin-examination-early?)></p>
Reason:	<p>The Demand Form has been revised to display additional information regarding amendments of sequence listings under Article 34; the element “concerning-amendments” has been modified to optionally hold a new element to hold this information.</p> <p>Note: as the proposed additional element is optional the DTD is backwardly compatible.</p>

Item 2	
Location:	Annex F, Appendix I, section 3.6, Demand DTD
Add:	<p><!-- the sequence listing is to be used as the basis for international preliminary examination. Attribute 'basis': originally : the applicant wishes the IPEA to start on the basis of the sequence listing as originally filed amendment-art34-st25: the applicant wishes the IPEA to start on the basis of the sequence listing as amended under Art. 34 in the form of an Annex C/ST.25 text file. amendment-art34-paper-or-image: the applicant wishes the IPEA to start on the basis of the sequence listing as amended under Art. 34 on paper or in the form of an image file.</p> <p>--> <!ELEMENT the-sequence-listing EMPTY></p>

	<!ATTLIST the-sequence-listing basis (originally amendment-art34-st25 amendment-art34-paper-or-image) #REQUIRED >
Reason:	This new element is required to hold the additional information regarding amendments of sequence listings under Article 34; it is referenced by the element "concerning-amendments".

[Annex II follows/
L'annexe II suit]

Comments by the Japan Patent Office

With respect to Circular C. PCT 1424 on proposals for changing the Standard for the Filing and Processing in Electronic Form of International Applications (Annex F of the Administrative Instructions under the PCT) related to the PCT Demand Form (PCT/IPEA/401), the Japan Patent Office carefully examined the modification to the demand and related DTDs and found no objection. Therefore, the Japan Patent Office supports the change to PCT Annex F, as proposed in the circular.

[Annex III follows/
L'annexe III suit]

Comments by the National Institute of Intellectual Property of Chile

According to the requirements of Circular PCT 1424, concerning proposals for change the Standard for the Filing and Processing in Electronic Form of International Applications (Annex F of the Administrative Instructions under the PCT), related to the PCT Demand (PCT/IPEA/401) form, we don't have comments on this issue.

[Annex IV follows/
L'annexe IV suit]

Comments by the State Intellectual Property Office of China

Our experts have studied on the proposals carefully. We have no objections to the modifications of Annex F and its appendices mentioned in this circular.

Considering the necessary adjustment to CEPCT, we would like to suggest that WIPO could inform us the date of the modified Forms' entry in force at least one month in advance, so we could have enough time to do translations and improve our system.

[Annex V follows/
L'annexe V suit]

Comments by the Intellectual Property Office of the Republic of the Philippines

We find the modification of the demand and related DTDs with the addition of elements and attributes for the next version of the Form PCT/IPEA/401, which address the requirements for rendering the revised version of the Form, to be acceptable.

Accordingly, we have no further comments.

[Annex VI follows/
L'annexe VI suit]

Comments by the Swedish Patent and Registration Office

We cannot see the necessity of having both the “amendment-art34-st25:” and “amendment-art34-paper-or-image:” listed as choices for the basis for international preliminary examination. It would be redundant because the file format is chosen when attaching a document.

For other types of documents attached, in the online systems, the file format is chosen while attaching and not on beforehand.

Our proposal is to only have “originally:” and “amendment-art34:” listed as choices for the basis for international.”

[Annex VII follows/
L'annexe VII suit]

Comments by the International Bureau

The International Bureau would like to express its thanks to the Offices that have reviewed the proposal and provided comments.

In respect of the comments received:

a. From the Swedish Patent and Registration Office

The International Bureau has taken note of the suggestion of holding one attribute for the Article 34 amendment of the sequence listing, but takes view that the proposed attribute is necessary for the modified Form PCT/IPEA/401 and thus will continue with the original proposal.

With no controversial comments outstanding the International Bureau will adopt the proposal for entry into force on January 1, 2015

[End Annex VII and of document/
Fin de l'annexe VII et du document]