



C.PCT 1138
– 07.2

April 2, 2008

Madam,
Sir,

**MODIFICATIONS OF THE ADMINISTRATIVE INSTRUCTIONS UNDER THE
PATENT COOPERATION TREATY (PCT) TO ENTER INTO FORCE ON
JULY 1, 2008**

1. In accordance with Rule 89.2(a) of the Regulations under the Patent Cooperation Treaty (PCT), the modifications of the Administrative Instructions under the PCT (including Annex F) set out in the Annexes to this Circular are hereby promulgated with effect from July 1, 2008.
2. Annex I sets out the text of the modified provisions of the Administrative Instructions, including Annex F, showing additions and deletions, respectively, by underlining and striking-through of the text concerned. A “clean” text of those provisions as they stand after modification is set out in Annex II.
3. This promulgation follows three separate rounds of consultation pursuant to:
 - Circulars C. PCT 1014/C. SCIT 2609 (dated February 7, 2005) and C. PCT 1074/C. SCIT 2624 (dated April 24, 2006), concerning modifications of the Administrative Instructions (Sections 706 and 710 and Annex F) relating to “pre-conversion files”; and
 - Circular C. PCT 1123 (dated August 31, 2007), concerning modifications of Annex F of the Administrative Instructions relating to the “change procedure” for Annex F;

/...

sent to Offices in their capacities as receiving Offices, International Searching Authorities, International Preliminary Examining Authorities or designated or elected Offices under the PCT. Those Circulars were also sent to interested intergovernmental or non-governmental organizations.

Modifications pursuant to Circular C. PCT 1074/C. SCIT 2624

4. The modifications of Sections 706 and 710 and Annex F of the Administrative Instructions relating to “pre-conversion files” are as proposed by Circular C. PCT 1074/C. SCIT 2624 (dated April 24, 2006), except that the following further changes have been made to Section 706 as a result of consultation (editorial and minor drafting changes are not specifically mentioned):

(a) The procedure to be applied in the case of a correction made after the completion of the technical preparations for international publication, which in Circular C. PCT 1074/C. SCIT 2624, Annex II, was proposed to be dealt with in the last sentence of paragraph (b), is now dealt with in new paragraph (d).

(b) The text of paragraph (c) as modified has been added; the procedure to be applied in the case of the submission in the pre-conversion format of a particular element of the international application (and not of the entire international application), which in Circular C. PCT 1074/C. SCIT 2624, Annex II, was proposed to be dealt with in paragraph (c), is now dealt with in new paragraph (f).

(c) A new paragraph (d) has been added to provide for the procedure to be followed where a correction of a conversion error is made.

(d) A new paragraph (e) has been added so as to cover the procedure to be followed where the international search report, the written opinion by the International Searching Authority or the international preliminary examination report is already established at the time when the conversion error is corrected and brought to the attention of the International Searching Authority or the International Preliminary Examining Authority, respectively.

5. In addition, a new code for the copy of the international application (or element thereof) in the pre-conversion format (see Section 706 as modified) has been added in Annex F of the Administrative Instructions, section 4.3.1, table 6.

/...

6. Consequential modifications of certain Forms for use by receiving Offices, International Searching and International Preliminary Examining Authorities and by the International Bureau will require further consultations under PCT Rule 89.2(b). A separate Circular, inviting comments on proposed modifications of those Forms, will be sent in due course.

7. Consequential on comments received during the consultations, certain modifications of the Administrative Instructions proposed by Circular C. PCT 1074/C. SCIT 2624 are not yet promulgated but will require further consultations under Rule 89.2(b). This concerns, in particular, proposed modifications of provisions of the Administrative Instructions (including Annexes C and F thereto) relating to the filing and processing of sequence listings. A separate Circular, inviting comments on proposed further modifications of those provisions, will be sent in due course.

Modifications pursuant to Circular C. PCT 1123

8. The modifications of Annex F of the Administrative Instructions relating to the “change procedure” for Annex F are as proposed by Circular C. PCT 1123 (dated August 31, 2007).

Consolidated text of the Administrative Instructions

9. The consolidated text of the Administrative Instructions (PCT/AI/7) and of Annex F thereto (PCT/AI/ANF/3) will be available in due course on the WIPO website under “PCT Administrative Instructions as in force from July 1, 2008,” at www.wipo.int/pct/en/texts/.

Sincerely yours,



Francis Gurry
Deputy Director General

Enclosures: Annex I: Modifications of the Administrative Instructions under the PCT to enter into force on July 1, 2008—marked-up text

Annex II: Modifications of the Administrative Instructions under the PCT to enter into force on July 1, 2008—clean text

Circular C.PCT 1138

ANNEX I

MODIFICATIONS OF THE
ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT
TO ENTER INTO FORCE ON JULY 1, 2008¹
(MARKED-UP TEXT)²

TABLE OF CONTENTS

Section 706	<u>Documents in Pre-Conversion Format</u> Backup Copies	2
Section 710	Notification and Publication of Receiving Offices' Requirements and Practices	6
ANNEX F	STANDARD FOR THE FILING AND PROCESSING IN ELECTRONIC FORM OF INTERNATIONAL APPLICATIONS	7

¹ For the current text of the Administrative Instructions and the Annexes thereto, see documents PCT/AI/6 (dated February 7, 2007) and PCT/AI/ANF/2 (dated October 20, 2005) (available from the WIPO website at www.wipo.int/pct/en/texts/).

² Additions and deletions are indicated, respectively, by underlining and striking through the text concerned. A “clean” text of the modified provisions (without underlining or striking-through) appears in Annex II.

Section 706

Documents in Pre-Conversion Format

Backup Copies^{*}

(a) Where, for the purposes of filing the international application in electronic form, the document making up the international application has been prepared by conversion from a different electronic document format (“pre-conversion format”), the applicant may, if the receiving Office so permits and the pre-conversion format is accepted for that purpose by that Office, submit, together with the international application, the document in the pre-conversion format, in which case: ~~Where an international application was filed in electronic form, the applicant may, if the receiving Office so permits and within 16 months from the priority date, file a backup copy of the application on paper or on a physical medium in accordance with Annex F, provided that:~~

(i) the document in the pre-conversion format ~~backup copy~~ shall be identified as such and shall be accompanied by a statement by the applicant that the international application as filed in electronic form ~~the content of the backup copy~~ is a complete and accurate copy ~~identical to that~~ of the document in the pre-conversion format ~~application as filed in electronic form~~;

* ~~[Deleted] Editor’s Note: The backup procedures provided for in Section 706 are optional for both receiving Offices and applicants. It has been included with a view particularly to addressing the concerns of those applicants and receiving Offices which are less familiar with and experienced in the filing and processing of applications in electronic form. It is noted that any applicant who wishes to make a parallel filing on paper of an application filed in electronic form is in any event at liberty to do so. The 16 month time limit corresponds to the time limit for performing certain other actions which must be completed before international publication.~~

[Section 706(a), continued]

(ii) the request shall preferably contain an indication that the document in the pre-conversion format is submitted under Section 706 together with the international application.

(b) Where it is found that the international application as filed in electronic form is not in fact a complete and accurate copy of the document in the pre-conversion format submitted under paragraph (a), the applicant may, within 30 months from the priority date, request the receiving Office to correct the international application so as to bring it into conformity with the document in the pre-conversion format. Rule 26.4 shall apply *mutatis mutandis* to the manner in which corrections under this paragraph shall be requested.

~~Where an international application was filed in electronic form, the receiving Office may, of its own volition or at the request of the applicant, prepare a backup copy of the application on paper or on a physical medium in accordance with Annex F, provided that the content of the backup copy shall be identical to that of the application as filed in electronic form. The Office shall, upon request by the applicant and subject to the payment of a fee, send to the applicant a copy of such a backup copy.~~

(c) Where the receiving Office, the International Searching Authority, the International Preliminary Examining Authority or the International Bureau discovers what appears to be a correctable defect under paragraph (b), that Office, Authority or Bureau, as the case may be, may bring such defect to the attention of the applicant, drawing attention to the correction procedure under paragraph (b).

[Section 706(c), continued]

~~The receiving Office shall mark any backup copy filed or prepared on paper with the words “BACKUP COPY” or their equivalent in the language of publication of the international application on the bottom of the first page of the request and on the first page of the description.~~

(d) The applicant and, if copies of the international application have already been sent to the International Bureau and the International Searching Authority, that Bureau and that Authority shall be promptly notified by the receiving Office of any correction under paragraph (b). If required, the International Bureau shall notify the International Preliminary Examining Authority accordingly. Where a correction is made after the completion of the technical preparations for international publication, the International Bureau shall promptly publish the corrected international application together with a revised front page.

~~The applicant may, within 16 months from the priority date, request the receiving Office to substitute a backup copy filed in accordance with paragraph (a), or prepared in accordance with paragraph (b), for the application in electronic form, in which case the backup copy shall be considered to be replacement sheets effecting a correction under Rule 26. The replacement sheets shall be considered to have been received by the receiving Office on the date on which it received the applicant's request.~~

[Section 706, continued]

(e) A correction under paragraph (b) shall be taken into account by the International Searching Authority for the purposes of the international search and the establishment of the written opinion, and by the International Preliminary Examining Authority for the purposes of the international preliminary examination, if it is notified to that Authority before it has begun to draw up the international search report, the written opinion or the international preliminary examination report, as applicable, in which case the said report or opinion shall so indicate.

(f) Paragraphs (a) to (e) shall apply *mutatis mutandis* to any document making up any element of the international application referred to in Article 3(2).

Section 710

Notification and Publication of Receiving Offices' Requirements and Practices

(a) A notification by a receiving Office to the International Bureau under Rule 89*bis*.1(d) and Section 703(a) that it is prepared to receive international applications in electronic form shall indicate, where applicable:

(i) the electronic document formats (including, where applicable, the versions of such electronic document formats), means of transmittal, types of electronic packages, electronic filing software and types of electronic signature specified by it under Section 703(b)(i) to (iv) and (c), and any options specified by it under the basic common standard;

(ii) and (iii) [No change]

(iv) whether and under what conditions the Office accepts the filing, under Section 706(a) and (f), of documents in pre-conversion format ~~backup copies under Section 706(a)~~ and the electronic document formats (including, where applicable, the versions of such electronic document formats) accepted by it under that Section;

(v) to (vii) [No change]

(b) to (d) [No change]

ANNEX F

**STANDARD FOR THE FILING AND PROCESSING
IN ELECTRONIC FORM OF INTERNATIONAL APPLICATIONS**

[No change to the introductory paragraphs 1 to 4]

1. [No change]

2. THE E-PCT STANDARD: OVERVIEW AND VISION

[No change to the introductory text]

2.1 to 2.4 [No change]

2.5 *Change procedure*

2.5.1 *Scope*

It is necessary to modify the standard from time to time in the light of practical experience and of new technical developments, ~~and bearing in mind that the standard will be used for the operation of existing systems and the development of new systems by a variety of developers, including some patent Offices.~~ The change procedure outlined in this section constitutes the usual means by which the Director General undertakes consultation pursuant to PCT Rule 89.2(b) concerning proposals to modify the contents of technical requirements contained in Annex F (including its Appendices) and, where appropriate, in Part 7 and other parts of the Administrative Instructions (“proposals for change”), before deciding whether to promulgate such modifications. The procedures outlined in this section shall also be used as an additional means of information when changes are proposed to other parts of the Administrative Instructions which may have consequences for the technical requirements in this Annex.

[Annex F, section 2.5.1, continued]

~~Proposed modifications related to the standard but going beyond technical requirements (for example, proposed modifications which would affect the legal principles supporting electronic filing and processing) are not dealt with under the change procedure set out in this section but are the subject of ordinary consultation by the International Bureau as for other proposed modifications of the Administrative Instructions. A proposal being dealt with under the change procedure set out in this section will be withdrawn by the International Bureau from the procedure if it appears in retrospect to go beyond the technical requirements of the standard.~~

2.5.2 *Web site; information list; Consultative Group*

The International Bureau maintains a Web site for the processing of proposals for change. The Web site provides for interested persons to register their e-mail addresses on the e-filing information list of persons who wish to be informed when proposals for change (or other materials relating to PCT electronic filing) are made available on the site.

The national Office of any State, and any PCT Authority, any intergovernmental organization (including any regional Office) and any non-governmental organization, that is invited to participate in meetings of the PCT [Assembly](#) ~~Committee for Administrative and Legal Matters~~ may register, via the Web site, to participate in the work of a Consultative Group which considers proposals for change. [It is strongly encouraged that the participants nominate as their representatives in the Consultative Group both technical and legal specialists to ensure that proposals for change are fully considered.](#) Participants should

[Annex F, section 2.5.2, continued]

preferably register at an early stage in the annual change management cycle outlined in section 2.5.4, below. ~~All persons registered to represent participants in the Consultative Group are also automatically included on the e-filing information list.~~

National Offices [of PCT Contracting States](#) and PCT [International](#) Authorities which register to participate in the Consultative Group do so as members, and other participants as observers. [All Consultative Group members and observers are also automatically included in the e-filing information list.](#) The International Bureau, as secretariat, coordinates the activities of the Group. Consideration of matters by the Group is informal and takes place via the Web site and e-mail and, where necessary, via other means of telecommunication; meetings of the Group in person are not envisaged.

~~The main function of the~~ Consultative Group [members and observers are invited](#) ~~is~~ to discuss, and make recommendations on, how proposals for change should be handled and, in particular, whether changes should be promulgated and with what effective date, as outlined further below. It is expected that the Group would operate on the basis of consensus.

[Consultative Group members and observers shall be informed by the International Bureau of any proposed modifications submitted under the ordinary consultation pursuant to PCT Rule 89.2\(b\) which include changes to Annex F, or which appear likely to the International Bureau to require consequential changes to Annex F if adopted.](#)

2.5.3 *Proposals for change*

Proposals for change may be submitted to the International Bureau by any Office or Authority entitled to register as a member of the Consultative Group, and may be initiated by the International Bureau. An Office or Authority or the International Bureau may, if it wishes, submit a proposal for change that has been suggested to it by a third party. Proposals for change may be submitted, preferably via the Web site, at any time during the year.

A proposal for change may be modified or withdrawn by the Office or Authority that submitted it. Each proposal for change is published by the International Bureau on the Web site as a “Proposal for Change” (PFC) file to which comments, modifications, etc., are annexed. Exchanges of views on a proposal for change, if not annexed to the PFC file concerned, are stored in an archive accessible via the Web site.

Each proposal for change must set forth the requested modifications of the text and/or figures concerned, a list of items that may be impacted, the reason, including processing or policy issues involved, and the proposed date of implementation, including, if appropriate, a request for expedited handling, and should also, if possible, include a draft implementation (for example, a new XML DTD). [It shall preferably also indicate if, in the view of the person making the proposal, the proposal is of a mere technical nature, or of a legal and technical nature.](#)

[Annex F, section 2.5.3, continued]

Consideration of proposals for change would ordinarily proceed under the (standard) annual change management cycle in accordance with section 2.5.4. If needed, generally on request by the proposer, the International Bureau may determine, after consultation with the Consultative Group [members and observers](#), that consideration of a proposal for change should be expedited in accordance with section 2.5.5. It is to be understood that consideration of any proposal for change resulting from a change to a PCT Contracting State's national law relating to the standards contained in this Annex would be expedited.

2.5.4 Annual change management cycle

1. Each proposal for change received by the International Bureau is published on the Web site, forthwith after its receipt, in a PFC file together with an indication that comments on the proposal may be sent to the International Bureau. That publication is promptly notified by e-mail to the e-filing information list.
2. Any comments received from interested parties following the publication and notification of a proposal for change referred to in section 2.5.3 are promptly published on the Web site in the PFC file and notified by e-mail to the e-filing information list.
3. Further consideration of the proposal does not take place until the following February, unless expedited consideration is accorded to the proposal under section 2.5.5.

[Annex F, section 2.5.4, continued]

4. On or promptly after February 15, the International Bureau publishes on the Web site a list of all pending standard proposals for change and references to the relevant PFC files, with an indication that comments may be sent to the International Bureau by March 31, and sends a notification by e-mail to the e-filing information list. The International Bureau also sends a written circular to all PCT Offices and Authorities, interested intergovernmental organizations and certain non-governmental organizations representing users, referring to the Web site, inviting comments by March 31 and advising that paper copies of the proposals for change are available from the International Bureau.
5. Any further comments received by the International Bureau are published, forthwith after their receipt, in the PFC file on the Web site and notified by e-mail to the e-filing information list.
6. Promptly after March 31, the International Bureau invites the Consultative Group [members and observers](#) to consider the pending proposals for change and comments, and the Consultative Group [members and observers make](#) ~~makes~~ recommendations to the International Bureau by May 15. The recommendations are published forthwith in the PFC file on the Web site and notified by e-mail to the e-filing information list.

[Annex F, section 2.5.4, continued]

7. Taking into account the comments received and the recommendations of the Consultative Group [members and observers](#), and after any necessary revision, the International Bureau publishes on the Web site, by June 30, modifications intended to come into force on January 1 of the following year or, exceptionally, before that date, and sends a notification by e-mail to the e-filing information list.
8. The usual procedures for promulgation of modifications of the Administrative Instructions apply (written circular and publication in the *PCT Gazette*).
9. If applicable, new or revised requirements of Offices are notified to the International Bureau, as provided for in Section 710 of the Administrative Instructions, for publication in the *PCT Gazette*.

2.5.5 Expedited consideration of change proposals

1. At any time, on request or at its own initiative, the International Bureau may decide that a proposal for change should be accorded expedited consideration, even if the proposal for change has so far been treated as standard.

[Annex F, section 2.5.5, continued]

2. Each proposal for change which is accorded expedited consideration is published on the Web site for comment and notified by e-mail to the e-filing information list, as outlined in section 2.5.4, paragraphs 1 and 2, except that comments are invited within six weeks. At the same time as that publication, the International Bureau sends the written circular referred to in section 2.5.4, paragraph 4, inviting comments within six weeks. Any comments received [within six weeks](#) are published, forthwith after their receipt, in the PFC file on the Web site and notified by e-mail to the e-filing information list.
3. In parallel to the actions referred to in paragraph 2, the International Bureau invites the Consultative Group [members and observers](#) to consider the proposal for change and any subsequent comments received during the six week period referred to in paragraph 2, and to make any recommendation before the end of that six week period, including a recommendation, if applicable, as to the appropriate date of entry into force of the proposed modifications. The recommendations are published forthwith in the PFC file on the Web site and notified by e-mail to the e-filing information list.
4. Taking into account the comments received and the recommendations of the Consultative Group [members and observers](#), and after any necessary revision, the International Bureau publishes the modifications, and their date of entry into force, on the Web site, and sends a notification by e-mail to the e-filing information list.

[Annex F, section 2.5.5, continued]

5. The modifications are promulgated, and any new requirements of Offices are notified and published, as outlined in section 2.5.4, paragraphs 8 and 9.

2.5.6 Version handling

[No change] Where the practice and the technical systems of the recipient Office so permit, earlier versions of certain aspects of the standard (notably, DTDs and the E-filing interoperability protocol) may operate simultaneously for a limited period of time. Each version should be clearly identified by the appropriate version number.

3. E-PCT SUBMISSION STRUCTURE AND FORMAT

[No change to the introductory text]

3.1 Allowable electronic document formats

[No change to the introductory text]

3.1.1 to 3.1.3 [No change]

3.1.4 Pre-conversion formats

Documents in pre-conversion format submitted under AIs Section 706(a) or (f) must be included as referenced documents.

[Annex F, section 3.1.4, continued]

For the applicant-Office (international phase) communication sector, receiving Offices shall notify the International Bureau whether they will accept the filing, under AIs Section 706(a) and (f), of documents in pre-conversion format and, if so, which pre-conversion formats they will accept (see AIs Section 710(a)(iv)).

For the purposes of the procedure under AIs Section 706(b), any receiving Office which chooses to accept documents submitted under AIs Section 706(a) or (f) in a pre-conversion format which the International Bureau cannot process must transmit the document concerned to the International Bureau in both an electronic document format which the International Bureau can process and the original pre-conversion format.

3.2 to 3.4 [No change]

4. IA DOCUMENTS PACKAGING

[No change to the introductory text]

4.1 and 4.2 [No change]

4.3 *File naming convention*

[No change to the introductory text]

4.3.1 *Tables*

Tables 1 to 5 [No change]

[Annex F, section 4.3.1, continued]

Table 6

<i>Document and package types currently accepted for initial ePCT filing</i>	
<i>Document type</i>	<i>Code</i>
record copy (package)	reco
home copy (package)	home
package header	pkggh
package data	pkda
request	requ
receiving office information	rrri
declarations	decl
application body	appb
fee sheet	fees
original separate power of attorney	poat
original general power of attorney	gpoa
copy of general power of attorney	cgpa
statement explaining the lack of signature	lacs
priority documents	pdoc
translation of application	tapp
document in pre-conversion format	dpcf
biological deposit	biod
sequence listing (ST.25)	seql
sequence listing table	seqt
table external	tabx
record copy	reco
home copy	hoco
transmission receipt	xmre
application receipt list	aprl
dispatch list	dspl
amendment request	amnd
change of bibliographic material	bibc
ex-officio correction	exoc
correspondence	crsp
notification	noti
demand	dmnd
IPEA demand receiving information	idri
fee-sheet-chapter2	fee2
international search report (ISR)	isre
international preliminary examination report (IPER)	iper
international search opinion (ISO)	isop
translation of international search report	isrt
translation of preliminary examination report	ipet
translation of international search opinion	isot
published application	papp
office specific document types	[2-position country code]AA
table exceeding fifty printed pages	mtbl

Circular C.PCT 1138
Annex I, page 18

[Annex F, section 4.3.1, continued]

Tables 7 and 8 [No change]

4.3.2 and 4.3.3 [No change]

5 to 9. [No change]

APPENDICES I to IV [No change]

[Annex II follows]

Circular C.PCT 1138

ANNEX II

MODIFICATIONS OF THE
ADMINISTRATIVE INSTRUCTIONS UNDER THE PCT
TO ENTER INTO FORCE ON JULY 1, 2008
(CLEAN TEXT)³

TABLE OF CONTENTS

Section 706	Documents in Pre-Conversion Format	2
Section 710	Notification and Publication of Receiving Offices' Requirements and Practices.....	3
ANNEX F	STANDARD FOR THE FILING AND PROCESSING IN ELECTRONIC FORM OF INTERNATIONAL APPLICATIONS	4

³ A marked-up text of the modified provisions (with underlining or striking-through) appears in Annex I.

Section 706
Documents in Pre-Conversion Format

(a) Where, for the purposes of filing the international application in electronic form, the document making up the international application has been prepared by conversion from a different electronic document format (“pre-conversion format”), the applicant may, if the receiving Office so permits and the pre-conversion format is accepted for that purpose by that Office, submit, together with the international application, the document in the pre-conversion format, in which case:

(i) the document in the pre-conversion format shall be identified as such and shall be accompanied by a statement by the applicant that the international application as filed in electronic form is a complete and accurate copy of the document in the pre-conversion format;

(ii) the request shall preferably contain an indication that the document in the pre-conversion format is submitted under Section 706 together with the international application.

(b) Where it is found that the international application as filed in electronic form is not in fact a complete and accurate copy of the document in the pre-conversion format submitted under paragraph (a), the applicant may, within 30 months from the priority date, request the receiving Office to correct the international application so as to bring it into conformity with the document in the pre-conversion format. Rule 26.4 shall apply *mutatis mutandis* to the manner in which corrections under this paragraph shall be requested.

(c) Where the receiving Office, the International Searching Authority, the International Preliminary Examining Authority or the International Bureau discovers what appears to be a correctable defect under paragraph (b), that Office, Authority or Bureau, as the case may be, may bring such defect to the attention of the applicant, drawing attention to the correction procedure under paragraph (b).

(d) The applicant and, if copies of the international application have already been sent to the International Bureau and the International Searching Authority, that Bureau and that Authority shall be promptly notified by the receiving Office of any correction under paragraph (b). If required, the International Bureau shall notify the International Preliminary Examining Authority accordingly. Where a correction is made after the completion of the technical preparations for international publication, the International Bureau shall promptly publish the corrected international application together with a revised front page.

(e) A correction under paragraph (b) shall be taken into account by the International Searching Authority for the purposes of the international search and the establishment of the written opinion, and by the International Preliminary Examining Authority for the purposes of the international preliminary examination, if it is notified to that Authority before it has begun to draw up the international search report, the written opinion or the international preliminary examination report, as applicable, in which case the said report or opinion shall so indicate.

(f) Paragraphs (a) to (e) shall apply *mutatis mutandis* to any document making up any element of the international application referred to in Article 3(2).

Section 710

Notification and Publication of Receiving Offices' Requirements and Practices

(a) A notification by a receiving Office to the International Bureau under Rule 89*bis*.1(d) and Section 703(a) that it is prepared to receive international applications in electronic form shall indicate, where applicable:

(i) the electronic document formats (including, where applicable, the versions of such electronic document formats), means of transmittal, types of electronic packages, electronic filing software and types of electronic signature specified by it under Section 703(b)(i) to (iv) and (c), and any options specified by it under the basic common standard;

(ii) and (iii) [No change]

(iv) whether and under what conditions the Office accepts the filing, under Section 706(a) and (f), of documents in pre-conversion format and the electronic document formats (including, where applicable, the versions of such electronic document formats) accepted by it under that Section;

(v) to (vii) [No change]

(b) to (d) [No change]

ANNEX F
STANDARD FOR THE FILING AND PROCESSING
IN ELECTRONIC FORM OF INTERNATIONAL APPLICATIONS

[No change to the introductory paragraphs 1 to 4]

1. [No change]

2. THE E-PCT STANDARD: OVERVIEW AND VISION

[No change to the introductory text]

2.1 to 2.4 [No change]

2.5 *Change procedure*

2.5.1 *Scope*

It is necessary to modify the standard from time to time in the light of practical experience and of new technical developments. The change procedure outlined in this section constitutes the usual means by which the Director General undertakes consultation pursuant to PCT Rule 89.2(b) concerning proposals to modify the contents of Annex F (including its Appendices) (“proposals for change”), before deciding whether to promulgate such modifications. The procedures outlined in this section shall also be used as an additional means of information when changes are proposed to other parts of the Administrative Instructions which may have consequences for the technical requirements in this Annex.

2.5.2 *Web site; information list; Consultative Group*

The International Bureau maintains a Web site for the processing of proposals for change. The Web site provides for interested persons to register their e-mail addresses on the e-filing information list of persons who wish to be informed when proposals for change (or other materials relating to PCT electronic filing) are made available on the site.

The national Office of any State, and any PCT Authority, any intergovernmental organization (including any regional Office) and any non-governmental organization, that is invited to participate in meetings of the PCT Assembly may register, via the Web site, to participate in the work of a Consultative Group which considers proposals for change. It is strongly encouraged that the participants nominate as their representatives in the Consultative Group both technical and legal specialists to ensure that proposals for change are fully considered. Participants should preferably register at an early stage in the annual change management cycle outlined in section 2.5.4, below.

National Offices of PCT Contracting States and PCT International Authorities which register to participate in the Consultative Group do so as members, and other participants as observers. All Consultative Group members and observers are also automatically included in the e-filing information list. The International Bureau, as secretariat, coordinates the activities of the Group. Consideration of matters by the Group is informal and takes place via the Web site and e-mail and, where necessary, via other means of telecommunication; meetings of the Group in person are not envisaged.

[Annex F, section 2.5.2, continued]

Consultative Group members and observers are invited to discuss, and make recommendations on, how proposals for change should be handled and, in particular, whether changes should be promulgated and with what effective date, as outlined further below. It is expected that the Group would operate on the basis of consensus.

Consultative Group members and observers shall be informed by the International Bureau of any proposed modifications submitted under the ordinary consultation pursuant to PCT Rule 89.2(b) which include changes to Annex F, or which appear likely to the International Bureau to require consequential changes to Annex F if adopted.

2.5.3 Proposals for change

Proposals for change may be submitted to the International Bureau by any Office or Authority entitled to register as a member of the Consultative Group, and may be initiated by the International Bureau. An Office or Authority or the International Bureau may, if it wishes, submit a proposal for change that has been suggested to it by a third party. Proposals for change may be submitted, preferably via the Web site, at any time during the year.

A proposal for change may be modified or withdrawn by the Office or Authority that submitted it. Each proposal for change is published by the International Bureau on the Web site as a “Proposal for Change” (PFC) file to which comments, modifications, etc., are annexed. Exchanges of views on a proposal for change, if not annexed to the PFC file concerned, are stored in an archive accessible via the Web site.

Each proposal for change must set forth the requested modifications of the text and/or figures concerned, a list of items that may be impacted, the reason, including processing or policy issues involved, and the proposed date of implementation, including, if appropriate, a request for expedited handling, and should also, if possible, include a draft implementation (for example, a new XML DTD). It shall preferably also indicate if, in the view of the person making the proposal, the proposal is of a mere technical nature, or of a legal and technical nature.

Consideration of proposals for change would ordinarily proceed under the (standard) annual change management cycle in accordance with section 2.5.4. If needed, generally on request by the proposer, the International Bureau may determine, after consultation with the Consultative Group members and observers, that consideration of a proposal for change should be expedited in accordance with section 2.5.5. It is to be understood that consideration of any proposal for change resulting from a change to a PCT Contracting State’s national law relating to the standards contained in this Annex would be expedited.

2.5.4 Annual change management cycle

1. Each proposal for change received by the International Bureau is published on the Web site, forthwith after its receipt, in a PFC file together with an indication that comments on the proposal may be sent to the International Bureau. That publication is promptly notified by e-mail to the e-filing information list.

[Annex F, section 2.5.4, continued]

2. Any comments received from interested parties following the publication and notification of a proposal for change referred to in section 2.5.3 are promptly published on the Web site in the PFC file and notified by e-mail to the e-filing information list.
3. Further consideration of the proposal does not take place until the following February, unless expedited consideration is accorded to the proposal under section 2.5.5.
4. On or promptly after February 15, the International Bureau publishes on the Web site a list of all pending standard proposals for change and references to the relevant PFC files, with an indication that comments may be sent to the International Bureau by March 31, and sends a notification by e-mail to the e-filing information list. The International Bureau also sends a written circular to all PCT Offices and Authorities, interested intergovernmental organizations and certain non-governmental organizations representing users, referring to the Web site, inviting comments by March 31 and advising that paper copies of the proposals for change are available from the International Bureau.
5. Any further comments received by the International Bureau are published, forthwith after their receipt, in the PFC file on the Web site and notified by e-mail to the e-filing information list.
6. Promptly after March 31, the International Bureau invites the Consultative Group members and observers to consider the pending proposals for change and comments, and the Consultative Group members and observers make recommendations to the International Bureau by May 15. The recommendations are published forthwith in the PFC file on the Web site and notified by e-mail to the e-filing information list.
7. Taking into account the comments received and the recommendations of the Consultative Group members and observers, and after any necessary revision, the International Bureau publishes on the Web site, by June 30, modifications intended to come into force on January 1 of the following year or, exceptionally, before that date, and sends a notification by e-mail to the e-filing information list.
8. The usual procedures for promulgation of modifications of the Administrative Instructions apply (written circular and publication in the *PCT Gazette*).
9. If applicable, new or revised requirements of Offices are notified to the International Bureau, as provided for in Section 710 of the Administrative Instructions, for publication in the *PCT Gazette*.

2.5.5 Expedited consideration of change proposals

1. At any time, on request or at its own initiative, the International Bureau may decide that a proposal for change should be accorded expedited consideration, even if the proposal for change has so far been treated as standard.

[Annex F, section 2.5.5, continued]

2. Each proposal for change which is accorded expedited consideration is published on the Web site for comment and notified by e-mail to the e-filing information list, as outlined in section 2.5.4, paragraphs 1 and 2, except that comments are invited within six weeks. At the same time as that publication, the International Bureau sends the written circular referred to in section 2.5.4, paragraph 4, inviting comments within six weeks. Any comments received within six weeks are published, forthwith after their receipt, in the PFC file on the Web site and notified by e-mail to the e-filing information list.
3. In parallel to the actions referred to in paragraph 2, the International Bureau invites the Consultative Group members and observers to consider the proposal for change and any subsequent comments received during the six week period referred to in paragraph 2, and to make any recommendation before the end of that six week period, including a recommendation, if applicable, as to the appropriate date of entry into force of the proposed modifications. The recommendations are published forthwith in the PFC file on the Web site and notified by e-mail to the e-filing information list.
4. Taking into account the comments received and the recommendations of the Consultative Group members and observers, and after any necessary revision, the International Bureau publishes the modifications, and their date of entry into force, on the Web site, and sends a notification by e-mail to the e-filing information list.
5. The modifications are promulgated, and any new requirements of Offices are notified and published, as outlined in section 2.5.4, paragraphs 8 and 9.

2.5.6 Version handling

Where the practice and the technical systems of the recipient Office so permit, earlier versions of certain aspects of the standard (notably, DTDs and the E-filing interoperability protocol) may operate simultaneously for a limited period of time. Each version should be clearly identified by the appropriate version number.

3. E-PCT SUBMISSION STRUCTURE AND FORMAT

[No change to the introductory text]

3.1 Allowable electronic document formats

[No change to the introductory text]

3.1.1 to 3.1.3 [No change]

3.1.4 Pre-conversion formats

Documents in pre-conversion format submitted under AIs Section 706(a) or (f) must be included as referenced documents.

[Annex F, section 3.1.4, continued]

For the applicant-Office (international phase) communication sector, receiving Offices shall notify the International Bureau whether they will accept the filing, under AIs Section 706(a) and (f), of documents in pre-conversion format and, if so, which pre-conversion formats they will accept (see AIs Section 710(a)(iv)).

For the purposes of the procedure under AIs Section 706(b), any receiving Office which chooses to accept documents submitted under AIs Section 706(a) or (f) in a pre-conversion format which the International Bureau cannot process must transmit the document concerned to the International Bureau in both an electronic document format which the International Bureau can process and the original pre-conversion format.

3.2 to 3.4 [No change]

4. IA DOCUMENTS PACKAGING

4.1 and 4.2 [No change]

4.3 *File naming convention*

[No change to the introductory text]

4.3.1 *Tables*

Tables 1 to 5 [No change]

Table 6

<i>Document and package types currently accepted for initial ePCT filing</i>	
<i>Document type</i>	<i>Code</i>
record copy (package)	reco
home copy (package)	home
package header	pkgh
package data	pkda
request	requ
receiving office information	rrri
declarations	decl
application body	appb
fee sheet	fees
original separate power of attorney	poat
original general power of attorney	gpoa
copy of general power of attorney	cgpa
statement explaining the lack of signature	lacs
priority documents	pdoc
translation of application	tapp
document in pre-conversion format	dpcf
biological deposit	biod
sequence listing (ST.25)	seql
sequence listing table	seqt
table external	tabx

[Annex F, section 4.3.1, Table 6, continued]

record copy	reco
home copy	hoco
transmission receipt	xmre
application receipt list	aprl
dispatch list	dspl
amendment request	amnd
change of bibliographic material	bibc
ex-officio correction	exoc
correspondence	crsp
notification	noti
demand	dmnd
IPEA demand receiving information	idri
fee-sheet-chapter2	fee2
international search report (ISR)	isre
international preliminary examination report (IPER)	iper
international search opinion (ISO)	isop
translation of international search report	isrt
translation of preliminary examination report	ipet
translation of international search opinion	isot
published application	papp
office specific document types	[2-position country code]AA
table exceeding fifty printed pages	mtbl

Tables 7 and 8 [No change]

4.3.2 and 4.3.3 [No change]

5 to 9 [No change]

APPENDICES I to IV [No change]

[End of Annex II and of Circular]