

C. PCT 1455

May 22, 2015

Madam,
Sir,

Proposed modifications of the PCT International Search and Preliminary Examination Guidelines

1. This Circular is addressed to your Office in its capacity as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty (PCT). It concerns proposed modifications of the PCT International Search and Preliminary Examination Guidelines (“the Guidelines”), as set out in document PCT/GL/ISPE/4 Prov. 2, an electronic version of which is available on the WIPO web site at <http://www.wipo.int/pct/en/circulars/> as an Annex to the electronic version of this Circular.
2. The International Bureau consulted with International Authorities, by way of Circular C. PCT 1371, dated January 31, 2014, and Circular C. PCT 1428, dated October 16, 2014, on a set of proposed modifications of the Guidelines. At the most recent (twenty-second) session of the Meeting of International Authorities under the PCT (PCT/MIA), held in Tokyo from February 4 to 6, 2015, International Authorities discussed the results of those consultations to date, based on document PCT/MIA/22/9. The Meeting concluded its discussions with a request to the International Bureau to initiate one more brief final round of consultations on the proposed modifications to the Guidelines, in the form in which they are intended to be promulgated, for quick final review by International Authorities before promulgation in the second quarter of 2015 (see paragraph 78 of the Summary by the Chair, document PCT/MIA/22/22).
3. Document PCT/GL/ISPE/4 Prov. 2 sets out the proposed modifications to the Guidelines in the form in which they are intended to be promulgated. Proposed changes compared to the present version of the Guidelines (document PCT/GL/ISPE/3) are indicated

by using underline and strikethrough. Any modifications that have been made following the previous round of consultations (Circular C. PCT 1428, dated October 16, 2014) are highlighted in yellow.

4. In addition, a version of document PCT/GL/ISPE/4 Prov. 2 which includes footnotes highlighting issues where there is no clear agreement between International Authorities on how to modify the Guidelines has been made available to International Authorities through the Quality Subgroup's electronic forum. The International Bureau invites Authorities to study the issues set out in the footnotes and to make further proposals as to how best to address those issues, for discussion at a future session of the Meeting of International Authorities.

5. All footnotes and marked changes are intended to facilitate consultation and will be removed in the final version of the Guidelines to be promulgated as document PCT/GL/ISPE/4. A revised table of contents will be prepared and included once the document will have been finalized.

6. As indicated above, there was agreement at the most recent session of the Meeting of International Authorities that the International Bureau should set a short deadline for replies to this final round of consultations, with a view to promulgating the agreed modifications still in the second quarter of 2015. Your Office is thus invited to provide comments, if any, on the proposed modifications of the Guidelines as set out in document PCT/GL/ISPE/4 Prov. 2 to the International Bureau by June 22, 2015, preferably by email to Mr. Claus Matthes, Director, PCT Business Development Division (claus.matthes@wipo.int; fax: (+41-22) 338 7150; tel: (+41-22) 338 9809).

7. The International Bureau intends to promulgate the Guidelines shortly after June 22, 2015. Consideration of issues which, as a result of comments received in response to this Circular, will require further consultations with International Authorities will thus be deferred to a later point in time, after promulgation of the Guidelines as agreed after this final round of consultations.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Matth R. Sandage" with a small "ppu" or similar mark at the end.

John Sandage
Deputy Director General