

C. PCT 1478

June 23, 2016

Madam,
Sir,

In accordance with Rule 89.2(a) of the Regulations under the Patent Cooperation Treaty (PCT), modifications to the Administrative Instructions under the PCT (AIs), certain PCT forms relating to the Receiving Office (RO), the International Bureau (IB), the International Searching Authority (ISA), the Authority specified for Supplementary International Search (SISA) and the International Preliminary Examining Authority (IPEA), as well as modifications to the PCT Receiving Office Guidelines (ROGLs) and to the PCT International Search and Preliminary Examination Guidelines (ISPEGLs) are hereby promulgated with effect from July 1, 2016.

The promulgation follows consultation under Rule 89.2(b) of the Regulations under the PCT with your Office in its capacity as RO, ISA, SISA and IPEA and/or designated/elected Office (DO/EO) and also with certain intergovernmental and non-governmental organizations.

The modifications are as proposed in Circular C. PCT 1474, dated March 29, 2016, except where further changes have been made as a result of the consultation, as indicated below (editorial and minor drafting changes are not specifically mentioned).

/...

Modifications of certain forms relating to the RO, the ISA, the SISA, the IB and the IPEA

PCT Forms PCT/RO/112, PCT/RO/118, PCT/RO/159, PCT/ISA/218, PCT/IB/375 and PCT/IPEA/401 and (new Forms) PCT/RO/130, PCT/ISA/215, PCT/IB/322, PCT/IB/383, PCT/IB/385, PCT/SISA/511 and PCT/SISA/512 are modified as proposed in Circular C. PCT 1474.

As a result of the consultation, PCT Forms PCT/IB/384 and PCT/IB/386 are further modified, adding text (in italics) in Form PCT/IB/384 to clarify that next to the signature, the person signing should also indicate his name and the capacity in which the person signs. In Form PCT/IB/386, the language of the fourth checkbox was modified to cover cases where some but not all the necessary replacement sheets have been submitted by the applicant.

In the Spanish version, certain minor editorial changes have also been made to Forms PCT/RO/118 and PCT/RO/159.

Offices which use languages other than English, French and Spanish are requested to prepare the Forms needed by them, in such other languages, with due regard to the provisions of Section 102 of the AIs. 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.

Modifications of certain AIs

Sections 104, 217, 325, 413, 501 and Annex D are modified as proposed in Circular C. PCT 1474.

As a result of the consultation, Section 111 of the AIs has been further modified to more closely align its wording to amended Rule 82*quater*.

Modifications of certain paragraphs of the ROGLs

Paragraphs 211, 214 and 333 of the ROGLs are modified as proposed in Circular C. PCT 1474.

As a result of the consultation, paragraph 30 of the ROGLs has been further modified to more closely align its wording to amended Rule 82*quater* and Section 111. Since there was no agreement on the proposed wording for paragraph 205F, the International Bureau will shortly issue a further circular proposing another set of modifications to the ROGLs to address the issue of continuing divergent practices of ROs in the context of incorporation by reference.

/...

Modifications of certain paragraphs of the ISPEGLs

Paragraphs 4.32, 15.35, 19.50, 22.50, 22.51 and 22.52 of the ISPEGLs are modified as proposed in Circular C. PCT 1474.

As a result of the consultation, paragraphs 15.88A, 22.52A and 22.52B have been further modified:

- paragraph 15.88A, to clarify that any corrections received by the Authority specified for supplementary search should be transmitted to the RO; and
- paragraphs 22.52A and 22.52B, to more closely align their wording to amended Rule 82*quater* and Section 111.

Availability of Modified Forms, AIs, ROGLs and ISPEGLs

Three separate documents (Add.) covering the modifications of the AIs, ROGLs and ISPEGLs (*as in force from July 1, 2016*) are available on the WIPO website at: www.wipo.int/pct/en/texts/.

The modified forms are available from the WIPO website under "Forms in force from July 1, 2016" at: www.wipo.int/pct/en/forms/.

Offices which need marked-up copies and/or electronic files of the AIs or Forms should contact the PCT Legal Division at pct.legal@wipo.int.

Yours sincerely,



John Sandage
Deputy Director General