

C. PCT 1578

December 16, 2019

Promulgation of modifications to certain PCT Forms annexed to the Administrative Instructions under the PCT

Madam,
Sir,

In accordance with Rule 89.2(b) of the Regulations under the Patent Cooperation Treaty (PCT), modifications to certain PCT Forms annexed to the Administrative Instructions under the PCT (AIs) are hereby promulgated with effect from January 1, 2020.

The promulgation follows consultation with your Office in its capacity as a receiving Office, an International Searching and Preliminary Examining Authority, an Authority specified for supplementary search, and/or a designated or elected Office and also certain non-governmental organizations representing users of the PCT system on the proposed decommissioning of PCT fax services at the International Bureau (see Circular C. PCT 1545, September 18, 2018).

In general, comments received from Offices favored discontinuation of PCT fax services at the International Bureau, conditional on the availability of an alternate document upload system. In this regard, the International Bureau has launched Contingency Upload Service in December 2018 and announced that it would discontinue PCT fax services from January 2020 (see *PCT Newsletter*, December 2018 and May 2019).

However, a number of PCT users and user representatives have raised concerns about the consequences of the proposed discontinuation of PCT fax services at the International Bureau, in particular, in the exceptional situation where the applicant's or the agent's computer systems cannot be used to transmit PCT documents through established online mechanisms. In response to these user concerns, the International Bureau will maintain

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limited incoming fax services for emergency use only, as outlined in the November 2019 edition of the *PCT Newsletter*. The fax numbers are available from the WIPO website under "Contacts" at: www.wipo.int/pct/en.

Given the risk of transmission loss associated with fax over Internet Protocol, the International Bureau nevertheless strongly discourages sending documents by fax when avoidable. Instead, when transmitting urgent PCT documents which might not timely reach the International Bureau through other communication means, the International Bureau recommends Offices and applicants to use ePCT (or Contingency Upload Service when ePCT is not available) to ensure secure transmission and immediate processing.

Modifications of certain Forms annexed to the AIs

As a result, the following Forms are modified to remove the facsimile number of the International Bureau:

PCT/RO/130, PCT/RO/156, PCT/ROIB/198, PCT/ROIB/199, PCT/ISA/215, PCT/ISA/220, PCT/IB/301, PCT/IB/304, PCT/IB/305, PCT/IB/306, PCT/IB/307, PCT/IB/308(First Notice), PCT/IB/308(Second and Supplementary Notice), PCT/IB/310, PCT/IB/311, PCT/IB/313, PCT/IB/314, PCT/IB/315, PCT/IB/316, PCT/IB/317, PCT/IB/318, PCT/IB/319, PCT/IB/320, PCT/IB/321, PCT/IB/322, PCT/IB/323, PCT/IB/325, PCT/IB/326, PCT/IB/331, PCT/IB/332, PCT/IB/335, PCT/IB/336, PCT/IB/337, PCT/IB/338, PCT/IB/339, PCT/IB/344, PCT/IB/345, PCT/IB/346, PCT/IB/349, PCT/IB/350, PCT/IB/351, PCT/IB/353, PCT/IB/354, PCT/IB/356, PCT/IB/357, PCT/IB/358, PCT/IB/360, PCT/IB/366, PCT/IB/367, PCT/IB/368, PCT/IB/369, PCT/IB/370, PCT/IB/371, PCT/IB/372, PCT/IB/373, PCT/IB/374, PCT/IB/376, PCT/IB/377, PCT/IB/378, PCT/IB/379, PCT/IB/381, PCT/IB/383, PCT/IB/384, PCT/IB/385, PCT/IB/386, PCT/IB/399 and PCT/SISA/512.

Forms PCT/ROIB/198 and PCT/ROIB/199, which relate to the receiving Office of the International Bureau, are further modified to remove the references to facsimile transmission and to better reflect sequence listing submission formats.

Offices which use languages other than English, French and Spanish are requested to prepare the relevant Forms in other languages as needed with due regard to 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.

Availability of modified Forms

The modified Forms are available from the WIPO website under "Forms in force from January 1, 2020" at: www.wipo.int/pct/en/forms/.

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

Yours sincerely,



John Sandage
Deputy Director General