

C. PCT 1624

June 25, 2021

Madam,
Sir,

Promulgation of Modifications to the PCT International Search and Preliminary Examination Guidelines

Following consultation with your Office in its capacity as an International Searching and Preliminary Examining Authority and/or designated or elected Office under the Patent Cooperation (PCT) through Circular C. PCT 1610, dated December 15, 2020, this Circular promulgates modifications to the PCT International Searching and Preliminary Examination Guidelines (“the Guidelines”) with effect from July 1, 2021.

Modifications to the International Search and Preliminary Examination Guidelines

The modifications to Chapter 10 on unity of invention are as proposed in Circular C. PCT 1610 except for the proposed modifications to example 14C in paragraph 10.34, which have not been included in light of feedback received in response to the Circular. In addition, the word “contains” in the first sentence to paragraph 10.04A has been replaced with “claims” following discussions at the eleventh informal meeting of the Quality Subgroup of the Meeting of International Authorities under the PCT, which took place on March 22 and 23, 2021.

Further modifications to paragraph 15.09 have been made to the text proposed in Circular C. PCT 1610 following further discussions between International Authorities at the eleventh informal meeting and through the electronic forum of the Quality Subgroup. In the new version of the Guidelines, the final sentence of this paragraph reads as follows:

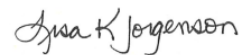
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“15.09 [...] In order to provide applicants and third parties with high levels of predictability for the potential outcomes of future national or regional prosecution, examiners should endeavor to prepare high quality international search reports and written opinions as foreseen under Chapters 2, 9 and 15 so that they can confidently be used by designated and elected Offices.”

Availability of modified International Search and Preliminary Examination Guidelines

The modifications have been incorporated into a consolidated version of the Guidelines as in force from July 1, 2021, which is available as document PCT/GL/ISPE/11 on the WIPO website at <https://www.wipo.int/pct/en/texts/gdlines.html>. Offices that need marked-up copies and/or electronic files of the Guidelines should contact PCT Legal and User Relations Division at pct.legal@wipo.int.

Yours sincerely,



Lisa Jorgenson
Deputy Director General
Patents and Technology Sector