

C. PCT 1668

May 21, 2024

Madam,
Sir,

Promulgation of modifications of the Administrative Instructions under the PCT (“the Administrative Instructions”) and certain Forms annexed to the Administrative Instructions

In accordance with Rule 89.2(b) of the Regulations under the Patent Cooperation Treaty (PCT), modifications of the Administrative Instructions are hereby promulgated together with modifications to certain Forms annexed to the Administrative Instructions, with effect from July 1, 2024. The amendment to the Regulations, Rules 26 and 29, relates to the procedure for handling international applications containing parts in different languages.

The promulgation follows consultation with your Office in its capacity as a receiving Office (RO), an International Searching Authority (ISA), an International Preliminary Examining Authority (IPEA), an Authority specified for supplementary search, and/or a designated or elected Office and also with certain non-governmental organizations representing the users of the PCT system. The modifications are as proposed in Circular C. PCT 1664, dated February 28, 2024, except where further changes have been made as a result of the consultations, as indicated below (editorial and minor drafting changes are not specifically mentioned).

Modifications of the Administrative Instructions

Sections 305*bis* and 308 are modified as proposed in Circular C. PCT 1664 with two further modifications: the text “together with the rest of the record copy” indicated in Section 305*bis*(a-*bis*)(ii) is deleted in order to clarify that it is recommended that the Receiving Office promptly transmits the record copy to the International Bureau of the World Intellectual Property Organization (WIPO), and then transmits the translation under Rule 26.3*ter*(e) upon receipt. Additionally, the title of Section 308 refers to Rule 26.3*ter* without subparagraph (e).

Additionally, Sections 707(b) and 804(a), which were consulted together with the above sections, have been modified as proposed in the said Circular.

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Modifications of certain Forms annexed to the Administrative Instructions

Form PCT/RO/117 is modified as proposed in Circular C. PCT 1664, with an additional citation of Rule 26.5 under the title of the Form.

New Form PCT/RO/145 is further modified to clarify that this form covers cases where only parts of an element are in a different language. The introductory sentence now reads: "1. The receiving Office informs the applicant that **the description and the claims, or part thereof, are not in the same language** accepted by this receiving Office."

Forms PCT/RO/150 and PCT/RO/157 are modified as proposed in Circular C. PCT 1664.

Other matters

Please be advised that modifications to the PCT Receiving Office Guidelines will be the subject of consultation through a separate Circular. The PCT International Search and Preliminary Examination Guidelines do not require to be modified to implement the above Rule changes.

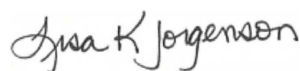
Availability of the modified Administrative Instructions and Forms

The consolidated version of the Administrative Instructions as modified will be available on the WIPO website at: <https://www.wipo.int/pct/en/texts/>, under the corresponding title with an annotation "(as in force from July 1, 2024)".

The modified Forms are available from the WIPO website under "Forms in force from July 1, 2024" at <https://www.wipo.int/pct/en/forms/>.

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

Yours sincerely,



Lisa Jorgenson
Deputy Director General
Patents and Technology Sector