

WIPO



PCT/TIM/I/3

ORIGINAL: English only

DATE: April 21, 1981

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

E

**INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)**

**TOKYO INTERNATIONAL MEETING
Tokyo, May 25 to 29, 1981**

OBSERVATIONS CONCERNING INTERNATIONAL SEARCH AND
INTERNATIONAL PRELIMINARY EXAMINATION

Memorandum received from the European Patent Office

The Annex to this document contains observations received by the International Bureau on April 7, 1981, from the European Patent Office concerning international search and international preliminary examination.

[Annex follows]



Erhardstraße 27
D-8000 München 2
Telephone (0 89) 23 98-0
Telex 5 23 656 epmud
31 March 1981

International Patent Cooperation Union
(PCT Union)

TOKYO INTERNATIONAL MEETING
Tokyo, May 25 to 29, 1981

Memorandum

Prepared by the European Patent Office

I. THE INTERNATIONAL SEARCH

1. Experience of the European Patent Office as International searching Authority concerning the present system

1.1 Experience with the method of identifying patent documents cited in the international search report and with the indication of citations of particular relevance and of certain special categories of documents cited - Administrative Instructions, Sections 503, 505 and 507 (point 1(i)(a) of the draft agenda)

In the light of the experience made in establishing international search reports and with a particular view to harmonizing the contents of international and European search reports, it is proposed by the European Patent Office to modify or supplement Sections 503, 505 and 507 of the Administrative Instructions under the PCT as follows.

.../...

Section 503

Method of Identifying Documents Cited in the International Search Report

Identification of any document cited in the international search report referred to in Rule 43.5(b) shall be made by indicating the following elements in the order in which they are listed :

(a) *In the case of any patent document* (patent documents being patents within the meaning of Article 2(ii) as well as published applications relating thereto) :

- (i) no change
- (ii) no change
- (iii) no change
- (iv) the name of the patentee or applicant (in capital letters, where appropriate abbreviated);
- (v) the date of publication of the cited patent document as indicated thereon; where it is evident that the cited document was published prior to the international filing date, the date of publication need not be given;
- (vi) previous text of paragraph (a) (v)

(The following examples illustrate the citation of a patent document according to paragraph (a) above:

JP, B, 50-14535 (NCR CORPORATION) (if need be, date of publication : published 28 May 1975 (28.05.75)), see column 4, lines 3 to 27.

or

US-A-3 775 196 (SONY) (if need be, date of publication : published)
* Column 3, line 1 - column 7, line 2; figures 1A-2J *)

- (b) no change
- (c) no change
- (d) no change

.../...

Ad Section 503

It is proposed to group together all data relating to the identification of the patent document. Therefore it would be advisable to indicate the name of the patentee or applicant immediately following the number of the patent document.

It is further proposed to suppress the mandatory citation of the date of publication of patent documents in the international search report *if it is evident that the publication took place well before the international filing date of the international application which is the reference date of the search.* The indication of such date means a supplementary task not only for the search examiner but also for the administrative section. Moreover, it may constitute a possible source of error.

In the large majority of cases, this date is of no interest whatsoever, because the indication of the Office that issued the document by the two-letter code, the kind and number of the document, as well as the name of the applicant or the patentee will permit any interested person to procure the cited document.

As to the example given in section 503, the use of commas between the two-letter code of the Office that issued the document, the kind of document and the number, may give rise to errors if commas are also used in the number of the patent document. Therefore an alternative example is suggested to illustrate the citation of a patent document according to section 503(a) (taking into account the amendments proposed):

US-A-3 775 196 (SONY) (if need be, date of publication: published.....)
* Column 3, line 1 - Column 7, line 2; figures 1A - 2J *

The foregoing example illustrates also the method of citing patent documents in European search reports. To the knowledge of the EPO this practice has not given rise to any difficulties.

The amendment of Section 503 leads to a desirable harmonization of PCT and European procedures.

.../...

Section 505

Indication of Citations of Particular Relevance in the International Search Report

(a) Where any document cited in the international search report is of particular relevance, the special indication required by Rule 43.5(c) shall consist of the letter "X" placed next to the citation of the said document.

(b) Category "X" is applicable, when *only one* document takes away novelty of the essential features of the invention such as generally expressed in the main claim(s) or when the inventive step of these features may without any doubt be questioned *only by one* document.

Ad Section 505

When the EPO was beginning to draw up European and International search reports, one major difficulty in using the different categories for the documents cited in the search report appeared to be the broadness and the various interpretations of the concept of "particular relevance" in the definition of category "X".

In order to clarify this situation which appeared to be rather confusing in practice, the EPO introduced already in 1978 a narrower definition of category "X" in the European guidelines for the search. As a matter of fact, category "X" was defined for *only one document* taking away novelty or for *only one document* questioning without any doubt the inventive step of the invention.

Since the introduction of this definition the above-mentioned difficulty has disappeared.

In view of harmonising international and European search procedures, it is suggested to introduce this very same definition in the Administrative Instructions of the PCT, it being understood that documents of category "X" can be cited in relation to several independent (main) claims, if they exist and if necessary.

.../...

Manner of Indicating Certain Special Categories of Documents Cited in the International Search Report

Section 507

(a) No change

(b) No change

(c) Where any document cited in the international search report refers to one or more features which the reader of the search report may take into account for assessing whether an inventive step is present or not, it shall be indicated by the letter "y" placed next to the citation of said document.

Documents of category "y" cited in relation to the main claim(s) are generally combined together with the disclosure of at least one document of category "A" and, if necessary, with other documents of category "y".

Documents of category "y" cited in relation to a dependent claim may disclose all characterizing features of this dependent claim or only part thereof.

(d) Where any document cited in the international search report is a document which defines the general state of the art, it shall be indicated by the letter "A" placed next to the citation of said document (see III, 3.14 of the Guidelines for International Search to be Carried Out under the PCT).

(e) previous text of paragraph (d)

(f) previous text of paragraph (e)

(g) Where any document cited in the international search report is a document already cited in the international application for which the search is carried out, it shall be indicated by the letter "D" placed next to the citation of said document.

(h) Where in the international search report any document is cited for reasons other than those referred to in the preceding paragraphs, such document shall be indicated by the letter "L" next to the citation of the document.

Examples are :

- documents which may throw doubt on priority claim(s) (see VI, 4.3 of the Guidelines for International Search to be Carried Out under the PCT)
- documents cited to establish the publication date of another citation (see VI, 6.2 of the Guidelines for International Search to be Carried Out under the PCT).

.../...

(i) Where a document is a member of a patent family (see IV, 3.2 of the Guidelines for International Search to be Carried Out under the PCT), it may be mentioned in the international search report in addition to the one cited belonging as well to this family and should be preceded by the sign ampersand (&).

A document whose contents has not been verified by the search examiner but is identical with that of another document which the search examiner has well inspected, may be cited in the international search report in the above-mentioned manner (see VI, 5.2 of the Guidelines for International Search to be Carried Out under the PCT).

Ad Section 507

The proposed amendments intend to improve the quality of the international search report by adding another two special categories of documents and to harmonize the contents of international and European search reports.

ad paragraph (c)

When defining category "X", the EPO introduced at the same time another new category of documents, mainly in relation to the inventive step of the invention. Up to now this new category has been used without the indication of any letter.

However, Section 507 of the Administrative Instructions considers the list of categories closed on category "L" which stands for documents cited for reasons other than those referred to in Section 507. The proposed new category "y" takes into account this closed-loop idea of the list of categories.

In order to achieve harmonization of the EPO and PCT proceedings this very same definition of category "y" will be introduced in the European Guidelines for the Search.

ad paragraph (d)

Reference to III, 3.14 of the Guidelines for International Search to be Carried Out under the PCT has been added.

According to these Guidelines, category "A" is applicable for documents describing the background art which the applicant himself acknowledges in the introduction of the application and which he claims to be known. This background art is generally included in the preamble

.../...

- 1.2 Experience with the application of Article 17(2)(a) of the PCT, in particular with the requirements for carrying out a meaningful search (point 1(i)(b) of the draft agenda)
- Up to the present the EPO, in its capacity as International Searching Authority, has not received any international application where a situation referred to in Article 17(2)(a) of the PCT was found to exist. In particular, for every international application received by the EPO it has been possible to carry out a meaningful search and to establish a search report.
- 1.3 The unity of invention required under Article 17(3)(a) of the PCT and its practical implications (point 1(i)(c) of the draft agenda)
- No difficulties seem to be encountered with the "requirement of unity of invention" as such. However, the payment of additional fees has given rise to some difficulties. In many cases the time limit for the payment of additional fees provided for in Article 17(3)(a) must not be shorter than 30 days (Rule 40.3). This often leads to a conflicting situation with the time limit for establishing the international search report, specified in the first two sentences of Rule 42.1. In some cases it has been difficult to respect the extended time limit under the conditions provided for in Rule 42.1, last sentence.
- 1.4 Extent and depth of search required under Article 15(4) (point 1(i)(d) of the draft agenda)
- When the EPO acts as an International Searching Authority in accordance with Article 154 EPC (Article 16 PCT and the Agreement between the International Bureau of WIPO and the EPO under the PCT), the international searches it performs and the international search reports it draws up will be identical with, or very similar to European searches and search reports, because when drafting the European guidelines for the search, the Guidelines for the international search to be carried out under the PCT have been taken into consideration.

2. Experience in and assessment of usefulness of applying uniform procedure for several kinds of searches (e.g. international, regional, national) carried out by the European Patent Office
- In virtue of the working agreements with the national offices for which the EPO carries out searches and establishes search reports, the EPO essentially applies the same guidelines for these searches as for European searches. When drafting the European guidelines for the search, the Patent Cooperation Treaty was taken into account.

.../...

of the main claim(s), i.e. the part preceding the expression "characterized by". This kind of documents can be cited in the international search report solely for the background art or in combination with one or more documents of category "y". They should be cited then only in relation to the main claim(s).

According to these Guidelines, category "A" is also applicable for documents describing the general technological background of the invention and documents of this kind generally are not cited in the search report in relation to any claim.

For a better understanding of these aspects, reference to III, 3.14 of the Guidelines should be added to paragraph (d).

ad paragraph (g)

Category "D" which would indicate a document already cited in the international application, specifies a special category which is already used in the European search report.

The introduction of category "D" in the international search report would not only lead to a harmonization of the international and European search procedure, but would also improve the quality of the information contents of this report. This for the reason that indication of this category means that the search examiner has examined the documents cited in the international application and considers it belonging to the relevant prior art.

ad paragraph (h)

European and International Guidelines mention likewise the two examples of category "I". In order to harmonize both proceedings, it is recommended to add the two examples also in Section 507 of the Administrative Instructions.

ad paragraph (i)

Information on members of the same patent family is highly appreciated by the applicants and the public, especially when documents in another language than the language of the proceedings are cited in the search report. Indication of one or more members of the patent family can save money and time for the applicants.

The recommended sign permits to make a clear citation of documents whose contents may not have been verified by the search examiner.

.../...

II. THE INTERNATIONAL PRELIMINARY EXAMINATION

1. The European Patent Office as International Preliminary Examining Authority
 - 1.1 By the end of February 1981, 31 requests for examination had been received by Director-General 2 of the EPO, whose responsibility extends to international preliminary examination. In most of the cases the international preliminary examination report had already been drawn up.
 - 1.2 The guidelines governing procedure in the international preliminary examination of PCT essentially correspond to the Guidelines for Substantive Examination in the EPO, thus ensuring, in principle, a smooth transition from the international preliminary examination itself to the consideration of its results during the subsequent examination procedure in the regional phase before the EPO. The procedure for implementing Chapter II of the PCT is centrally supervised and is designed to ensure that the PCT deadlines for drawing up the international preliminary examination report are always met. As part of their training, new examiner recruits study specially selected cases in preparation for their PCT work. To ensure that assessments are as consistent as possible, the examiner responsible for the international preliminary examination is also, as far as is feasible, the one who carries out the European examination of the application in the regional phase. As regards harmonisation, an objective equally desirable in the case of the international preliminary examination, the same comments apply as those above concerning the international search.
 - 1.3 The EPC allows a 50 % reduction of the European examination fee if the Office has already drawn up an international preliminary examination report on the application. This makes examination fees only slightly more expensive for applicants who choose the PCT route with international preliminary examination rather than proceeding direct towards obtaining a European patent.
2. Experience and proposals in connection with the international preliminary examination report (point 2(i)(a) of the draft agenda)
 - 2.1 In accordance with Rule 70.7 the report must cite the documents considered to be relevant for supporting the statements made under Article 35(2). It seems therefore necessary to identify in the report the application documents (description, claims, drawings) on which the examination was based. Provision should be made for this on the form as suggested on page 1 of ANNEX I.
 - 2.2 In view of the elaborated statement on page 2 relating to "Unity" and "Non-establishment of the Report" the shorter statement on page 1 should be deleted.
 - 2.3 The right hand column on page 3 is frequently too small. The entries under "criteria satisfied" tend to be contradictory when they relate to subordinate claims referring to several preceding claims as alternatives;

.../...

- for example such a claim may lack novelty when read to some of the preceding claims and may lack inventive step when read to others. It is suggested that this page might be redrafted in the form indicated in ANNEX I. When the statement in column 2 of this form is "NO", the grounds (N, IS, IA) can be added in brackets and when necessary alternative combinations of the claims can be dealt with separately.
- 2.4 Where all the claims are new, inventive and capable of industrial application the report should state this and should include a reasoned statement, at least for independent claims, showing that the claims are inventive and explaining their relation to the nearest prior art. A note to this effect should be added at the top of paragraph 2 of page 3 (ANNEX I).
 3. The communication with the applicant and amendments before the International Preliminary Examining Authority (point 2(i)(b) of the draft agenda)

Adequacy of present form PCT/YPEA/408:

The spaces for paras III, IV and VI are too small. It would be helpful if provision were also made in the written opinion for indicating on which application documents the examination is based.

The word "days" should be omitted from para VII, since the word has sometimes led to misunderstandings, when the examiner has forgotten to delete it. In practice a time limit is almost never stated in days.

A draft for a new form PCT/YPEA/408 is annexed (ANNEX II).
 4. Communications from the International Bureau to International Preliminary Examining Authorities

should be labelled prominently by the heading
PCT - II

so that they can readily be picked out from other mail (ANNEX III). The same applies for form PCT/YPEA/401 (ANNEX IV).

This will facilitate directing the documents quickly to the relevant officer.
 5. The usefulness of the international preliminary examination reports for the regional phase (point 2(ii) of the draft agenda)
 - 5.1 Since the EPO as designated Office may not deal with or examine the international application before expiry of the period specified in Article 22 PCT or, as the case may be, Article 39 PCT, the preliminary

.../...

international examination report will normally be available at the beginning of the European examination. Without doubt this is a useful aid for the European examination, since the European examiner is made aware of the opinion of the examiner of the International Preliminary Examining Authority. This is considered as useful and productive, particularly with regard to the main patentability criteria of the PCT and EPC, namely novelty and inventive step on each of which criteria an opinion should be expressed in the international preliminary examination report for each independent claim.

5.2 A useful contribution to the world wide standardisation of interpretation of patentability criteria can therefore result from the interaction of the international preliminary examination according to the PCT and the European examination.

6. Possible Amendments of the Regulations under the PCT (WIPO circular 142/PCT 211 dated February 19, 1981)

6.1 Amendment of Rule 69.1(a) and Rule 66.2(d)

There is no objection to an amendment of Rule 69.1(a) of the PCT which would permit the time limit for the establishment of the international preliminary examination report to be extended to expire one year after the start of international preliminary examination where a request is made. The time limits provided for in Rule 66.2(d) could be adjusted accordingly.

6.2 Amendment of Rule 70.6

Rule 70.6 (YES/NO) is very useful in its present form since these two words are clear in all five languages provided for in PCT.

As far as the form for the international preliminary examination report (PCT/IEPA/409) is concerned, new pages 1 and 3 of this form are proposed (ANNEX 1) to improve its usefulness (see point 2 above).

PATENT COOPERATION TREATY
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

IDENTIFICATION OF THE INTERNATIONAL APPLICATION		Applicant's or Agent's File Reference ²																				
International Application No.	International Filing Date ¹																					
Receiving Office ³	Priority Date Claimed																					
Applicant (Name):																						
BASIS OF REPORT																						
<p>1. AMENDMENTS AND/OR CORRECTIONS³ — The amendments and/or corrections made before this International Preliminary Examining Authority in respect of the claims, the description, and/or drawings in the above-identified international application are annexed to this report.</p> <p>a. <input type="checkbox"/> This report has been established on the basis of the following application documents:</p> <p style="margin-left: 20px;"><input type="checkbox"/> the application documents as filed</p> <table style="margin-left: 20px; border: none;"> <tr> <td style="width: 150px;"><input type="checkbox"/> description, pages</td> <td>as originally filed</td> </tr> <tr> <td><input type="checkbox"/> description, pages</td> <td>filed with your letter of</td> </tr> <tr> <td><input type="checkbox"/> description, pages</td> <td>filed with your letter of</td> </tr> <tr> <td><input type="checkbox"/> description, pages</td> <td>filed with your letter of</td> </tr> <tr> <td><input type="checkbox"/> claims, nos</td> <td>as originally filed</td> </tr> <tr> <td><input type="checkbox"/> claims, nos</td> <td>filed with your letter of</td> </tr> <tr> <td><input type="checkbox"/> claims, nos</td> <td>filed with your letter of</td> </tr> <tr> <td><input type="checkbox"/> claims, nos</td> <td>filed with your letter of</td> </tr> <tr> <td><input type="checkbox"/> drawings, sheet/fig.</td> <td>as originally filed</td> </tr> <tr> <td><input type="checkbox"/> drawings, sheet/fig.</td> <td>filed with your letter of</td> </tr> </table> <p>b. <input type="checkbox"/> This report has been established as if the following noted amendments and/or corrections have not been made, since, for the reasons indicated, they have been considered to go beyond the disclosure as filed. (specify)</p>			<input type="checkbox"/> description, pages	as originally filed	<input type="checkbox"/> description, pages	filed with your letter of	<input type="checkbox"/> description, pages	filed with your letter of	<input type="checkbox"/> description, pages	filed with your letter of	<input type="checkbox"/> claims, nos	as originally filed	<input type="checkbox"/> claims, nos	filed with your letter of	<input type="checkbox"/> claims, nos	filed with your letter of	<input type="checkbox"/> claims, nos	filed with your letter of	<input type="checkbox"/> drawings, sheet/fig.	as originally filed	<input type="checkbox"/> drawings, sheet/fig.	filed with your letter of
<input type="checkbox"/> description, pages	as originally filed																					
<input type="checkbox"/> description, pages	filed with your letter of																					
<input type="checkbox"/> description, pages	filed with your letter of																					
<input type="checkbox"/> description, pages	filed with your letter of																					
<input type="checkbox"/> claims, nos	as originally filed																					
<input type="checkbox"/> claims, nos	filed with your letter of																					
<input type="checkbox"/> claims, nos	filed with your letter of																					
<input type="checkbox"/> claims, nos	filed with your letter of																					
<input type="checkbox"/> drawings, sheet/fig.	as originally filed																					
<input type="checkbox"/> drawings, sheet/fig.	filed with your letter of																					
2. PRIORITY ⁴																						
<p>a. This report has been established as if no priority has been claimed due to the failure to furnish within the prescribed time limit the requested:</p> <p style="margin-left: 20px;"><input type="checkbox"/> copy of the earlier application whose priority has been claimed.</p> <p style="margin-left: 20px;"><input type="checkbox"/> translation of the earlier application whose priority has been claimed.</p> <p>b. <input type="checkbox"/> This report has been established as if no priority has been claimed due to the fact that the priority claim has been found invalid.</p> <p style="margin-left: 20px;">Thus, for the purposes of this report, the international filing date indicated above is considered the relevant date.</p>																						

BASIS OF REPORT (Continued)

3. **UNITY OF INVENTION** * — The international application does not comply with the requirement of unity of invention.

a. In response to an invitation to restrict or pay additional fees the applicant has:

- restricted the claims.
- paid additional fees.
- paid additional fees under protest. Where requested by the applicant, the text of the protest together with the decision taken thereon are annexed to this report.
- neither restricted nor paid additional fees.

b. No invitation has been issued. The opinion of this International Preliminary Examining Authority is that the international application does not comply with the requirement of unity of invention for the following reasons. (specify)

c. Consequently, the following parts of the international application were the subject of International preliminary examination in establishing this report:

- all parts.
- the parts relating to the restricted claims, that is claims Nos. _____.
- the parts relating to the main invention, that is claims Nos. _____.

4. **NON-ESTABLISHMENT OF REPORT ON QUESTIONS OF NOVELTY, INVENTIVE STEP OR INDUSTRIAL APPLICABILITY** †

The questions of whether the claimed invention appears to be novel, to involve an inventive step or to be industrially applicable have not for the reasons indicated been gone into in respect of:

a. the entire international application

b. claims Nos. _____

for the following reasons:

Said international application, or said claims Nos. _____ relate to the following subject matter which does not require an international preliminary examination. † (specify)

The description, claims, or drawings (indicate particular elements) or said claims Nos. _____ are so unclear that no meaningful opinion could be formed. †

The claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed. †

CLASSIFICATION OF SUBJECT MATTER (If several classification symbols apply, indicate all.)*		
According to International Patent Classification (IPC) or to both National Classification and IPC		
REASONED STATEMENT AS TO CLAIMS MEETING CRITERIA OF NOVELTY (N), INVENTIVE STEP (IS) AND INDUSTRIAL APPLICABILITY (IA) AND CITATIONS AND EXPLANATIONS SUPPORTING SUCH STATEMENT		
CLAIM NUMBER	STATEMENT (CRITERIA)	CITATIONS AND EXPLANATIONS
		<u>EXAMPLE:</u>
1	NO (IS)	US-A-..... discloses..... The device according to claim 1 differs therefrom This device lacks IS because....
2	YES	Nearest prior art GB-A- IS can be seen in the fact that

PATENT COOPERATION TREATY

TO

FROM the INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
identified below

WRITTEN OPINION
issued pursuant to PCT Rules 66.2(a)(b)⁽²⁾ and 66.4(a)⁽³⁾

Inscribe NAME and ADDRESS of the AGENT and if there
is no agent, of the APPLICANT⁽¹⁾

DATE OF MAILING by the International Preliminary
Examining Authority

APPLICANT'S OR AGENT'S FILE REFERENCE⁽¹⁾

IDENTIFICATION OF THE INTERNATIONAL APPLICATION

International Application No.	International Filing Date
Applicant (Name)	
Receiving Office	Priority Date Claimed

WRITTEN OPINION

With reference to the above-identified international application, this constitutes
the _____ (first, etc.)⁽³⁾ written opinion by this International Preliminary
Examining Authority.

I. BASIS OF OPINION⁽⁴⁾

The examination is being carried out on the following application documents:

- the application documents as filed
- description, pages as originally filed
- description, pages filed with your letter of
- claims, nos as originally filed
- claims, nos filed with your letter of
- drawings, sheet/fig. as originally filed
- drawings, sheet/fig. filed with your letter of
- This written opinion has been established as if the following noted amendments had
not been made since, for the reasons indicated, they have been considered as going
beyond the disclosure as filed.

II. NON-ESTABLISHMENT OF OPINION OF NOVELTY, INVENTIVE STEP AND INDUSTRIAL
APPLICABILITY⁽⁵⁾

The question whether the claimed invention appears to be novel, to involve an
inventive step (to be non-obvious), and to be industrially applicable will not for
the reasons indicated below be gone into in respect of:

1. the above-identified international application.
2. claims Nos. _____ (specify particular claims).
 Said international application, or said claims Nos. _____ relate to the
following subject matter⁽⁶⁾ which does not require an international prelim-
inary examination. (specify)
- The description, claims, or drawings (indicate particular elements) or said
claims Nos. _____ are so unclear that no meaningful opinion could be
formed.⁽⁷⁾
- The claims, or said claims Nos. _____ are so inadequately supported by
the description that no meaningful opinion could be formed.⁽⁷⁾

WRITTEN OPINION (Continued)

III. NEGATIVE STATEMENT IN REGARD TO NOVELTY, INVENTIVE STEP AND INDUSTRIAL APPLICABILITY OF CLAIMS⁽⁸⁾

The statement under Article 35(2) should be negative in respect of the claims indicated below. The criteria not satisfied in respect of such claims are indicated by the letter abbreviation: N (for Novelty); IS (for Inventive Step); and IA (for Industrial Applicability).

IV. CITATIONS AND EXPLANATIONS IN REGARD TO NOVELTY, INVENTIVE STEP AND INDUSTRIAL APPLICABILITY OF CLAIMS⁽⁹⁾

No. of Claim / Relevant Supporting Documents Cited/ Explanation

PCT - II

PATENT COOPERATION TREATY

TO

FROM the INTERNATIONAL BUREAU of the
WORLD INTELLECTUAL PROPERTY ORGANIZATION

NOTIFICATION CONCERNING AMENDMENTS OF
THE CLAIMS

Issued pursuant to PCT Rule 62.2

DATE OF MAILING by the International Bureau

IN ITS CAPACITY AS INTERNATIONAL
PRELIMINARY EXAMINING AUTHORITY

IDENTIFICATION OF THE INTERNATIONAL APPLICATION

International Application No.

International Filing Date

Applicant (Name)

NOTIFICATION

The International Bureau hereby notifies the International Preliminary Examining Authority that, in regard to the above identified international application:

1. the amendments to the claims as filed under Article 19 are transmitted herewith. (Rule 62.2(a))
2. the time limit has expired without amendments to the claims under Article 19 having been made. (Rule 62.2(b))
3. the applicant has declared that he does not wish to make amendments to the claims under Article 19. (Rule 62.2(b))

THE INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

Mailing Address

WIPO
34 chemin des Colombettes
1211 Geneva 20
Switzerland

Authorized Officer

PCT - II

PATENT COOPERATION TREATY

DEMAND

UNDER ARTICLE 31 OF THE PATENT COOPERATION TREATY:

THE UNDERSIGNED REQUESTS THAT THE INTERNATIONAL APPLICATION SPECIFIED BELOW BE THE SUBJECT OF INTERNATIONAL PRELIMINARY EXAMINATION ACCORDING TO THE PATENT COOPERATION TREATY

I. IDENTIFICATION OF THE INTERNATIONAL APPLICATION :		Applicant's or Agent's File Reference ¹ (indicated by applicant if desired):
International Application No.	International Filing Date	Receiving Office
Title of Invention		
II. APPLICANT ¹ Additional applicants are indicated on supplemental sheet <input type="checkbox"/>		
Name		
Address (including postal code and country)		
Nationality (country)		Residence (country)
Telephone number (if any)	Telegraphic address (if any)	Teletypewriter address (if any)
III. AGENT OR COMMON REPRESENTATIVE (IF ANY) ² Additional agents are indicated on supplemental sheet. <input type="checkbox"/>		
A. <input type="checkbox"/> Applicant hereby appoints the following named agent or common representative to act on his behalf for the purposes of international preliminary examination. ³		
B. <input type="checkbox"/> Applicant has appointed the following named agent or common representative in an accompanying separate power of attorney. ³		
Name		
Address (including postal code and country)		
Telephone number (if any)	Telegraphic address (if any)	Teletypewriter address (if any)
IV. ELECTION OF STATES ⁴		
V. SIGNATURE OF APPLICANT ¹		
(The following is to be filled in by the International Preliminary Examining Authority.)		
1. Actual date of receipt of DEMAND		
2. Adjusted date of receipt of DEMAND due to the following: (the later of the two dates being applicable where both are indicated.)		
a. <input type="checkbox"/> Date of timely receipt of HANDLING FEE		
b. <input type="checkbox"/> Date of timely receipt of proper CORRECTIONS to the DEMAND		

WRITTEN OPINION (Continued)	
V. CERTAIN DEFECTS IN THE INTERNATIONAL APPLICATION ⁽¹⁰⁾	
The following defects in the form or contents of the above-identified international application under the Treaty or the Regulations have been noted.	
VI. CERTAIN OBSERVATIONS ON THE INTERNATIONAL APPLICATION ⁽¹¹⁾	
The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are notified:	
VII. INVITATION	
APPLICANT IS INVITED ⁽¹²⁾ TO SUBMIT A WRITTEN REPLY ACCOMPANIED BY AMENDMENTS OR CORRECTIONS ⁽¹³⁾ , WHERE APPROPRIATE, WITHIN _____ MONTHS OF THE DATE OF MAILING INDICATED ON THE PREVIOUS PAGE.	
THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY	
Name and Mailing Address WIPO, Patent Office Marqustr. 27 D-6000 Munich 2	Authorized Officer