



C.PCT 1132
-21.1

February 21, 2008

Madam,
Sir,

Proposed modifications of certain Forms relating to the Receiving Office, the International Searching Authority and the International Bureau

This Circular is addressed to your Office in its capacity as receiving Office (RO), International Searching Authority (ISA), and/or designated or elected Office under the Patent Cooperation Treaty (PCT) for the purpose of consultation under PCT Rule 89.2(b). It is also addressed to certain non-governmental organizations representing users of the PCT system.

This Circular concerns proposed modifications to certain Forms used by the RO, ISA and the International Bureau (IB), consequential to amendments of the Regulations under the PCT adopted by the PCT Assembly at its thirty-sixth session (see document PCT/A/36/2), which will enter into force on July 1, 2008.

It is recalled that these amendments of the Regulations concern, in particular, the use of the results of earlier searches performed by an Office other than the Office acting as ISA, the extension of the time limit to pay the prescribed fee for the restoration of the right of priority, and cases in which the international applications are considered withdrawn.

This Circular also contains a proposal whereby applicants, agents and common representatives may indicate an e-mail address which the IB may use when rapid communication is necessary, and may in addition specifically request the IB to send notifications from the IB to such e-mail address in addition to sending the paper versions of the forms.

/...

- The explanations relating to the proposed modified forms are set out in
- ./ Annex I of this Circular. The proposed modified Forms themselves are set out in
 - ./ Annex II (RO Forms), Annex III (ISA Forms) and Annex IV (IB Form) of this Circular.

Comments on the proposed modifications to the Forms relating to the RO, the ISA and the IB

Noting that the modified Forms should be promulgated with effect from July 1, 2008, and that further consultation may be required after consideration of the comments received in response to this Circular, you are invited to provide comments, if any, to the International Bureau by April 4, 2008, preferably by fax to (+41-22) 910 00 30 or by email to: pct.legal@wipo.int.

Yours sincerely,



Francis Gurry
Deputy Director General

Enclosures: Annex I—Detailed explanations of the proposed modifications to certain Forms relating to the RO, the ISA and the IB

Annex II—Proposed modified Forms PCT/RO/101, PCT/RO/110, PCT/RO/111, PCT/RO/117, PCT/RO/158 and PCT/RO/159

Annex III—Proposed modified Forms PCT/ISA/210 and PCT/ISA/238

Annex IV—Proposed modified Form PCT/IB/318

EXPLANATIONS OF THE PROPOSED MODIFICATIONS
TO CERTAIN RECEIVING OFFICE, INTERNATIONAL SEARCHING
AUTHORITY, AND INTERNATIONAL BUREAU FORMS

General comment

The International Bureau proposes a number of minor editorial and layout changes with a view to, as the case may be, harmonizing, simplifying and making the Forms more readable. To assist in identifying the changes to the forms, the International Bureau has prepared a set of marked-up versions to accompany this Circular. The mark-ups indicate deleted and new text on separate pages. Thus, on the first marked-up page, the deleted text appears in red with the text struck out. This is followed by the second marked-up page of the same form where new text is underlined in blue. Each page indicates clearly whether it concerns deleted or new text.

Comments on specific Forms

(i) PCT/RO/101 (the "Request")

Following the amendments to Rules 4.1, 4.12, 16.3 and 41.1 and the addition of new Rule 12*bis* which will enter into force on July 1, 2008, this Form is proposed to be modified to include, in Box No. VII, the option for the applicant to request the ISA, when carrying out the international search, to take into consideration the results of an earlier search carried out either by that Authority, by another ISA or by any national Office. The request form is proposed to only provide space for the applicant to make reference to two earlier searches; if the applicant is requesting the ISA to take into account more than two earlier searches, the applicant would have to duplicate the sheet containing Box No. VII as many times as necessary.

The Request Form is also proposed to be modified to include in Boxes Nos. II and IV a field in which the e-mail address of the main applicant and the agent or common representative may be indicated. The purpose of this field is first of all to allow for rapid communication by the International Bureau, also in its functions as receiving Office, with the applicant, agent or common representative by e-mail, where need be, as provided for in Rule 4.4(c). It should be noted that the PCT-SAFE Request Form already contains such a field for the provision of the e-mail address of applicants, agents and common representatives. Other receiving Offices and International Authorities may also wish to use the e-mail addresses provided by the applicant or agent in the same manner. In addition, it should be noted that the teleprinter field has been removed in the April 2007 version of the Request Form.

Secondly, by checking the corresponding check box in Boxes Nos. II and IV, the applicant, agent or common representative may choose to authorize the International Bureau to send a copy of all notifications that the International Bureau issues in respect of the international application to the indicated e-mail address. Only a single e-mail address should be indicated for this purpose per

applicant, agent or common representative. The benefit of sending copies of notifications by e-mail would be to avoid postal and processing delays. Any such e-mail communications would always be followed by the sending of the paper copy of the relevant notification. Only the paper copy will be considered as the legal copy of the notification and only its date of mailing will commence any time limit within the meaning of Rule 80.

The e-mail authorization is proposed to cover only the International Bureau and its receiving Office. Offices and Authorities are invited to provide the International Bureau with an indication as to whether they wish that this authorization be extended to all receiving Offices and International Authorities, it being understood that no Office or Authority would be obliged to communicate with applicants by e-mail.

(ii) PCT/RO/110 (“Invitation to Correct Priority Claim and/or Notification of Possibility to Request Restoration of the Right of Priority”)

Following the amendments to Rule 26bis.3, this Form is proposed to be modified to include a reference to the extension of the time limit which any receiving Office may offer in relation to the payment of the fee for requesting restoration of the priority right.

(iii) PCT/RO/111 (“Notification Relating to Priority Claim”)

See comment on Form PCT/RO/110. Moreover, certain other clarifications, not relating to the 2008 Rule changes, are also being proposed.

(iv) PCT/RO/117 (“Notification that international application considered withdrawn”)

Following the amendments to Rule 29.1(v), this Form is proposed to be modified to emphasize that only if this Form is received by the International Bureau before completion of technical preparations for international publication will the international publication of the international application concerned be prevented. Receiving Offices are reminded that it is crucial to communicate this Form as quickly as possible to the International Bureau, preferably by fax, to avoid the publication of international applications which are considered withdrawn.

(v) PCT/RO/158 (“Notification of Intended Refusal of Request to Restore Right of Priority and/or Invitation to Furnish Declaration or Other Evidence”)

See comment on Form PCT/RO/110.

(vi) *PCT/RO/159* (“*Notification of Decision on Request to Restore Right of Priority*”)

See comment on Form PCT/RO/111. Moreover, certain other clarifications, not relating to the 2008 Rule changes, are also being proposed.

(vii) *PCT/ISA/210* (“*International Search Report*”)

The proposed modifications to this Form are consequential to the modifications to Rule 41.1. The proposed modified Form provides the possibility for the ISA to inform the applicant whether it has taken into account the results of an earlier search, as requested by the applicant in the Request Form.

(viii) *PCT/ISA/238* (“*Invitation to Furnish any Document in Connection with Earlier Search*”) (New Form)

The creation of this new Form is consequential to new Rule 12*bis*.1(b) according to which the ISA can request the applicant to furnish certain documents to it in connection with a request by the applicant to take into account the results of an earlier search.

(ix) *PCT/IB/318* (“*Notification Relating to Priority Claim*”)

See comment on Form PCT/RO/110.

[Annex II follows]

PCT**REQUEST**

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum)

Box No. I TITLE OF INVENTION	
Box No. II APPLICANT <input type="checkbox"/> This person is also inventor	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)	Telephone No.
	Facsimile No.
	Applicant's registration No. with the Office
State (that is, country) of nationality:	State (that is, country) of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.	
Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as: <input type="checkbox"/> agent <input type="checkbox"/> common representative	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	Telephone No.
	Facsimile No.
	Agent's registration No. with the Office
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	

PCT**REQUEST**

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum)

Box No. I	TITLE OF INVENTION		
Box No. II	APPLICANT	<input type="checkbox"/> This person is also inventor	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)		Telephone No.	
		Facsimile No.	
		Applicant's registration No. with the Office	
<input type="checkbox"/>	E-mail authorization: Marking this check-box authorizes the International Bureau (also in its functions as receiving Office) to use the e-mail address indicated in this Box to send advance copies of notifications issued in respect of this international application. (See also the Notes to Boxes II and III.)		E-mail address
State (that is, country) of nationality:		State (that is, country) of residence:	
This person is applicant for the purposes of:		<input type="checkbox"/> all designated States	<input type="checkbox"/> all designated States except the United States of America
		<input type="checkbox"/> the United States of America only	<input type="checkbox"/> the States indicated in the Supplemental Box
Box No. III	FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)		
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.			
Box No. IV	AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE		
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:		<input type="checkbox"/> agent	<input type="checkbox"/> common representative
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)		Telephone No.	
		Facsimile No.	
		Agent's registration No. with the Office	
<input type="checkbox"/>	E-mail authorization: Marking this check-box authorizes the International Bureau (also in its functions as receiving Office) to use the e-mail address indicated in this Box to send advance copies of notifications issued in respect of this international application. (See also the Notes to Boxes II and III.)		E-mail address
<input type="checkbox"/>	Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.		

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

If none of the following sub-boxes is used, this sheet should not be included in the request.

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

State *(that is, country)* of nationality:State *(that is, country)* of residence:

This person is applicant for the purposes of:

 all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

State *(that is, country)* of nationality:State *(that is, country)* of residence:

This person is applicant for the purposes of:

 all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box

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- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

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This person is applicant for the purposes of:

 all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box

Further applicants and/or (further) inventors are indicated on another continuation sheet.

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- applicant only
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- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

State *(that is, country)* of nationality:State *(that is, country)* of residence:

This person is applicant for the purposes of:

 all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)*

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- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

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 all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box

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This person is:

- applicant only
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- inventor only *(If this check-box is marked, do not fill in below.)*

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This person is applicant for the purposes of:

 all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

State *(that is, country)* of nationality:State *(that is, country)* of residence:

This person is applicant for the purposes of:

 all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box

Further applicants and/or (further) inventors are indicated on another continuation sheet.

Supplemental Box *If the Supplemental Box is not used, this sheet should not be included in the request.*

1. *If, in any of the Boxes, except Boxes Nos. VIII(i) to (v) for which a special continuation box is provided, **the space is insufficient** to furnish all the information: in such case, write "Continuation of Box No...." (indicate the number of the Box) and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:*
 - (i) *if more than one person is to be indicated as applicant and/or inventor and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below;*
 - (ii) *if, in Box No. II or in any of the sub-boxes of Box No. III, the indication "**the States indicated in the Supplemental Box**" is checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant;*
 - (iii) *if, in Box No. II or in any of the sub-boxes of Box No. III, **the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America**: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;*
 - (iv) *if, in addition to the agent(s) indicated in Box No. IV, there are **further agents**: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;*
 - (v) *if, in Box No. VI, there are **more than three earlier applications whose priority is claimed**: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI.*
2. *If the applicant intends to make an indication of the wish that the international application be treated, in certain designated States, as an application for a patent of addition, certificate of addition, inventor's certificate of addition or utility certificate of addition: in such a case, write the name or two-letter code of each designated State concerned and the indication "**patent of addition**," "**certificate of addition**," "**inventor's certificate of addition**" or "**utility certificate of addition**," the number of the parent application or parent patent or other parent grant and the date of grant of the parent patent or other parent grant or the date of filing of the parent application (Rules 4.11(a)(iii) and 49bis.1(a) or (b)).*
3. *If the applicant intends to make an indication of the wish that the international application be treated, in the United States of America, as a continuation or continuation-in-part of an earlier application: in such a case, write "United States of America" or "US" and the indication "**continuation**" or "**continuation-in-part**" and the number and the filing date of the parent application (Rules 4.11(a)(iv) and 49bis.1(d)).*

Supplemental Box *If the Supplemental Box is not used, this sheet should not be included in the request.*

1. *If, in any of the Boxes, except Boxes Nos. VIII(i) to (v) for which a special continuation box is provided, **the space is insufficient** to furnish all the information: in such case, write "Continuation of Box No...." (indicate the number of the Box) and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:*
 - (i) *if more than one person is to be indicated as applicant and/or inventor and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below;*
 - (ii) *if, in Box No. II or in any of the sub-boxes of Box No. III, the indication "**the States indicated in the Supplemental Box**" is checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant;*
 - (iii) *if, in Box No. II or in any of the sub-boxes of Box No. III, **the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America**: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;*
 - (iv) *if, in addition to the agent(s) indicated in Box No. IV, there are **further agents**: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;*
 - (v) *if, in Box No. VI, there are **more than three earlier applications whose priority is claimed**: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI.*

2. *If the applicant intends to make an indication of the wish that the international application be treated, in certain designated States, as an application for a patent of addition, certificate of addition, inventor's certificate of addition or utility certificate of addition: in such a case, write the name or two-letter code of each designated State concerned and the indication "**patent of addition**," "**certificate of addition**," "**inventor's certificate of addition**" or "**utility certificate of addition**," the number of the parent application or parent patent or other parent grant and the date of grant of the parent patent or other parent grant or the date of filing of the parent application (Rules 4.11(a)(i) and 49bis.1(a) or (b)).*

3. *If the applicant intends to make an indication of the wish that the international application be treated, in the United States of America, as a continuation or continuation-in-part of an earlier application: in such a case, write "United States of America" or "US" and the indication "**continuation**" or "**continuation-in-part**" and the number and the filing date of the parent application (Rules 4.11(a)(ii) and 49bis.1(d)).*

Box No. V DESIGNATIONS

The filing of this request **constitutes under Rule 4.9(a), the designation** of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents. However:

DE Germany is not designated for any kind of national protection

JP Japan is not designated for any kind of national protection

KR Republic of Korea is not designated for any kind of national protection

RU Russian Federation is not designated for any kind of national protection

The check-boxes above may only be used to exclude (irrevocably) the designations concerned if, at the time of filing or subsequently under Rule 26bis.1, the international application contains in Box No. VI a priority claim to an earlier national application filed in the particular State concerned, in order to avoid the ceasing of the effect, under the national law, of this earlier national application.

Box No. VI PRIORITY CLAIM

The priority of the following earlier application(s) is hereby claimed:

Filing date of earlier application <i>day/month/year</i>	Number of earlier application	Where earlier application is:		
		national application, country or Member of WIPO	regional application: regional Office	international application: receiving Office
item (1)				
item (2)				
item (3)				

Further priority claims are indicated in the Supplemental Box

Transmit certified copy: the receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (only if the earlier application was filed with the Office which for the purposes of this international application is the receiving Office) identified above as:

- all items item (1) item (2) item (3) other, see Supplemental Box

Restore the right of priority: the receiving Office is requested to restore the right of priority for the earlier application(s) identified above or in the Supplemental Box as item(s) (_____). (See also the Notes to Box No. VI; further information must be provided to support a request to restore the right of priority.)

Incorporation by reference: where an element of the international application referred to in Article 11(1)(iii)(d) or (e) or a part of the description, claims or drawings referred to in Rule 20.5(a) is not otherwise contained in this international application but is completely contained in an earlier application whose priority is claimed on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, that element or part is, subject to confirmation under Rule 20.6, incorporated by reference in this international application for the purposes of Rule 20.6

Box No. VII INTERNATIONAL SEARCHING AUTHORITY

Choice of International Searching Authority (ISA) (if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):

ISA /

Request to use results of earlier search; reference to that search (if an earlier search has been carried out by or requested from the International Searching Authority):

Date (day/month/year) Number Country (or regional Office)

Box No. VIII DECLARATIONS

The following **declarations** are contained in Boxes Nos. VIII (i) to (v) (mark the applicable check-boxes below and indicate in the right column the number of each type of declaration):

		Number of declarations
<input type="checkbox"/>	Box No. VIII (i) Declaration as to the identity of the inventor	:
<input type="checkbox"/>	Box No. VIII (ii) Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	:
<input type="checkbox"/>	Box No. VIII (iii) Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	:
<input type="checkbox"/>	Box No. VIII (iv) Declaration of inventorship (only for the purposes of the designation of the United States of America)	:
<input type="checkbox"/>	Box No. VIII (v) Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	:

Box No. V	DESIGNATIONS			
<p>The filing of this request constitutes under Rule 4.9(a) the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.</p>				
<p>However:</p>				
<p><input type="checkbox"/> DE Germany is not designated for any kind of national protection</p>				
<p><input type="checkbox"/> JP Japan is not designated for any kind of national protection</p>				
<p><input type="checkbox"/> KR Republic of Korea is not designated for any kind of national protection</p>				
<p><input type="checkbox"/> RU Russian Federation is not designated for any kind of national protection</p>				
<p><i>(The check-boxes above may only be used to exclude (irrevocably) the designations concerned if, at the time of filing or subsequently under Rule 26bis.1, the international application contains in Box No. VI a priority claim to an earlier national application filed in the particular State concerned, in order to avoid the ceasing of the effect, under the national law, of this earlier national application.)</i></p>				
Box No. VI PRIORITY CLAIM				
<p>The priority of the following earlier application(s) is hereby claimed:</p>				
		Where earlier application is:		
Filing date of earlier application (day/month/year)	Number of earlier application	national application country or Member of WTO	regional application: regional Office	international application receiving Office
item (1)				
item (2)				
item (3)				
<p><input type="checkbox"/> Further priority claims are indicated in the Supplemental Box</p>				
<p>Transmit certified copy: the receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (only if the earlier application was filed with the Office which for the purposes of this international application is the receiving Office) identified above as:</p>				
<p><input type="checkbox"/> all items <input type="checkbox"/> item (1) <input type="checkbox"/> item (2) <input type="checkbox"/> item (3) <input type="checkbox"/> other, see Supplemental Box</p>				
<p>Restore the right of priority: the receiving Office is requested to restore the right of priority for the earlier application(s) identified above or in the Supplemental Box as item(s) (). (See also the Notes to Box No. VI: further information must be provided to support a request to restore the right of priority.)</p>				
<p>Incorporation by reference: where an element of the international application referred to in Article 11(1)(iii)(d) or (e) or a part of the description, claims or drawings referred to in Rule 20.5(a) is not otherwise contained in this international application but is completely contained in an earlier application whose priority is claimed on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, that element or part is, subject to confirmation under Rule 20.6, incorporated by reference in this international application for the purposes of Rule 20.6</p>				

Box No. VII INTERNATIONAL SEARCHING AUTHORITY; USE OF RESULTS OF EARLIER SEARCH		
<p>Choice of International Searching Authority (ISA) (if more than one International Searching Authority is competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used): ISA/</p>		
<p><input type="checkbox"/> Request to use results of earlier search; reference to that search (if one or more earlier searches have been carried out) the ISA indicated above is requested to take into account the results of the earlier search(es) indicated below (See also Notes to Box VII; use of results of more than two earlier searches):</p>		
Date (day/month/year)	Number	Country (or regional Office)
<p><input type="checkbox"/> Statement (Rule 4.12(ii)): this international application is the same, or substantially the same, as the application in respect of which the earlier search was carried out except, where applicable, that it is filed in a different language.</p>		
<p><input type="checkbox"/> Availability of documents: the following documents are available to the ISA in a form and manner acceptable to it and therefore do not need to be submitted by the applicant to the ISA (Rule 12bis.1(f)):</p>		
<p><input type="checkbox"/> a copy of the results of the earlier search,*</p>		
<p><input type="checkbox"/> a copy of the earlier application,</p>		
<p><input type="checkbox"/> a translation of the earlier application into a language which is accepted by the ISA,</p>		
<p><input type="checkbox"/> a translation of the results of the earlier search into a language which is accepted by the ISA,</p>		
<p><input type="checkbox"/> a copy of any document cited in the results of the earlier search. (If known, please indicate below which document is available to the ISA):</p>		
<p><input type="checkbox"/> Transmit copy of results of earlier search and other documents (where the earlier search was not carried out by the ISA indicated above but by the same Office as that which is acting as the receiving Office): the receiving Office is requested to prepare and transmit to the ISA (Rule 12bis.1(c)):</p>		
<p><input type="checkbox"/> a copy of the results of the earlier search,*</p>		
<p><input type="checkbox"/> a copy of the earlier application,</p>		
<p><input type="checkbox"/> a copy of any document cited in the results of the earlier search.</p>		
<p>* Where the results of the earlier search are neither available from a digital library nor transmitted by the receiving Office, the applicant is required to submit them to the receiving Office (Rule 12bis.1(a)) (See item 11. in the check-list and also Notes to Box No. VII).</p>		
Date (day/month/year)	Number	Country (or regional Office)
<p><input type="checkbox"/> Statement (Rule 4.12(ii)): this international application is the same, or substantially the same, as the application in respect of which the earlier search was carried out, except, where applicable, that it is filed in a different language.</p>		
<p><input type="checkbox"/> Availability of documents: the following documents are available to the ISA in a form and manner acceptable to it and therefore do not need to be submitted by the applicant to the ISA (Rule 12bis.1(f)):</p>		
<p><input type="checkbox"/> a copy of the results of the earlier search,*</p>		
<p><input type="checkbox"/> a copy of the earlier application,</p>		
<p><input type="checkbox"/> a translation of the earlier application into a language which is accepted by the ISA,</p>		
<p><input type="checkbox"/> a translation of the results of the earlier search into a language which is accepted by the ISA,</p>		
<p><input type="checkbox"/> a copy of any document cited in the results of the earlier search. (If known, please indicate below which document is available to the ISA):</p>		
<p><input type="checkbox"/> Transmit copy of results of earlier search and other documents (where the earlier search was not carried out by the ISA indicated above but by the same Office as that which is acting as the receiving Office): the receiving Office is requested to prepare and transmit to the ISA (Rule 12bis.1(c)):</p>		
<p><input type="checkbox"/> a copy of the results of the earlier search,*</p>		
<p><input type="checkbox"/> a copy of the earlier application,</p>		
<p><input type="checkbox"/> a copy of any document cited in the results of the earlier search.</p>		
<p>* Where the results of the earlier search are neither available from a digital library nor transmitted by the receiving Office, the applicant is required to submit them to the receiving Office (Rule 12bis.1(a)) (See item 11. in the check-list and also Notes to Box No. VII).</p>		
Box No. VIII DECLARATIONS		
<p>The following declarations are contained in Boxes Nos. VIII (i) to (v) (mark the applicable check-boxes below and indicate in the right column the number of each type of declaration):</p>		Number of declarations
<input type="checkbox"/> Box No. VIII (i)	Declaration as to the identity of the inventor	:
<input type="checkbox"/> Box No. VIII (ii)	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	:
<input type="checkbox"/> Box No. VIII (iii)	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	:
<input type="checkbox"/> Box No. VIII (iv)	Declaration of inventorship (only for the purposes of the designation of the United States of America)	:
<input type="checkbox"/> Box No. VIII (v)	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	:

Box No. VIII (i) DECLARATION: IDENTITY OF THE INVENTOR

The declaration must conform to the standardized wording provided for in Section 211; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (i). If this Box is not used, this sheet should not be included in the request.

Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (i)".

Box No. VIII (i) DECLARATION: IDENTITY OF THE INVENTOR

The declaration must conform to the standardized wording provided for in Section 211; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (i). If this Box is not used, this sheet should not be included in the request.

Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (i)".

Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT

The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT

The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY

The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".

Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY

The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)

The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: ..
.....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name:

Residence:
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature: Date:
(The signature must be that of the inventor, not that of the agent)

Name:

Residence:
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature: Date:
(The signature must be that of the inventor, not that of the agent)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)

The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: ..
.....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name:

Residence:
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature: Date:
(The signature must be that of the inventor, not that of the agent)

Name:

Residence:
(city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature: Date:
(The signature must be that of the inventor, not that of the agent)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Box No. VIII (v) DECLARATION: NON-PREJUDICIAL DISCLOSURES OR EXCEPTIONS TO LACK OF NOVELTY

The declaration must conform to the standardized wording provided for in Section 215; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (v). If this Box is not used, this sheet should not be included in the request.

Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (v)".

Box No. VIII (v) DECLARATION: NON-PREJUDICIAL DISCLOSURES OR EXCEPTIONS TO LACK OF NOVELTY

The declaration must conform to the standardized wording provided for in Section 215; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (v). If this Box is not used, this sheet should not be included in the request.

Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v)):

This declaration is continued on the following sheet, "Continuation of Box No. VIII (v)".

Continuation of Box No. VIII (i) to (v) DECLARATION

*If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where **more than two inventors are to be named** in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

Continuation of Box No. VIII (i) to (v) DECLARATION

*If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where **more than two inventors are to be named** in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

Box No. IX CHECK LIST; LANGUAGE OF FILING		
<p>This international application contains:</p> <p>(a) on paper, the following number of sheets:</p> <p>request (including declaration and supplemental sheets) : _____</p> <p>description (excluding sequence listing and/or tables related thereto) : _____</p> <p>claims : _____</p> <p>abstract : _____</p> <p>drawings : _____</p> <p>Sub-total number of sheets : _____</p> <p>sequence listing : _____</p> <p>tables related thereto : _____</p> <p><i>(for both, actual number of sheets if filed on paper, whether or not also filed in electronic form; see (c) below)</i></p> <p>Total number of sheets : _____</p> <p>(b) <input type="checkbox"/> only in electronic form (Section 801(a)(i))</p> <p>(i) <input type="checkbox"/> sequence listing</p> <p>(ii) <input type="checkbox"/> tables related thereto</p> <p>(c) <input type="checkbox"/> also in electronic form (Section 801(a)(ii))</p> <p>(i) <input type="checkbox"/> sequence listing</p> <p>(ii) <input type="checkbox"/> tables related thereto</p> <p>Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the</p> <p><input type="checkbox"/> sequence listing:</p> <p><input type="checkbox"/> tables related thereto:</p> <p><i>(additional copies to be indicated under items 9(ii) and/or 10(ii), in right column)</i></p>	<p>This international application is accompanied by the following item(s) <i>(mark the applicable check-boxes below and indicate in right column the number of each item)</i>:</p> <p>1. <input type="checkbox"/> fee calculation sheet : _____</p> <p>2. <input type="checkbox"/> original separate power of attorney : _____</p> <p>3. <input type="checkbox"/> original general power of attorney : _____</p> <p>4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: : _____</p> <p>5. <input type="checkbox"/> statement explaining lack of signature : _____</p> <p>6. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): : _____</p> <p>7. <input type="checkbox"/> translation of international application into <i>(language)</i>: : _____</p> <p>8. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material : _____</p> <p>9. <input type="checkbox"/> sequence listing in electronic form <i>(indicate type and number of carriers)</i></p> <p>(i) <input type="checkbox"/> copy submitted for the purposes of international search under Rule 13ter only (and not as part of the international application) : _____</p> <p>(ii) <input type="checkbox"/> <i>(only where check-box (b)(i) or (c)(i) is marked in left column)</i> additional copies including, where applicable, the copy for the purposes of international search under Rule 13ter : _____</p> <p>(iii) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the sequence listing mentioned in left column : _____</p> <p>10. <input type="checkbox"/> tables in electronic form related to sequence listing <i>(indicate type and number of carriers)</i></p> <p>(i) <input type="checkbox"/> copy submitted for the purposes of international search under Section 802(b-<i>quater</i>) only (and not as part of the international application) : _____</p> <p>(ii) <input type="checkbox"/> <i>(only where check-box (b)(ii) or (c)(ii) is marked in left column)</i> additional copies including, where applicable, the copy for the purposes of international search under Section 802(b-<i>quater</i>) : _____</p> <p>(iii) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the tables mentioned in left column : _____</p> <p>11. <input type="checkbox"/> other <i>(specify)</i>: : _____</p>	<p>Number of items</p>
<p>Figure of the drawings which should accompany the abstract:</p>	<p>Language of filing of the international application:</p>	

Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE	
<p><i>Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).</i></p>	

For receiving Office use only		
<p>1. Date of actual receipt of the purported international application:</p>	<p>2. Drawings:</p> <p><input type="checkbox"/> received:</p>	
<p>3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:</p>	<p><input type="checkbox"/> not received:</p>	
<p>4. Date of timely receipt of the required corrections under PCT Article 11(2):</p>		
<p>5. International Searching Authority (if two or more are competent): ISA /</p>	<p>6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid</p>	

For International Bureau use only
<p>Date of receipt of the record copy by the International Bureau:</p>

Box No. IX CHECK LIST; LANGUAGE OF FILING		
<p>This international application contains:</p> <p>(a) on paper, the following number of sheets:</p> <p>request (including declaration and supplemental sheets) :</p> <p>description (excluding sequence listing and/or tables related thereto) :</p> <p>claims :</p> <p>abstract :</p> <p>drawings :</p> <p>Sub-total number of sheets : _____</p> <p>sequence listing :</p> <p>tables related thereto :</p> <p><i>(for both, actual number of sheets if filed on paper, whether or not also filed in electronic form; see (c) below)</i></p> <p>Total number of sheets : _____</p> <p>(b) <input type="checkbox"/> only in electronic form (Section 801(a)(i))</p> <p>(i) <input type="checkbox"/> sequence listing</p> <p>(ii) <input type="checkbox"/> tables related thereto</p> <p>(c) <input type="checkbox"/> also in electronic form (Section 801(a)(ii))</p> <p>(i) <input type="checkbox"/> sequence listing</p> <p>(ii) <input type="checkbox"/> tables related thereto</p> <p>Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the</p> <p><input type="checkbox"/> sequence listing:</p> <p><input type="checkbox"/> tables related thereto:</p> <p><i>(additional copies to be indicated under items 9(ii) and/or 10(ii), in right column)</i></p>	<p>This international application is accompanied by the following item(s) <i>(mark the applicable check-boxes below and indicate in right column the number of each item)</i>:</p> <p>1. <input type="checkbox"/> fee calculation sheet :</p> <p>2. <input type="checkbox"/> original separate power of attorney :</p> <p>3. <input type="checkbox"/> original general power of attorney :</p> <p>4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: :</p> <p>5. <input type="checkbox"/> statement explaining lack of signature :</p> <p>6. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): :</p> <p>7. <input type="checkbox"/> translation of international application into <i>(language)</i>: :</p> <p>8. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material :</p> <p>9. <input type="checkbox"/> sequence listing in electronic form <i>(indicate type and number of carriers)</i></p> <p>(i) <input type="checkbox"/> copy submitted for the purposes of international search under Rule 13ter only (and not as part of the international application) :</p> <p>(ii) <input type="checkbox"/> <i>(only where check-box (b)(i) or (c)(i) is marked in left column)</i> additional copies including, where applicable, the copy for the purposes of international search under Rule 13ter :</p> <p>(iii) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the sequence listing mentioned in left column :</p> <p>10. <input type="checkbox"/> tables in electronic form related to sequence listing <i>(indicate type and number of carriers)</i></p> <p>(i) <input type="checkbox"/> copy submitted for the purposes of international search under Section 802(b-quater) only (and not as part of the international application) :</p> <p>(ii) <input type="checkbox"/> <i>(only where check-box (b)(ii) or (c)(ii) is marked in left column)</i> additional copies including, where applicable, the copy for the purposes of international search under Section 802(b-quater) :</p> <p>(iii) <input type="checkbox"/> together with relevant statement as to the identity of the copy or copies with the tables mentioned in left column :</p> <p>11. <input type="checkbox"/> <u>copy of results of earlier search(es) (Rule 12bis.1(a))</u> :</p> <p>12. <input type="checkbox"/> <u>other (specify)</u>: :</p>	<p>Number of items</p>
<p>Figure of the drawings which should accompany the abstract:</p>	<p>Language of filing of the international application:</p>	

Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE	
<i>Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).</i>	

For receiving Office use only		
1. Date of actual receipt of the purported international application:		2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received:
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:		
4. Date of timely receipt of the required corrections under PCT Article 11(2):		
5. International Searching Authority (if two or more are competent): ISA /	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid	

For International Bureau use only
Date of receipt of the record copy by the International Bureau:

NOTES TO THE REQUEST FORM (PCT/RO/101)

These Notes are intended to facilitate the filling in of the request form. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's website: www.wipo.int/pct/en/index.html. The Notes are based on the requirements of the Patent Cooperation Treaty (PCT), the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

The request form should be typed or printed; check-boxes may be marked by hand with black ink (Rule 11.9(a) and (b)).

The request form and these Notes may be downloaded from WIPO's website at the address given above.

WHERE TO FILE THE INTERNATIONAL APPLICATION

The international application (request, description, claims, abstract and drawings, if any) must be filed with a competent receiving Office (Article 11(1)(i)) – that is, subject to any applicable prescriptions concerning national security, at the choice of the applicant, either:

(i) the receiving Office of, or acting for, a PCT Contracting State of which the applicant or, if there are two or more applicants, at least one of them, is a resident or national (Rule 19.1(a)(i) or (ii) or (b)), or

(ii) the International Bureau of WIPO in Geneva, Switzerland, if the applicant or, if there are two or more applicants, at least one of the applicants is a resident or national of any PCT Contracting State (Rule 19.1(a)(iii)).

APPLICANT'S OR AGENT'S FILE REFERENCE

A **file reference** may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded by the receiving Office or any International Authority (Rule 11.6(f) and Section 109).

BOX No. I

Title of Invention (Rules 4.3 and 5.1(a)): The title must be short (preferably two to seven words when in English or translated into English) and precise. It must be identical with the title heading the description.

BOXES Nos. II AND III

General: At least one of the applicants named must be a resident or national of a PCT Contracting State for which the receiving Office acts (Articles 9 and 11(1)(i) and Rules 18 and 19). If the international application is filed with the International Bureau under Rule 19.1(a)(iii), at least one of the applicants must be a resident or national of any PCT Contracting State.

Indication Whether a Person is Applicant and/or Inventor (Rules 4.5(a) and 4.6(a) and (b)):

All of the inventors must be named also as applicants for the purposes of the designation of the United States of America (see "Different Applicants for Different Designated States", below).

Check-box "This person is also inventor" (Box No. II): Mark this check-box if the applicant named is also the inventor or one of the inventors; do not mark this check-box if the applicant is a legal entity.

Check-box "applicant and inventor" (Box No. III): Mark this check-box if the person named is both applicant and inventor; do not mark this check-box if the person is a legal entity.

Check-box "applicant only" (Box No. III): Mark this check-box if the person named is a legal entity or if the person named is not also inventor.

Check-box "inventor only" (Box No. III): Mark this check-box if the person named is inventor but not also applicant. This would be the case in particular where the inventor is deceased or the particular inventor is not an inventor for the purposes of the designation of the United States of America. Do not mark this check-box if the person is a legal entity.

In Box No. III, one of the three check-boxes must always be marked for each person named.

A person must not be named more than once in Boxes Nos. II and III, even where that person is both applicant and inventor.

Different Applicants for Different Designated States (Rules 4.5(d), 18.3 and 19.2): It is possible to indicate different applicants for the purposes of different designated States. At least one of all the applicants named must be a national or resident of a PCT Contracting State for which the receiving Office acts, irrespective of the designated State(s) for the purposes of which that applicant is named. *All of the inventors must be named also as applicants for the United States of America (except as indicated above) and the check-boxes "This person is also inventor" (in Box No. II) and/or "applicant and inventor" (in Box No. III) must be marked.*

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). The check-box "the States indicated in the Supplemental Box" must be marked where none of the other three check-boxes fits the circumstances; in such a case, the name of the person must be repeated in the Supplemental Box with an indication of the States for which that person is applicant (see item 1(ii) in that Box).

Naming of Inventor (Rule 4.1(a)(iv) and (c)(i)): The inventor's name and address must be indicated since the national law of the United States of America requires that the name of the inventor be furnished at the time of filing. It is strongly recommended to always name the inventor. For details, see the *PCT Applicant's Guide, Volume I, Annexes B1 and B2*.

Different Inventors for Different Designated States (Rule 4.6(c)): Different persons may be indicated as inventors for different designated States (for example, where, in this respect, the requirements of the national laws of the designated States are not the same); in such a case, the Supplemental Box must be used (see item 1(iii) in that Box). In the absence of any indication, it will be assumed that the inventor(s) named is (are) inventor(s) for all designated States.

Names and Addresses (Rule 4.4): The family name (preferably in capital letters) must be indicated before the given name(s). Titles and academic degrees must be omitted. Names of legal entities must be indicated by their full official designations.

NOTES TO THE REQUEST FORM (PCT/RO/101)

These Notes are intended to facilitate the filling in of the request form. For more detailed information, see the *PCT Applicant's Guide*, a WIPO publication, which is available, together with other PCT related documents, at WIPO's website: www.wipo.int/pct/en/index.html. The Notes are based on the requirements of the Patent Cooperation Treaty (PCT), the Regulations and the Administrative Instructions under the PCT. In case of any discrepancy between these Notes and those requirements, the latter are applicable.

In the request form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

The request form should be typed or printed; check-boxes may be marked by hand with black ink (Rule 11.9(a) and (b)).

The request form and these Notes may be downloaded from WIPO's website at the address given above.

WHERE TO FILE THE INTERNATIONAL APPLICATION

The international application (request, description, claims, abstract and drawings, if any) must be filed with a competent receiving Office (Article 11(1)(i)) – that is, subject to any applicable prescriptions concerning national security, at the choice of the applicant, either:

(i) the receiving Office of, or acting for, a PCT Contracting State of which the applicant or, if there are two or more applicants, at least one of them, is a resident or national (Rule 19.1(a)(i) or (ii) or (b)), or

(ii) the International Bureau of WIPO in Geneva, Switzerland, if the applicant or, if there are two or more applicants, at least one of the applicants is a resident or national of any PCT Contracting State (Rule 19.1(a)(iii)).

APPLICANT'S OR AGENT'S FILE REFERENCE

A **file reference** may be indicated, if desired. It should not exceed 12 characters. Characters in excess of 12 may be disregarded by the receiving Office or any International Authority (Rule 11.6(f) and Section 109).

BOX No. I

Title of Invention (Rules 4.3 and 5.1(a)): The title must be short (preferably two to seven words when in English or translated into English) and precise. It must be identical with the title heading the description.

BOXES Nos. II AND III

General: At least one of the applicants named must be a resident or national of a PCT Contracting State for which the receiving Office acts (Articles 9 and 11(1)(i) and Rules 18 and 19). If the international application is filed with the International Bureau under Rule 19.1(a)(iii), at least one of the applicants must be a resident or national of any PCT Contracting State.

Indication Whether a Person is Applicant and/or Inventor (Rules 4.5(a) and 4.6(a) and (b)):

All of the inventors must be named also as applicants for the purposes of the designation of the United States of America (see "Different Applicants for Different Designated States", below).

Check-box "This person is also inventor" (Box No. II): Mark this check-box if the applicant named is also the inventor or one of the inventors; do not mark this check-box if the applicant is a legal entity.

Check-box "applicant and inventor" (Box No. III): Mark this check-box if the person named is both applicant and inventor; do not mark this check-box if the person is a legal entity.

Check-box "applicant only" (Box No. III): Mark this check-box if the person named is a legal entity or if the person named is not also inventor.

Check-box "inventor only" (Box No. III): Mark this check-box if the person named is inventor but not also applicant. This would be the case in particular where the inventor is deceased or the particular inventor is not an inventor for the purposes of the designation of the United States of America. Do not mark this check-box if the person is a legal entity.

In Box No. III, one of the three check-boxes must always be marked for each person named.

A person must not be named more than once in Boxes Nos. II and III, even where that person is both applicant and inventor.

Different Applicants for Different Designated States (Rules 4.5(d), 18.3 and 19.2): It is possible to indicate different applicants for the purposes of different designated States. At least one of all the applicants named must be a national or resident of a PCT Contracting State for which the receiving Office acts, irrespective of the designated State(s) for the purposes of which that applicant is named. *All of the inventors must be named also as applicants for the United States of America (except as indicated above) and the check-boxes "This person is also inventor" (in Box No. II) and/or "applicant and inventor" (in Box No. III) must be marked.*

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). The check-box "the States indicated in the Supplemental Box" must be marked where none of the other three check-boxes fits the circumstances; in such a case, the name of the person must be repeated in the Supplemental Box with an indication of the States for which that person is applicant (see item 1(ii) in that Box).

Naming of Inventor (Rule 4.1(a)(iv) and (c)(i)): The inventor's name and address must be indicated since the national law of the United States of America requires that the name of the inventor be furnished at the time of filing. It is strongly recommended to always name the inventor. For details, see the *PCT Applicant's Guide*, Annexes B1 and B2.

Different Inventors for Different Designated States (Rule 4.6(c)): Different persons may be indicated as inventors for different designated States (for example, where, in this respect, the requirements of the national laws of the designated States are not the same); in such a case, the Supplemental Box must be used (see item 1(iii) in that Box). In the absence of any indication, it will be assumed that the inventor(s) named is (are) inventor(s) for all designated States.

Names and Addresses (Rule 4.4): The family name (preferably in capital letters) must be indicated before the given name(s). Titles and academic degrees must be omitted. Names of legal entities must be indicated by their full official designations.

The address must be indicated in such a way that it allows prompt postal delivery; it must consist of all the relevant administrative units (up to and including the indication of the house number, if any), the postal code (if any), and the name of the country.

Only one address may be indicated per person. For the indication of a special “address for correspondence”, see the notes to Box No. IV.

~~Telephone and/or Facsimile Numbers~~ should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant. ~~Any such number should include the applicable country and area codes.~~

Applicant’s Registration Number with the Office (Rule 4.5(e)): Where the applicant is registered with the national or regional Office acting as receiving Office, the request may indicate the number or other indication under which the applicant is so registered.

Nationality (Rules 4.5(a) and (b) and 18.1): For each applicant, the nationality must be indicated by the name or two-letter code of the State (that is, country) of which the person is a national. A legal entity constituted according to the national law of a State is considered a national of that State. The indication of the nationality is not required where a person is inventor only.

Residence (Rules 4.5(a) and (c) and 18.1): For each applicant, the residence must be indicated by the name or two-letter code of the State (that is, country) of which the person is a resident. If the State of residence is not indicated, it will be assumed to be the same as the State indicated in the address. Possession of a real and effective industrial or commercial establishment in a State is considered residence in that State. The indication of the residence is not required where a person is inventor only.

Names of States (Section 115): For the indication of names of States, the two-letter codes appearing in WIPO Standard ST.3 and in the *PCT Applicant’s Guide, Volume I*, Annex K, may be used.

BOX No. IV

Who Can Act as Agent? (Article 49 and Rule 83.1bis): For each of the receiving Offices, information as to who can act as agent is given in the *PCT Applicant’s Guide, Volume I*, Annex C.

Agent or Common Representative (Rules 4.7, 4.8, 90.1 and 90.2 and Section 108): Mark the applicable check-box in order to indicate whether the person named is (or has been) appointed as “agent” or “common representative” (the “common representative” must be one of the applicants). For the manner in which name(s) and address(es) (including names of States) must be indicated, see the notes to Boxes Nos. II and III. Where several agents are listed, the agent to whom correspondence should be addressed is to be listed first. If there are two or more applicants but no common agent is appointed to represent all of them, one of the applicants who is a national or resident of a PCT Contracting State may be appointed by the other applicants as their common representative. If this is not done, the applicant first named in the request who is entitled to file an international application with the receiving Office concerned will be considered to be the common representative.

Manner of Appointment of Agent or Common Representative (Rules 90.4 and 90.5 and Section 106): The appointment of an agent or a common representative may be effected by designating the agent or common representative in Box No. IV and by the applicant signing the request or a separate power of attorney. Where there are two or more applicants, the appointment of a common agent or common representative must be effected by each applicant signing, at his choice, the request or a separate power of attorney. If the separate power of attorney is not signed, or if the required separate power of attorney is missing, or if the indication of the

name or address of the appointed person does not comply with Rule 4.4, the power of attorney will be considered non-existent unless the defect is corrected. However, the receiving Office may waive the requirement that a separate power of attorney be submitted to it (for details about each receiving Office, see the *PCT Applicant’s Guide, Volume I*, Annex C).

Where a general power of attorney has been filed and is referred to in the request, a copy thereof must be attached to the request. Any applicant who did not sign the general power of attorney must sign either the request or a separate power of attorney, unless the receiving Office has waived the requirement that a separate power of attorney be submitted to it (for details, see the *PCT Applicant’s Guide, Volume I*, Annex C).

Agent’s Registration Number with the Office (Rule 4.7(b)): Where the agent is registered with the national or regional Office that is acting as receiving Office, the request may indicate the number or other indication under which the agent is so registered.

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. IV will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II or III, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address must be indicated in Box No. IV instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. IV must be marked (that is, the last check-box must not be marked if either of the check-boxes “agent” or “common representative” has been marked).

BOX No. V

Designations (Regional and national patents) (Rule 4.9): Upon filing of the request, the applicant will obtain an automatic and all-inclusive coverage of all designations available under the PCT on the international filing date, in respect of every kind of protection available and, where applicable, in respect of both regional and national patents. If the applicant wishes the international application to be treated, in a certain designated or elected State, as an application not for a patent but for another kind of protection available under the national law of the designated or elected State concerned, the applicant will have to indicate his choice directly to the designated or elected Office when performing the acts, referred to in Articles 22 or 39(1), for entry into the national phase. For details about various kinds of protection available in designated or elected States, see the *PCT Applicant’s Guide, Volume I*, Annexes B1 and B2.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan, KR Republic of Korea and/or RU Russian Federation are not designated for any kind of national protection. Each of those States has notified the International Bureau that Rule 4.9(b) applies to it since its national law provides that the filing of an international application which contains the designation of that State and claims the priority, **at the time of filing** or subsequently under Rule 26bis.1 of an earlier national application (for DE: for the same kind of protection) having effect in that State shall have the result that the earlier national application ceases, where applicable, after the expiration of certain time limits, to have effect with the same consequences as the withdrawal of the earlier national application. The designation of DE Germany for the purposes of a EP European patent and of RU Russian Federation for the purposes of a EA

The address must be indicated in such a way that it allows prompt postal delivery; it must consist of all the relevant administrative units (up to and including the indication of the house number, if any), the postal code (if any), and the name of the country.

Only one address may be indicated per person. For the indication of a special "address for correspondence", see the notes to Box No. IV.

Telephone, Facsimile Numbers and/or E-mail Addresses should be indicated for the person named in Box No. II in order to allow rapid communication with the applicant (see Rule 4.4(c)). Any telephone or facsimile number should include the applicable country and area codes. A single e-mail address only should be indicated in this field.

Unless the associated checkbox is selected, any email address supplied will be used only for the types of communication which might be made by telephone. If the associated checkbox is selected, the International Bureau and the International Bureau in its function as receiving Office will send advance copies of communications in respect of the international application to the applicant, avoiding processing or postal delays. Any such e-mail communications will always be followed by the official notification on paper. Only that paper copy is considered the legal copy of the notification and only the date of mailing of that paper copy will commence any time limit within the meaning of Rule 80.

Note that it is the applicant's responsibility to keep any e-mail address details up to date and to ensure that incoming e-mails are not blocked for any reasons on the recipient's side. Changes to the address indicated in the request should be requested to be recorded, preferably directly at the International Bureau, under Rule 92bis. Where the e-mail authorization is given both in respect of the applicant and in respect of an agent or common representative, the International Bureau will send e-mail communications only to the appointed agent or common representative.

Applicant's Registration Number with the Office (Rule 4.5(e)): Where the applicant is registered with the national or regional Office acting as receiving Office, the request may indicate the number or other indication under which the applicant is so registered.

Nationality (Rules 4.5(a) and (b) and 18.1): For each applicant, the nationality must be indicated by the name or two-letter code of the State (that is, country) of which the person is a national. A legal entity constituted according to the national law of a State is considered a national of that State. The indication of the nationality is not required where a person is inventor only.

Residence (Rules 4.5(a) and (c) and 18.1): For each applicant, the residence must be indicated by the name or two-letter code of the State (that is, country) of which the person is a resident. If the State of residence is not indicated, it will be assumed to be the same as the State indicated in the address. Possession of a real and effective industrial or commercial establishment in a State is considered residence in that State. The indication of the residence is not required where a person is inventor only.

Names of States (Section 115): For the indication of names of States, the two-letter codes appearing in WIPO Standard ST.3 and in the *PCT Applicant's Guide*, Annex K, may be used.

BOX No. IV

Who Can Act as Agent? (Article 49 and Rule 83.1bis): For each of the receiving Offices, information as to who can act as agent is given in the *PCT Applicant's Guide*, Annex C.

Agent or Common Representative (Rules 4.7, 4.8, 90.1 and 90.2 and Section 108): Mark the applicable check-box in

order to indicate whether the person named is (or has been) appointed as "agent" or "common representative" (the "common representative" must be one of the applicants). For the manner in which name(s), address(es) (including names of States), telephone, facsimile numbers and/or e-mail addresses must be indicated, see the notes to Boxes Nos. II and III. Where several agents are listed, the agent to whom correspondence should be addressed is to be listed first. If there are two or more applicants but no common agent is appointed to represent all of them, one of the applicants who is a national or resident of a PCT Contracting State may be appointed by the other applicants as their common representative. If this is not done, the applicant first named in the request who is entitled to file an international application with the receiving Office concerned will be considered to be the common representative.

Manner of Appointment of Agent or Common Representative (Rules 90.4 and 90.5 and Section 106): The appointment of an agent or a common representative may be effected by designating the agent or common representative in Box No. IV and by the applicant signing the request or a separate power of attorney. Where there are two or more applicants, the appointment of a common agent or common representative must be effected by each applicant signing, at his choice, the request or a separate power of attorney. If the separate power of attorney is not signed, or if the required separate power of attorney is missing, or if the indication of the name or address of the appointed person does not comply with Rule 4.4, the power of attorney will be considered non-existent unless the defect is corrected. However, the receiving Office may waive the requirement that a separate power of attorney be submitted to it (for details about each receiving Office, see the *PCT Applicant's Guide*, Annex C).

Where a general power of attorney has been filed and is referred to in the request, a copy thereof must be attached to the request. Any applicant who did not sign the general power of attorney must sign either the request or a separate power of attorney, unless the receiving Office has waived the requirement that a separate power of attorney be submitted to it (for details, see the *PCT Applicant's Guide*, Annex C).

Agent's Registration Number with the Office (Rule 4.7(b)): Where the agent is registered with the national or regional Office that is acting as receiving Office, the request may indicate the number or other indication under which the agent is so registered.

Address for Correspondence (Rule 4.4(d) and Section 108): Where an agent is appointed, any correspondence intended for the applicant will be sent to the address indicated for that agent (or for the first-mentioned agent, if more than one is appointed). Where one of two or more applicants is appointed as common representative, the address indicated for that applicant in Box No. IV will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II or III, of the applicant (if only one person is named as applicant) or of the applicant who is considered to be common representative (if there are two or more persons named as applicants). However, if the applicant wishes correspondence to be sent to a different address in such a case, that address must be indicated in Box No. IV instead of the designation of an agent or common representative. In this case, and only in this case, the last check-box of Box No. IV must be marked (that is, the last check-box must not be marked if either of the check-boxes "agent" or "common representative" has been marked).

BOX No. V

Designations (Regional and national patents) (Rule 4.9): Upon filing of the request, the applicant will obtain an automatic and all-inclusive coverage of all designations available under the PCT on the international filing date, in respect of every kind of protection available and, where applicable, in respect of both regional and national patents. If the applicant

Eurasian patent are not affected by what is said above. For details see the *PCT Applicant's Guide, Volume F*, in the relevant Annex B1.

Only the four States mentioned above may be excluded from the all-inclusive coverage of all designations in Box No. V. For any other PCT Contracting State which the applicant wishes to exclude from the all-inclusive coverage of all designations, the applicant should submit a separate notice of withdrawal of the designation concerned under Rule 90*bis*.2. **Important: Should a notice of withdrawal be filed, that notice will have to be signed by the applicant or, if there are two or more applicants, by all of them (Rule 90*bis*.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney (Rule 90.4(a)).**

BOX No. VI

Priority Claim(s) (Rule 4.10): If the priority of an earlier application is claimed, the declaration containing the priority claim must be made in the request.

The request must indicate the *date* on which the earlier application from which priority is claimed was filed and the *number* it was assigned. Note that that date must fall within the period of 12 months preceding the international filing date.

Where the earlier application is a national application, the *country* party to the Paris Convention for the Protection of Industrial Property, or the *Member* of the World Trade Organization that is not a party to that Convention, in which that earlier application was filed must be indicated. Where the earlier application is a regional application, the *regional Office* concerned must be indicated. Where the earlier application is an international application, the *receiving Office* with which that earlier application was filed must be indicated.

Where the earlier application is a regional application (see however below), or an international application, the priority claim may also, if the applicant so wishes, indicate one or more countries party to the Paris Convention for which that earlier application was filed (Rule 4.10(b)(i)); such an indication is not, however, mandatory. Where the earlier application is a regional application and at least one of the countries party to the regional patent treaty is neither party to the Paris Convention nor a Member of the World Trade Organization, at least one country party to the Paris Convention or one Member of the World Trade Organization for which that earlier application was filed must be indicated (Rule 4.10(b)(ii)) in the Supplemental Box.

As to the possibility of correcting or adding a priority claim, see Rule 26*bis*.1 and the *PCT Applicant's Guide, Volume F*, International Phase.

Restoration of the right of priority (Rules 4.1(c)(v) and 26*bis*.3): The procedure for restoration of the right of priority is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 26*bis*.3(j) of the incompatibility of Rule 26*bis*.3(a) to (i) with the national law applied by that Office. Where the international application is filed on a date which is later than the date on which the priority period (see Rule 2.4) expired but within the period of two months from that date, the applicant may request the receiving Office to restore the right of priority (Rule 26*bis*.3). Such a request must be filed with the receiving Office within two months from the date on which the priority period expired; it may be included in the request (Rule 4.1(c)(v)) by identifying the priority claim(s) in Box No. VI. If, in Box No. VI, a priority claim is identified in respect of which a request to restore the right of priority is made, in such case, a separate document should be submitted entitled "Statement for Restoration of the Right of Priority". This separate document should indicate, for each earlier application concerned, the filing date, the earlier application number and the name or two-letter code of the country, Member of WTO, regional Office or receiving Office. Then, for each earlier application concerned, the applicant should state the reasons for the failure to file the international

Notes to the request form (PCT/RO/101) (page 3) (April 2007)

application within the priority period (Rules 26*bis*.3(a) and 26*bis*.3(b)(ii)). Note that such a request may be subjected by the receiving Office to the payment to it of a fee, payable within the time limit referred to above (Rule 26*bis*.3(e)). Note further that the receiving Office may require the furnishing, within a reasonable time limit, of a declaration or other evidence in support of the statement of reasons; preferably, such declaration or other evidence should already be submitted to the receiving Office together with the request for restoration (Rule 26*bis*.3(b) and (f)). The receiving Office shall restore the right of priority if it finds that a criterion for restoration applied by the Office is satisfied (Rule 26*bis*.3(a)). For information on which criteria a receiving Office applies see the *PCT Applicant's Guide, Volume F*, Annex C.

Incorporation by reference (Rules 4.18 and 20): The procedure for incorporation by reference is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 20.8(a) of the incompatibility of Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 with the national law applied by that Office. Where the receiving Office finds that any of the requirements of Article 11(1)(iii)(d) and (e) are not or appear not to be fulfilled, it will invite the applicant to either furnish the required correction or confirm that the element concerned referred to in Article 11(1)(iii)(d) or (e) is incorporated by reference under Rule 4.18. Where the applicant furnishes the required correction under Article 11(2), the international filing date will be the date on which the receiving Office receives the required correction (see Rule 20.3(a)(ii) and (b)(i)), provided that all other requirements of Article 11(1) are fulfilled. However, where the applicant confirms the incorporation by reference of an element referred to in Article 11(1)(iii)(d) or (e) which is completely contained in an earlier application the priority of which is claimed in the international application, that element will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all Article 11(1) requirements are fulfilled (see Rule 20.3(a)(ii) and (b)(ii)).

Where the applicant furnishes a missing part to the receiving Office after the date on which all of the requirements of Article 11(1) were fulfilled but within the applicable time limit under Rule 20.7, that part will be included in the international application and the international filing date will be corrected to the date on which the receiving Office received that part (see Rule 20.5(c)). In such a case, the applicant will be given the opportunity to request the receiving Office to disregard the missing part concerned, in which case the missing part would be considered not to have been furnished and the correction of the international filing date not to have been made (see Rule 20.5(e)). However, where the applicant confirms the incorporation by reference of a part of the description, claims or drawings under Rule 4.18 and the receiving Office finds that all the requirements of Rules 4.18 and 20.6(a) are complied with, that part will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all of the requirements of Article 11(1) are fulfilled (see Rule 20.5).

Certified Copy of Earlier Application (Rule 17.1): A certified copy of each earlier application the priority of which is claimed (priority document) must be submitted by the applicant, irrespective of whether that earlier application is a national, regional or international application. The priority document must be submitted to the receiving Office or to the International Bureau before the expiration of 16 months from the (earliest) priority date or, where an early start of the national phase is requested, not later than at the time such request is made. Any priority document received by the International Bureau after the expiration of the 16-month time limit but before the date of international publication shall be considered to have been received on the last day of that time limit (Rule 17.1(a)).

wishes the international application to be treated, in a certain designated or elected State, as an application not for a patent but for another kind of protection available under the national law of the designated or elected State concerned, the applicant will have to indicate his choice directly to the designated or elected Office when performing the acts, referred to in Articles 22 or 39(1), for entry into the national phase. For details about various kinds of protection available in designated or elected States, see the *PCT Applicant's Guide*, Annexes B1 and B2.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan, KR Republic of Korea and/or RU Russian Federation are not designated for any kind of national protection. Each of those States has notified the International Bureau that Rule 4.9(b) applies to it since its national law provides that the filing of an international application which contains the designation of that State and claims the priority, **at the time of filing** or subsequently under Rule 26bis.1, of an earlier national application (for DE: for the same kind of protection) having effect in that State shall have the result that the earlier national application ceases, where applicable, after the expiration of certain time limits, to have effect with the same consequences as the withdrawal of the earlier national application. The designation of DE Germany for the purposes of a EP European patent and of RU Russian Federation for the purposes of a EA Eurasian patent are not affected by what is said above. For details see the *PCT Applicant's Guide*, in the relevant Annex B1.

Only the four States mentioned above may be excluded from the all-inclusive coverage of all designations in Box No. V. For any other PCT Contracting State which the applicant wishes to exclude from the all-inclusive coverage of all designations, the applicant should submit a separate notice of withdrawal of the designation concerned under Rule 90bis.2. **Important: Should a notice of withdrawal be filed, that notice will have to be signed by the applicant or, if there are two or more applicants, by all of them (Rule 90bis.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney (Rule 90.4(a)).**

BOX No. VI

Priority Claim(s) (Rule 4.10): If the priority of an earlier application is claimed, the declaration containing the priority claim must be made in the request.

The request must indicate the *date* on which the earlier application from which priority is claimed was filed and the *number* it was assigned. Note that that date must fall within the period of 12 months preceding the international filing date.

Where the earlier application is a national application, the *country* party to the Paris Convention for the Protection of Industrial Property, or the *Member* of the World Trade Organization that is not a party to that Convention, in which that earlier application was filed must be indicated. Where the earlier application is a regional application, the *regional Office* concerned must be indicated. Where the earlier application is an international application, the *receiving Office* with which that earlier application was filed must be indicated.

Where the earlier application is a regional application (see however below), or an international application, the priority claim may also, if the applicant so wishes, indicate one or more countries party to the Paris Convention for which that earlier application was filed (Rule 4.10(b)(i)); such an indication is not, however, mandatory. Where the earlier application is a regional application and at least one of the countries party to the regional patent treaty is neither party to the Paris Convention nor a Member of the World Trade Organization, at least one country party to the Paris Convention or one Member of the World Trade Organization for which that earlier application was filed must be indicated (Rule 4.10(b)(ii)) in the Supplemental Box.

As to the possibility of correcting or adding a priority claim, see Rule 26bis.1 and the *PCT Applicant's Guide*, International Phase.

Restoration of the right of priority (Rules 4.1(c)(v) and 26bis.3): The procedure for restoration of the right of priority is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 26bis.3(j) of the incompatibility of Rule 26bis.3(a) to (i) with the national law applied by that Office. Where the international application is filed on a date which is later than the date on which the priority period (see Rule 2.4) expired but within the period of two months from that date, the applicant may request the receiving Office to restore the right of priority (Rule 26bis.3). Such a request must be filed with the receiving Office within two months from the date on which the priority period expired; it may be included in the request (Rule 4.1(c)(v)) by identifying the priority claim(s) in Box No. VI. If, in Box No. VI, a priority claim is identified in respect of which a request to restore the right of priority is made, in such case, a separate document should be submitted entitled "Statement for Restoration of the Right of Priority". This separate document should indicate, for each earlier application concerned, the filing date, the earlier application number and the name or two-letter code of the country, Member of WTO, regional Office or receiving Office. Then, for each earlier application concerned, the applicant should state the reasons for the failure to file the international application within the priority period (Rules 26bis.3(a) and 26bis.3(b)(ii)). Note that such a request may be subjected by the receiving Office to the payment to it of a fee, payable within the time limit referred to above (Rule 26bis.3(e)). According to Rule 26bis.3(d), the time limit for payment of the fee may be extended, at the option of the receiving Office, for a period of up to two months from the expiration of the time limit applicable under Rule 26bis.3(e). Note further that the receiving Office may require the furnishing, within a reasonable time limit, of a declaration or other evidence in support of the statement of reasons; preferably, such declaration or other evidence should already be submitted to the receiving Office together with the request for restoration (Rule 26bis.3(b) and (f)). The receiving Office shall restore the right of priority if it finds that a criterion for restoration applied by the Office is satisfied (Rule 26bis.3(a)). For information on which criteria a receiving Office applies see the *PCT Applicant's Guide*, Annex C.

Incorporation by reference (Rules 4.18 and 20): The procedure for incorporation by reference is not applicable to a receiving Office which has provided notice to the International Bureau under Rule 20.8(a) of the incompatibility of Rules 20.3(a)(ii) and (b)(ii), 20.5(a)(ii) and (d), and 20.6 with the national law applied by that Office. Where the receiving Office finds that any of the requirements of Article 11(1)(iii)(d) and (e) are not or appear not to be fulfilled, it will invite the applicant to either furnish the required correction or confirm that the element concerned referred to in Article 11(1)(iii)(d) or (e) is incorporated by reference under Rule 4.18. Where the applicant furnishes the required correction under Article 11(2), the international filing date will be the date on which the receiving Office receives the required correction (see Rule 20.3(a)(ii) and (b)(i)), provided that all other requirements of Article 11(1) are fulfilled. However, where the applicant confirms the incorporation by reference of an element referred to in Article 11(1)(iii)(d) or (e) which is completely contained in an earlier application the priority of which is claimed in the international application, that element will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all Article 11(1) requirements are fulfilled (see Rule 20.3(a)(ii) and (b)(ii)).

Where the applicant furnishes a missing part to the receiving Office after the date on which all of the requirements of Article 11(1) were fulfilled but within the applicable time limit under Rule 20.7, that part will be included in the international

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office (not later than 16 months after the priority date) to prepare and transmit the priority document to the International Bureau (Rule 4.1(c)(ii)). Such request may be made by marking the applicable check-boxes which identify the respective documents. *Attention:* where such a request is made, the applicant must, where applicable, pay to the receiving Office the *fee for priority document*, otherwise, the request will be considered not to have been made (see Rule 17.1(b)).

Dates (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order and separated by periods, slants or hyphens, for example, “21 March 2005 (21.03.2005)”, “21 March 2005 (21/03/2005)” or “21 March 2005 (21-03-2005)”.

BOX No. VII

Choice of International Searching Authority (ISA) (Rules 4.1(b)(iv) and 4.14*bis*): If two or more International Searching Authorities are competent for carrying out the international search in relation to the international application – depending on the language in which that application is filed and the receiving Office with which it is filed – the name of the competent Authority chosen by the applicant must be indicated in the space provided, either by its full name or two-letter code.

Request to Use Results of Earlier Search; Reference to that Search (Rules 4.11(a)(i) and (ii) and 4.1.1): ~~The earlier search, if any, must be identified in such a manner that the ISA can retrieve the results easily. Where those results can be used, the ISA may refund the international search fee or a portion thereof.~~

BOX No. VIII

Declarations Containing Standardized Wording (Rules 4.1(c)(iii) and 4.17): At the option of the applicant, the request may, for the purposes of the national law applicable in one or more designated States, contain one or more of the following declarations:

- (i) declaration as to the identity of the inventor;
- (ii) declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent;
- (iii) declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application;
- (iv) declaration of inventorship (only for the purposes of the designation of the United States of America);
- (v) declaration as to non-prejudicial disclosures or exceptions to lack of novelty;

which must conform to the standardized wording provided for in Sections 211 to 215, respectively, and which must be set forth in Boxes Nos. VIII (i) to (v), as detailed below. Where any such declarations are included, the appropriate check-boxes in Box No. VIII should be marked and the number of each type of declaration should be indicated in the right-hand column. As to the possibility of correcting or adding a declaration, see Rule 26*ter*, Section 216 and the *PCT Applicant's Guide, Volume I*, International Phase.

If the circumstances of a particular case are such that the standardized wordings are not applicable, the applicant should not attempt to make use of the declarations provided for in Rule 4.17 but rather will have to comply with the national requirements concerned upon entry into the national phase.

The fact that a declaration is made under Rule 4.17 does not of itself establish the matters declared; the effect of those matters in the designated States concerned will be determined by the designated Offices in accordance with the applicable national law.

Even if the wording of a declaration does not conform to the standardized wording provided for in the Administrative Instructions pursuant to Rule 4.17, any designated Office may accept that declaration for the purposes of the applicable national law, but is not required to do so.

Details as to National Law Requirements: For information on the declarations required by each designated Office, see the *PCT Applicant's Guide, Volume II*, in the relevant National Chapter.

Effect in Designated Offices (Rule 51*bis*.2): Where the applicant submits any of the declarations provided for in Rule 4.17(i) to (iv) containing the required standardized wording (either with the international application, or to the International Bureau within the relevant time limit under Rule 26*ter*, or directly to the designated Office during the national phase), the designated Office may not, in the national phase, require further documents or evidence on the matter to which the declaration relates, unless that designated Office may reasonably doubt the veracity of the declaration concerned.

Incompatibility of Certain Items of Rule 51*bis*.2(a) with National Laws (Rule 51*bis*.2(c)): Certain designated Offices have informed the International Bureau that the applicable national law is not compatible in respect of certain declarations provided in Rule 4.17(i), (ii) and (iii). Those designated Offices are therefore entitled to require further documents or evidence on the matters to which those declarations relate. For regularly updated information on such Offices, see the WIPO website: www.wipo.int/pct/en/texts/reservations/res_incomp.pdf.

BOXES Nos. VIII (i) TO (v) (IN GENERAL)

Different Declaration Boxes: There are six different declaration boxes in the pre-printed request form – one box for each of the five different types of declarations provided for in Rule 4.17 (Box No. VIII (i) to Box No. VIII (v)) and a continuation sheet (Continuation of Box No. VIII (i) to (v)) to be used in case any single declaration does not fit in the corresponding box. The title of each type of declaration which is found in the standardized wording provided for in the Administrative Instructions is pre-printed on the appropriate sheet of the request.

Separate Sheet for Each Declaration: Each declaration must start on a separate sheet of the request form in the appropriate Declaration Box.

Titles, Items, Item Numbers, Dotted Lines, Words in Parentheses and Words in Brackets: The prescribed standardized wording of the declarations includes titles, various items, item numbers, dotted lines, words in parentheses and words in brackets. Except for Box No. VIII (iv) which contains the pre-printed standardized wording, only those items which are applicable should be included in a declaration where necessary to support the statements in that declaration (that is, omit those items which do not apply) and item numbers need not be included. Dotted lines indicate where information is required to be inserted. Words in parentheses are instructions to applicants as to the information which may be included in the declaration depending upon the factual circumstances. Words in brackets are optional and should appear in the declaration without the brackets if they apply; if they do not apply, they should be omitted together with the corresponding brackets.

Naming of Several Persons: More than one person may be named in a single declaration. In the alternative, with one exception, a separate declaration may be made for each person.

application and the international filing date will be corrected to the date on which the receiving Office received that part (see Rule 20.5(c)). In such a case, the applicant will be given the opportunity to request the receiving Office to disregard the missing part concerned, in which case the missing part would be considered not to have been furnished and the correction of the international filing date not to have been made (see Rule 20.5(e)). However, where the applicant confirms the incorporation by reference of a part of the description, claims or drawings under Rule 4.18 and the receiving Office finds that all the requirements of Rules 4.18 and 20.6(a) are complied with, that part will be considered to have been contained in the purported international application on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, and the international filing date will be the date on which all of the requirements of Article 11(1) are fulfilled (see Rule 20.5).

Certified Copy of Earlier Application (Rule 17.1): A certified copy of each earlier application the priority of which is claimed (priority document) must be submitted by the applicant, irrespective of whether that earlier application is a national, regional or international application. The priority document must be submitted to the receiving Office or to the International Bureau before the expiration of 16 months from the (earliest) priority date or, where an early start of the national phase is requested, not later than at the time such request is made. Any priority document received by the International Bureau after the expiration of the 16-month time limit but before the date of international publication shall be considered to have been received on the last day of that time limit (Rule 17.1(a)).

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office (not later than 16 months after the priority date) to prepare and transmit the priority document to the International Bureau (Rule 4.1(c)(ii)). Such request may be made by marking the applicable check-boxes which identify the respective documents. *Attention:* where such a request is made, the applicant must, where applicable, pay to the receiving Office the *fee for priority document*, otherwise, the request will be considered not to have been made (see Rule 17.1(b)).

Dates (Section 110): Dates must be indicated by the Arabic number of the day, the name of the month and the Arabic number of the year – in that order; after, below or above such indication, the date should be repeated in parentheses, using two-digit Arabic numerals each for the number of the day and for the number of the month followed by the number of the year in four digits, in that order and separated by periods, slants or hyphens, for example, “21 March 2005 (21.03.2005)”, “21 March 2005 (21/03/2005)” or “21 March 2005 (21-03-2005)”.

BOX No. VII

Choice of International Searching Authority (ISA) (Rules 4.1(b)(iv) and 4.14*bis*): If two or more International Searching Authorities are competent for carrying out the international search in relation to the international application – depending on the language in which that application is filed and the receiving Office with which it is filed – the name of the competent Authority chosen by the applicant must be indicated in the space provided, either by its full name or two-letter code.

Request to Use Results of Earlier Search; Reference to that Search (Rules 4.12, 12*bis*, 16.3 and 41.1). The applicant may request the ISA to take into account, in carrying out the international search, the results of an earlier search carried out either by that Authority, by another ISA or by a national Office (Rule 4.12). Where the applicant has made such a request and complied with the requirements under Rule 12*bis*, the ISA shall, to the extent possible, take into account the results of the earlier search. If, on the other hand, the earlier search was carried out by another ISA or by another national or regional Office, the ISA may, but is not obliged to, take the results of the

earlier search into account (Rule 41.1). Where the ISA takes into account the results of an earlier search, it shall (partially) refund the search fee to the extent and under the conditions provided for in the agreement under Article 16(3)(b) (see, for each ISA, the *PCT Applicant's Guide*, Annex D).

Any request to take into account the results of an earlier search should identify: the date and number of the application in respect of which the earlier search was carried out and the Authority or Office which carried out the earlier search (Rules 4.1(b)(ii) and 4.12(i)).

The applicant shall submit to the receiving Office, together with the international application at the time of filing, a copy of the results of the earlier search (Rule 12*bis*.1(a)), except:

– where the earlier search was carried out by the same Office as that which is acting as the receiving Office, the applicant may, instead of submitting copies of the required documents, request the receiving Office to transmit copies of those documents to the ISA by marking the appropriate check-box (Rule 12*bis*.1(c));

– where the earlier search was carried out by the same Authority or Office as that which is acting as ISA, no copy or translation of any document (i.e. of the results of the earlier search or of the earlier application or of any document cited in the earlier search, where applicable) is required to be submitted (Rule 12*bis*.1(d));

– where a copy or translation of the earlier search is available to the ISA in a form and manner acceptable to it, and if so indicated in the request form by the applicant by marking the appropriate check-box, no copy or translation of any document is required to be submitted to the ISA (Rule 12*bis*.1(f));

– where the request form contains a statement under Rule 4.12(ii) that the international application is the same, or substantially the same, as an application in respect of which the earlier search was carried out, or that the international application is the same, or substantially the same, as that earlier application, except that it is filed in a different language, no copy of the earlier application or its translation is required to be transmitted to the ISA (Rules 4.12(ii) and 12*bis*.1(e)).

Where the ISA is requested to use the results of more than one earlier search, the check-boxes in Box No. VII should be marked, as applicable, for each earlier search. Where *more than two results of previous searches are indicated*, duplicates may be made of this page, marked “continuation of Box No. VII” and attached to the request form.

BOX No. VIII

Declarations Containing Standardized Wording (Rules 4.1(c)(iii) and 4.17): At the option of the applicant, the request may, for the purposes of the national law applicable in one or more designated States, contain one or more of the following declarations:

- (i) declaration as to the identity of the inventor;
- (ii) declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent;
- (iii) declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application;
- (iv) declaration of inventorship (only for the purposes of the designation of the United States of America);
- (v) declaration as to non-prejudicial disclosures or exceptions to lack of novelty;

which must conform to the standardized wording provided for in Sections 211 to 215, respectively, and which must be set forth in Boxes Nos. VIII (i) to (v), as detailed below. Where any such declarations are included, the appropriate check-boxes in Box No. VIII should be marked and the number of

With respect to the declaration of inventorship set forth in Box No. VIII (iv), which is applicable only for the purposes of the designation of the United States of America, all inventors must be indicated in a single declaration (see Notes to Box No. VIII (iv), below). The wording of declarations to be set forth in Boxes Nos. VIII (i), (ii), (iii) and (v) may be adapted from the singular to the plural as necessary.

BOX No. VIII (i)

Declaration as to the Identity of the Inventor (Rule 4.17(i) and Section 211): The declaration must be worded as follows:

“Declaration as to the identity of the inventor (Rules 4.17(i) and 51*bis*.1(a)(i)):

in relation to [this] international application [No. PCT/...],

... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application

Such a declaration is not necessary in respect of any inventor who is indicated as such (either as inventor only or applicant and inventor) in Box No. II or No. III in accordance with Rule 4.5 or 4.6. However, where the inventor is indicated as applicant in Box No. II or No. III in accordance with Rule 4.5, a declaration as to the applicant’s entitlement to apply for and be granted a patent (Rule 4.17(ii)) may be appropriate. Where indications regarding the inventor in accordance with Rule 4.5 or 4.6 are not included in Box No. II or No. III, this declaration may be combined with the prescribed wording of the declaration as to the applicant’s entitlement to apply for and be granted a patent (Rule 4.17(ii)). For details on such a combined declaration, see Notes to Box No. VIII (ii), below. For details as to the declaration of inventorship for the purposes of the designation of the United States of America, see Notes to Box No. VIII (iv), below.

BOX No. VIII (ii)

Declaration as to the Applicant’s Entitlement to Apply for and Be Granted a Patent (Rule 4.17(ii) and Section 212): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant’s entitlement:

“Declaration as to the applicant’s entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51*bis*.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to [this] international application [No. PCT/...],

... (*name*) is entitled to apply for and be granted a patent by virtue of the following:

- (i) ... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application
- (ii) ... (*name*) [is] [was] entitled as employer of the inventor, ... (*inventor’s name*)
- (iii) an agreement between ... (*name*) and ... (*name*), dated ...
- (iv) an assignment from ... (*name*) to ... (*name*), dated ...
- (v) consent from ... (*name*) in favor of ... (*name*), dated ...
- (vi) a court order issued by ... (*name of court*), effecting a transfer from ... (*name*) to ... (*name*), dated ...
- (vii) transfer of entitlement from ... (*name*) to ... (*name*) by way of ... (*specify kind of transfer*), dated ...
- (viii) the applicant’s name changed from ... (*name*) to ... (*name*) on ... (*date*)

Items (i) to (viii) may be incorporated as is necessary to explain the applicant’s entitlement. ***This declaration is only applicable to those events which have occurred prior to the international filing date.*** The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the inventor, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant’s entitlement. Where the inventor is not indicated in Box No. II or No. III, this declaration may be presented as a combined declaration explaining the applicant’s entitlement to apply for and be granted a patent and identifying the inventor. In such a case, the introductory phrase of the declaration must be as follows:

“Combined declaration as to the applicant’s entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51*bis*.1(a)(ii)) and as to the identity of the inventor (Rules 4.17(i) and 51*bis*.1(a)(i)), in a case where the declaration under Rule 4.17(iv) is not appropriate:”

The remainder of the combined declaration must be worded as indicated in the preceding paragraphs.

For details as to the declaration as to the identity of the inventor, see the Notes to Box No. VIII (i), above.

BOX No. VIII (iii)

Declaration as to the Applicant’s Entitlement to Claim Priority of the Earlier Application (Rule 4.17(iii) and Section 213): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant’s entitlement:

“Declaration as to the applicant’s entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant’s name has changed since the filing of the earlier application (Rules 4.17(iii) and 51*bis*.1(a)(iii)):

in relation to [this] international application [No. PCT/...],

... (*name*) is entitled to claim priority of earlier application No. ... by virtue of the following:

- (i) the applicant is the inventor of the subject matter for which protection was sought by way of the earlier application
- (ii) ... (*name*) [is] [was] entitled as employer of the inventor, ... (*inventor’s name*)
- (iii) an agreement between ... (*name*) and ... (*name*), dated ...
- (iv) an assignment from ... (*name*) to ... (*name*), dated ...
- (v) consent from ... (*name*) in favor of ... (*name*), dated ...
- (vi) a court order, issued by ... (*name of court*), effecting a transfer from ... (*name*) to ... (*name*), dated ...
- (vii) transfer of entitlement from ... (*name*) to ... (*name*) by way of ... (*specify kind of transfer*), dated ...
- (viii) the applicant’s name changed from ... (*name*) to ... (*name*) on ... (*date*)

Items (i) to (viii) may be incorporated as is necessary to explain the applicant’s entitlement. ***This declaration is only applicable to those events which have occurred prior to the international filing date.*** In addition, this declaration is only applicable where the person or name of the applicant is different from that of the applicant who filed the earlier application from which priority is claimed. For example, this declaration may be applicable where only one applicant out of five is

each type of declaration should be indicated in the right-hand column. As to the possibility of correcting or adding a declaration, see Rule 26ter, Section 216 and the *PCT Applicant's Guide*, International Phase.

If the circumstances of a particular case are such that the standardized wordings are not applicable, the applicant should not attempt to make use of the declarations provided for in Rule 4.17 but rather will have to comply with the national requirements concerned upon entry into the national phase.

The fact that a declaration is made under Rule 4.17 does not of itself establish the matters declared; the effect of those matters in the designated States concerned will be determined by the designated Offices in accordance with the applicable national law.

Even if the wording of a declaration does not conform to the standardized wording provided for in the Administrative Instructions pursuant to Rule 4.17, any designated Office may accept that declaration for the purposes of the applicable national law, but is not required to do so.

Details as to National Law Requirements: For information on the declarations required by each designated Office, see the *PCT Applicant's Guide*, in the relevant National Chapter.

Effect in Designated Offices (Rule 51bis.2): Where the applicant submits any of the declarations provided for in Rule 4.17(i) to (iv) containing the required standardized wording (either with the international application, or to the International Bureau within the relevant time limit under Rule 26ter, or directly to the designated Office during the national phase), the designated Office may not, in the national phase, require further documents or evidence on the matter to which the declaration relates, unless that designated Office may reasonably doubt the veracity of the declaration concerned.

Incompatibility of Certain Items of Rule 51bis.2(a) with National Laws (Rule 51bis.2(c)): Certain designated Offices have informed the International Bureau that the applicable national law is not compatible in respect of certain declarations provided in Rule 4.17(i), (ii) and (iii). Those designated Offices are therefore entitled to require further documents or evidence on the matters to which those declarations relate. For regularly updated information on such Offices, see the WIPO website: www.wipo.int/pct/en/texts/reservations/res_incomp.pdf.

BOXES Nos. VIII (i) TO (v) (IN GENERAL)

Different Declaration Boxes: There are six different declaration boxes in the pre-printed request form – one box for each of the five different types of declarations provided for in Rule 4.17 (Box No. VIII (i) to Box No. VIII (v)) and a continuation sheet (Continuation of Box No. VIII (i) to (v)) to be used in case any single declaration does not fit in the corresponding box. The title of each type of declaration which is found in the standardized wording provided for in the Administrative Instructions is pre-printed on the appropriate sheet of the request.

Separate Sheet for Each Declaration: Each declaration must start on a separate sheet of the request form in the appropriate Declaration Box.

Titles, Items, Item Numbers, Dotted Lines, Words in Parentheses and Words in Brackets: The prescribed standardized wording of the declarations includes titles, various items, item numbers, dotted lines, words in parentheses and words in brackets. Except for Box No. VIII (iv) which contains the pre-printed standardized wording, only those items which are applicable should be included in a declaration where necessary to support the statements in that declaration (that is, omit those items which do not apply) and item numbers need not be included. Dotted lines indicate where information is

required to be inserted. Words in parentheses are instructions to applicants as to the information which may be included in the declaration depending upon the factual circumstances. Words in brackets are optional and should appear in the declaration without the brackets if they apply; if they do not apply, they should be omitted together with the corresponding brackets.

Naming of Several Persons: More than one person may be named in a single declaration. In the alternative, with one exception, a separate declaration may be made for each person. With respect to the declaration of inventorship set forth in Box No. VIII (iv), which is applicable only for the purposes of the designation of the United States of America, all inventors must be indicated in a single declaration (see Notes to Box No. VIII (iv), below). The wording of declarations to be set forth in Boxes Nos. VIII (i), (ii), (iii) and (v) may be adapted from the singular to the plural as necessary.

BOX No. VIII (i)

Declaration as to the Identity of the Inventor (Rule 4.17(i) and Section 211): The declaration must be worded as follows:

“Declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i)):

in relation to [this] international application [No. PCT/...],

... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application

Such a declaration is not necessary in respect of any inventor who is indicated as such (either as inventor only or applicant and inventor) in Box No. II or No. III in accordance with Rule 4.5 or 4.6. However, where the inventor is indicated as applicant in Box No. II or No. III in accordance with Rule 4.5, a declaration as to the applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii)) may be appropriate. Where indications regarding the inventor in accordance with Rule 4.5 or 4.6 are not included in Box No. II or No. III, this declaration may be combined with the prescribed wording of the declaration as to the applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii)). For details on such a combined declaration, see Notes to Box No. VIII (ii), below. For details as to the declaration of inventorship for the purposes of the designation of the United States of America, see Notes to Box No. VIII (iv), below.

BOX No. VIII (ii)

Declaration as to the Applicant's Entitlement to Apply for and Be Granted a Patent (Rule 4.17(ii) and Section 212): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

“Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to [this] international application [No. PCT/...],

... (*name*) is entitled to apply for and be granted a patent by virtue of the following:

- (i) ... (*name*) of ... (*address*) is the inventor of the subject matter for which protection is sought by way of [the] [this] international application
- (ii) ... (*name*) [is] [was] entitled as employer of the inventor, ... (*inventor's name*)
- (iii) an agreement between ... (*name*) and ... (*name*), dated ...

different from the applicants indicated in respect of an earlier application. The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the applicant in respect of the earlier application, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement.

BOX No. VIII (iv)

Declaration of Inventorship (Rule 4.17(iv) and Section 214): The standardized wording for the declaration is pre-printed in Box No. VIII (iv).

The name, residence, address and citizenship must be included for each inventor. If the name and address of an inventor is not written in the Latin alphabet, the name and address must be indicated in the Latin alphabet. All inventors must sign and date the declaration even if they do not all sign the same copy of the declaration (Section 214(b)).

If there are more than two inventors, those other inventors must be indicated on the "Continuation of Box No. VIII (i) to (v)" sheet. The continuation sheet should be entitled "Continuation of Box No. VIII (iv)," must indicate the name, residence, address and citizenship for those other inventors, and at least the name and address in the Latin alphabet. In such a case, the "complete declaration" includes Box No. VIII (iv) and the continuation sheet. All inventors must sign and date a complete declaration even if they do not all sign the same copy of the complete declaration, and a copy of each separately signed complete declaration must be submitted (Section 214(b)).

Where the declaration was not included in the request, but **is furnished later**, the PCT application number **MUST** be indicated within the text of Box No. VIII (iv).

BOX No. VIII (v)

Declaration as to Non-prejudicial Disclosures or Exceptions to Lack of Novelty (Rule 4.17(v) and Section 215): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (iv) as is necessary:

"Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51*bis*.1(a)(v)):

in relation to [this] international application [No. PCT/...],

... (*name*) declares that the subject matter claimed in [the] [this] international application was disclosed as follows:

- (i) kind of disclosure (*include as applicable*):
 - (a) international exhibition
 - (b) publication
 - (c) abuse
 - (d) other: ... (*specify*)
- (ii) date of disclosure: ...
- (iii) title of disclosure (*if applicable*): ...
- (iv) place of disclosure (*if applicable*): ...

Either (a), (b), (c) or (d) of item (i) should always be included in the declaration. Item (ii) should also always be included in the declaration. Items (iii) and (iv) may be incorporated depending upon the circumstances.

BOX No. IX

Items Constituting the International Application: The number of sheets of the various parts of the international application must be given in the check list in Arabic numerals. Sheets containing any of Boxes Nos. VIII (i) to (v) must be counted as part of the request.

Where the application contains disclosure of one or more *nucleotide and/or amino acid sequences*, the applicant has the following three options.

First, the applicant may choose to file the sequence listing and/or tables related thereto *on paper only* ("option (a)"), in which case the number of sheets of the listing and/or tables, respectively, must be indicated under item (a) in the left column of Box No. IX (and therefore included in the total number of sheets), noting that a copy of the sequence listing and/or a copy of the tables, in electronic form, may accompany the international application but only for the purposes of international search under Rule 13*ter* and/or Section 802(b-*quater*); in such a case, check-boxes Nos. 9, 9(i) and/or 10(i) and, where applicable, 9(ii) and/or 10(ii) must be marked in the right column of Box No. IX.

Second, the applicant may choose to file the sequence listing and/or tables related thereto *in electronic form only*, under Section 801(a)(i) ("option (b)"), in which case check-boxes b(i) and/or b(ii) must be marked but the spaces for the number of sheets of the sequence listing and/or tables, respectively, under item (a) must be left blank; the type and number of carriers must also be indicated on the dotted lines at the bottom of the left column; in addition, check-boxes Nos. 9, 9(ii) and/or 10(ii) and, where applicable, 9(iii) and/or 10(iii) must be marked if additional copies of the sequence listing and/or tables in electronic form are furnished.

Third, the applicant may choose to file the sequence listing and/or tables related thereto *both in electronic form and on paper*, under Section 801(a)(ii) ("option (c)"), in which case the number of sheets (on paper) of the sequence listing and/or tables, respectively, must be indicated under item (a) in the left column of Box No. IX (although those numbers of sheets will not be taken into account for calculation of the international filing fee) and check-boxes c(i) and/or c(ii), respectively, must be marked; the type and number of carriers must also be indicated on the dotted lines at the bottom of the left column; in addition, check-boxes Nos. 9, 9(ii) and/or 10(ii) and, where applicable, 9(iii) and/or 10(iii) must be marked if additional copies of the sequence listing and/or tables in electronic form are furnished.

Under all three options described above, the sequence listing must be presented as a separate part of the description ("sequence listing part of description") in accordance with the standard contained in Annex C of the Administrative Instructions. Also, tables related to a sequence listing must be presented in accordance with the standard contained in Annex C-*bis* of the Administrative Instructions.

Items Accompanying the International Application:

Where the international application is accompanied by certain items, the applicable check-boxes must be marked, any applicable indication must be made on the dotted line after the applicable item, and the number of such items should be indicated at the end of the relevant line; detailed explanations are provided below only in respect of those items which so require.

Check-box No. 4: Mark this check-box where a copy of a general power of attorney is filed with the international application; where the general power of attorney has been deposited with the receiving Office, and that Office has accorded to it a reference number, that number may be indicated.

Check-box No. 5: Mark this check-box where a statement explaining the lack of signature of an inventor/applicant for the purposes of the United States of America is furnished together with the international application (see also Notes to Box No. X).

Check-box No. 7: Mark this check-box where a translation of the international application for the purposes of international search (Rule 12.3) is filed together with the international application and indicate the language of that translation.

- (iv) an assignment from ... (*name*) to ... (*name*), dated ...
- (v) consent from ... (*name*) in favor of ... (*name*), dated ...
- (vi) a court order issued by ... (*name of court*), effecting a transfer from ... (*name*) to ... (*name*), dated ...
- (vii) transfer of entitlement from ... (*name*) to ... (*name*) by way of ... (*specify kind of transfer*), dated ...
- (viii) the applicant's name changed from ... (*name*) to ... (*name*) on ... (*date*)

Items (i) to (viii) may be incorporated as is necessary to explain the applicant's entitlement. ***This declaration is only applicable to those events which have occurred prior to the international filing date.*** The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the inventor, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement. Where the inventor is not indicated in Box No. II or No. III, this declaration may be presented as a combined declaration explaining the applicant's entitlement to apply for and be granted a patent and identifying the inventor. In such a case, the introductory phrase of the declaration must be as follows:

"Combined declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51*bis*.1(a)(ii)) and as to the identity of the inventor (Rules 4.17(i) and 51*bis*.1(a)(i)), in a case where the declaration under Rule 4.17(iv) is not appropriate."

The remainder of the combined declaration must be worded as indicated in the preceding paragraphs.

For details as to the declaration as to the identity of the inventor, see the Notes to Box No. VIII (i), above.

BOX No. VIII (iii)

Declaration as to the Applicant's Entitlement to Claim Priority of the Earlier Application (Rule 4.17(iii) and Section 213): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (viii) as is necessary to explain the applicant's entitlement:

"Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51*bis*.1(a)(iii)):

in relation to [this] international application [No. PCT/...],

... (*name*) is entitled to claim priority of earlier application No. ... by virtue of the following:

- (i) the applicant is the inventor of the subject matter for which protection was sought by way of the earlier application
- (ii) ... (*name*) [is] [was] entitled as employer of the inventor, ... (*inventor's name*)
- (iii) an agreement between ... (*name*) and ... (*name*), dated ...
- (iv) an assignment from ... (*name*) to ... (*name*), dated ...
- (v) consent from ... (*name*) in favor of ... (*name*), dated ...
- (vi) a court order, issued by ... (*name of court*), effecting a transfer from ... (*name*) to ... (*name*), dated ...
- (vii) transfer of entitlement from ... (*name*) to ... (*name*) by way of ... (*specify kind of transfer*), dated ...
- (viii) the applicant's name changed from ... (*name*) to ... (*name*) on ... (*date*)

Items (i) to (viii) may be incorporated as is necessary to explain the applicant's entitlement. ***This declaration is only applicable to those events which have occurred prior to the international filing date.*** In addition, this declaration is only applicable where the person or name of the applicant is different from that of the applicant who filed the earlier application from which priority is claimed. For example, this declaration may be applicable where only one applicant out of five is different from the applicants indicated in respect of an earlier application. The possible kinds of transfer of entitlement in item (vii) include merger, acquisition, inheritance, donation, etc. Where there has been a succession of transfers from the applicant in respect of the earlier application, the order in which transfers are listed should follow the actual succession of transfers, and items may be included more than once, as necessary to explain the applicant's entitlement.

BOX No. VIII (iv)

Declaration of Inventorship (Rule 4.17(iv) and Section 214): The standardized wording for the declaration is pre-printed in Box No. VIII (iv).

The name, residence, address and citizenship must be included for each inventor. If the name and address of an inventor is not written in the Latin alphabet, the name and address must be indicated in the Latin alphabet. All inventors must sign and date the declaration even if they do not all sign the same copy of the declaration (Section 214(b)).

If there are more than two inventors, those other inventors must be indicated on the "Continuation of Box No. VIII (i) to (v)" sheet. The continuation sheet should be entitled "Continuation of Box No. VIII (iv)," must indicate the name, residence, address and citizenship for those other inventors, and at least the name and address in the Latin alphabet. In such a case, the "complete declaration" includes Box No. VIII (iv) and the continuation sheet. All inventors must sign and date a complete declaration even if they do not all sign the same copy of the complete declaration, and a copy of each separately signed complete declaration must be submitted (Section 214(b)).

Where the declaration was not included in the request, but **is furnished later**, the PCT application number **MUST** be indicated within the text of Box No. VIII (iv).

BOX No. VIII (v)

Declaration as to Non-prejudicial Disclosures or Exceptions to Lack of Novelty (Rule 4.17(v) and Section 215): The declaration must be worded as follows, with such inclusion, omission, repetition and re-ordering of the matters listed as items (i) to (iv) as is necessary:

"Declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51*bis*.1(a)(v)):

in relation to [this] international application [No. PCT/...],

... (*name*) declares that the subject matter claimed in [the] [this] international application was disclosed as follows:

- (i) kind of disclosure (*include as applicable*):
 - (a) international exhibition
 - (b) publication
 - (c) abuse
 - (d) other: ... (*specify*)
- (ii) date of disclosure: ...
- (iii) title of disclosure (*if applicable*): ...
- (iv) place of disclosure (*if applicable*): ...

Either (a), (b), (c) or (d) of item (i) should always be included in the declaration. Item (ii) should also always be included in the declaration. Items (iii) and (iv) may be incorporated depending upon the circumstances.

Check-box No. 8: Mark this check-box where a filled-in Form PCT/RO/134 or any separate sheet containing indications concerning deposited microorganisms and/or other biological material is filed with the international application. If Form PCT/RO/134 or any sheet containing the said indications is included as one of the sheets of the description (as required by certain designated States (see the *PCT Applicant's Guide, Volume I*, Annex L)), do not mark this check-box (for further information, see Rule 13*bis* and Section 209).

Check-box No. 9: Where the international application contains a sequence listing and a copy thereof in electronic form is required by the ISA under Rule 13*ter*, the applicant may furnish the listing in electronic form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 9, 9(i) and, where applicable, 9(iii) must be marked. Where the applicant has chosen option (b) or option (c) mentioned above, and an additional copy or copies of the sequence listing in electronic form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 9, 9(ii) and, where applicable, 9(iii) must be marked. In all cases mentioned above, the applicant should indicate at the end of each applicable entry the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

Check-box No. 10: Where the international application contains tables related to a sequence listing and a copy thereof in electronic form is required by the ISA under Section 802(b-*quater*), the applicant may furnish the tables in electronic form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 10, 10(i) and, where applicable, 10(iii) must be marked. Where the applicant has chosen option (b) or option (c) mentioned above, and an additional copy or copies of the tables in electronic form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 10, 10(ii) and, where applicable, 10(iii) must be marked. In all cases mentioned above, the applicant should indicate at the end of each applicable entry the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

Language of Filing of the International Application (Rules 12.1(a) and 20.4(c) and (d)): With regard to the language in which the international application is filed, for the purposes of according an international filing date, it is, subject to the following sentence, sufficient that the description and the claims are in the language, or one of the languages, accepted by the receiving Office for the filing of international applications; that language should be indicated in that check-box (as regards the language of the abstract and any text matter in the drawings, see Rule 26.3*ter*(a) and (b); as regards the language of the request, see Rules 12.1(c) and 26.3*ter*(c) and (d)). Note that where the international application is filed with the United States Patent and Trademark Office as receiving Office, all elements of the international application (request, description, claims, abstract, text matter of drawings) must, for the purposes of according an international filing date, be in English except that the free text in any sequence listing part of the description, complying with the standard set out in Annex C of the Administrative Instructions, may be in a language other than English.

BOX No. X

Signature (Rules 4.1(d), 4.15, 26.2*bis*(a), 51*bis*.1(a)(vi), 90 and 90*bis*.5): The signature must be that of the applicant; if there are several applicants, all must sign. However, if the signature of one or more of the applicants is missing, the receiving Office will not invite the applicant to furnish the missing signature(s) provided that at least one of the applicants signed the request.

Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by the applicant or, if there are two or more applicant's by all of them (Rule 90*bis*.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney (Rule 90.4(a)).

Furthermore, for the purposes of the national phase processing, each designated Office will be entitled to require the applicant to furnish the confirmation of the international application by the signature of any applicant for the designated State concerned, who has not signed the request.

Where the signature on the request is not that of the applicant but that of the agent, or the common representative, a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general power of attorney already in the possession of the receiving Office, must be furnished. If the power is not filed with the request, the receiving Office will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each receiving Office, see the *PCT Applicant's Guide, Volume I*, Annex C).

If an inventor/applicant for the designation of the United States of America refused to sign the request or could not be found or reached after diligent effort, a statement explaining the lack of signature may be furnished. It should be noted that this applies only where there are two or more applicants and the international application has been signed by at least one other applicant. The statement must satisfy the receiving Office. If such a statement is furnished with the international application, check-box No. 5 in Box No. IX should be marked.

SUPPLEMENTAL BOX

The cases in which the Supplemental Box may be used and the manner of making indications in it are explained in the left column of that Box.

Items 2 and 3: Even if an indication is made in respect of items 2 and 3 under Rule 49*bis*.1(a), (b) or (d), the applicant will be required to make an indication to this effect upon entry into the national phase before the designated offices concerned.

If the applicant wishes to specify that the international application be treated in any designated State as an application for a utility model, see Notes to Box No. V.

GENERAL REMARKS

Language of Correspondence (Rule 92.2 and Section 104): Any letter from the applicant to the receiving Office must be in the language of filing of the international application provided that, where the international application is to be published in the language of a translation required under Rule 12.3, such letter should be in the language of that translation; however, the receiving Office may authorize the use of another language.

Any letter from the applicant to the International Bureau must be in the same language as the international application if that language is English or French; otherwise, it must be in English or French, at the choice of the applicant.

Any letter from the applicant to the ISA must be in the same language as the international application, provided that, where a translation of the international application for the purposes of international search has been transmitted under Rule 23.1(b), such letter is in the language of that translation. However, the ISA may authorize the use of another language.

BOX No. IX

Items Constituting the International Application: The number of sheets of the various parts of the international application must be given in the check list in Arabic numerals. Sheets containing any of Boxes Nos. VIII (i) to (v) must be counted as part of the request.

Where the application contains disclosure of one or more *nucleotide and/or amino acid sequences*, the applicant has the following three options.

First, the applicant may choose to file the sequence listing and/or tables related thereto *on paper only* ("option (a)"), in which case the number of sheets of the listing and/or tables, respectively, must be indicated under item (a) in the left column of Box No. IX (and therefore included in the total number of sheets), noting that a copy of the sequence listing and/or a copy of the tables, in electronic form, may accompany the international application but only for the purposes of international search under Rule 13^{ter} and/or Section 802(b-*quater*); in such a case, check-boxes Nos. 9, 9(i) and/or 10(i) and, where applicable, 9(iii) and/or 10(iii) must be marked in the right column of Box No. IX.

Second, the applicant may choose to file the sequence listing and/or tables related thereto *in electronic form only*, under Section 801(a)(i) ("option (b)"), in which case check-boxes b(i) and/or b(ii) must be marked but the spaces for the number of sheets of the sequence listing and/or tables, respectively, under item (a) must be left blank; the type and number of carriers must also be indicated on the dotted lines at the bottom of the left column; in addition, check-boxes Nos. 9, 9(ii) and/or 10(ii) and, where applicable, 9(iii) and/or 10(iii) must be marked if additional copies of the sequence listing and/or tables in electronic form are furnished.

Third, the applicant may choose to file the sequence listing and/or tables related thereto *both in electronic form and on paper*, under Section 801(a)(ii) ("option (c)"), in which case the number of sheets (on paper) of the sequence listing and/or tables, respectively, must be indicated under item (a) in the left column of Box No. IX (although those numbers of sheets will not be taken into account for calculation of the international filing fee) and check-boxes c(i) and/or c(ii), respectively, must be marked; the type and number of carriers must also be indicated on the dotted lines at the bottom of the left column; in addition, check-boxes Nos. 9, 9(ii) and/or 10(ii) and, where applicable, 9(iii) and/or 10(iii) must be marked if additional copies of the sequence listing and/or tables in electronic form are furnished.

Under all three options described above, the sequence listing must be presented as a separate part of the description ("sequence listing part of description") in accordance with the standard contained in Annex C of the Administrative Instructions. Also, tables related to a sequence listing must be presented in accordance with the standard contained in Annex C-*bis* of the Administrative Instructions.

Items Accompanying the International Application: Where the international application is accompanied by certain items, the applicable check-boxes must be marked, any applicable indication must be made on the dotted line after the applicable item, and the number of such items should be indicated at the end of the relevant line; detailed explanations are provided below only in respect of those items which so require.

Check-box No. 4: Mark this check-box where a copy of a general power of attorney is filed with the international application; where the general power of attorney has been deposited with the receiving Office, and that Office has accorded to it a reference number, that number may be indicated.

Check-box No. 5: Mark this check-box where a statement explaining the lack of signature of an inventor/applicant for the

purposes of the United States of America is furnished together with the international application (see also Notes to Box No. X).

Check-box No. 7: Mark this check-box where a translation of the international application for the purposes of international search (Rule 12.3) is filed together with the international application and indicate the language of that translation.

Check-box No. 8: Mark this check-box where a filled-in Form PCT/RO/134 or any separate sheet containing indications concerning deposited microorganisms and/or other biological material is filed with the international application. If Form PCT/RO/134 or any sheet containing the said indications is included as one of the sheets of the description (as required by certain designated States (see the *PCT Applicant's Guide*, Annex L)), do not mark this check-box (for further information, see Rule 13^{bis} and Section 209).

Check-box No. 9: Where the international application contains a sequence listing and a copy thereof in electronic form is required by the ISA under Rule 13^{ter}, the applicant may furnish the listing in electronic form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 9, 9(i) and, where applicable, 9(iii) must be marked. Where the applicant has chosen option (b) or option (c) mentioned above, and an additional copy or copies of the sequence listing in electronic form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 9, 9(ii) and, where applicable, 9(iii) must be marked. In all cases mentioned above, the applicant should indicate at the end of each applicable entry the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

Check-box No. 10: Where the international application contains tables related to a sequence listing and a copy thereof in electronic form is required by the ISA under Section 802(b-*quater*), the applicant may furnish the tables in electronic form (together with the required statement) to the receiving Office with the international application, in which case check-boxes Nos. 10, 10(i) and, where applicable, 10(iii) must be marked. Where the applicant has chosen option (b) or option (c) mentioned above, and an additional copy or copies of the tables in electronic form are required under Section 804, the applicant may furnish such additional copies together with the international application, in which case check-boxes Nos. 10, 10(ii) and, where applicable, 10(iii) must be marked. In all cases mentioned above, the applicant should indicate at the end of each applicable entry the type and number of diskettes, CD-ROMs, CD-Rs, or other data carriers furnished.

Check-Box No.11: Where the results of the earlier search are not available to the ISA in a form and manner acceptable to it, for example from a digital library (Rule 12^{bis}.1(f)), or if the receiving Office for the purposes of this international application is not the Office which carried out the earlier search and therefore cannot be requested to furnish the results of the earlier search to the ISA (Rule 12^{bis}.1(c)), the applicant shall then submit the results directly to the receiving Office in accordance with Rule 12^{bis}.1(a), in which case check-box No.11 should be marked accordingly.

Language of Filing of the International Application (Rules 12.1(a) and 20.4(c) and (d)): With regard to the language in which the international application is filed, for the purposes of according an international filing date, it is, subject to the following sentence, sufficient that the description and the claims are in the language, or one of the languages, accepted by the receiving Office for the filing of international applications; that language should be indicated in that check-box (as regards the language of the abstract and any text matter in the drawings, see Rule 26.3^{ter}(a) and (b); as regards the language of the request, see Rules 12.1(c) and 26.3^{ter}(c) and (d)). Note that where the international application is filed with the United States Patent and Trademark Office as receiving Office, all elements of the international application (request, description,

Arrangement of Elements and Numbering of Sheets of the International Application (Rule 11.7 and Section 207): The elements of the international application must be placed in the following order: the request, the description (excluding the sequence listing part, if any), the claim(s), the abstract, the drawings (if any), the sequence listing part of the description (if any).

All sheets of the description (excluding the sequence listing part), claims and abstract must be numbered in consecutive Arabic numerals, which must be placed at the top or bottom of the sheet, in the middle, but not in the margin which must remain blank. The number of each sheet of the drawings must

consist of two Arabic numerals separated by an oblique stroke, the first being the sheet number and the second being the total number of sheets of drawings (for example, 1/3, 2/3, 3/3). For numbering of the sheets of the sequence listing part of the description, see Section 207.

Indication of the Applicant's or Agent's File Reference on the sheets of the description (excluding the sequence listing part, if any), claim(s), abstract, drawings and sequence listing part of the description (Rule 11.6(f)): The file reference indicated on the request may also be indicated in the left-hand corner of the top margin, within 1.5 cm from the top of any sheet of the international application.

claims, abstract, text matter of drawings) must, for the purposes of according an international filing date, be in English except that the free text in any sequence listing part of the description, complying with the standard set out in Annex C of the Administrative Instructions, may be in a language other than English.

BOX No. X

Signature (Rules 4.1(d), 4.15, 26.2bis(a), 51bis.1(a)(vi), 90 and 90bis.5): The signature must be that of the applicant; if there are several applicants, all must sign. However, if the signature of one or more of the applicants is missing, the receiving Office will not invite the applicant to furnish the missing signature(s) provided that at least one of the applicants signed the request.

Important: Should a notice of withdrawal be filed at any time during the international phase, that notice will have to be signed by the applicant or, if there are two or more applicant's by all of them (Rule 90bis.5(a)), or by an agent or a common representative whose appointment has been effected by each applicant signing, at his choice, the request, the demand or a separate power of attorney (Rule 90.4(a)).

Furthermore, for the purposes of the national phase processing, each designated Office will be entitled to require the applicant to furnish the confirmation of the international application by the signature of any applicant for the designated State concerned, who has not signed the request.

Where the signature on the request is not that of the applicant but that of the agent, or the common representative, a separate power of attorney appointing the agent or the common representative, respectively, or a copy of a general power of attorney already in the possession of the receiving Office, must be furnished. If the power is not filed with the request, the receiving Office will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each receiving Office, see the *PCT Applicant's Guide*, Annex C).

If an inventor/applicant for the designation of the United States of America refused to sign the request or could not be found or reached after diligent effort, a statement explaining the lack of signature may be furnished. It should be noted that this applies only where there are two or more applicants and the international application has been signed by at least one other applicant. The statement must satisfy the receiving Office. If such a statement is furnished with the international application, check-box No. 5 in Box No. IX should be marked.

SUPPLEMENTAL BOX

The cases in which the Supplemental Box may be used and the manner of making indications in it are explained in the left column of that Box.

Items 2 and 3: Even if an indication is made in respect of items 2 and 3 under Rule 49bis.1(a), (b) or (d), the applicant will be required to make an indication to this effect upon entry into the national phase before the designated offices concerned.

If the applicant wishes to specify that the international application be treated in any designated State as an application for a utility model, see Notes to Box No. V.

GENERAL REMARKS

Language of Correspondence (Rule 92.2 and Section 104): Any letter from the applicant to the receiving Office must be in the language of filing of the international application provided that, where the international application is to be published in the language of a translation required under Rule 12.3, such letter should be in the language of that translation; however, the receiving Office may authorize the use of another language.

Any letter from the applicant to the International Bureau must be in the same language as the international application if that language is English or French; otherwise, it must be in English or French, at the choice of the applicant.

Any letter from the applicant to the ISA must be in the same language as the international application, provided that, where a translation of the international application for the purposes of international search has been transmitted under Rule 23.1(b), such letter is in the language of that translation. However, the ISA may authorize the use of another language.

Arrangement of Elements and Numbering of Sheets of the International Application (Rule 11.7 and Section 207): The elements of the international application must be placed in the following order: the request, the description (excluding the sequence listing part, if any), the claim(s), the abstract, the drawings (if any), the sequence listing part of the description (if any).

All sheets of the description (excluding the sequence listing part), claims and abstract must be numbered in consecutive Arabic numerals, which must be placed at the top or bottom of the sheet, in the middle, but not in the margin which must remain blank. The number of each sheet of the drawings must consist of two Arabic numerals separated by an oblique stroke, the first being the sheet number and the second being the total number of sheets of drawings (for example, 1/3, 2/3, 3/3). For numbering of the sheets of the sequence listing part of the description, see Section 207.

Indication of the Applicant's or Agent's File Reference on the sheets of the description (excluding the sequence listing part, if any), claim(s), abstract, drawings and sequence listing part of the description (Rule 11.6(f)): The file reference indicated on the request may also be indicated in the left-hand corner of the top margin, within 1.5 cm from the top of any sheet of the international application.

This sheet is not part of and does not count as a sheet of the international application.

PCT

FEE CALCULATION SHEET

Annex to the Request

For receiving Office use only

International Application No. _____

Date stamp of the receiving Office _____

Applicant's or agent's
file reference

Applicant

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE T

2. SEARCH FEE S

International search to be carried out by _____
(If two or more International Searching Authorities are competent to carry out the international search, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FILING FEE

Where items (b) and/or (c) of Box No. IX apply, enter **Sub-total number of sheets** } _____
Where items (b) and (c) of Box No. IX do not apply, enter **Total number of sheets** }

i1 first 30 sheets i1

i2 _____ x _____ = i2
number of sheets in excess of 30 fee per sheet

i3 additional component (only if a sequence listing and/or tables related thereto are filed in electronic form under Section 801(a)(i), or both in that form and on paper, under Section 801(a)(ii):
400 x _____ = i3
fee per sheet

Add amounts entered at i1, i2 and i3 and enter total at I I

(Applicants from certain States are entitled to a reduction of 75% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 25% of the international filing fee.)

4. FEE FOR PRIORITY DOCUMENT (if applicable) P

5. TOTAL FEES PAYABLE TOTAL
Add amounts entered at T, S, ~~I and P~~, and enter total in the TOTAL box

MODE OF PAYMENT (Not all modes of payment may be available at all receiving Offices)

- authorization to charge deposit account (see below)
- postal money order
- cash
- coupons
- cheque
- bank draft
- revenue stamps
- other (specify): _____

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

(This mode of payment may not be available at all receiving Offices)

- Authorization to charge the total fees indicated above.
- (This check-box may be marked only if the conditions for deposit accounts of the receiving Office so permit)* Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.
- Authorization to charge the fee for priority document.

Receiving Office: RO/ _____

Deposit Account No.: _____

Date: _____

Name: _____

Signature: _____

This sheet is not part of and does not count as a sheet of the international application.

PCT

FEE CALCULATION SHEET

Annex to the Request

For receiving Office use only

International Application No. _____

Date stamp of the receiving Office _____

Applicant's or agent's
file reference

Applicant

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE T

2. SEARCH FEE S

International search to be carried out by _____
(If two or more International Searching Authorities are competent to carry out the international search, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FILING FEE

Where items (b) and/or (c) of Box No. IX apply, enter **Sub-total number of sheets** } _____
Where items (b) and (c) of Box No. IX do not apply, enter **Total number of sheets** }

i1 first 30 sheets i1

i2 _____ x _____ = i2
number of sheets in excess of 30 fee per sheet

i3 additional component (only if a sequence listing and/or tables related thereto are filed in electronic form under Section 801(a)(i), or both in that form and on paper, under Section 801(a)(ii):
400 x _____ = i3
fee per sheet

Add amounts entered at i1, i2 and i3 and enter total at I I

(Applicants from certain States are entitled to a reduction of 75% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 25% of the international filing fee.)

4. FEE FOR PRIORITY DOCUMENT (if applicable) P

5. FEE FOR RESTORATION OF THE RIGHT OF PRIORITY (if applicable) RP

6. FEE FOR EARLIER SEARCH DOCUMENTS (if applicable) ES

7. TOTAL FEES PAYABLE
Add amounts entered at T, S, I, P, RP and ES, and enter total in the TOTAL box TOTAL

MODE OF PAYMENT (Not all modes of payment may be available at all receiving Offices)

- authorization to charge deposit account (see below) postal money order cash coupons
 cheque bank draft revenue stamps other (specify): _____

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

(This mode of payment may not be available at all receiving Offices)

- Authorization to charge the total fees indicated above.
 (This check-box may be marked only if the conditions for deposit accounts of the receiving Office so permit) Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.
 Authorization to charge the fee for priority document.

Receiving Office: RO/ _____

Deposit Account No.: _____

Date: _____

Name: _____

Signature: _____

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/RO/101)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete the sheet by entering the appropriate amounts in the boxes provided and submit the fee calculation sheet at the time of filing the international application. This will help the receiving Office to verify the calculations and to identify any error in them.

Information about the applicable fees payable can be obtained from the receiving Office. The amounts of the international filing and search fees may change due to currency fluctuations. Applicants are advised to check what are the latest applicable amounts. All fees, must be paid within one month from the date of receipt of the international application.

CALCULATION OF PRESCRIBED FEES

Box T: Transmittal Fee for the benefit of the receiving Office (Rule 14.1): The amount of the transmittal fee, if any, is fixed by the receiving Office. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide, Volume I*, Annex C.

Box S: Search Fee for the benefit of the International Searching Authority (ISA) (Rule 16.1): The amount of the search fee is fixed by the ISA. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide, Volume I*, Annex D.

Where two or more ISAs are competent, the applicant must indicate his choice in the space provided for this purpose and pay the amount of the international search fee fixed by the ISA chosen. Information on the competent ISA and whether the applicant has a choice between two or more ISAs is contained in the *PCT Applicant's Guide, Volume I*, Annex C.

Box I: International Filing Fee for the benefit of the International Bureau (Rule 15): The amount of the international filing fee is as set out in Swiss francs in the Schedule of Fees and the applicable amount of this fee in other currencies is as published *Official Notices (PCT Gazette)* (Rule 15.2). Information about this fee is also contained in the *PCT Applicant's Guide, Volume I*, Annex C.

Reduction of the International Filing Fee Where PCT-EASY Software Is Used: A fee reduction of 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) is available in certain cases where the PCT-EASY software is used to prepare the request, provided that the necessary conditions are met. For further details, see the *PCT Applicant's Guide, Volume I*, International Phase and Annex C, as well as information published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since applicants using the PCT-EASY software will file the Request Form and Fee Calculation Sheet in the form of a printout prepared using that software, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

Reduction of the International Filing Fee Where the International Application Is Filed in Electronic Form: Where the international application is filed in electronic form, the total amount of the international filing fee is reduced depending on the electronic formats used. The international filing fee is reduced by: 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) in respect of international applications where the request is not in character coded format (see PCT Schedule of Fees, item 3(b)); 200 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request is in character coded format (see PCT Schedule of Fees, item 3(c)); and 300 Swiss francs (or the equivalent in the currency in which the

international filing fee is paid to the receiving Office) where the request, description, claims and abstract are all in character coded format (see PCT Schedule of Fees, item 3(d)). For further details, see the *PCT Applicant's Guide, Volume I*, International Phase and Annex C, as well as information published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since international applications filed in electronic form will contain the Request Form and Fee Calculation Sheet in such electronic form, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

Reduction of the International Filing Fee for Applicants from Certain States: An applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997) or an applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations, is entitled, to a reduction of 75% of certain PCT fees including the international filing fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the international filing fee is automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Boxes Nos. II and III of the request.

The fee reduction is available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 75% of certain PCT fees, including the international filing fee, is contained in the *PCT Applicant's Guide, Volume I*, Annex C and on the WIPO website (see www.wipo.int/pct/en/index.html), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the International Filing Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the international filing fee, the total to be entered in box I is 25% of the international filing fee (see below).

Box I: International Filing Fee: The amount of the international filing fee depends on the number of sheets of the international application indicated under item (a) of Box No. IX of the request as explained below.

That number is the **Total number of sheets** where items (b) and (c) of Box No. IX of the request do not apply (that is, where the international application either does not contain a sequence listing and/or tables related thereto or where it contains such

**NOTES TO THE FEE CALCULATION SHEET
(ANNEX TO FORM PCT/RO/101)**

The purpose of the fee calculation sheet is to help the applicant to identify the prescribed fees and to calculate the amounts to be paid. It is strongly recommended that the applicant complete the sheet by entering the appropriate amounts in the boxes provided and submit the fee calculation sheet at the time of filing the international application. This will help the receiving Office to verify the calculations and to identify any error in them.

Information about the applicable fees payable can be obtained from the receiving Office. The amounts of the international filing and search fees may change due to currency fluctuations. Applicants are advised to check what are the latest applicable amounts. All fees, must be paid within one month from the date of receipt of the international application.

CALCULATION OF PRESCRIBED FEES

Box T: Transmittal Fee for the benefit of the receiving Office (Rule 14.1): The amount of the transmittal fee, if any, is fixed by the receiving Office. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex C.

Box S: Search Fee for the benefit of the International Searching Authority (ISA) (Rule 16.1): The amount of the search fee is fixed by the ISA. It must be paid within one month from the date of receipt of the international application by the receiving Office. Information about this fee is contained in the *PCT Applicant's Guide*, Annex D.

Where two or more ISAs are competent, the applicant must indicate his choice in the space provided for this purpose and pay the amount of the international search fee fixed by the ISA chosen. Information on the competent ISA and whether the applicant has a choice between two or more ISAs is contained in the *PCT Applicant's Guide*, Annex C.

Box I: International Filing Fee for the benefit of the International Bureau (Rule 15): The amount of the international filing fee is as set out in Swiss francs in the Schedule of Fees and the applicable amount of this fee in other currencies is as published *Official Notices (PCT Gazette)* (Rule 15.2). Information about this fee is also contained in the *PCT Applicant's Guide*, Annex C.

Reduction of the International Filing Fee Where PCT-EASY Software Is Used: A fee reduction of 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) is available in certain cases where the PCT-EASY software is used to prepare the request, provided that the necessary conditions are met. For further details, see the *PCT Applicant's Guide*, International Phase and Annex C, as well as information published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since applicants using the PCT-EASY software will file the Request Form and Fee Calculation Sheet in the form of a printout prepared using that software, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

Reduction of the International Filing Fee Where the International Application Is Filed in Electronic Form: Where the international application is filed in electronic form, the total amount of the international filing fee is reduced depending on the electronic formats used. The international filing fee is reduced by: 100 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) in respect of international applications where the request is not in character coded format (see PCT Schedule of Fees, item 3(b)); 200 Swiss francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request is in character coded format (see PCT Schedule of Fees, item 3(c)); and 300 Swiss

francs (or the equivalent in the currency in which the international filing fee is paid to the receiving Office) where the request, description, claims and abstract are all in character coded format (see PCT Schedule of Fees, item 3(d)). For further details, see the *PCT Applicant's Guide*, International Phase and Annex C, as well as information published in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*. Since international applications filed in electronic form will contain the Request Form and Fee Calculation Sheet in such electronic form, no provision is made for this fee reduction in the Fee Calculation Sheet annexed to Form PCT/RO/101.

Reduction of the International Filing Fee for Applicants from Certain States: An applicant who is a natural person and who is a national of and resides in a State whose per capita national income is below 3,000 US dollars (according to the average per capita national income figures used by the United Nations for determining its scale of assessments for the contributions payable for the years 1995, 1996 and 1997) or an applicant, whether a natural person or not, who is a national of and resides in a State that is classed as a least developed country by the United Nations, is entitled, to a reduction of 75% of certain PCT fees including the international filing fee. If there are several applicants, each must satisfy the above-mentioned criteria. The reduction of the international filing fee is automatically available to any applicant (or applicants) who is (or are) so entitled on the basis of the indications of name, nationality and residence given in Boxes Nos. II and III of the request.

The fee reduction is available even if one or more of the applicants are not from PCT Contracting States, provided that each of them is a national and resident of a State that meets the above-mentioned requirements and that at least one of the applicants is a national or resident of a PCT Contracting State and thus is entitled to file an international application.

Information about PCT Contracting States whose nationals and residents are entitled to a reduction of 75% of certain PCT fees, including the international filing fee, is contained in the *PCT Applicant's Guide*, Annex C and on the WIPO website (see www.wipo.int/pct/en/index.html), and is also published and regularly updated in the *Official Notices (PCT Gazette)* and the *PCT Newsletter*.

Calculation of the International Filing Fee in Case of Fee Reduction: Where the applicant is (or all applicants are) entitled to a reduction of the international filing fee, the total to be entered in box I is 25% of the international filing fee (see below).

Box I: International Filing Fee: The amount of the international filing fee depends on the number of sheets of the international application indicated under item (a) of Box No. IX of the request as explained below.

That number is the **Total number of sheets** where items (b) and (c) of Box No. IX of the request do not apply (that is, where the international application either does not contain a sequence

listing and/or tables but not filed in electronic form under Section 801(a)(i) or (ii)); in such a case, item "i3" must not be filled in.

Otherwise, where items (b) and/or (c) of Box No. IX of the request apply (that is, where the international application contains a sequence listing and/or tables related thereto which are filed in electronic form only, under Section 801(a)(i), or both in that form and on paper under Section 801(a)(ii)), the number of sheets to be used for the purpose of calculating the amount of the international filing fee is the **Sub-total number of sheets**. In such a case, item "i3" must be filled in on the basis that the sequence listing and/or tables related thereto in electronic form are considered to be equal to 400 sheets (see Section 803).

The international filing fee must be paid within one month from the date of receipt of the international application by the receiving Office.

Box P: Fee for Priority Document (Rule 17.1(b)): Where the applicant has requested, by marking the applicable check-box in Box No. VI of the request, that the receiving Office prepare and transmit to the International Bureau a certified copy of the earlier application the priority of which is claimed, the amount of the fee prescribed by the receiving Office for

such service may be entered (for information, see the *PCT Applicant's Guide, Volume I*, Annex C).

If that fee is not paid at the latest before the expiration of 16 months from the priority date, the receiving Office may consider the request under Rule 17.1(b) as not having been made.

Total Box: The total of the amounts entered in boxes T, S, I and P should be entered in this box. If the applicant so wishes, the currency in which the fees are paid may be indicated next to or in the total box.

MODE OF PAYMENT

In order to help the receiving Office identify the mode of payment of the prescribed fees, it is recommended that the applicable check-box(es) be marked.

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

The receiving Office will not charge (or credit) fees to deposit accounts unless the deposit account authorization is signed and indicates the deposit account number.

listing and/or tables related thereto or where it contains such listing and/or tables but not filed in electronic form under Section 801(a)(i) or (ii)); in such a case, item “i3” must not be filled in.

Otherwise, where items (b) and/or (c) of Box No. IX of the request apply (that is, where the international application contains a sequence listing and/or tables related thereto which are filed in electronic form only, under Section 801(a)(i), or both in that form and on paper under Section 801(a)(ii)), the number of sheets to be used for the purpose of calculating the amount of the international filing fee is the **Sub-total number of sheets**. In such a case, item “i3” must be filled in on the basis that the sequence listing and/or tables related thereto in electronic form are considered to be equal to 400 sheets (see Section 803).

The international filing fee must be paid within one month from the date of receipt of the international application by the receiving Office.

Box P: Fee for Priority Document (Rule 17.1(b)): Where the applicant has requested, by marking the applicable check-box in Box No. VI of the request, that the receiving Office prepare and transmit to the International Bureau a certified copy of the earlier application the priority of which is claimed, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

If that fee is not paid at the latest before the expiration of 16 months from the priority date, the receiving Office may consider the request under Rule 17.1(b) as not having been made.

Box RP: Fee for the restoration of the right of priority (Rule 26bis.3(d)): Where the applicant has requested within

the applicable time limit under Rule 26bis.3(e) that the receiving Office restore the right of priority in connection with any earlier application the priority of which is claimed in the international application, the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

Box ES: Fee for earlier search documents (Rule 12bis.1(c)): Where the applicant has requested, by marking the appropriate check-box in Box No. VII of the request, that the receiving Office prepare and transmit to the ISA copies of the documents in connection with an earlier search, the results of which are requested by the applicant to be taken into consideration by the ISA (such a request may only be filed if the earlier search was carried out by the same Office as that which is acting as the receiving Office (Rule 12bis.1(c))), the amount of the fee prescribed by the receiving Office for such service may be entered (for information, see the *PCT Applicant's Guide*, Annex C).

Total Box: The total of the amounts entered in boxes T, S, I, P, RP and ES should be entered in this box. If the applicant so wishes, the currency in which the fees are paid may be indicated next to or in the total box.

MODE OF PAYMENT

In order to help the receiving Office identify the mode of payment of the prescribed fees, it is recommended that the applicable check-box(es) be marked.

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

The receiving Office will not charge (or credit) fees to deposit accounts unless the deposit account authorization is signed and indicates the deposit account number.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCTINVITATION TO CORRECT PRIORITY CLAIM
AND/OR NOTIFICATION OF POSSIBILITY
TO REQUEST RESTORATION OF
THE RIGHT OF PRIORITY

(PCT Rules 4.10, 26bis.1, 26bis.2(a) and (b), 26bis.3)

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		REPLY DUE See items 1 and 2	
International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
Applicant			

1. The applicant is hereby **invited** to correct, by a notice submitted to the receiving Office, within the time limit indicated below, defects in the priority claim as indicated in Annex A.

Time limit to respond to this Invitation (Rule 26bis.1(a)):

- within 16 months from the (earliest) priority date; or
 - if the (earliest) priority date is changed as a result of the correction or addition of the (earliest) priority claim, within 16 months from that (earliest) priority date so changed,
- whichever expires first, provided that such a notice may, in any event, be submitted until the expiration of four months from the international filing date.

Failure to respond to this Invitation within the prescribed time limit may result in the priority claim concerned to be considered void for the purposes of the procedure under the PCT (Rule 26bis.2(b)).

2. The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. The applicant is hereby **notified** of the possibility of submitting to the receiving Office, within the time limit indicated below, a request to restore the right of priority as indicated in Annex B.

Time limit to request the restoration of the right of priority (Rule 26bis.3(e)):

- within two months from the date on which the priority period expired.

3. In the case where **multiple priorities** have been claimed, this notice relates to the following priority claim:

A copy of this Invitation/Notification is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCTINVITATION TO CORRECT PRIORITY CLAIM
AND/OR NOTIFICATION OF POSSIBILITY
TO REQUEST RESTORATION OF
THE RIGHT OF PRIORITY

(PCT Rules 4.10, 26bis.1, 26bis.2(a) and (b), 26bis.3)

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		REPLY DUE See items 1 and 2	
International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
Applicant			

1. The applicant is hereby **invited** to correct, by a notice submitted to the receiving Office, within the time limit indicated below, defects in the priority claim as indicated in Annex A.

Time limit to respond to this Invitation (Rule 26bis.1(a)):

- within 16 months from the (earliest) priority date; or
 - if the (earliest) priority date is changed as a result of the correction or addition of the (earliest) priority claim, within 16 months from that (earliest) priority date so changed,
- whichever expires first, provided that such a notice may, in any event, be submitted until the expiration of four months from the international filing date.

Failure to respond to this Invitation within the prescribed time limit may result in the priority claim concerned to be considered void for the purposes of the procedure under the PCT (Rule 26bis.2(b)).

2. The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. The applicant is hereby **notified** of the possibility of submitting to the receiving Office, within the time limit indicated below, a request to restore the right of priority as indicated in Annex B.

Time limit to request the restoration of the right of priority (Rule 26bis.3(e)):

- within two months from the date on which the priority period expired.

3. In the case where **multiple priorities** have been claimed, this notice relates to the following priority claim:

A copy of this Invitation/Notification is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

International application No.

ANNEX A TO FORM PCT/RO/110

This receiving Office has found the following defects in the priority claim(s):

1. Failure to Comply with the Requirements of Rule 4.10

- a. **National** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
 - Missing indication of the number of the earlier application.**
 - Missing indication of the country party to the Paris Convention for the Protection of Industrial Property, or of the Member of the World Trade Organization that is not party to that Convention, in which the earlier national application was filed.
 - The country indicated is neither a party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization.
- b. **Regional** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
 - Missing indication of the number of the earlier application.**
 - Missing indication of the authority entrusted with the granting of regional patents under the applicable regional patent treaty.
 - The authority indicated as the authority entrusted with the granting of regional patents does not grant regional patents.
 - The priority claim in relation to the ARIPO application does not indicate either at least one country party to the Paris Convention for the Protection of Industrial Property, or at least one Member of the World Trade Organization, for which the earlier application was filed.
- c. **International** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.*
 - Missing indication of the number of the earlier application.**
 - Missing indication of the receiving Office with which it was filed.

2. Inconsistency with the Corresponding Indications in the Priority Document**

- a. Inconsistency with regard to the filing date of the earlier application:
The request indicates:
The priority document indicates:
- b. Inconsistency with regard to the number of the earlier application:
The request indicates:
The priority document indicates:
- c. Inconsistency with regard to the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization in which the **national** application was filed:
The request indicates:
The priority document indicates:
- d. Inconsistency with regard to the authority entrusted with the granting of *regional patents* under the applicable regional patent treaty:
The request indicates:
The priority document indicates:
- e. Inconsistency with regard to the receiving Office with which the **international** application was filed:
The request indicates:
The priority document indicates:

* If the international filing date is later than the date on which the priority period expired, but is within two months from that ~~expiration~~ date, the priority claim will not be considered void (Rule 26bis.2(c)(iii)).

** Even if this defect is not corrected in response to this Invitation, the priority claim concerned will not be considered void (Rule 26bis.2(c)(i) and (ii)).

International application No.

ANNEX A TO FORM PCT/RO/110

This receiving Office has found the following defects in the priority claim(s):

1. Failure to Comply with the Requirements of Rule 4.10

- a. **National** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.¹
 - Missing indication of the number of the earlier application.²
 - Missing indication of the country party to the Paris Convention for the Protection of Industrial Property, or of the Member of the World Trade Organization that is not party to that Convention, in which the earlier national application was filed.
 - The country indicated is neither a party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization.
- b. **Regional** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.¹
 - Missing indication of the number of the earlier application.²
 - Missing indication of the authority entrusted with the granting of regional patents under the applicable regional patent treaty.
 - The authority indicated as the authority entrusted with the granting of regional patents does not grant regional patents.
 - The priority claim in relation to the ARIPO application does not indicate either at least one country party to the Paris Convention for the Protection of Industrial Property, or at least one Member of the World Trade Organization, for which the earlier application was filed.
- c. **International** application
- Missing indication of the filing date of the earlier application.
 - Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.¹
 - Missing indication of the number of the earlier application.²
 - Missing indication of the receiving Office with which it was filed.

2. Inconsistency with the Corresponding Indications in the Priority Document²

- a. Inconsistency with regard to the filing date of the earlier application:
The request indicates:
The priority document indicates:
- b. Inconsistency with regard to the number of the earlier application:
The request indicates:
The priority document indicates:
- c. Inconsistency with regard to the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization in which the **national** application was filed:
The request indicates:
The priority document indicates:
- d. Inconsistency with regard to the authority entrusted with the granting of *regional patents* under the applicable regional patent treaty:
The request indicates:
The priority document indicates:
- e. Inconsistency with regard to the receiving Office with which the **international** application was filed:
The request indicates:
The priority document indicates:

¹ If the international filing date is later than the date on which the priority period expired, but is within two months from that date, the priority claim will not be considered void (Rule 26bis.2(c)(iii)).
² Even if this defect is not corrected in response to this Invitation, the priority claim concerned will not be considered void (Rule 26bis.2(c)(i) and (ii)).

ANNEX B TO FORM PCT/RO/110

International application No.

NOTIFICATION OF POSSIBILITY TO REQUEST RESTORATION OF THE RIGHT OF PRIORITY

(Rule 26bis.3)

The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. If the filing date of the earlier application has been indicated correctly and no request for correction of that filing date is submitted under Rule 26bis.1(a), the applicant may submit to the receiving Office, within the time limit indicated below, a request to restore the right of priority.

REQUEST TO RESTORE THE RIGHT OF PRIORITY

The **request to restore the right of priority** must be filed **within two months** from the date on which the priority period expired provided that, where the applicant makes a request for early publication under Article 21(2)(b), the request must be submitted before technical preparations for international publication have been completed (Rule 26bis.3(e)).

The **request to restore the right of priority** must state the reasons for the failure to file the international application within the priority period. This receiving Office will restore the right of priority if it finds that the following criterion or one of the following criteria for restoration is satisfied, namely that the failure to file the international application within the priority period:

occurred in spite of due care required by the circumstances having been taken;

and/or

was unintentional;

This receiving Office may invite the applicant to furnish a declaration or other evidence in support of the statement of reasons (Rule 26bis.3(f)). Preferably, such declaration or other evidence should already be furnished together with the request for restoration of the right of priority.

FEE PAYMENT

The submission of the request to restore the right of priority is subject to **the payment of a fee**, payable **within two months** from the date on which the priority period expired, in the amount of:

_____ (amount/currency) for restoration based on the criterion of due care;

or

_____ (amount/currency) for restoration based on the criterion of unintentional.

No fee payment is required.

ANNEX B TO FORM PCT/RO/110

International application No.

NOTIFICATION OF POSSIBILITY TO REQUEST RESTORATION OF THE RIGHT OF PRIORITY

(Rule 26bis.3)

The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. If the filing date of the earlier application has been indicated correctly and no request for correction of that filing date is submitted under Rule 26bis.1(a), the applicant may submit to the receiving Office, within the time limit indicated below, a request to restore the right of priority.

REQUEST TO RESTORE THE RIGHT OF PRIORITY

The **request to restore the right of priority** must be filed **within two months** from the date on which the priority period expired provided that, where the applicant makes a request for early publication under Article 21(2)(b), the request must be submitted before technical preparations for international publication have been completed (Rule 26bis.3(e)).

The **request to restore the right of priority** must state the reasons for the failure to file the international application within the priority period. This receiving Office will restore the right of priority if it finds that the following criterion or one of the following criteria for restoration is satisfied, namely that the failure to file the international application within the priority period:

occurred in spite of due care required by the circumstances having been taken

and/or

was unintentional

This receiving Office may invite the applicant to furnish a declaration or other evidence in support of the statement of reasons (Rule 26bis.3(f)). Preferably, such declaration or other evidence should already be furnished together with the request for restoration of the right of priority.

FEE PAYMENT

The submission of the request to restore the right of priority is subject to **the payment of a fee**, payable **within two months³** from the date on which the priority period expired, in the amount of:

_____ (amount/currency) for restoration based on the criterion of due care;

or

_____ (amount/currency) for restoration based on the criterion of unintentional.

No fee payment is required.

³ The receiving Office may extend the time limit for payment of the fee for a period of up to two months from the expiration of this time limit.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 302 and 314)Date of mailing
day/month/year

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

International application No.

International filing date
day/month/year

Applicant

The applicant is hereby **notified** of the following in respect of the priority claim(s) made in the international application.

1. **Correction of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been corrected to read as follows:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. **Addition of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been added:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, ~~the (earliest) priority date is:~~
4. ~~The priority claim (see also item 5, below, if applicable) is **considered void** because:~~
 - ~~the applicant failed to respond to the invitation under Rule 26bis.2(a) (Form PCT/RO/110) within the prescribed time limit.~~
 - ~~the applicant's notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a):~~
 - ~~the applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.~~

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).
5. The priority claim cannot be corrected/added since the applicant's notice was received on _____ after expiration of the prescribed time limit under Rule 26bis.1(a).
The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(IB).
6. In case where **multiple priorities** have been claimed, the above item(s) relate to the following priority claim(s):
7. A copy of this notification has been sent to the International Bureau and
 - to the International Searching Authority.

Name and mailing address of the receiving Office

Authorized officer

Facsimile No.

Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 302 and 314)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

IMPORTANT NOTIFICATION

International application No.

International filing date
(day/month/year)

Applicant

The applicant is hereby **notified** of the following in respect of the priority claim(s) made in the international application.

1. **Correction of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been corrected to read as follows:
- even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. **Addition of priority claim** In accordance with the applicant's notice received on _____ the following priority claim has been added:
- even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. **The priority claim is considered void (Rule 26bis.2(b)) because:**
- at the expiration of the prescribed time limit under Rule 26bis.1(a), the receiving Office had not received a notice from the applicant correcting the priority claim so as to comply with the requirements of Rule 4.10 as notified in Form PCT/RO/110.
 - the applicant's notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a); and consequently, the priority claim could not be corrected so as to comply with the requirements of Rule 4.10.**
 - the applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.**

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).

Name and mailing address of the receiving Office

Authorized officer

Facsimile No.

Telephone No.

FORM PCT/RO/111

International application No.

4. As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, or of the priority claim(s) under item 3 being considered void, the (earliest) priority date is:
5. The priority claim cannot be corrected/added since the applicant's notice was received on _____, that is, after expiration of the prescribed time limit under Rule 26bis.1(a). However, where the applicant's notice concerns a correction, in accordance with Rule 26bis.2(c)(i) to (iii), the priority claim(s) indicated in Box VI of the request will not be considered void.
The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(IB).
6. In case where **multiple priorities** have been claimed, the above item(s) relate to the following priority claim(s):
7. A copy of this Notification has been sent to the International Bureau and
 to the International Searching Authority.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCTNOTIFICATION THAT INTERNATIONAL
APPLICATION CONSIDERED
TO BE WITHDRAWN(PCT Article 14(1) or (3) and Rules 12.3(d) or 12.4(d),
29.1 or 92.4(g)(i))

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	IMPORTANT NOTIFICATION
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby notified that **the international application is declared by this receiving Office to be considered withdrawn** for the reason indicated below:

1. **Failure to correct certain defects:** An invitation (Form PCT/RO/106) to correct defects in the international application was mailed by this receiving Office on

However: no corrections, in response to that invitation, have been received within the prescribed time limit
 applicant's corrections as submitted do not properly correct the defects noted in that invitation

2. **Failure to furnish the required translation of the international application and/or to pay the late furnishing fee:** An invitation (Form PCT/RO/150 or Form PCT/RO/157) to furnish the required translation of the international application and to pay, where applicable, the late furnishing fee was mailed by this receiving Office on

However, within the time limit referred to in that invitation:

the required translation was not furnished the required late furnishing fee was not paid

3. **Failure to pay prescribed fees:** An invitation (Form PCT/RO/133) to pay the prescribed fees was mailed by this receiving Office on

However, within the time limit referred to in that invitation:

no fees have been paid
 the amounts paid are not sufficient to cover the transmittal fee, the international filing fee, the search fee and the late payment fee

4. **Failure to furnish the original of the international application:** An invitation (Form PCT/RO/141) to furnish the original of the international application (transmitted earlier by facsimile machine/teleprinter/etc.) was mailed by this receiving Office on

However, the original was not furnished within the time limit fixed in that invitation.

5. A copy of this ~~notification~~ has been sent to the International Bureau and to the International Searching Authority.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCTNOTIFICATION THAT INTERNATIONAL
APPLICATION CONSIDERED
TO BE WITHDRAWN(PCT Article 14(1) or (3) and Rules 12.3(d) or 12.4(d),
29.1 or 92.4(g)(i))

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	IMPORTANT NOTIFICATION
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby notified that **the international application is declared by this receiving Office to be considered withdrawn** for the reason indicated below:

1. **Failure to correct certain defects:** An invitation (Form PCT/RO/106) to correct defects in the international application was mailed by this receiving Office on _____
 However: no corrections, in response to that invitation, have been received within the prescribed time limit.
 applicant's corrections as submitted do not properly correct the defects noted in that invitation.
2. **Failure to furnish the required translation of the international application and/or to pay the late furnishing fee:** An invitation (Form PCT/RO/150 or Form PCT/RO/157) to furnish the required translation of the international application and to pay, where applicable, the late furnishing fee was mailed by this receiving Office on _____
 However, within the time limit referred to in that invitation:
 the required translation was not furnished. the required late furnishing fee was not paid.
3. **Failure to pay prescribed fees:** An invitation (Form PCT/RO/133) to pay the prescribed fees was mailed by this receiving Office on _____
 However, within the time limit referred to in that invitation:
 no fees have been paid.
 the amounts paid are not sufficient to cover the transmittal fee, the international filing fee, the search fee and the late payment fee.
4. **Failure to furnish the original of the international application:** An invitation (Form PCT/RO/141) to furnish the original of the international application (transmitted earlier by facsimile machine/teleprinter/etc.) was mailed by this receiving Office on _____
 However, the original was not furnished within the time limit fixed in that invitation.
5. A copy of this Notification has been sent to the International Bureau and to the International Searching Authority.

ATTENTION: This **international application will only not be published** if this Notification reaches the International Bureau before completion of technical preparations for international publication (Rule 29.1(v)).

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:		<h1 style="margin: 0;">PCT</h1> <p style="margin: 0;">NOTIFICATION OF INTENDED REFUSAL OF REQUEST TO RESTORE RIGHT OF PRIORITY AND/OR INVITATION TO FURNISH DECLARATION OR OTHER EVIDENCE</p> <p style="margin: 0;">(PCT Rule 26bis.3(f) and (g))</p>	
Applicant's or agent's file reference		REPLY DUE See below	
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)	
Applicant			

This receiving Office has received from the applicant a request for restoration of the right of priority which was:

- included in Form PCT/RO/101 at the time of filing of this international application.
- received on _____

The request for restoration of the right of priority concerns the following priority claim(s) _____
_____. The applicant is hereby notified that this receiving Office **intends to refuse** the request for the reason(s) set out below and, where appropriate, more fully in the Annex to this form:

1. the request to restore the right of priority was not received within the applicable time limit under Rule 26bis.3(e).
2. the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(b)(ii)); the applicant may submit, within the **time limit** applicable under Rule 26bis.3(e)*, a (sufficient) statement of reasons.
3. the required declaration in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)); the applicant is hereby invited to furnish such a (sufficient) declaration **within** _____ (days/months) from the date of this Invitation (Rule 26bis.3(f)).
4. the required evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)); the applicant is hereby invited to furnish such (sufficient) evidence **within** _____ (days/months) from the date of this Invitation (Rule 26bis.3(f)).
5. lack of or insufficient payment of the fee required under Rule 26bis.3(d); the applicant may pay, within the **time limit** applicable under Rule 26bis.3(e)*, in full the amount due.
6. a priority claim in respect of the earlier application is not contained in the international application; the applicant may submit, within the **time limit** applicable under Rule 26bis.3(e)*, a notice under Rule 26bis.1(a) adding the priority claim.

The applicant is given the opportunity to make **observations** on the intended refusal **within** a time limit of _____ (day/months) from the date of this Notification (Rule 26bis.3(g)).

* The **time limit** applicable under Rule 26bis.3(e) is two months from the date on which the priority period expired, provided that, where the applicant makes a request for early publication under Article 21(2)(b), the time limit is the date of completion of technical preparations for international publication.

A copy of this Notification/Invitation is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

NOTIFICATION OF INTENDED REFUSAL
OF REQUEST TO RESTORE RIGHT OF
PRIORITY AND/OR INVITATION TO FURNISH
DECLARATION OR OTHER EVIDENCE

(PCT Rule 26bis.3(f) and (g))

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		REPLY DUE See below	
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)	
Applicant			

This receiving Office has received from the applicant a request for restoration of the right of priority which was:

- included in Form PCT/RO/101 at the time of filing of this international application.
 received on _____

The request for restoration of the right of priority concerns the following priority claim(s) _____
 _____. The applicant is hereby notified that this receiving Office **intends to refuse, or partially refuse**, the request for the reason(s) set out below:

- the request to restore the right of priority was not received within the applicable time limit under Rule 26bis.3(e).
- the statement of reasons for the failure to file the international application within the priority period is missing (Rule 26bis.3(b)(ii)); the applicant may submit, within the **time limit** applicable under Rule 26bis.3(e)*, a statement of reasons.
- the required declaration in support of the statement of reasons for the failure to file the international application within the priority period is missing (Rule 26bis.3(f)); the applicant is hereby invited to furnish such a declaration **within** _____ (**days/months**) from the date of this Invitation (Rule 26bis.3(f)).
- the required evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing (Rule 26bis.3(f)); the applicant is hereby invited to furnish such evidence **within** _____ (**days/months**) from the date of this Invitation (Rule 26bis.3(f)).
- lack of or insufficient payment of the fee required under Rule 26bis.3(d); the applicant may pay, within the **time limit** applicable under Rule 26bis.3(e)*, in full the amount due.
- a priority claim in respect of the earlier application is not contained in the international application; the applicant may submit, within the **time limit** applicable under Rule 26bis.3(e)*, a notice under Rule 26bis.1(a) adding the priority claim.
- see Annex for (further) details.

The applicant is given the opportunity to make **observations** on the intended refusal **within** a time limit of _____ (**day/months**) from the date of this Notification (Rule 26bis.3(g)).

* The **time limit** applicable under Rule 26bis.3(e) is two months from the date on which the priority period expired, provided that, where the applicant makes a request for early publication under Article 21(2)(b), the time limit is the date of completion of technical preparations for international publication. The time limit to pay the fee may be extended, at the option of the receiving Office, for a period of up to two months from the expiration of the time limit under Rule 26bis.3(e).

A copy of this Notification/Invitation is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

ANNEX TO FORM PCT/RO/158

International application No.

This receiving Office intends to ~~refuse~~ the request to restore the right of priority for the following reason(s):

ANNEX TO FORM PCT/RO/158

International application No.

This receiving Office intends to refuse, or partially refuse, the request to restore the right of priority for the following reason(s):

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCTNOTIFICATION OF
DECISION ON REQUEST
TO RESTORE RIGHT OF PRIORITY

(PCT Rule 26bis.3(h)(iii))

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		REPLY DUE See below	
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)	
Applicant			

Upon the request of the applicant:

- included in Form PCT/RO/101 at the time of filing of this international application, or
 received on _____

to restore the right of priority in respect of the following priority claim(s) _____
 this receiving Office has decided:

- to restore** the right of priority, based on the finding by this receiving Office that the criterion for restoration applied by it is **satisfied**, namely that the failure to file the international application within the priority period:
- occurred in spite of due care required by the circumstances having been taken.
 - was unintentional.
- to refuse** the request to restore the right of priority, following issuance of the Notification of Intended Refusal of Request to Restore Right of Priority (Form PCT/RO/158) dated _____ for the following reason(s):
1. the request to restore the priority right was not received within the applicable time limit under Rule 26bis.3(e).
 2. the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(b)(ii)).
 3. a declaration in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
 4. evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
 5. lack of payment of the fee for restoration (Rule 26bis.3(d)).
 6. lack of a priority claim in respect of an earlier application in the international application as required under Rule 26bis.3(c).

Where appropriate, the reason(s) for refusal are set out fully in the Annex to this form.

A copy of this Decision is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCTNOTIFICATION OF
DECISION ON REQUEST
TO RESTORE RIGHT OF PRIORITY

(PCT Rule 26bis.3(h)(iii))

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		REPLY DUE See below	
International application No.	International filing date/Date of receipt (day/month/year)	Priority date (day/month/year)	
Applicant			

Upon the request of the applicant:

- included in Form PCT/RO/101 at the time of filing of this international application, or
 received on _____

to restore the right of priority in respect of the following priority claim(s) _____
 this receiving Office has decided:

- to restore** the right of priority, based on the finding by this receiving Office that the criterion for restoration applied by it is **satisfied**, namely that the failure to file the international application within the priority period:
- occurred in spite of due care required by the circumstances having been taken
 - was unintentional

- to refuse** the request to restore the right of priority, following issuance of the Notification of Intended Refusal of Request to Restore Right of Priority (Form PCT/RO/158) dated _____ for the following reason(s):

1. the request to restore the priority right was not received within the applicable time limit under Rule 26bis.3(e).
2. the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(b)(ii)).
3. a declaration in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
4. evidence in support of the statement of reasons for the failure to file the international application within the priority period is missing or insufficient (Rule 26bis.3(f)).
5. lack of or late payment of the fee for restoration (Rule 26bis.3(d)).
6. lack of a priority claim in respect of an earlier application in the international application as required under Rule 26bis.3(c).

- Where appropriate, the reason(s) for refusal are set out fully in the Annex to this form.

A copy of this Decision is being sent to the International Bureau.

Name and mailing address of the receiving Office	Authorized officer
Facsimile No.	Telephone No.

ANNEX TO FORM PCT/RO/159

International application No.

This receiving Office has refused the request to restore the right of priority for the following reason(s):

ANNEX TO FORM PCT/RO/159

International application No.

This receiving Office has refused the request to restore the right of priority for the following reason(s):

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority Date (<i>day/month/year</i>)
Applicant		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of _____ sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

the international application in the language in which it was filed.

a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. **Certain claims were found unsearchable** (see Box No. II).

3. **Unity of invention is lacking** (see Box No. III).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. _____

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority Date (<i>day/month/year</i>)
Applicant		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of _____ sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

the international application in the language in which it was filed.

a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

d. This Authority, following the applicant's request, has taken into account the results of (an) earlier search(es) (Rules 4.12, 12bis.1 and 41.1).

2. **Certain claims were found unsearchable** (see Box No. II).

3. **Unity of invention is lacking** (see Box No. III).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. _____

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.c of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of:
- a. type of material
- a sequence listing
- table(s) related to the sequence listing
- b. format of material
- on paper
- in electronic form
- c. time of filing/furnishing
- contained in the international application as filed
- filed together with the international application in electronic form
- furnished subsequently to this Authority for the purposes of search
2. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

INTERNATIONAL SEARCH REPORT

International application No.

Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.c of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of:
- a. type of material
- a sequence listing
- table(s) related to the sequence listing
- b. format of material
- on paper
- in electronic form
- c. time of filing/furnishing
- contained in the international application as filed
- filed together with the international application in electronic form
- furnished subsequently to this Authority for the purposes of search
2. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

INTERNATIONAL SEARCH REPORT

International application No.

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

Box No. IV **Text of the abstract (Continuation of item 5 of the first sheet)**

INTERNATIONAL SEARCH REPORT

International application No.

Box No. IV **Text of the abstract (Continuation of item 5 of the first sheet)**

INTERNATIONAL SEARCH REPORT

International application No.

A. CLASSIFICATION OF SUBJECT MATTER

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

Name and mailing address of the ISA/

Authorized officer

Facsimile No.

Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.

A. CLASSIFICATION OF SUBJECT MATTER

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

Name and mailing address of the ISA/

Authorized officer

Facsimile No.

Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

INTERNATIONAL SEARCH REPORT

International application No.

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.

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INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.

INTERNATIONAL SEARCH REPORT

International application No.

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INTERNATIONAL SEARCH REPORT

International application No.

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PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCTINVITATION TO FURNISH
DOCUMENTS IN CONNECTION
WITH EARLIER SEARCH(PCT Rule 12*bis*.1(b))

To:	
	Date of mailing (day/month/year)
Applicant's or agent's file reference	REPLY DUE within month/days from the above date of mailing
International application No.	International filing date (day/month/year)
Applicant	

1. The applicant has requested, by marking the request form accordingly (see Box No. VII of Form PCT/RO/101), that this International Searching Authority take into account the results of an earlier search carried out by another International Searching Authority or a national Office (Rule 4.12). Moreover, where applicable, even though the applicant had marked certain documents as being available to this International Searching Authority, they are in fact not available in a form and manner acceptable to this Authority.

2. The applicant is hereby **invited**, within the prescribed time limit indicated above, to furnish this Authority with:

a copy of the earlier application,

a translation of the earlier application into the following language _____ which is accepted by this Authority,

a translation of the results of the earlier search into the following language _____ which is accepted by this Authority,

a copy of all, or certain documents, listed below in 4. *Further observations*, cited in the results of the earlier search.

3. **Failure to comply with this invitation** may result in this Authority not taking into account the results of the earlier search as requested by the applicant in the request form.

4. Further observations (*if necessary*):

Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 402(c) and 409)

To:

Date of mailing (day/month/year)	
Applicant's or agent's file reference	IMPORTANT NOTIFICATION
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby **notified** of the following in respect of the priority claim identified as item (_____) in Box No. VI of the request (Form PCT/RO/101).

1. **Correction of priority claim.** In accordance with the applicant's notice received on _____ the following priority claim has been corrected to read as follows:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. **Addition of priority claim.** In accordance with the applicant's notice received on _____ the following priority claim has been added:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. As a **result of the correction and/or addition** of (a) priority claim(s) under items 1 and/or 2, ~~the (earliest) priority date is:~~
4. **Priority claim considered void**
 - ~~The applicant failed to respond to the invitation under Rule 26bis.2(a) (Form PCT/IB/316) within the prescribed time limit.~~
 - ~~The applicant's notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a):~~
 - ~~The applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.~~

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).
5. The priority claim cannot be corrected/added since the applicant's notice was received on _____ after the expiration of the prescribed time limit under Rule 26bis.1(a).
The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(1B).
6. A copy of this notification has been sent to the receiving Office and
 - to the International Searching Authority (where the international search report and the written opinion of the International Searching Authority have not yet been issued).
 - to the International Preliminary Examining Authority (where a demand for international preliminary examination has been filed).
 - the designated Offices (in accordance with Rule 93bis).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer
Facsimile No. +41 22 338 82 70	Telephone No. +41 22 338 XX XX

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 402(c) and 409)

To:

Date of mailing (day/month/year)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference	
International application No.	International filing date (day/month/year)
Applicant	

The applicant is hereby **notified** of the following in respect of the priority claim identified as item (_____) in Box No. VI of the request (Form PCT/RO/101).

1. **Correction of priority claim.** In accordance with the applicant's notice received on _____ the following priority claim has been corrected to read as follows:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. **Addition of priority claim.** In accordance with the applicant's notice received on _____ the following priority claim has been added:
 - even though the indication of the number of the earlier application is missing.
 - even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. **The priority claim is considered void (Rule 26bis.2(b)) because:**
 - at the expiration of the prescribed time limit under Rule 26bis.1(a), the International Bureau had not received a notice from the applicant correcting the priority claim so as to comply with the requirements of Rule 4.10, as notified in the invitation (Form PCT/RO/110 or PCT/IB/316).
 - the applicant's notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a); and consequently, the priority claim could not be corrected so as to comply with the requirements of Rule 4.10.
 - the applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer
Facsimile No. +41 22 338 82 70	Telephone No. +41 22 338 XX XX

FORM PCT/IB/318

International application No.

4. As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, or of the priority claim(s) under item 3 being considered void, the (earliest) priority date is:

5. The priority claim cannot be corrected/added since the applicant's notice was received on _____, that is, after the expiration of the prescribed time limit under Rule 26bis.1(a). However, where the applicant's notice concerns a correction, in accordance with Rule 26bis.2(c)(i) to (iii), the priority claim(s) indicated in Box VI of the request will not be considered void.

The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(1B).

6. In case where **multiple priorities** have been claimed, the above item(s) relate to the following priority claim(s):

7. A copy of this notification has been sent to the receiving Office and

to the International Searching Authority (*where the international search report and the written opinion of the International Searching Authority have not yet been issued*).

to the International Preliminary Examining Authority (*where a demand for international preliminary examination has been filed*).

the designated Offices (*in accordance with Rule 93bis*).