



C.PCT 1146

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April 30, 2008

Madam,
Sir,

In accordance with Rule 89.2(a) of the Regulations under the Patent Cooperation Treaty (PCT), certain PCT Forms for use by receiving Offices, International Searching Authorities, International Preliminary Examining Authorities, and the International Bureau, are hereby promulgated with effect from July 1, 2008.

This follows consultation under Rule 89.2(b) of the Regulations under the PCT with your Office in its capacity as receiving Office (RO), International Searching Authority (ISA), or designated/elected Office (DO/EO), and also with certain non-governmental organizations. The modifications are as proposed by Circular C.PCT 1132, dated February 21, 2008, except where further changes have been made as a result of consultation, as indicated below (editorial and minor drafting changes are not specifically mentioned).

In addition, several Forms which were not mentioned in Circular C.PCT 1132 have also been modified as a result of the consultation.

Furthermore, the promulgated modifications also reflect amendments to the Schedule of Fees, annexed to the Regulations under the PCT, adopted by the PCT Assembly at its thirty-seventh session (see document PCT/A/37/2 Prov., dated March 31, 2008). These amendments concern a decrease by 5% of the international filing fee and a higher reduction of the international filing fee and the handling fee for applicants from certain States. It is recalled that these amendments will enter into force on July 1, 2008, and will apply to any international application the international filing date of which is on or after July 1, 2008. The Schedule of Fees as worded before its amendment shall continue to apply to any international application which is received by the receiving Office before July 1, 2008, and which is accorded an international filing date that is on or after July 1, 2008.

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Modifications of PCT Forms relating to receiving Offices

Form PCT/RO/101 is modified as proposed by Circular C.PCT 1132, as a result of the consultation, and as a consequence of the amendments to the Schedule of Fees. As requested by several Offices, the e-mail authorization in Boxes Nos. II and IV has been extended to cover any receiving Office, ISA, IPEA and the International Bureau which might wish to send advance copies of any notifications to the applicant or agent by e-mail.

Form PCT/RO/102 was not mentioned in Circular C.PCT 1132 but is modified as a result of the consultation, and as a consequence of the amendments to the Schedule of Fees.

Form PCT/RO/105 was not mentioned in Circular C.PCT 1132 but at the request of some Offices, the box for the title of the invention has been enlarged.

Form PCT/RO/110 is modified as proposed by Circular C.PCT 1132.

Form PCT/RO/111 is modified as proposed by Circular C.PCT 1132 and as a result of the consultation.

Form PCT/RO/113 was not mentioned in Circular C.PCT 1132 but is modified as a result of the consultation. The field for the teleprinter number has been replaced by a field to indicate the e-mail address. Moreover, a check-box has been included for the RO to indicate that an authorization to send advance copies of notifications to the e-mail address indicated on that form has been received.

Form PCT/RO/117 is modified as proposed by Circular C.PCT 1132 and as a result of the consultation.

Form PCT/RO/118 was not mentioned in Circular C.PCT 1132 but is modified as a result of the consultation, to allow the receiving Office to indicate that it is transmitting the results of an earlier search to the ISA.

Form PCT/RO/122 was not mentioned in Circular C.PCT 1132 but is promulgated herewith to correct a rule reference.

Form PCT/RO/128 was not mentioned in Circular C.PCT 1132 but is promulgated herewith to correct a rule reference.

Form PCT/RO/133 was not mentioned in Circular C.PCT 1132 but is modified as a consequence of the amendments to the Schedule of Fees.

Form PCT/RO/158 is modified as proposed by Circular C.PCT 1132 and as a result of the consultation.

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Form PCT/RO/159 is modified as proposed by Circular C.PCT 1132 and as a result of the consultation.

Modifications of PCT Forms relating to International Searching Authorities

Form PCT/ISA/210 will not be modified as proposed by Circular C.PCT 1132 but is reissued with minor editorial changes.

Form PCT/ISA/238 is a new form and was proposed by Circular C.PCT 1132. It is modified as a result of the consultation.

Modifications of PCT Forms relating to the International Bureau

Form PCT/IB/301 was not mentioned in Circular C.PCT 1132 but is promulgated herewith for minor editorial changes.

Form PCT/IB/306 was not mentioned in Circular C.PCT 1132 but is modified as a result of the consultation.

Form PCT/IB/311 was not mentioned in Circular C.PCT 1132 but is promulgated herewith to reflect a change in the e-mail address indicated on this Form.

Form PCT/IB/318 is modified as proposed by Circular C.PCT 1132.

Modifications of PCT Forms relating to International Preliminary Examining Authorities.

Form PCT/IPEA/401 was not mentioned in Circular C.PCT 1132 but is modified as a result of the consultation, and as a consequence of the amendments to the Schedule of Fees. A field to indicate an e-mail address has been added in Boxes Nos. II and III together with a check-box allowing applicants to authorize the IPEA to send advance copies of notifications, if the Authority so wishes, by e-mail.

Form PCT/IPEA/403 was not mentioned in Circular C.PCT 1132 but is modified as a consequence of the amendments to the Schedule of Fees.

Form PCT/IPEA/440 was not mentioned in Circular C.PCT 1132 but is modified as a consequence of the amendments to the Schedule of Fees.

As from July 1, 2008, only the updated versions of the Request and Demand Forms should be distributed to applicants, noting, however, that for the Demand Form, the higher reduction in the handling fee will only be applicable in

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respect of international applications with an international filing date on or after July 1, 2008. The other modified PCT Forms should be used from July 1, 2008, with the exception of Forms PCT/IPEA/403 and 440 which should only be used in respect of international applications filed on or after July 1, 2008.

Where an Office is not in a position to use all of the modified forms from that date, the old PCT Forms, to the extent that they are still applicable or, where required, with additions or corrections, may still be used for a transitional period.

Offices which use languages other than English and French are requested to prepare the Forms needed by them in such other languages with due regard to the provisions of Section 102 of the Administrative Instructions.

Availability of modified PCT Forms

The modified PCT Forms are available from the WIPO website under “Forms in force as from July 1, 2008” at: www.wipo.int/pct/en/forms/.

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

Yours sincerely,



Francis Gurry
Deputy Director General