

C. PCT 1349

July 6, 2012

Madam,
Sir,

Proposed modifications to the Administrative Instructions under the PCT and certain PCT forms

This Circular is addressed to your Office in its capacity as Receiving Office (RO), International Searching Authority (ISA), International Preliminary Examining Authority (IPEA) and/or designated or elected Office under the Patent Cooperation Treaty (PCT) for the purpose of consultation under PCT Rule 89.2(b) on proposed modifications to the Administrative Instructions under the PCT (AIs) and certain PCT forms relating to the RO, the International Bureau (IB) and the IPEA. It is also addressed to certain non-governmental organizations representing users of the PCT system.

The proposed modifications have their origin in certain changes to the patent law of the United States of America (US) (under the America Invents Act) which in turn led to a set of amendments to the Regulations under the PCT which were proposed to the PCT Working Group at its fifth session in May this year (see documents PCT/WG/5/19 and 19 Corr., and paragraphs 67 to 69 of document PCT/WG/5/21). The Working Group agreed to submit these proposed amendments to the PCT Assembly at its next session in October 2012 for adoption.

Even though it is currently foreseen that the aforementioned amendments are recommended to be adopted by the PCT Assembly only with effect from January 1, 2013, the underlying changes to the US patent law will already apply as of September 16, 2012. The main change, which is also of great relevance for the PCT, is that under US patent law, as of that date, there will no longer be a requirement that the inventor be the applicant.

/...

In addition, the requirements as to the wording of the declaration of inventorship acceptable in the US will change as of that date. Since the US is the only designated State whose national law requires the submission of such a declaration, the wording of the declaration of inventorship under Section 214 of the AIs has been modified as proposed by the US Patent and Trademark Office (USPTO). As a result, as of September 16, 2012, in an international application filed under the PCT, insofar as the designation of the US is concerned, inventors no longer need to be indicated as applicants and the wording of the declaration of inventorship, under PCT Rule 4.17, will reflect the modifications which apply under US patent law.

Since the change to the US patent law has immediate effect also on how PCT applicants should complete, in particular, the request form, consultation on the proposed modifications to Section 214 of the AIs and on modifications to certain other PCT forms is commenced herewith, with the aim of promulgating the modifications to the AIs and PCT forms with effect from September 16, 2012, on the assumption that the amendments to the PCT Regulations will be adopted by the Assembly, as recommended by the PCT Working Group.

Nevertheless, it should be noted that applicants will still be able to rely on the Rules as currently in force, until the date on which the amendments to the PCT Regulations enter into force.

In addition, a few minor modifications are proposed for certain other forms regarding the lack of signature of the international application and the demand for international preliminary examination. These changes are only clarifications of the wording, and do not have any substantial effect. Furthermore, an additional minor modification is proposed for the notes to the request form to accommodate changes to the WIPO Digital Access Service for Priority Documents (DAS).

The proposed modifications to the AIs are set out in Annex I to this Circular. Explanations concerning the proposed modifications of certain forms are set out in Annex II. The forms as proposed to be modified are set out in Annex III.

Comments on the proposed modifications of the Administrative Instructions and of certain forms

You are invited to provide comments, if any, to the International Bureau by August 6, 2012, preferably by e-mail to: pct.legal@wipo.int.

Yours sincerely,



James Pooley
Deputy Director General

Enclosures: Annex I – Proposed modified Section 214 of the AIs

Annex II – Explanations of the proposed modifications of certain forms

Annex III – Proposed modified pages of forms PCT/RO/101 (request form); PCT/RO/106; PCT/RO/198 (RO/IB); PCT/RO/199 (RO/IB); PCT/IB/313; PCT/IB/336; PCT/IPEA/401; PCT/IPEA/404

PART 2
INSTRUCTIONS RELATING TO THE INTERNATIONAL APPLICATION

Section 214
Declaration of Inventorship

(a) A declaration of inventorship, referred to in Rule 4.17(iv), that is made for the purposes of the designation of the United States of America shall be worded as follows:

“Declaration of inventorship (Rules 4.17(iv) and 51 *bis*.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 inventor (if only one inventor is listed below) or an original joint inventor (if more than one inventor is listed below) of a claimed invention in the application for which this declaration is being submitted.

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 26*ter*).

I hereby declare that the above-identified international application was made or authorized to be made by me.

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

I hereby acknowledge that any willful false statement made in this declaration is punishable under section 1001 of Title 18 of the United States Code by fine or imprisonment of not more than five (5) years, or both.

Name: ...

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

Mailing Address: ...

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

Date: ...”

(b) and (c) [No change]

[End of Annex I, Annex II follows]

EXPLANATIONS OF THE PROPOSED MODIFICATIONS OF CERTAIN FORMS

General comment

Consequential to amendments of the Regulations under the PCT which will, subject to the adoption by the PCT Assembly at its next session, enter into force on January 1, 2013, certain forms used by the receiving Office, the International Bureau and the International Preliminary Examining Authority are proposed to be modified.

To assist in identifying the proposed modifications 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.

Forms relating to the receiving Office

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

The modifications proposed regarding the requirement that the inventor be the applicant for the purposes of the designation of the US and related matters (such as the statement explaining the lack of signature) are consequential to the proposed deletion of Rule 4.15(b). The notes to the request form are also proposed to be updated accordingly.

The modifications proposed regarding the declaration of inventorship referred to in Rule 4.17(iv) are consequential to the amendments to Section 214 of the Administrative Instructions. The notes to the request form are also proposed to be updated accordingly.

In addition, a sentence has been added in the notes to the request form explaining the signature requirements for the power of attorney in cases where the agent or common representative has signed the international application. These changes are only clarifications and do not have any substantial effect.

Furthermore, the paragraph in the notes to the request form, relating to the furnishing of priority documents via DAS, is proposed to be changed to accommodate changes to DAS, and the provision of access codes.

(ii) PCT/RO/106 ("Invitation to Correct Defects in the International Application")

The modifications proposed regarding the statement explaining the lack of signature are consequential to the proposed deletion of Rule 4.15(b). In addition, a few modifications are proposed in relation to the signature of the international application by the agent or common representative. The latter changes are only clarifications and do not have any substantial effect.

(iii) PCT/RO/198 ("List of Documents Filed with the Receiving Office of the IB")

The modifications proposed are consequential to the proposed deletion of Rule 4.15(b).

/...

(iv) PCT/RO/199 ("Acknowledgement of Receipt of Documents Filed with the International Bureau as Receiving Office")

The modifications proposed are consequential to the proposed deletion of Rule 4.15(b).

Forms relating to the International Bureau

(v) PCT/IB/313 ("Notification of Defects in the International Application")

The modifications proposed regarding the statement explaining the lack of signature are consequential to the proposed deletion of Rule 4.15(b). In addition, a few modifications are proposed in relation to the signature of the international application by the agent or common representative. The latter changes are only clarifications and do not have any substantial effect.

(vi) PCT/IB/336 ("Notification of Defects in the Demand")

The modifications proposed regarding the signature requirements for the applicant/inventor for the designation of the US are consequential to the proposed deletion of Rule 53.8(b). In addition, a few modifications are proposed in relation to the signature of the demand by the agent or common representative. The latter changes are only clarifications and do not have any substantial effect.

Forms relating to the International Preliminary Examining Authority

(vii) PCT/IPEA/401 ("Demand")

The modifications proposed regarding the statement explaining the lack of signature are consequential to the proposed deletion of Rule 53.8(b). In addition, a paragraph has been added in the notes explaining the requirements in cases where the agent or common representative has signed the demand. The latter changes are not consequential to any PCT Rule changes, but simply provide the applicant with an explanation, as also provided in the notes to the request form.

(viii) PCT/IPEA/404 ("Invitation to Correct Defects in the Demand")

The modifications proposed regarding the signature requirements for the applicant/inventor for the designation of the US are consequential to the proposed deletion of Rule 53.8(b). In addition, a few modifications are proposed in relation to the signature of the demand by the agent or common representative. The latter changes are only clarifications and do not have any substantial effect.

[End of Annex II, Annex III 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	
<p>E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address:</p>			
State (that is, country) of nationality:		State (that is, country) of residence:	
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input checked="" type="checkbox"/> all designated States except the United States of America <input checked="" type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>			
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	
<p>E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address:</p>			
<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
<p>E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address:</p>	
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"/> 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
<p>E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address:</p>	
<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.	

Sheet No.

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
<i>If none of the following sub-boxes is used, this sheet should not be included in the request.</i>	
Name and address: <i>(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.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input checked="" 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	
Name and address: <i>(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.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input checked="" 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	
Name and address: <i>(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.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input checked="" 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	
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Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input checked="" 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	
Name and address: <i>(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.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input checked="" 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	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on another continuation sheet.	

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Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
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Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> the States indicated in the Supplemental Box	
Name and address: <i>(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.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> the States indicated in the Supplemental Box	
Name and address: <i>(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.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> the States indicated in the Supplemental Box	
Name and address: <i>(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.)</i>	This person is: <input type="checkbox"/> applicant only <input type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only <i>(If this check-box is marked, do not fill in below.)</i>
Applicant's registration No. with the Office	
State <i>(that is, country)</i> of nationality:	State <i>(that is, country)</i> of residence:
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> the States indicated in the Supplemental Box	
<input type="checkbox"/> Further applicants and/or (further) inventors are indicated on another continuation sheet.	

Sheet No.

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 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 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)).*

Sheet No.

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**: 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 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 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)).*

Sheet No.

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)".

Sheet No.

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 inventor (if only one inventor is listed below) or an original joint inventor (if more than one inventor is listed below) of a claimed invention in the application for which this declaration is being submitted.

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 the above-identified international application was made or authorized to be made by me.

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

I hereby acknowledge that any willful false statement made in this declaration is punishable under section 1001 of Title 18 of the United States Code by fine or imprisonment of not more than five (5) years, or both.

Name:

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

Mailing Address:

.

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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:

.

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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:

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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)".

Sheet No.

Box No. IX CHECK LIST for PAPER filings – this sheet is only to be used when filing an international application on PAPER			
This international application contains the following:	Number of sheets	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>):	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets) :		1. <input type="checkbox"/> fee calculation sheet :	
(b) description (excluding any sequence listing part of the description, see (f), below) :		2. <input type="checkbox"/> original separate power of attorney :	
(c) claims :		3. <input type="checkbox"/> original general power of attorney :	
(d) abstract :		4. <input type="checkbox"/> copy of general power of attorney; reference number: :	
(e) drawings (if any) :		5. <input type="checkbox"/> statement explaining lack of signature :	
(f) sequence listing part of the description (if any) :		6. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) :	
Total number of sheets :		7. <input type="checkbox"/> Translation of international application into (language): :	
		8. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material :	
		9. <input type="checkbox"/> copy in electronic form (Annex C/ST.25 text file) on physical data carrier(s) of the sequence listing, not forming part of the international application, which is furnished only for the purposes of international search under Rule 13ter (type and number of physical data carriers) :	
		10. <input type="checkbox"/> a statement confirming that “the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application” as filed on paper :	
		11. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) :	
		12. <input type="checkbox"/> other (specify): :	
Figure of the drawings which should accompany the abstract:		Language of filing of the international application:	

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:

red strike out = deleted text

Sheet No.

Box No. IX CHECK LIST for PAPER filings – this sheet is only to be used when filing an international application on PAPER			
This international application contains the following:	Number of sheets	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>):	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets) :		1. <input type="checkbox"/> fee calculation sheet :	
(b) description (excluding any sequence listing part of the description, see (f), below) :		2. <input type="checkbox"/> original separate power of attorney :	
(c) claims :		3. <input type="checkbox"/> original general power of attorney :	
(d) abstract :		4. <input type="checkbox"/> copy of general power of attorney; reference number: :	
(e) drawings (if any) :		5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) :	
(f) sequence listing part of the description (if any) :		6. <input type="checkbox"/> Translation of international application into (<i>language</i>): :	
Total number of sheets :		7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material :	
		8. <input type="checkbox"/> copy in electronic form (Annex C/ST.25 text file) on physical data carrier(s) of the sequence listing, not forming part of the international application, which is furnished only for the purposes of international search under Rule 13ter (<i>type and number of physical data carriers</i>) :	
		9. <input type="checkbox"/> a statement confirming that “the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application” as filed on paper :	
		10. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) :	
		11. <input type="checkbox"/> other (<i>specify</i>): :	
Figure of the drawings which should accompany the abstract:		Language of filing of the international application:	

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:	
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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:

blue underline = new text

Sheet No.

Box No. IX CHECK LIST for EFS-Web filings - this sheet is only to be used when filing an international application with RO/US via **EFS-Web**

This international application contains the following:	Number of sheets	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>):	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets) :		1. <input type="checkbox"/> fee calculation sheet :	
(b) description (excluding any sequence listing part of the description, see (f), below) :		2. <input type="checkbox"/> original separate power of attorney :	
(c) claims :		3. <input type="checkbox"/> original general power of attorney :	
(d) abstract :		4. <input type="checkbox"/> copy of general power of attorney; reference number: :	
(e) drawings (if any) :		5. <input checked="" type="checkbox"/> statement explaining lack of signature :	
(f) sequence listing part of the description in the form of an image file (e.g. PDF) :		6. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) :	
Total number of sheets (including the sequence listing part of the description if filed as an image file) :		7. <input type="checkbox"/> Translation of international application into (<i>language</i>): :	
(g) sequence listing part of the description		8. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material :	
<input type="checkbox"/> filed in the form of an Annex C/ST.25 text file		9. <input type="checkbox"/> (<i>only where item (f) is marked in the left column</i>) copy of the sequence listing in electronic form (Annex C/ST.25 text file) not forming part of the international application but furnished only for the purposes of international search under Rule 13ter. :	
<input type="checkbox"/> WILL BE filed separately on physical data carrier(s), on the same day and in the form of an Annex C/ST.25 text file		10. <input type="checkbox"/> (<i>only where item (f) is marked in the left column</i>) a statement confirming that "the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application" as filed via EFS-Web: :	
Indicate type and number of physical data carrier(s)		11. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) :	
		12. <input type="checkbox"/> other (<i>specify</i>): :	
Figure of the drawings which should accompany the abstract:		Language of filing of the international application:	

Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE
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).

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:

Sheet No.

Box No. IX CHECK LIST for EFS-Web filings - this sheet is only to be used when filing an international application with RO/US via **EFS-Web**

This international application contains the following:	Number of sheets	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>):	Number of items
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(b) description (excluding any sequence listing part of the description, see (f), below) :		2. <input type="checkbox"/> original separate power of attorney :	
(c) claims :		3. <input type="checkbox"/> original general power of attorney :	
(d) abstract :		4. <input type="checkbox"/> copy of general power of attorney; reference number: :	
(e) drawings (if any) :		5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s) :	
(f) sequence listing part of the description in the form of an image file (e.g. PDF) :		6. <input type="checkbox"/> Translation of international application into (<i>language</i>): :	
		7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material :	
		8. <input type="checkbox"/> (<i>only where item (f) is marked in the left column</i>) copy of the sequence listing in electronic form (Annex C/ST.25 text file) not forming part of the international application but furnished only for the purposes of international search under Rule 13ter :	
		9. <input type="checkbox"/> (<i>only where item (f) is marked in the left column</i>) a statement confirming that "the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application" as filed via EFS-Web: :	
		10. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a)) :	
		11. <input type="checkbox"/> other (<i>specify</i>): :	
Total number of sheets (including the sequence listing part of the description if filed as an image file) :			
(g) sequence listing part of the description <input type="checkbox"/> filed in the form of an Annex C/ST.25 text file <input type="checkbox"/> WILL BE filed separately on physical data carrier(s), on the same day and in the form of an Annex C/ST.25 text file Indicate type and number of physical data carrier(s)			
Figure of the drawings which should accompany the abstract:		Language of filing of the international application:	

Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

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).

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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/. 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)).

CONFIRMATION COPY OF THE REQUEST FORM

Where the international application was initially filed by facsimile with a receiving Office that accepts such filings (see the *PCT Applicant's Guide*, Annex C) this should be indicated on the first sheet of the form by the annotation "CONFIRMATION COPY" followed by the date of the facsimile transmission.

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*, Annex B.

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.

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

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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)).

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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)).

CONFIRMATION COPY OF THE REQUEST FORM

Where the international application was initially filed by facsimile with a receiving Office that accepts such filings (see the *PCT Applicant's Guide*, Annex C) this should be indicated on the first sheet of the form by the annotation "CONFIRMATION COPY" followed by the date of the facsimile transmission.

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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

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

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, for example, where the inventor is deceased or has assigned the invention and the assignee is the applicant for all designated States. 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.

For the indication of the designated States for which a person is applicant, mark the applicable check-box (only one for each person). If the person is not an applicant for all designated States, the check-box "the States indicated in the Supplemental Box" must be marked, and 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)): It is strongly recommended to always name the inventor since such information is generally required in the national phase. For details, see the *PCT Applicant's Guide*, Annex B.

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.

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, Facsimile Numbers and/or E-mail Addresses should be indicated for the persons named in Boxes Nos. II and IV in order to allow rapid communication with them (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.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority may send notifications in respect of the international application to the applicant, avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office's procedure see the *PCT Applicant's Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification 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. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic 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 reason on the recipient's side. Changes to the e-mail 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,

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 persons named in Boxes Nos. II and IV in order to allow rapid communication with them (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.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority may send notifications in respect of the international application to the applicant, avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office’s procedure see the *PCT Applicant’s Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification 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. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic 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 reason on the recipient’s side. Changes to the e-mail address indicated in the request should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. 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

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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).

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).

Telephone, Facsimile Numbers and/or E-mail Addresses
See Notes to Boxes Nos II and III.

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*, Annex B.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan and/or KR Republic of Korea 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 is not affected by what is said above. For details see the *PCT Applicant's Guide*, in the relevant Annex B.

Only the three 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

Telephone, Facsimile Numbers and/or E-mail Addresses
See Notes to Boxes Nos II and III.

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*, Annex B.

However, for the reasons explained below, it is possible to indicate, by marking the applicable check-box(es), that DE Germany, JP Japan and/or KR Republic of Korea 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 is not affected by what is said above. For details see the *PCT Applicant's Guide*, in the relevant Annex B.

Only the three 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

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).

Furnishing the priority document(s) (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 was 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 requests may be made by marking the applicable check-boxes in Box No. VI. Note that 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)).

~~The International Bureau may only retrieve priority documents from digital libraries via the WIPO Digital Access Service for Priority Documents (DAS). Applicants who have taken the necessary steps to make such documents available via DAS may request the International Bureau to obtain them by marking the applicable check-boxes in Box No. VI. WIPO DAS is in a period of transition. Some Offices will have sent the applicant a four-digit access code which relates to a specific priority document and this should be indicated in the relevant space in Box No. VI. Applicants who have not received an access code will need to go to the DAS applicant portal on the WIPO website and ensure that Office "IB" has been given access to the document. Applicants who wish to make priority documents available via DAS should refer to the *PCT Applicant's Guide, Annex B* of the particular DAS depositing Office for further indications of the procedure to be followed.~~

Information concerning whether and which priority documents are available to the International Bureau from a digital library is published in the *Official Notices (PCT Gazette)* pursuant to Section 715(c) and the *PCT Applicant's Guide, Annex B(IB)*.

Notes to the request form (PCT/RO/101) (page 4) (July 2012)

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, "~~20 March 2012 (20.03.2012)~~"; "~~20 March 2012 (20/03/2012)~~" or "~~20 March 2012 (20-03-2012)~~".

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 filing 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)).

Use of Results of more than one Earlier Search: Where the ISA is requested to use the results of more than one earlier

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).

Furnishing the priority document(s) (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 was 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 requests may be made by marking the applicable check-boxes in Box No. VI. Note that 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)).

Where the priority document is available from an Office that participates in the WIPO Digital Access Service for Priority Documents (DAS) (www.wipo.int/patentscope/en/priority_documents/offices.html), the applicant may use DAS to provide the priority document to the International Bureau. Once the applicant requests the Office to provide a copy of the priority document to DAS (see *PCT Applicant's Guide, Annex B* of the DAS depositing Office for further indications of the procedure to be followed), the applicant will receive an access code. The applicant should then mark the applicable check-boxes in Box No. VI, and indicate the access code for each specific priority document.

Information concerning whether and which priority documents are available to the International Bureau from a digital library is published in the *Official Notices (PCT Gazette)* pursuant to Section 715(c) and the *PCT Applicant's Guide, Annex B*(IB).

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, “26 October 2012 (26.10.2012)”, “26 October 2012 (26/10/2012)” or “26 October 2012 (26-10-2012)”.

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 filing 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)).

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*, please mark the relevant check-box, and furnish duplicates of this page, marked “continuation sheet for 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 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.html.

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

Use of Results of more than one Earlier Search: 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*, please mark the relevant check-box, and furnish duplicates of this page, marked “continuation sheet for 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 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.html.

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

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

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 ...
- (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 51bis.1(a)(ii)) and as to the identity of the inventor (Rules 4.17(i) and 51bis.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 51bis.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 and address 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 three 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 and address 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)).

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 51bis.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

Sheets Constituting the International Application: The number of sheets of the various parts of the international application must be indicated in the check list using Arabic numerals. Sheets containing any of the Boxes Nos. VIII(i) to (v) (declaration sheets) must be counted as part of the request. It is noted that any tables, including those related to a sequence listing, should be an integral part of the description and the pages containing such tables will be counted as sheets of the international application. There is no longer any provision for submission of those tables separately or a reduced fee for such a submission.

Nucleotide and/or amino acid sequences: Paper Filings: Where the international application is filed on paper (using the sheet “last sheet - paper”) and contains disclosure of one of more nucleotide and/or amino acid sequences, a 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, that is, in compliance with WIPO Standard ST.25. The number of pages of the sequence listing must be indicated under item (f) in Box No. IX and included in the total number of sheets. Furthermore, where the sequence listing is filed on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file saved on physical data carrier(s) (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases therefore, check-boxes Nos. ~~9 and 10~~ must be marked in Box No. IX. In addition, the type and number of carriers such as diskettes, CD-ROMs, CD-Rs or other data carriers accepted by the ISA, should be indicated in item 9.

For EFS-Web filing with RO/US

Nucleotide and/or amino acid sequences: Electronic Filings via EFS-Web with RO/US: There exist two alternative last sheets of the request form which contain two distinct Boxes No. IX. The sheet “last sheet – paper”, described earlier, should be used if the applicant intends to file the international application on paper. The sheet “last sheet – EFS” should **only** be used if the request form is filed online with the receiving Office of the United States of America via EFS-Web.

(a) EFS-Web and text file: Where the international application is filed via EFS-Web (using the sheet “last sheet - EFS”) and contains disclosure of one or more nucleotide and/or amino acid sequences, a 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, that is, in compliance with WIPO Standard ST.25. The sequence listing should **preferably** be furnished as an Annex C/ST.25 text file; in such cases, the first check-box of check-box (g) in Box No. IX should be marked. When furnished in this manner, the number of sheets of the sequence listing is **not** included in the total number of sheets making up the international application. Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

(b) EFS-Web and image file: If the sequence listing is filed online via EFS-Web as an image file (e.g. PDF file) rather than the recommended text file, the corresponding boxes in check-box (f) in Box No. IX should be marked. The number of sheets of the sequence listing **must be** included in the total number of sheets making up the international application. Where the sequence listing is filed in image format, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases, check-boxes Nos. ~~9 and 10~~ must be marked in Box No. IX.

(c) EFS-Web and physical data carriers: The receiving Office of the United States of America has two distinct limitations on the size of the sequence listing file it can accept via EFS-Web. If the text file containing the sequence listing is larger than 100MB, or if the image file (e.g. PDF file) containing the sequence listing is larger than 25MB, the applicant must file the sequence listings as an Annex C/ST.25 text file on physical data carrier(s). The receiving Office does not accept the filing of image (e.g. PDF file) on physical data carrier(s). In such cases, the data carrier(s) must be furnished on the same day that the international application is filed online. This may be furnished via “Express Mail Post Office to Addressee” with a date-in by the United States Postal Service the same date as the online filing date, or via commercial delivery services or by hand, provided that it reaches the receiving Office on the same day as the international application filed online. In such cases, the corresponding check-boxes in check-box (g) in Box No. IX must be marked. The number and type of carrier(s) should be indicated in check-box (g). Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

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).~~

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 51bis.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

Sheets Constituting the International Application: The number of sheets of the various parts of the international application must be indicated in the check list using Arabic numerals. Sheets containing any of the Boxes Nos. VIII(i) to (v) (declaration sheets) must be counted as part of the request. It is noted that any tables, including those related to a sequence listing, should be an integral part of the description and the pages containing such tables will be counted as sheets of the international application. There is no longer any provision for submission of those tables separately or a reduced fee for such a submission.

Nucleotide and/or amino acid sequences: Paper Filings: Where the international application is filed on paper (using the sheet “last sheet - paper”) and contains disclosure of one of more nucleotide and/or amino acid sequences, a 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, that is, in compliance with WIPO Standard ST.25. The number of pages of the sequence listing must be indicated under item (f) in Box No. IX and included in the total number of sheets. Furthermore, where the sequence listing is filed on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file saved on physical data carrier(s) (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases therefore, check-boxes Nos. 8 and 9 must be marked in Box No. IX. In addition, the type and number of carriers such as diskettes, CD-ROMs, CD-Rs or other data carriers accepted by the ISA, should be indicated in item 8.

For EFS-Web filing with RO/US

Nucleotide and/or amino acid sequences: Electronic Filings via EFS-Web with RO/US: There exist two alternative

last sheets of the request form which contain two distinct Boxes No. IX. The sheet “last sheet – paper”, described earlier, should be used if the applicant intends to file the international application on paper. The sheet “last sheet – EFS” should **only** be used if the request form is filed online with the receiving Office of the United States of America via EFS-Web.

(a) EFS-Web and text file: Where the international application is filed via EFS-Web (using the sheet “last sheet - EFS”) and contains disclosure of one or more nucleotide and/or amino acid sequences, a 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, that is, in compliance with WIPO Standard ST.25. The sequence listing should **preferably** be furnished as an Annex C/ST.25 text file; in such cases, the first check-box of check-box (g) in Box No. IX should be marked. When furnished in this manner, the number of sheets of the sequence listing is **not** included in the total number of sheets making up the international application. Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

(b) EFS-Web and image file: If the sequence listing is filed online via EFS-Web as an image file (e.g. PDF file) rather than the recommended text file, the corresponding boxes in check-box (f) in Box No. IX should be marked. The number of sheets of the sequence listing **must be** included in the total number of sheets making up the international application. Where the sequence listing is filed in image format, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA but **only** for the purposes of international search under Rule 13ter. In such cases, check-boxes Nos. 8 and 9 must be marked in Box No. IX.

(c) EFS-Web and physical data carriers: The receiving Office of the United States of America has two distinct limitations on the size of the sequence listing file it can accept via EFS-Web. If the text file containing the sequence listing is larger than 100MB, or if the image file (e.g. PDF file) containing the sequence listing is larger than 25MB, the applicant must file the sequence listings as an Annex C/ST.25 text file on physical data carrier(s). The receiving Office does not accept the filing of image (e.g. PDF file) on physical data carrier(s). In such cases, the data carrier(s) must be furnished on the same day that the international application is filed online. This may be furnished via “Express Mail Post Office to Addressee” with a date-in by the United States Postal Service the same date as the online filing date, or via commercial delivery services or by hand, provided that it reaches the receiving Office on the same day as the international application filed online. In such cases, the corresponding check-boxes in check-box (g) in Box No. IX must be marked. The number and type of carrier(s) should be indicated in check-box (g). Whenever the sequence listing is furnished as an Annex C/ST.25 text file, there is no need to file another copy of the text file for search purposes under Rule 13ter since the text file submitted will be used for both disclosure of the international application and for search purposes.

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. 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-boxes Nos. 9 and 10: Where the sequence listing part of the description is submitted on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA, but **only** for the purposes of international search under Rule 13*ter*. In this case, check-boxes Nos. ~~9 and 10~~, must be marked in Box No. IX.

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 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)).

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 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.

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.

Check-box No. 6: 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. 7: 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-boxes Nos. 8 and 9: Where the sequence listing part of the description is submitted on paper, a copy of the sequence listing in the form of an Annex C/ST.25 text file (together with the required statement) should accompany the international application, if so required by the ISA, but **only** for the purposes of international search under Rule 13*ter*. In this case, check-boxes Nos. 8 and 9, must be marked in Box No. IX.

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 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)).

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. The power of attorney must be signed by the applicant, or if there is more than one applicant, by at least one of them. 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).

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.

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.

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:	<p>PCT</p> <p>INVITATION TO CORRECT DEFECTS IN THE INTERNATIONAL APPLICATION</p> <p>(PCT Articles 3(4)(i) and 14(1) and Rule 26)</p>
	Date of mailing <i>(day/month/year)</i>
Applicant's or agent's file reference	REPLY DUE within TWO MONTHS from the above date of mailing
International application No.	International filing date <i>(day/month/year)</i>
Applicant	

1. The applicant is hereby **invited**, within the time limit indicated above, to correct, **in the international application as filed**, the defects specified on the attached:

Annex A

Annex B1 (*text matter of the international application as filed*)

Annex C1 (*drawings of the international application as filed*)

2. The applicant is hereby **invited**, within the time limit indicated above, to correct, **in the translation of the international application** furnished under Rule 12.3 or 12.4, the defects specified on the attached:

Annex A

Annex B2 (*text matter of the translation of the international application*)

Annex C2 (*drawings of the translation of the international application*)

Additional observations (if necessary):

HOW TO CORRECT THE DEFECTS?

Except where the defect is in the request, any correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. For a defect in the request, a correction may simply be stated in a letter if it is of such a nature that the correction can be transferred clearly onto the request record copy (Rule 26.4).

ATTENTION

Failure to correct the defects will result in the international application being considered withdrawn by this receiving Office (see Rule 26.5 for further details).

A copy of this Invitation and any attachments has been sent to the International Bureau

and 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

To:	<p>PCT</p> <p>INVITATION TO CORRECT DEFECTS IN THE INTERNATIONAL APPLICATION</p> <p>(PCT Articles 3(4)(i) and 14(1) and Rule 26)</p>
	Date of mailing <i>(day/month/year)</i>
Applicant's or agent's file reference	REPLY DUE within TWO MONTHS from the above date of mailing
International application No.	International filing date <i>(day/month/year)</i>
Applicant	

1. The applicant is hereby **invited**, within the time limit indicated above, to correct, **in the international application as filed**, the defects specified on the attached:

Annex A

Annex B1 (*text matter of the international application as filed*)

Annex C1 (*drawings of the international application as filed*)

2. The applicant is hereby **invited**, within the time limit indicated above, to correct, **in the translation of the international application** furnished under Rule 12.3 or 12.4, the defects specified on the attached:

Annex A

Annex B2 (*text matter of the translation of the international application*)

Annex C2 (*drawings of the translation of the international application*)

Additional observations (if necessary):

HOW TO CORRECT THE DEFECTS?

Except where the defect is in the request, any correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. For a defect in the request, a correction may simply be stated in a letter if it is of such a nature that the correction can be transferred clearly onto the request record copy (Rule 26.4).

ATTENTION

Failure to correct the defects will result in the international application being considered withdrawn by this receiving Office (see Rule 26.5 for further details).

A copy of this Invitation and any attachments has been sent to the International Bureau

and the International Searching Authority.

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

Form PCT/RO/106 ([Draft for Consultation](#))

ANNEX A TO FORM PCT/RO/106

International application No.

The receiving Office has found the following defects in the international application as filed:

1. As to **signature** of the international application (Rules 4.15, 26.2bis(a) and 90.4), the request:
- a. is not signed* by the applicant or, if there is more than one applicant, by at least one of them.
 - b. ~~is not accompanied by the statement referred to in the check list in Box No. IX of the request explaining the lack of the signature of an applicant for the designation of the United States of America.~~
 - c. ~~is signed by what appears to be an agent/common representative but:~~
 - ~~the international application is not accompanied by a power of attorney appointing him.~~
 - ~~the power of attorney accompanying the international application is not signed by all the applicants.~~
 - d. other (specify):

* ~~Although Rule 4.15 requires that all applicants must sign the request (e.g. including all inventors/applicants for the designation of the United States of America), for the purposes of Article 14(1)(a)(i), if there is more than one applicant, it shall be sufficient that the request be signed by one of them (Rule 26.2bis(a)).~~

~~However, the~~ applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish the confirmation of the international application by the signature of any applicant for the designated State who has not signed the request (Rule 51bis.1(a)(vi)).

2. As to indications concerning the **applicant*** who is entitled, according to Rule 19.1, to file the international application with the receiving Office, the request (Rules 4.4, 4.5 and 26.2bis(b)):
- a. does not properly indicate the applicant's name (specify):
 - b. does not indicate the applicant's address.
 - c. does not properly indicate the applicant's address (specify):
 - d. does not indicate the applicant's nationality.
 - e. does not indicate the applicant's residence.

Further observations about indications concerning other applicants (if applicable):

* Although Rules 4.4 and 4.5 require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Article 14(1)(a)(ii), if there is more than one applicant, it shall be sufficient that the indications required under Rule 4.5(a)(ii) and (iii) be provided in respect of one of them who is entitled according to Rule 19.1 to file the international application with the receiving Office (Rule 26.2bis(b)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish any missing indication required under Rule 4.5(a)(ii) and (iii) in respect of any applicant for the designated State (Rule 51bis.1(a)(vii)).

3. As to the **language** of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):
- a. the **request** is not in a language of publication accepted by this receiving Office; (the) language(s) accepted by this receiving Office is/are:
 - b. the **text matter of the drawings** is not in the language in which the international application is to be published, which is:
 - c. the **abstract** is not in the language in which the international application is to be published, which is:

4. The **title** of the invention:
- a. is not indicated in Box No. I of the request (Rule 4.1(a)).
 - b. is not indicated at the top of the first sheet of the description (Rule 5.1(a)).
 - c. as appearing in Box No. I of the request is not identical with the title heading the description (Rule 5.1(a)).

5. As to the **abstract** (Rules 8 and 26.1):
- the international application does not contain an abstract.

ANNEX A TO FORM PCT/RO/106

International application No.

The receiving Office has found the following defects in the international application as filed:

1. As to the signature of the international application (Rules 4.15, 26.2bis(a) and 90.4), the request:
- a. is not signed by the applicant or, if there is more than one applicant, by at least one of them*.
 - b. is signed by what appears to be an agent/common representative, but the international application is not accompanied by a power of attorney signed by at least one of the applicants*.
 - c. other (specify):

* The applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish the confirmation of the international application by the signature of any applicant for the designated State who has not signed the request (Rule 51 bis.1(a)(vi)).

2. As to the indications concerning the applicant* who is entitled, according to Rule 19.1, to file the international application with the receiving Office, the request (Rules 4.4, 4.5 and 26.2bis(b)):
- a. does not properly indicate the applicant's name (specify):
 - b. does not indicate the applicant's address.
 - c. does not properly indicate the applicant's address (specify):
 - d. does not indicate the applicant's nationality.
 - e. does not indicate the applicant's residence.

Further observations about indications concerning other applicants (if applicable):

* Although Rules 4.4 and 4.5 require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Article 14(1)(a)(ii), if there is more than one applicant, it shall be sufficient that the indications required under Rule 4.5(a)(ii) and (iii) be provided in respect of one of them who is entitled according to Rule 19.1 to file the international application with the receiving Office (Rule 26.2bis(b)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish any missing indication required under Rule 4.5(a)(ii) and (iii) in respect of any applicant for the designated State (Rule 51 bis.1(a)(vii)).

3. As to the **language** of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):
- a. the **request** is not in a language of publication accepted by this receiving Office; (the) language(s) accepted by this receiving Office is/are:
 - b. the **text matter of the drawings** is not in the language in which the international application is to be published, which is:
 - c. the **abstract** is not in the language in which the international application is to be published, which is:

4. The **title** of the invention:
- a. is not indicated in Box No. I of the request (Rule 4.1(a)).
 - b. is not indicated at the top of the first sheet of the description (Rule 5.1(a)).
 - c. as appearing in Box No. I of the request is not identical with the title heading the description (Rule 5.1(a)).

5. As to the **abstract** (Rules 8 and 26.1):
- the international application does not contain an abstract.

PATENT COOPERATION TREATY

PCT

LIST OF DOCUMENTS FILED WITH THE
INTERNATIONAL BUREAU
AS RECEIVING OFFICE

To:

The International Bureau of WIPO
PCT Receiving Office Section
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Facsimile No. +41 22 910 06 10

Applicant's or agent's file reference		
International application No. <i>(if known)</i>	International filing date <i>(day/month/year)</i> <i>(if known)</i>	(Earliest) Priority date <i>(day/month/year)</i>
Applicant		
Title of invention		

The applicant hereby requests the International Bureau to acknowledge to the following person *(include full name, address, facsimile No. and telephone No.)*:

the receipt by the following means:

- mail *(surface, air mail, registered)* delivery service facsimile transmission hand delivery

of the documents/elements listed below:

- PCT request (including declaration sheets) (pages)
- description (excluding sequence listing and/or tables relating thereto) (pages)
- claims (pages)
- abstract (pages)
- drawings (pages)
- sequence listing and/or tables relating thereto (pages)
- fee calculation sheet
- separate authorization to charge deposit account
- cheque *(indicate currency and amount)*
- cash *(in person only) (indicate amount)*
- power of attorney *(general power, copy of general power, separate power) (indicate kind and number)*
- ~~statement explaining lack of signature *(if more than one, indicate number)*~~
- priority document *(if more than one, indicate number)*
- separate indications concerning deposited microorganism or other biological material (pages)
- sequence listing and/or tables relating thereto in electronic form *(indicate type and number of carriers)*
- statement accompanying sequence listing and/or tables relating thereto in electronic form *(if more than one, indicate number)*
- accompanying letter
- other *(specify):*

PATENT COOPERATION TREATY

PCT

LIST OF DOCUMENTS FILED WITH THE
INTERNATIONAL BUREAU
AS RECEIVING OFFICE

To:

The International Bureau of WIPO
PCT Receiving Office Section
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Facsimile No. +41 22 910 06 10

Applicant's or agent's file reference		
International application No. <i>(if known)</i>	International filing date <i>(day/month/year)</i> <i>(if known)</i>	(Earliest) Priority date <i>(day/month/year)</i>
Applicant		
Title of invention		

The applicant hereby requests the International Bureau to acknowledge to the following person *(include full name, address, facsimile No. and telephone No.)*:

the receipt by the following means:

- mail *(surface, air mail, registered)* delivery service facsimile transmission hand delivery

of the documents/elements listed below:

- PCT request (including declaration sheets) (pages)
- description (excluding sequence listing and/or tables relating thereto) (pages)
- claims (pages)
- abstract (pages)
- drawings (pages)
- sequence listing and/or tables relating thereto (pages)
- fee calculation sheet
- separate authorization to charge deposit account
- cheque *(indicate currency and amount)*
- cash *(in person only) (indicate amount)*
- power of attorney *(general power, copy of general power, separate power) (indicate kind and number)*
- priority document *(if more than one, indicate number)*
- separate indications concerning deposited microorganism or other biological material (pages)
- sequence listing and/or tables relating thereto in electronic form *(indicate type and number of carriers)*
- statement accompanying sequence listing and/or tables relating thereto in electronic form *(if more than one, indicate number)*
- accompanying letter
- other *(specify):*

PATENT COOPERATION TREATY

PCT

ACKNOWLEDGEMENT OF RECEIPT OF
DOCUMENTS FILED WITH THE
INTERNATIONAL BUREAU
AS RECEIVING OFFICE

To:

Facsimile No.:

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

1. The International Bureau has received the documents/elements listed below on: _____
by the following means:

- mail (*surface, air mail, registered*) delivery service facsimile transmission hand delivery
- PCT request (including declaration sheets) (pages)
- description (excluding sequence listing and/or tables relating thereto) (pages)
- claims (pages)
- abstract (pages)
- drawings (pages)
- sequence listing and/or tables relating thereto (pages)
- fee calculation sheet
- separate authorization to charge deposit account
- cheque
- cash (*in person only*)
- power of attorney (*general power, copy of general power, separate power*) (*indicate kind and number*)
- priority document (*if more than one, indicate number*)
- separate indications concerning deposited microorganism or other biological material (pages)
- sequence listing and/or tables relating thereto in electronic form (*indicate type and number of carriers*)
- statement accompanying sequence listing and/or tables relating thereto in electronic form (*if more than one, indicate number*)
- accompanying letter
- form PCT/RO198 (RO/IB)
- other (*specify*):

The applicant's attention is drawn to the fact that **these papers have not yet been checked by this receiving Office** in respect of their compliance with the requirements of Article 11(1), that is, whether these papers meet the requirements necessary for the according of an international filing date. As soon as these papers have been checked, the applicant will be informed accordingly.

2. Additional observations (*if necessary*):

Name and mailing address of the receiving Office: International Bureau of WIPO PCT Receiving Office Section 34, chemin des Colombettes, 1211 Geneva 20, Switzerland Facsimile No. +41 22 910 06 10	Authorized officer Telephone No. +41 22 338 92 22
--	--

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF DEFECTS IN
THE INTERNATIONAL APPLICATION

(PCT Articles 3(4)(i) and 14(1) and Rule 28.1)

To:

in its capacity as receiving Office

Date of mailing <i>(day/month/year)</i>	International filing date <i>(day/month/year)</i>
International application No.	
Applicant	

1. The International Bureau hereby calls the attention of the receiving Office to the defects **in the international application as filed**, which are specified on the attached:
- Annex A
 - Annex B1 (*text matter of the international application as filed*)
 - Annex C1 (*drawings of the international application as filed*)
2. The International Bureau hereby calls the attention of the receiving Office to the defects **in the translation of the international application** furnished under Rule 12.3 or 12.4, which are specified on the attached:
- Annex A
 - Annex B2 (*text matter of the translation of the international application*)
 - Annex C2 (*drawings of the translation of the international application*)

Additional observations (*if necessary*):

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 OF DEFECTS IN
THE INTERNATIONAL APPLICATION

(PCT Articles 3(4)(i) and 14(1) and Rule 28.1)

To:

in its capacity as receiving Office

Date of mailing <i>(day/month/year)</i>	International filing date <i>(day/month/year)</i>
International application No.	Applicant

1. The International Bureau hereby calls the attention of the receiving Office to the defects **in the international application as filed**, which are specified on the attached:
- Annex A
 - Annex B1 (*text matter of the international application as filed*)
 - Annex C1 (*drawings of the international application as filed*)
2. The International Bureau hereby calls the attention of the receiving Office to the defects **in the translation of the international application** furnished under Rule 12.3 or 12.4, which are specified on the attached:
- Annex A
 - Annex B2 (*text matter of the translation of the international application*)
 - Annex C2 (*drawings of the translation of the international application*)

Additional observations (*if necessary*):

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/313 ([Draft for consultation](#))

International application No.

ANNEX A TO FORM PCT/IB/313

The International Bureau has found the following defects in the international application as filed:

1. As to **signature** of the international application (Rules 4.15, 26.2bis(a) and 90.4), the request:
- a. is not signed* by the applicant or, if there is more than one applicant, by at least one of them.
 - b. ~~is not accompanied by the statement referred to in the check list in Box No. IX of the request explaining the lack of the signature of an applicant for the designation of the United States of America.~~
 - c. ~~is signed by what appears to be an agent/common representative but:~~
 - ~~the international application is not accompanied by a power of attorney appointing him.~~
 - ~~the power of attorney accompanying the international application is not signed by all the applicants.~~
 - d. other (*specify*):

* ~~Although Rule 4.15 requires that all applicants must sign the request (e.g. including all inventors/applicants for the designation of the United States of America), for the purposes of Article 14(1)(a)(i), if there is more than one applicant, it shall be sufficient that the request be signed by one of them (Rule 26.2bis(a)).~~

~~However,~~ the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish the confirmation of the international application by the signature of any applicant for the designated State who has not signed the request (Rule 51bis.1(a)(vi)).

2. As to indications concerning the **applicant*** who is entitled, according to Rule 19.1, to file the international application with the receiving Office, the request (Rules 4.4, 4.5 and 26.2bis(b)):
- a. does not properly indicate the applicant's name (*specify*):
 - b. does not indicate the applicant's address.
 - c. does not properly indicate the applicant's address (*specify*):
 - d. does not indicate the applicant's nationality.
 - e. does not indicate the applicant's residence.
 - f. further observations about indications concerning other applicants (if applicable):

* Although Rules 4.4 and 4.5 require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Article 14(1)(a)(ii), if there is more than one applicant, it shall be sufficient that the indications required under Rule 4.5(a)(ii) and (iii) be provided in respect of one of them who is entitled according to Rule 19.1 to file the international application with the receiving Office (Rule 26.2bis(b)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish any missing indication required under Rule 4.5(a)(ii) and (iii) in respect of any applicant for the designated State (Rule 51bis.1(a)(vii)).

3. As to the **language** of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):
- a. the **request** is not in a language of publication accepted by this receiving Office; (the) language(s) accepted by this receiving Office is/are:
 - b. the **text matter of the drawings** is not in the language in which the international application is to be published, which is:
 - c. the **abstract** is not in the language in which the international application is to be published, which is:

4. The **title** of the invention:
- a. is not indicated in Box No. I of the request (Rule 4.1(a)).
 - b. is not indicated at the top of the first sheet of the description (Rule 5.1(a)).
 - c. as appearing in Box No. I of the request is not identical with the title heading the description (Rule 5.1(a)).

ANNEX A TO FORM PCT/IB/313

International application No.

The International Bureau has found the following defects in the international application as filed:

1. As to the signature of the international application (Rules 4.15, 26.2bis(a) and 90.4), the request:
- a. is not signed by the applicant or, if there is more than one applicant, by at least one of them*.
 - b. is signed by what appears to be an agent/common representative, but the international application is not accompanied by a power of attorney signed by at least one of the applicants*.
 - c. other (*specify*):

* The applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish the confirmation of the international application by the signature of any applicant for the designated State who has not signed the request (Rule 51bis.1(a)(vi)).

2. As to the indications concerning the **applicant*** who is entitled, according to Rule 19.1, to file the international application with the receiving Office, the request (Rules 4.4, 4.5 and 26.2bis(b)):
- a. does not properly indicate the applicant's name (*specify*):
 - b. does not indicate the applicant's address.
 - c. does not properly indicate the applicant's address (*specify*):
 - d. does not indicate the applicant's nationality.
 - e. does not indicate the applicant's residence.
 - f. further observations about indications concerning other applicants (if applicable):

* Although Rules 4.4 and 4.5 require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Article 14(1)(a)(ii), if there is more than one applicant, it shall be sufficient that the indications required under Rule 4.5(a)(ii) and (iii) be provided in respect of one of them who is entitled according to Rule 19.1 to file the international application with the receiving Office (Rule 26.2bis(b)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish any missing indication required under Rule 4.5(a)(ii) and (iii) in respect of any applicant for the designated State (Rule 51bis.1(a)(vii)).

3. As to the **language** of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):
- a. the **request** is not in a language of publication accepted by this receiving Office; (the) language(s) accepted by this receiving Office is/are:
 - b. the **text matter of the drawings** is not in the language in which the international application is to be published, which is:
 - c. the **abstract** is not in the language in which the international application is to be published, which is:

4. The **title** of the invention:
- a. is not indicated in Box No. I of the request (Rule 4.1(a)).
 - b. is not indicated at the top of the first sheet of the description (Rule 5.1(a)).
 - c. as appearing in Box No. I of the request is not identical with the title heading the description (Rule 5.1(a)).

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF DEFECTS IN DEMAND

(PCT Rule 60.1(e))

To:

in its capacity as International Preliminary Examining Authority

Date of mailing
(day/month/year)

International application No.

International filing date
(day/month/year)

Applicant

The International Bureau hereby calls the attention of the International Preliminary Examining Authority to the defects in the demand indicated below:

1. it does not permit the identification of the international application to which it relates (Rule 60.1(b)).
2. it does not contain the required petition (Rules 53.2(a)(i) and 53.3).
3. it does not contain the required indications concerning the agent as specified in the Annex (Rules 53.2(a)(ii) and 53.5).
4. it does not contain the required indications concerning the international application as specified in the Annex (Rules 53.2(a)(iii) and 53.6).
5. it is not submitted in the required language which is _____ (Rule 55.1).
6. it is not made on the printed form (Rule 53.1(a)).
7. it is presented as a computer print-out the particulars of which do not comply with the Administrative Instructions (Rule 53.1(a)).
8. it does not contain the required indications concerning the applicant as specified in the Annex (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)).
9. it does not contain the required signature as specified in the Annex (Rules 53.2(b), 53.8, 60.1(a-ter) and 90.4).

Other observations, if necessary:

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/336 (~~October 2005~~)

red strike out = deleted text

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF DEFECTS IN THE DEMAND
(PCT Rule 60.1(e))

To:

in its capacity as International Preliminary Examining Authority

Date of mailing (day/month/year)	International filing date (day/month/year)
International application No.	Applicant

The International Bureau hereby calls the attention of the International Preliminary Examining Authority to the defects in the demand indicated below:

- it does not permit the identification of the international application to which it relates (Rule 60.1(b)).
- it does not contain the required petition (Rules 53.2(a)(i) and 53.3).
- it does not contain the required indications concerning the agent as specified in the Annex (Rules 53.2(a)(ii) and 53.5).
- it does not contain the required indications concerning the international application as specified in the Annex (Rules 53.2(a)(iii) and 53.6).
- it is not submitted in the required language which is _____ (Rule 55.1).
- it is not made on the printed form (Rule 53.1(a)).
- it is presented as a computer print-out the particulars of which do not comply with the Administrative Instructions (Rule 53.1(a)).
- it does not contain the required indications concerning the applicant as specified in the Annex (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)).
- it does not contain the required signature as specified in the Annex (Rules 53.2(b), 53.8, 60.1(a-ter) and 90.4).

Other observations, if necessary:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Telephone No. +41 22 338 XX XX
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Form PCT/IB/336 ([Draft for Consultation](#))

ANNEX TO FORM PCT/IB/336

International application No.

Continuation of item 3: As to indications concerning **the agent** (Rules 53.2(a)(ii) and 53.5), the demand:

- a. does not properly indicate the agent's name (*specify*):

- b. does not indicate the agent's address.

- c. does not properly indicate the agent's address (*specify*):

Continuation of item 4: As to indications concerning **the international application**, the demand does not indicate:

- a. the international filing date.

- b. the international application number.

- c. the name of the receiving Office, where the international application number was not known to the applicant at the time the demand was filed.

- d. the title of the invention.

Continuation of item 8: As to indications concerning **the applicant*** (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)), the demand:

- a. does not indicate all the applicants.

- b. does not properly indicate the applicant's name (*specify*):

- c. does not indicate the applicant's address.

- d. does not properly indicate the applicant's address (*specify*):

- e. does not indicate the applicant's nationality.

- f. does not indicate the applicant's residence.

* Although Rule 53.2(a)(ii) require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Rule 53.4, if there is more than one applicant, it shall be sufficient that the required indications be provided in respect of one of them who has the right according to Rule 54.2 to make a demand (Rule 60.1(a-bis)).

Continuation of item 9: As to requirements concerning **signature** (Rules 53.2(b), 53.8, 60.1(a-ter) and 90.4), the demand:

- a. is not signed* by the applicant or, if there is more than one applicant, by at least one of them.

- b. is signed by what appears to be an agent/common representative but
 - the demand is not accompanied by a ~~power of attorney appointing him.~~
 - the power of attorney accompanying the demand is not signed by all the applicants for the elected States.

* Although Rule 53.2(b) requires that all applicants must sign the demand (~~e.g. including all inventors/applicants for the designation of the United States of America~~), for the purposes of Rule 53.8, if there is more than one applicant, it shall be sufficient that the demand be signed by one of them (Rule 60.1(a-ter)).

ANNEX TO FORM PCT/IB/336

International application No.

Continuation of item 3: As to indications concerning **the agent** (Rules 53.2(a)(ii) and 53.5), the demand:

- a. does not properly indicate the agent's name (*specify*):

- b. does not indicate the agent's address.

- c. does not properly indicate the agent's address (*specify*):

Continuation of item 4: As to indications concerning **the international application**, the demand does not indicate:

- a. the international filing date.

- b. the international application number.

- c. the name of the receiving Office, where the international application number was not known to the applicant at the time the demand was filed.

- d. the title of the invention.

Continuation of item 8: As to indications concerning **the applicant*** (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)), the demand:

- a. does not indicate all the applicants.

- b. does not properly indicate the applicant's name (*specify*):

- c. does not indicate the applicant's address.

- d. does not properly indicate the applicant's address (*specify*):

- e. does not indicate the applicant's nationality.

- f. does not indicate the applicant's residence.

* Although Rule 53.2(a)(ii) require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Rule 53.4, if there is more than one applicant, it shall be sufficient that the required indications be provided in respect of one of them who has the right according to Rule 54.2 to make a demand (Rule 60.1(a-bis)).

Continuation of item 9: As to requirements concerning **signature** (Rules 53.2(b), 53.8, 60.1(a-ter) and 90.4), the demand:

- a. is not signed by the applicant or, if there is more than one applicant, by at least one of them*.

- b. is signed by what appears to be an agent/common representative, but the demand is not accompanied by a power of attorney signed by at least one of the applicants.

* Although Rule 53.2(b) requires that all applicants must sign the demand, for the purposes of Rule 53.8, if there is more than one applicant, it shall be sufficient that the demand be signed by one of them (Rule 60.1(a-ter)).

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ _____

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:
The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty.

For International Preliminary Examining Authority use only		
Identification of IPEA	Date of receipt of DEMAND	
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION		
Applicant's or agent's file reference		
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority date (<i>day/month/year</i>)
Title of invention		
Box No. II APPLICANT(S)		
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		Telephone No.
		Facsimile No.
		Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.		

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent, with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ _____

PCT

CHAPTER II

DEMAND

under Article 31 of the Patent Cooperation Treaty:
The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty.

For International Preliminary Examining Authority use only		
Identification of IPEA	Date of receipt of DEMAND	
Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION		
Applicant's or agent's file reference		
International application No.	International filing date (<i>day/month/year</i>)	(Earliest) Priority date (<i>day/month/year</i>)
Title of invention		
Box No. II APPLICANT(S)		
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		Telephone No.
		Facsimile No.
		Applicant's registration No. with the Office
<p>E-mail authorization: Marking one of the check-boxes below authorizes the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send notifications issued in respect of this international application if those offices are willing to do so.</p> <p><input type="checkbox"/> as advance copies followed by paper notifications; or <input type="checkbox"/> exclusively in electronic form (no paper notifications will be sent).</p> <p>E-mail address: _____</p>		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
Name and address: (<i>Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.</i>)		
State (<i>that is, country</i>) of nationality:		State (<i>that is, country</i>) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.		

Sheet No. . . .

International application No.

Box No. VI CHECK LIST

The demand is accompanied by the following elements, in the language referred to in Box No. IV, for the purposes of international preliminary examination:

- | | | |
|---|---|--------|
| 1. translation of international application | : | sheets |
| 2. amendments under Article 34 | : | sheets |
| 3. letter accompanying the amendments under Article 34 (Rule 66.8) | : | sheets |
| 4. copy (or, where required, translation) of amendments under Article 19 | : | sheets |
| 5. copy of the letter accompanying the amendments under Article 19 (Rules 46.5(b) and 53.9) | : | sheets |
| 6. copy (or, where applicable, translation) of any statement under Article 19 (Rule 62.1(ii)) | : | sheets |
| 7. other (<i>specify</i>) | : | sheets |

For International Preliminary Examining Authority use only

received	not received
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

The demand is also accompanied by the item(s) marked below:

- | | |
|--|---|
| 1. <input type="checkbox"/> fee calculation sheet | 5. <input type="checkbox"/> statement explaining lack of signature |
| 2. <input type="checkbox"/> original separate power of attorney | 6. <input type="checkbox"/> sequence listing in electronic form |
| 3. <input type="checkbox"/> original general power of attorney | 7. <input type="checkbox"/> other (<i>specify</i>): _____ |
| 4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: | _____ |

Box No. VII SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

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 demand).

For International Preliminary Examining Authority use only

1. Date of actual receipt of DEMAND:	
2. Adjusted date of receipt of demand due to CORRECTIONS under Rule 60.1(b):	
3. <input type="checkbox"/> The date of receipt of the demand is AFTER the expiration of 19 months from the priority date and item 4 or 5, below, does not apply. <input type="checkbox"/> The applicant has been informed accordingly.	6. <input type="checkbox"/> The date of receipt of the demand is AFTER the expiration of the time limit under Rule 54bis.1(a) and item 7 or 8, below, does not apply.
4. <input type="checkbox"/> The date of receipt of the demand is WITHIN the time limit of 19 months from the priority date as extended by virtue of Rule 80.5.	7. <input type="checkbox"/> The date of receipt of the demand is WITHIN the time limit under Rule 54bis.1(a) as extended by virtue of Rule 80.5.
5. <input type="checkbox"/> Although the date of receipt of the demand is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to Rule 82.	8. <input type="checkbox"/> Although the date of receipt of the demand is after the expiration of the time limit under Rule 54bis.1(a), the delay in arrival is EXCUSED pursuant to Rule 82.

For International Bureau use only

Demand received from IPEA on:

Sheet No. . . .

International application No.

Box No. VI CHECK LIST

The demand is accompanied by the following elements, in the language referred to in Box No. IV, for the purposes of international preliminary examination:

- | | | |
|---|---|--------|
| 1. translation of international application | : | sheets |
| 2. amendments under Article 34 | : | sheets |
| 3. letter accompanying the amendments under Article 34 (Rule 66.8) | : | sheets |
| 4. copy (or, where required, translation) of amendments under Article 19 | : | sheets |
| 5. copy of the letter accompanying the amendments under Article 19 (Rules 46.5(b) and 53.9) | : | sheets |
| 6. copy (or, where applicable, translation) of any statement under Article 19 (Rule 62.1(ii)) | : | sheets |
| 7. other (<i>specify</i>) | : | sheets |

For International Preliminary Examining Authority use only

received	not received
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

The demand is also accompanied by the item(s) marked below:

- | | |
|--|---|
| 1. <input type="checkbox"/> fee calculation sheet | 5. <input type="checkbox"/> sequence listing in electronic form |
| 2. <input type="checkbox"/> original separate power of attorney | 6. <input type="checkbox"/> other (<i>specify</i>): _____ |
| 3. <input type="checkbox"/> original general power of attorney | _____ |
| 4. <input type="checkbox"/> copy of general power of attorney; reference number, if any: | _____ |
| | _____ |

Box No. VII SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

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 demand).

For International Preliminary Examining Authority use only

1. Date of actual receipt of DEMAND:

2. Adjusted date of receipt of demand due to CORRECTIONS under Rule 60.1(b):

3. The date of receipt of the demand is AFTER the expiration of 19 months from the priority date and item 4 or 5, below, does not apply.
 The applicant has been informed accordingly.
4. The date of receipt of the demand is WITHIN the time limit of 19 months from the priority date as extended by virtue of Rule 80.5.
5. Although the date of receipt of the demand is after the expiration of 19 months from the priority date, the delay in arrival is EXCUSED pursuant to Rule 82.

6. The date of receipt of the demand is AFTER the expiration of the time limit under Rule 54bis.1(a) and item 7 or 8, below, does not apply.
7. The date of receipt of the demand is WITHIN the time limit under Rule 54bis.1(a) as extended by virtue of Rule 80.5.
8. Although the date of receipt of the demand is after the expiration of the time limit under Rule 54bis.1(a), the delay in arrival is EXCUSED pursuant to Rule 82.

For International Bureau use only

Demand received from IPEA on:

NOTES TO THE DEMAND FORM (PCT/IPEA/401)

These Notes are intended to facilitate the filling in of the demand form and to give some information concerning international preliminary examination under Chapter II of the Patent Cooperation Treaty (PCT). 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/. The Notes are based on the requirements of the 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 demand form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The demand form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

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

IMPORTANT GENERAL INFORMATION

Who May File a Demand? (Article 31(2)(a) and Rule 54): A demand (for international preliminary examination) may only be filed by an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II of the PCT; furthermore, the international application must have been filed with a receiving Office of, or acting for, a State bound by Chapter II. Where there are two or more applicants (for the same or different elected States) at least one of them must qualify.

Where Must the Demand Be Filed? (Article 31(6)(a)): The demand must be filed with a competent International Preliminary Examining Authority (IPEA). The receiving Office with which the international application was filed will, upon request, give information about the competent IPEA (or see the *PCT Applicant's Guide*, Annex C). If several IPEAs are competent, the applicant has the choice and the demand must be filed with (and the fees must be paid to) the IPEA chosen by the applicant. The IPEA chosen by the applicant may be identified, preferably by an indication of the name or two-letter code of the IPEA, at the top of the first sheet of the demand in the space provided for that purpose.

When Must the Demand Be Filed? (Article 39(1) and Rule 54bis.1): As long as certain designated Offices are still not bound by the 30-month time limit under Article 22 for entry into the national phase, the demand – because it contains the required election of designated States – must be filed within 19 months from the priority date if the applicant wishes to postpone entry into the national phase from 20 to 30 months from the priority date in respect of those designated Offices. For updated information about those Offices, see the *PCT Applicant's Guide*, National Chapters, Summaries, available on the WIPO website at the address indicated above. It is recalled that the time limit of 30 months from the priority date applies to all other designated Offices regardless of whether or not a demand is filed.

If the applicant wishes to file a demand, but not because of the reason explained above, the applicable time limit for filing such demand is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority or 22 months from the priority date, whichever expires later (see Rule 54bis.1(a)).

Any demand made after the expiration of the applicable time limit will be considered as if it had not been submitted and the IPEA shall so declare.

In Which Language Must the Demand Be Filed? (Rule 55.1): The demand must be filed in the language in which international preliminary examination will be carried out (see Notes to Box No. IV).

What is the Language of Correspondence? (Rules 55.3 and 92.2 and Section 104): Any letter from the applicant to the IPEA must be in the same language as the international application to which it relates. However, where the international preliminary examination will be carried out on the basis of a translation (see Notes to Box No. IV), any letter from the applicant to the IPEA must be in the language of the translation. The IPEA may authorize the use of other languages for letters which do not contain or relate to amendments of the international application. Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

BOX No. I

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 (Section 109).

Identification of the International Application (Rule 53.6): The international application number must be indicated in Box No. I. Where the demand is filed at a time when the international application number has not yet been notified by the receiving Office, the name of that Office must be indicated instead of the international application number.

International Filing Date and (Earliest) Priority Date (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, "~~24 March 2011~~ (24.03.2011)", "~~24 March 2011~~ (24/03/2011)" or "~~24 March 2011~~ (24-03-2011)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

NOTES TO THE DEMAND FORM (PCT/IPEA/401)

These Notes are intended to facilitate the filling in of the demand form and to give some information concerning international preliminary examination under Chapter II of the Patent Cooperation Treaty (PCT). 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/. The Notes are based on the requirements of the 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 demand form and these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the Administrative Instructions, respectively.

The demand form shall be typed or printed; check-boxes may be marked by hand with dark ink (Rules 11.9(a) and (b) and 11.14).

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IMPORTANT GENERAL INFORMATION

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Where Must the Demand Be Filed? (Article 31(6)(a)): The demand must be filed with a competent International Preliminary Examining Authority (IPEA). The receiving Office with which the international application was filed will, upon request, give information about the competent IPEA (or see the *PCT Applicant's Guide*, Annex C). If several IPEAs are competent, the applicant has the choice and the demand must be filed with (and the fees must be paid to) the IPEA chosen by the applicant. The IPEA chosen by the applicant may be identified, preferably by an indication of the name or two-letter code of the IPEA, at the top of the first sheet of the demand in the space provided for that purpose.

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If the applicant wishes to file a demand, but not because of the reason explained above, the applicable time limit for filing such demand is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority or 22 months from the priority date, whichever expires later (see Rule 54bis.1(a)).

Any demand made after the expiration of the applicable time limit will be considered as if it had not been submitted and the IPEA shall so declare.

In Which Language Must the Demand Be Filed? (Rule 55.1): The demand must be filed in the language in which international preliminary examination will be carried out (see Notes to Box No. IV).

Notes to the demand form (PCT/IPEA/401) (page 1) (Draft for Consultation)

What is the Language of Correspondence? (Rules 55.3 and 92.2 and Section 104): Any letter from the applicant to the IPEA must be in the same language as the international application to which it relates. However, where the international preliminary examination will be carried out on the basis of a translation (see Notes to Box No. IV), any letter from the applicant to the IPEA must be in the language of the translation. The IPEA may authorize the use of other languages for letters which do not contain or relate to amendments of the international application. Any letter from the applicant to the International Bureau must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

BOX No. I

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International Filing Date and (Earliest) Priority Date (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, "26 October 2012 (26.10.2012)" "26 October 2012 (26/10/2012)" or "26 October 2012 (26-10-2012)". Where the international application claims the priority of several earlier applications, the filing date of the earliest application whose priority is claimed must be indicated as the priority date.

Title of the Invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

BOX No. II

Applicant(s) (Rule 53.4): All the applicants for the elected States must be indicated in the demand. It should be noted that those persons named as "inventor only" in the request need not be named in the demand.

Title of the Invention: If a new title has been established by the International Searching Authority, that title must be indicated in Box No. I.

BOX No. II

Applicant(s) (Rule 53.4): All the applicants for the elected States must be indicated in the demand. It should be noted that those persons named as “inventor only” in the request need not be named in the demand.

Insert in Box No. II of the demand the required indications as in Boxes Nos. II and III of the request. The Notes to the request apply *mutatis mutandis*. If there are two or more applicants for the States elected in the demand, give the required indications for each of them; if there are more than three applicants, make the required indications on the “Continuation Sheet”.

If different applicants were indicated in the request for different designated States, there is no need to again indicate in the demand the States for which a person is applicant, because those indications have been made in the request.

Applicant’s registration number with the Office (Rule 53.4): Where the applicant is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the applicant is so registered.

An E-mail address 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.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the International Bureau and the International Preliminary Examining Authority may, if they wish to do so, send notifications in respect of the international application to the applicant by e-mail, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office’s procedure see the *PCT Applicant’s Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification 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. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic 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 reason, on the recipient’s side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. 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 and the International Preliminary Examining Authority will send e-mail communications only to the appointed agent or common representative.

BOX No. III

Agent or Common Representative (Rules 53.5, 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the demand* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the IPEA* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the IPEA, all notifications issued by the IPEA will be addressed only to that additional person.

A separate power of attorney must be filed with the IPEA, the International Bureau or the receiving Office, if the person appointed at the time the demand is filed (i.e., was not appointed earlier) signs the demand on behalf of the applicant (Rule 90.4). However, the receiving Office, the International Bureau or the IPEA may waive the requirement that a separate power of attorney be filed. For details, see the *PCT Applicant’s Guide*, Annex B(1B), Annex C and Annex E.

Agent’s registration number with the Office (Rule 53.5): Where the agent is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the agent is so registered.

E-mail address (see Notes to Box. No. II).

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 persons is appointed as common representative, the address indicated for that applicant in Box No. III will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, 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 may be indicated in Box No. III 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. III must be marked (that is, the last check-box must not be marked if either of the check-boxes “agent” or “common representative” in Box No. III has been marked).

BOX No. IV

Statement Concerning Amendments (Rules 53.2(a)(iv), 53.9, 62, 66.1 and 69.1): The international preliminary examination will start on the basis of the international application as filed or, if amendments have been filed, as amended. Mark the appropriate check-box(es) to enable the IPEA to determine when and on what basis it can start international preliminary examination.

Mark the corresponding check-box(es) under No. 1 where the international preliminary examination should start on the basis of the international application as originally filed or where amendments are to be taken into account, as the case

Insert in Box No. II of the demand the required indications as in Boxes Nos. II and III of the request. The Notes to the request apply *mutatis mutandis*. If there are two or more applicants for the States elected in the demand, give the required indications for each of them; if there are more than three applicants, make the required indications on the “Continuation Sheet”.

If different applicants were indicated in the request for different designated States, there is no need to again indicate in the demand the States for which a person is applicant, because those indications have been made in the request.

Applicant’s registration number with the Office (Rule 53.4): Where the applicant is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the applicant is so registered.

An E-mail address 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.

Unless one of the applicable check-boxes is marked, any e-mail address supplied will be used only for the types of communication which might be made by telephone. If one of the applicable check-boxes is marked, the International Bureau and the International Preliminary Examining Authority may, if they wish to do so, send notifications in respect of the international application to the applicant by e-mail, thus avoiding processing or postal delays. Note that not all Offices will send such notifications by e-mail, (for details about each Office’s procedure see the *PCT Applicant’s Guide*, Annex B). If the first check-box is marked, any such e-mail notification will always be followed by the official notification on paper. Only that paper copy of the notification 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. If the second check-box is marked, the applicant requests the discontinuation of the sending of paper copies of notifications and acknowledges that the date of mailing indicated on the electronic 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 reason, on the recipient’s side. Changes to the e-mail address indicated should be requested to be recorded, preferably directly at the International Bureau, under Rule 92*bis*. 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 and the International Preliminary Examining Authority will send e-mail communications only to the appointed agent or common representative.

BOX No. III

Agent or Common Representative (Rules 53.5, 90.1 and 90.2): Mark the applicable check-boxes to indicate *first* whether the person named in this Box is agent or common representative, *then* whether that person *has been appointed earlier* (i.e., during the procedure under Chapter I), or *is appointed in the demand* and any earlier appointment of another person is revoked, or *is appointed specifically for the procedure before the IPEA* (without revocation of any earlier appointment), in addition to the person(s) appointed earlier.

Where an additional person is appointed specifically for the procedure before the IPEA, all notifications issued by the IPEA will be addressed only to that additional person.

A separate power of attorney must be filed with the IPEA, the International Bureau or the receiving Office, if the person appointed at the time the demand is filed (i.e., was not appointed earlier) signs the demand on behalf of the applicant (Rule 90.4). However, the receiving Office, the International Bureau or the IPEA may waive the requirement that a separate power of attorney be filed. For details, see the *PCT Applicant’s Guide*, Annex B(IB), Annex C and Annex E.

Agent’s registration number with the Office (Rule 53.5): Where the agent is registered with the national or regional Office that is acting as International Preliminary Examining Authority, the demand may indicate the number or other indication under which the agent is so registered.

E-mail address (see Notes to Box. No. II).

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. III will be used.

Where no agent or common representative is appointed, any correspondence will be sent to the address, indicated in Box No. II, 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 may be indicated in Box No. III 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. III must be marked (that is, the last check-box must not be marked if either of the check-boxes “agent” or “common representative” in Box No. III has been marked).

BOX No. IV

Statement Concerning Amendments (Rules 53.2(a)(iv), 53.9, 62, 66.1 and 69.1): The international preliminary examination will start on the basis of the international application as filed or, if amendments have been filed, as amended. Mark the appropriate check-box(es) to enable the IPEA to determine when and on what basis it can start international preliminary examination.

Mark the corresponding check-box(es) under No. 1 where the international preliminary examination should start on the basis of the international application as originally filed or where amendments are to be taken into account, as the case may be. Where amendments under Article 19 are to be taken into account, the applicant should preferably submit a copy of the amendments made under Article 19, the letter accompanying the amendments (Rules 62.1(ii) and 46.5(b)) and any statement (Rule 62.1(ii)). Where amendments under Article 34 are to be taken into account, the applicant must submit *with the Demand* the amendments of the international application under Article 34, together with a letter which must draw attention to the differences caused by the amendments and indicate the basis for the amendments in the application as filed and shall also explain the reasons for the amendments (Rule 66.8). If a check-box is marked but the demand is not accompanied by the

may be. Where amendments under Article 19 are to be taken into account, the applicant should preferably submit a copy of the amendments made under Article 19, the letter accompanying the amendments (Rules 62.1(ii) and 46.5(b)) and any statement (Rule 62.1(ii)). Where amendments under Article 34 are to be taken into account, the applicant must submit *with the Demand* the amendments of the international application under Article 34, together with a letter which must draw attention to the differences caused by the amendments and indicate the basis for the amendments in the application as filed and shall also explain the reasons for the amendments (Rule 66.8). If a check-box is marked but the demand is not accompanied by the documents referred to, the start of international preliminary examination will be delayed until the IPEA receives them.

Mark check-box No. 2 if amendments of the claims under Article 19 have been filed with the International Bureau during the Chapter I procedure, but the applicant wishes those amendments to be considered reversed by an amendment under Article 34 (Rule 53.9(a)(ii)).

Mark check-box No. 3 where the applicant wants to keep the option for the filing of amendments of the claims under Article 19 open and where the IPEA wishes to start the international preliminary examination at the same time as the international search in accordance with Rule 69.1(b). The applicant may request the IPEA to **postpone** the start of international preliminary examination until the expiration of the applicable time limit (Rules 46.1, 53.9(b) and 69.1(d)).

Mark check-box No. 4 if the applicant wishes that the international preliminary examination start earlier than at the expiration of the applicable time limit under Rule 54bis.1(a).

Where the ISA and IPEA are not the same Authority, examination will not commence until the IPEA is in possession of the international search report, or a notice of the declaration under Article 17(2)(a) and the written opinion established by the ISA.

The applicable time limit under Rule 54bis.1(a) is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority, or 22 months from the priority date, whichever expires later.

If no check-box is marked, refer to the footnote at the bottom of the Box.

Language for the Purposes of International Preliminary Examination (Rule 55.2): Where neither the language in which the international application is filed nor the language in which the international application is published is accepted by the IPEA that is to carry out the international preliminary examination, the applicant must furnish with the demand a translation of the international application into a language which is both a language accepted by that Authority and a language of publication.

Where such translation has already been furnished to the International Searching Authority for the purposes of carrying out international search and the IPEA is part of the same Office or intergovernmental organization as the International Searching

Authority, the applicant need not furnish another translation. In such a case the international preliminary examination is carried out on the basis of the translation furnished for the purposes of international search.

The language for the purposes of international preliminary examination should be indicated in Box No. IV and the corresponding check-box should be marked.

Language of Amendments (Rule 55.3): Amendments, letters and statements relating thereto must be in the same language as that in which the international preliminary examination is carried out, as explained in the preceding paragraphs.

Time Limit for Furnishing Translation of the International Application (Rule 55.2): Any required translation of the international application should be furnished (by the applicant) together with the demand. If it is not so furnished, the IPEA will invite the applicant to furnish it within a time limit which shall not be less than one month from the date of the invitation. That time limit may be extended by the IPEA.

BOX No. V

Election of States (Rule 53.7): The making of a demand shall constitute the election of all States which have been designated and which are bound by Chapter II of the PCT.

BOX No. VI

Check List: It is recommended that this Box be filled in carefully in order for the IPEA to determine as soon as possible whether it is in possession of the documents on the basis of which the applicant wishes international preliminary examination to start.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions is required by the IPEA, the applicant may furnish the listing in electronic form to the IPEA with the demand. If this is the case, check-box No. 6 must be marked.

BOX No. VII

Signature (Rules 53.8, 60.1(a-ter), 90.3(a) and 90.4(a) and (d)): The demand must be signed by the applicant or by his agent; if there are several applicants, the demand must be signed by all of them, or by the common agent or the common representative of all of them. However, if the signature(s) of one or more applicants is missing, the IPEA will not invite the applicants to furnish the missing signature(s) provided that at least one of the applicants has signed the demand.

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)).

documents referred to, the start of international preliminary examination will be delayed until the IPEA receives them.

Mark check-box No. 2 if amendments of the claims under Article 19 have been filed with the International Bureau during the Chapter I procedure, but the applicant wishes those amendments to be considered reversed by an amendment under Article 34 (Rule 53.9(a)(ii)).

Mark check-box No. 3 where the applicant wants to keep the option for the filing of amendments of the claims under Article 19 open and where the IPEA wishes to start the international preliminary examination at the same time as the international search in accordance with Rule 69.1(b). The applicant may request the IPEA to **postpone** the start of international preliminary examination until the expiration of the applicable time limit (Rules 46.1, 53.9(b) and 69.1(d)).

Mark check-box No. 4 if the applicant wishes that the international preliminary examination start earlier than at the expiration of the applicable time limit under Rule 54bis.1(a).

Where the ISA and IPEA are not the same Authority, examination will not commence until the IPEA is in possession of the international search report, or a notice of the declaration under Article 17(2)(a) and the written opinion established by the ISA.

The applicable time limit under Rule 54bis.1(a) is three months from the date of transmittal of the international search report or of the declaration referred to in Article 17(2)(a), and the written opinion established by the International Searching Authority, or 22 months from the priority date, whichever expires later.

If no check-box is marked, refer to the footnote at the bottom of the Box.

Language for the Purposes of International Preliminary Examination (Rule 55.2): Where neither the language in which the international application is filed nor the language in which the international application is published is accepted by the IPEA that is to carry out the international preliminary examination, the applicant must furnish with the demand a translation of the international application into a language which is both a language accepted by that Authority and a language of publication.

Where such translation has already been furnished to the International Searching Authority for the purposes of carrying out international search and the IPEA is part of the same Office or intergovernmental organization as the International Searching Authority, the applicant need not furnish another translation. In such a case the international preliminary examination is carried out on the basis of the translation furnished for the purposes of international search.

The language for the purposes of international preliminary examination should be indicated in Box No. IV and the corresponding check-box should be marked.

Language of Amendments (Rule 55.3): Amendments, letters and statements relating thereto must be in the same language as that in which the international preliminary

examination is carried out, as explained in the preceding paragraphs.

Time Limit for Furnishing Translation of the International Application (Rule 55.2): Any required translation of the international application should be furnished (by the applicant) together with the demand. If it is not so furnished, the IPEA will invite the applicant to furnish it within a time limit which shall not be less than one month from the date of the invitation. That time limit may be extended by the IPEA.

BOX No. V

Election of States (Rule 53.7): The making of a demand shall constitute the election of all States which have been designated and which are bound by Chapter II of the PCT.

BOX No. VI

Check List: It is recommended that this Box be filled in carefully in order for the IPEA to determine as soon as possible whether it is in possession of the documents on the basis of which the applicant wishes international preliminary examination to start.

Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, and a copy of the sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions is required by the IPEA, the applicant may furnish the listing in electronic form to the IPEA with the demand. If this is the case, check-box No. 5 must be marked.

BOX No. VII

Signature (Rules 53.8, 60.1(a-ter), 90.3(a) and 90.4(a) and (d)): The demand must be signed by the applicant or by his agent; if there are several applicants, the demand must be signed by all of them, or by the common agent or the common representative of all of them. However, if the signature(s) of one or more applicants is missing, the IPEA will not invite the applicants to furnish the missing signature(s) provided that at least one of the applicants has signed the demand.

Where the signature on the demand 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. The power of attorney must be signed by the applicant or, if there is more than one applicant, by at least one of them. If the power is not filed with the demand, the IPEA will invite the applicant to furnish it, unless it has waived the requirement for a separate power of attorney (for details about each IPEA, see the PCT Applicant's Guide, Annex E).

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)).

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

INVITATION TO CORRECT
DEFECTS IN THE DEMAND

(PCT Rule 60.1)

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

The applicant is hereby **invited** within the time limit indicated above **to correct the following defects** which this International Preliminary Examining Authority has found in the demand for international preliminary examination:

1. It does not permit identification of the international application to which it relates (Rule 60.1(b)).
2. It does not contain the required petition (Rules 53.2(a)(i) and 53.3).
3. It does not contain the required indications concerning the agent as specified in the Annex (Rules 53.2(a)(ii) and 53.5).
4. It does not contain the required indications concerning the international application as specified in the Annex (Rules 53.2(a)(iii) and 53.6).
5. It is not submitted in the required language which is: _____ (Rule 55.1).
6. It is not made on the printed form (Rule 53.1(a)).
7. It is presented as a computer print-out the particulars of which do not comply with the Administrative Instructions (Rule 53.1(a)).
8. It does not contain the required indications concerning the applicant as specified in the Annex (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)).
9. It does not contain the required signature as specified in the Annex (Rules 53.2(b), 53.8, 60.1(a-ter) and 90.4).
10. Other observations (*if necessary*):

Effect of the date of receipt of the corrections on the date of receipt of the demand:

- (i) If the defect noted under item 1 is corrected within the time limit indicated above, the demand will be considered to have been received on the date when the corrections are received (Rule 60.1(b)).
If that date is later than the expiration of 19 months from the priority date, entry into the national phase in those elected Offices will **NOT** be postponed until the expiration of 30 months from the priority date, but only in respect of **some designated Offices**. In respect of **other designated Offices**, the time limit of 30 months (or later) may apply even if that date of receipt is later than the expiration of 19 months. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.
If that date is later than the expiration of the time limit referred to in Rule 54bis.1(a), the demand shall be considered as if it had not been submitted and this Authority shall so declare.
- (ii) If the defects noted under items 2 to 9 are corrected within the time limit indicated above, the demand shall be considered as if it had been received on the actual filing date (Rule 60.1(b)).

Effect of failure to correct the defects within the time limit indicated above:

In the case of defects noted under items 1 to 9, this Authority will declare that the demand is considered as if it had not been submitted.

A copy of this **invitation** has been sent to the International Bureau.

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

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

INVITATION TO CORRECT
DEFECTS IN THE DEMAND

(PCT Rule 60.1)

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

The applicant is hereby **invited** within the time limit indicated above **to correct the following defects** which this International Preliminary Examining Authority has found in the demand for international preliminary examination:

1. It does not permit identification of the international application to which it relates (Rule 60.1(b)).
2. It does not contain the required petition (Rules 53.2(a)(i) and 53.3).
3. It does not contain the required indications concerning the agent as specified in the Annex (Rules 53.2(a)(ii) and 53.5).
4. It does not contain the required indications concerning the international application as specified in the Annex (Rules 53.2(a)(iii) and 53.6).
5. It is not submitted in the required language which is: _____ (Rule 55.1).
6. It is not made on the printed form (Rule 53.1(a)).
7. It is presented as a computer print-out the particulars of which do not comply with the Administrative Instructions (Rule 53.1(a)).
8. It does not contain the required indications concerning the applicant as specified in the Annex (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)).
9. It does not contain the required signature as specified in the Annex (Rules 53.2(b), 53.8, 60.1(a-ter) and 90.4).
10. Other observations (if necessary):

Effect of the date of receipt of the corrections on the date of receipt of the demand:

- (i) If the defect noted under item 1 is corrected within the time limit indicated above, the demand will be considered to have been received on the date when the corrections are received (Rule 60.1(b)).
If that date is later than the expiration of 19 months from the priority date, entry into the national phase in those elected Offices will **NOT** be postponed until the expiration of 30 months from the priority date, but only in respect of **some designated Offices**. In respect of **other designated Offices**, the time limit of 30 months (or later) may apply even if that date of receipt is later than the expiration of 19 months. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.
If that date is later than the expiration of the time limit referred to in Rule 54bis.1(a), the demand shall be considered as if it had not been submitted and this Authority shall so declare.
- (ii) If the defects noted under items 2 to 9 are corrected within the time limit indicated above, the demand shall be considered as if it had been received on the actual filing date (Rule 60.1(b)).

Effect of failure to correct the defects within the time limit indicated above:

In the case of defects noted under items 1 to 9, this Authority will declare that the demand is considered as if it had not been submitted.

A copy of this Invitation has been sent to the International Bureau.

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

ANNEX TO FORM PCT/IPEA/404

International application No.

Continuation of item 3: As to indications concerning **the agent** (Rules 53.2(a)(ii) and 53.5), the demand:

- a. does not properly indicate the agent's name (*specify*):
- b. does not indicate the agent's address.
- c. does not properly indicate the agent's address (*specify*):

Continuation of item 4: As to indications concerning **the international application**, the demand does not indicate:

- a. the international filing date.
- b. the international application number.
- c. the name of the receiving Office, where the international application number was not known to the applicant at the time the demand was filed.
- d. the title of the invention.

Continuation of item 8: As to indications concerning **the applicant*** (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)), the demand:

- a. does not indicate all the applicants.
- b. does not properly indicate the applicant's name (*specify*):
- c. does not indicate the applicant's address.
- d. does not properly indicate the applicant's address (*specify*):
- e. does not indicate the applicant's nationality.
- f. does not indicate the applicant's residence.

* Although Rule 53.2(a)(ii) requires indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Rule 53.4, if there is more than one applicant, it shall be sufficient that the required indications be provided in respect of one of them who has the right according to Rule 54.2 to make a demand (Rule 60.1(a-bis)).

Continuation of item 9: As to requirements concerning **signature** (Rules 53.2(b), 53.8, 60.1(a-ter) and 90.4), the demand:

- a. is not signed* by the applicant or, if there is more than one applicant, by at least one of them.
- b. is signed by what appears to be an agent/common representative but
- the demand is not accompanied by a power of attorney appointing him.
 - the power of attorney accompanying the demand is not signed by all the applicants for the elected States.

* Although Rule 53.2(b) requires that all applicants must sign the demand (~~including all inventors/applicants for the designation of the United States of America~~), for the purposes of Rule 53.8, if there is more than one applicant, it shall be sufficient that the demand be signed by one of them (Rule 60.1(a-ter)).

ANNEX TO FORM PCT/IPEA/404

International application No.

Continuation of item 3: As to indications concerning **the agent** (Rules 53.2(a)(ii) and 53.5), the demand:

- a. does not properly indicate the agent's name (*specify*):

- b. does not indicate the agent's address.
- c. does not properly indicate the agent's address (*specify*):

Continuation of item 4: As to indications concerning **the international application**, the demand does not indicate:

- a. the international filing date.
- b. the international application number.
- c. the name of the receiving Office, where the international application number was not known to the applicant at the time the demand was filed.
- d. the title of the invention.

Continuation of item 8: As to indications concerning **the applicant*** (Rules 53.2(a)(ii), 53.4 and 60.1(a-bis)), the demand:

- a. does not indicate all the applicants.
- b. does not properly indicate the applicant's name (*specify*):

- c. does not indicate the applicant's address.
- d. does not properly indicate the applicant's address (*specify*):

- e. does not indicate the applicant's nationality.
- f. does not indicate the applicant's residence.

* Although Rule 53.2(a)(ii) requires indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Rule 53.4, if there is more than one applicant, it shall be sufficient that the required indications be provided in respect of one of them who has the right according to Rule 54.2 to make a demand (Rule 60.1(a-bis)).

Continuation of item 9: As to requirements concerning **signature** (Rules 53.2(b), 53.8, 60.1(a-ter) and 90.4), the demand:

- a. is not signed by the applicant or, if there is more than one applicant, by at least one of them*.
- b. is signed by what appears to be an agent/common representative, but the demand is not accompanied by a power of attorney signed by at least one of the applicants.

* Although Rule 53.2(b) requires that all applicants must sign the demand, for the purposes of Rule 53.8, if there is more than one applicant, it shall be sufficient that the demand be signed by one of them (Rule 60.1(a-ter)).