

C. PCT 1508

May 1, 2017

Madam,
Sir,

Transmittal of Documents Relating to Earlier Search or Classification

This Circular is addressed to your Office in its capacity as a receiving Office and/or International Searching Authority under the Patent Cooperation Treaty (PCT).

This Circular concerns the technical requirements to enable the implementation of the transmittal of documents by the receiving Office to the International Searching Authority relating to earlier search or classification, following the adoption by the PCT Assembly, in October 2015, of amendments to PCT Rule 23*bis* that will enter into force on July 1, 2017.

Following consultation on proposals for the technical requirements to enable the implementation of the transmittal of documents relating to earlier search or classification, by way of Circular C. PCT 1504, dated March 3, 2017, the proposals are hereby promulgated.

The technical details of the specification are as proposed in Circular C. PCT 1504, but with a further clarification as to the appropriate use, as set out below.

Clarification for Offices where Documents Relating to Earlier Search or Classification cannot be separated into parts

The International Bureau has received comments and questions regarding the requirements for receiving Offices to transmit documents relating to earlier search or classification, where possible indexed into parts (results of earlier search of priority application “resp”, written opinion of earlier search priority application “oesp”, annex to earlier search of priority

/...

application “aesp”, and/or classification of earlier search of priority application “cesp”). The International Bureau advises that, in the case of the availability of the relevant documents in a single file rather than in one file for each part of the results, the receiving Office should transmit that single file to the International Bureau using the code “resp”; furthermore this may include the case where the results of more than one search may be available in a single file. International Authorities should note that, in this case, the International Bureau will nonetheless forward the received documents relating to earlier search or classification as received without any indexing into parts at the International Bureau.

Further process

The text of the technical details of the specification can be found at:
http://www.wipo.int/patentscope/en/pct-edi/earlier_search.html

The International Bureau invites your Office to provide transmission files for testing purposes from June 1, 2017.

Furthermore, the International Bureau invites your Office to provide production transmission files as from July 1, 2017.

Implementation coordination information and any further requests for information should be sent, preferably by e-mail, to Mr. Peter Waring, Head, Technical Cooperation Section, PCT International Cooperation Division, e-mail: pcticd@wipo.int; fax: (+4122) 338 7160.

Yours sincerely,



John Sandage
Deputy Director General