

C. PCT 1572

June 13, 2019

Madam,
Sir,

In accordance with Rule 89.2(b) of the Regulations under the Patent Cooperation Treaty (PCT), modifications of the Administrative Instructions under the PCT (“the Administrative Instructions”), certain Forms annexed to the Administrative Instructions, and the PCT International Search and Preliminary Examination Guidelines (“the ISPE Guidelines”) are hereby promulgated with effect from July 1, 2019.

The promulgation follows consultation under Rule 89.2(b) of the Regulations under the PCT with your Office in its capacity as a receiving Office, an International Searching and Preliminary Examining Authority, an Authority specified for supplementary search, and/or a designated or elected Office and also with certain non-governmental organizations representing users of the PCT system. The modifications are as proposed in Circular C. PCT 1567, dated April 10, 2019, and Circular C. PCT 1547, dated November 6, 2018, (concerning the ISPE Guidelines), except where further changes have been made as a result of the consultation, as indicated below (editorial and minor drafting changes are not specifically mentioned).

Modifications of the Administrative Instructions

As a result of the consultation, the last sentences of Section 507(a), (d) and (e-bis) have been slightly further modified (“should always” is changed to “shall”).

Modifications of certain Forms annexed to the Administrative Instructions

Form PCT/IPEA/401 (Demand) is modified as proposed in Circular C. PCT 1567.

Forms PCT/ISA/201, PCT/ISA/206, PCT/ISA/210 and PCT/SISA/501 are modified as proposed in Circular C. PCT 1567.

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Furthermore, following the withdrawal by Switzerland of a notice of incompatibility with its national law under Rule 23bis.2(e), Form PCT/RO/101 (Request) is modified accordingly to remove "CH" from the list under Continuation of Box No. VII, item 2.3.

Offices which use languages other than English, French and Spanish are requested to prepare the Forms needed by them in such other languages, with due regard to the provisions of Section 102 of the Administrative Instructions. The International Bureau encourages Offices to make such translations available to the International Bureau so that they can be accessed by all Offices from the WIPO website.

Modifications of certain paragraphs of the ISPE Guidelines

Paragraph 2.03 is modified as proposed in Circular C. PCT 1567.

Paragraphs 3.13, 3.14, 18.06A, 19.07 and 19.08 are modified as proposed in Circular C. PCT 1567. As a result of the consultation, paragraph 22.26A has been further modified to provide flexibilities for the International Preliminary Examining Authority to seek clarification from the applicant before making an *ex officio* correction. Moreover, paragraph 22.25 is also slightly modified to include a reference to paragraph 22.26A.

Paragraphs 16.74, 17.18 and 17.19 are modified as proposed in Circular C. PCT 1567.

Paragraph 17.55A has been added as proposed in Circular C. PCT 1547, except for the deletion of the sentence referring to the location of the standardized clauses following comments received from International Authorities.

Chapter 21 is modified as proposed in Circular C. PCT 1567. However, a correction is made in the last sub-heading in the end of Paragraph 21.15, which should read "*Oversight Over Its Resources*" instead of "*Sufficient Training Resources*" (concerning the English version only).

Paragraph 22.02 is modified as proposed in Circular C. PCT 1567.

Availability of the modified Administrative Instructions, Forms, and ISPE Guidelines

The consolidated versions of the Administrative Instructions and the ISPE Guidelines as modified (*as in force from July 1, 2019*) are available on the WIPO website at: www.wipo.int/pct/en/texts/ and www.wipo.int/pct/en/texts/gdlines.html, respectively.

The modified Forms are available from the WIPO website under "Forms in force from July 1, 2019" at: www.wipo.int/pct/en/forms/.

Offices which need marked-up copies and/or electronic files of the Administrative Instructions, Forms, or the ISPE Guidelines should contact the PCT Legal and User Relations Division at pct.legal@wipo.int.

Yours sincerely,



John Sandage
Deputy Director General