

# **OUTLINE OF THE PATENT COOPERATION TREATY (PCT)**

Japan Patent Office  
Asia-Pacific Industrial Property Center, JIII

©2011

Collaborator: **Teruhisa Shimomichi**,  
Patent Attorney,  
SEIWA PATENT & LAW

# Outline of the Patent Cooperation Treaty (PCT)

## Contents

### **[Part I] Outline and Present Status of the PCT**

1. Traditional Patent System for Filing Patent Application  
in Foreign Countries 1
2. PCT System for Filing Patent Application in Foreign Countries 2
3. Present Status of the PCT 5
4. General Remarks on the PCT System 5
5. Organizations Under the PCT 6

### **[Part II] The International Application**

1. Filing of International Applications 7
2. Basic Issues of an International Application 8
3. Incorporation by reference 10
4. The Request 10
5. The Designation of the Contracting State  
or States and a Regional Patent 11
6. Types of Protection Available via the PCT 12
7. Electronic Application 12
8. Description 13
9. Claims 13
10. The PCT and Claiming Priority 15
11. Restoration of Right of priority 17
12. Correction or Addition of Priority Claim 17
13. Fees 18
14. Function and Service of the Receiving Office 18

### **[Part III] International Search and International Publication**

1. International Search 20
2. International Searching Authority (ISA) 22
3. International Search Report (ISR) 25
4. Written Opinion of the ISA (WO/ISA) 25
5. Response to the ISA and WO/ISA 26
6. PCT Article 19 Amendment 27

7. Supplementary International Search	28
8. International Publication	29
9. Effects of the International Publication	30
10. Withdrawal of International Application and Claiming Priority	31
11. Functions of the WIPO International Bureau	31

**[Part IV] International Preliminary Examination (IPE)**

1. Outline of International Preliminary Examination (IPE)	33
2. International Preliminary Examining Authority (IPEA)	34
3. Procedure for Filing a Demand for IPE	35
4. PCT Article 34 Amendment	36
5. International Preliminary Examination (IPE)	37
6. International Preliminary Examination Report (IPER)	38

**[Part V] Entry into the National Phase**

1. Entry into the National Phase	41
2. Time Limits for Entering National Phase	41
3. Substantive Examination at the Designated (Elected) States	44

## [Part I] Outline and Present Status of the PCT

### 1. Traditional Patent System for Filing Patent Applications in Foreign Countries

#### (1) Outline of Traditional Patent System

The traditional patent system under the Paris Convention requires the filing of individual patent applications for each country for which patent protection is sought. Under the traditional Paris Convention route, the applicant can file patent applications in foreign countries claiming the priority based on an earlier application, but such later applications must be filed within 12 months from the filing date of the earlier application.

#### (2) Traditional Patent System for Filing Patent Applications in Foreign Countries

Fig. 1 shows the flow of the traditional patent system for filing patent applications in foreign countries.

[Fig. 1]

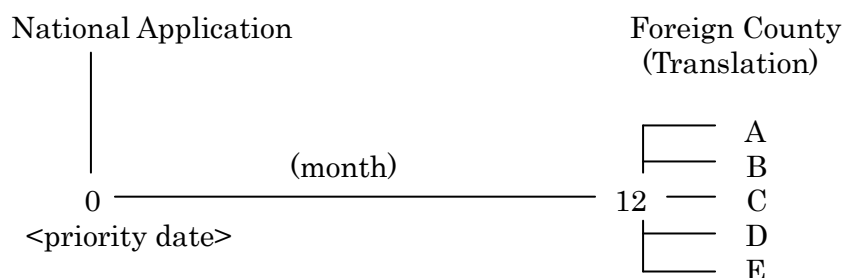


Fig. 1 shows a typical case for filing patent applications in foreign countries via the traditional Paris Convention route. According to the Convention route, an applicant usually files a national patent application in their own country, and subsequently files applications in other countries within 12 months from the filing date of the earlier national patent application (the priority date), claiming a priority based on that patent application.

#### (3) Work Load and Overlapping Work for Applicant and Patent Office

##### ○ Workload on an Applicant

- ① An applicant has to file a separate patent application in each of the foreign countries for which patent protection is sought within 12 months (the priority period) from the filing date of the earlier filed national patent



application (the priority date). In this case, the applicant has to prepare documents for filing patent applications in foreign countries.

- in accordance with different formalities in different countries
- in different languages in different countries

② At the time of filing the patent application in foreign countries, the applicant does not have enough information as to the possibility of obtaining a patent for the subject of the invention. However, the applicant must

- pay a fee for preparing a translation of the application for each country
- appoint an attorney in each country and pay the necessary fees to each attorney
- pay official fees to the Patent Office of each foreign country

#### ○ **Overlapping work in each Patent Office**

The Patent Office of each foreign country must

- ① conduct a formality examination
- ② publish patent applications after a predetermined period
- ③ search the prior arts of the inventions disclosed in patent applications, and examine patent applications based on the above search

## 2. PCT System for Filing Patent Application in Foreign Countries

### (1) Outline of the PCT

The PCT is an international treaty administrated by the World Intellectual Property Organization (WIPO). The PCT makes it possible to simultaneously seek patent protection for an invention in the PCT Contracting States by filing a single international application instead of filing national patent applications separately.

The Patent Cooperation Treaty (PCT) entered into force on January 24, 1978, and became operational on June 1, 1978.

### (2) Advantages to the Applicant and the National Office

#### ○ **Advantages to the Applicant**

- ① When an applicant wishes to file patent applications for a certain invention in a plurality of foreign countries, a single patent application may be filed under the PCT (the **International Application**) in one language with a single

patent Office (RO: **Receiving Office**). The international application has the effect of a national patent application in all PCT Contracting States <sup>(Note)</sup>, provided that it complies with the minimum requirements for obtaining an international filing date. The international filing date is regarded as the actual filing date in each Contracting State (142 States: December 1, 2010).

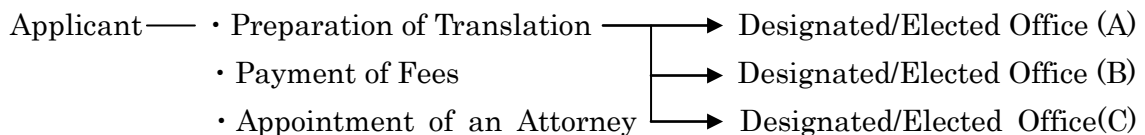
[**Note**] In the international application, the applicant must designate at least one Contracting State for which patent protection for an invention is sought (the **Designated State**). Under the current PCT system, all PCT Contracting States are considered to be designated in the international application (Rule 4.9(a)).

Applicant ————— (International Application) —————> Receiving Office

② Procedures for Entry into the National Phase:

- preparation of a translation for the international application in the language of each of the designated states
- appointment of an attorney in each of the states (and payment of necessary fees to each attorney)
- payment of official fees to the Patent Office of each state

The PCT allows the applicant to carry out all of the above procedures within 30 months (not 12 months) from the priority date.



○ **Advantages to the National Office**

① A single patent office conducts a formality examination of the international application and accords the international filing date effective in all of the designated states.

② The **International Searching Authority (ISA)** searches the prior arts of the invention disclosed in the international application, and prepares an **International Search Report (ISR)**. Further, a **Written Opinion of the ISA (WO/ISA)** is prepared with regard to novelty, inventive step, and industrial applicability.

③ An international application is published together with the ISR (**International Publication**) and is sent to the Patent Offices of the designated (elected) states (**Designated/Elected Offices**) requesting the same.

④ On the demand for international preliminary examination of the applicant, the **International Preliminary Examination Authority (IPEA)** carries out the

international preliminary examination (**IPE**) as to whether the claimed invention appears to be novel, involve an inventive step, and be industrially applicable.

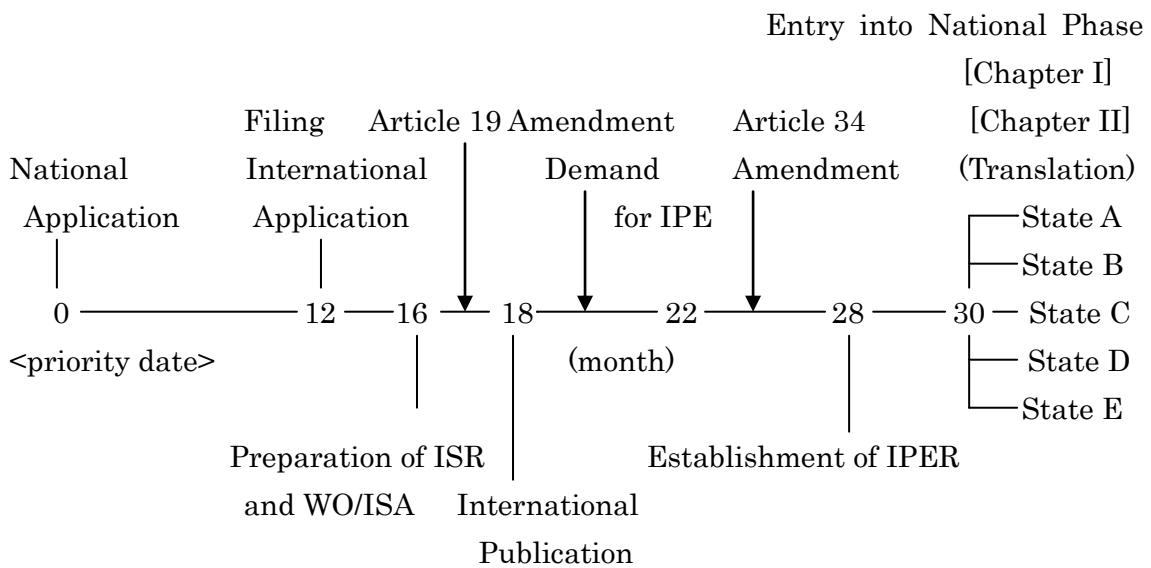
During the IPE, the applicant has an opportunity to respond to the opinion of the Examiner and may file an amendment, if necessary. Based on the result of the communication between the Examiner and the applicant, the **International Preliminary Examination Report (IPER)** is established.

### (3) Flow of the PCT System Procedure

--- In a case where priority is claimed ---

#### < Flow of Procedure of PCT System >

Following the flow shows a case where an international application is filed under the PCT claiming a priority based on the national patent application within 12 months from the filing date of that patent application.



#### <Features of the PCT System>

- (a) The filing of the International Application shall constitute the designation of all Contracting States at the time of filing the international application.
- (b) The International Searching Authority (ISA) prepares a Written Opinion (WO/ISA) in addition to the International Search Report (ISA).
- (c) A Demand for International Preliminary Examination may be made at any time prior to the expiration of whichever of the following periods expires later:
  - three months from the date of transmittal to the applicant of the ISR and WO/ISA; or
  - 22 months from the priority date.

- (d) The filing of a demand shall constitute the election of all Contracting States which are designated and are bound by Chapter II of the Treaty.
- (e) The time limit for entering the national phase is 30 months from the priority date, regardless of whether or not the applicant demands the International Preliminary Examination.

### **3. Present Status of the PCT**

#### **(1) PCT Contracting States** (see **APPENDIX (1)**)

At the Present Time (December 1, 2010) : 142 states

#### **(2) Number of International Applications Filed**

- a) Number of international applications filed worldwide (see **APPENDIX (2)**)
  - 2009 -----155,900 international applications
- b) Number of international applications filed in Japan (see **APPENDIX (3)**)
  - 2009 -----29,807 international applications
- c) Number of international applications filed by the top 20 countries of origin in 2009 (see **APPENDIX (4)**)
- d) Number of international applications filed by a selection of developing countries (see **APPENDIX (5)**)

### **4. General Remarks on the PCT System**

- (a) The PCT system is a “patent filing system”, not a “patent granting system” (there is no “PCT patent” and “international patent”).
- (b) The PCT system provides an “International Phase” and “National Phase (Regional Phase).”
- (c) The International Phase comprises:
  - filing of the international application
  - international search
  - international publication and
  - international preliminary examination
- (d) The decision on granting patents is made exclusively by national or regional Offices in the national phase.
- (e) Only inventions may be protected via the PCT by applying for patents, utility models and similar titles.

[Note] Design and trademark protection cannot be obtained via the PCT. There are separate international conventions dealing with these types of industrial

property protection (The Hague Agreement and the Madrid Agreement, respectively).

- (f) Adaptation of Arrival Policy: The procedures of the PCT in the international phase shall become effective at the time the Offices or the Authorities receive documents (for example, the PCT Article 11(1) prescribes that “The receiving office shall accord as the international filing date the date of receipt of the international application”).
- (g) The PCT is administrated by the World Intellectual Property Organization (WIPO), as are other international conventions in the field of industrial property such as the Paris Convention.

## 5. Organizations under the PCT

- (a) Administration of the overall PCT -----WIPO International Bureau (IB)
- (b) Receipt of International Applications -----Receiving Office (RO)
- (c) International Search ----- International Searching Authority (ISA)
- (d) International Preliminary Examination -----International Preliminary  
Examining Authority (IPEA)
- (e) National Phase ----- Designated Office (DO) (PCT Chapter I)  
Elected Office (EO) (PCT Chapter II)

### <Abbreviations>

RO/JP -----Japan Patent Office as a Receiving Office

ISA/EP ----- European Patent Office as an ISA

IPEA/JP ----Japan Patent Office as an IPEA

DO/US -----United State Patent and Trademark Office as a Designated  
Office

EO/JP ----- Japan Patent Office as an Elected Office

## [Part II] The International Application

### 1. Filing of International Applications

#### (1) Documents constituting the international application

- ① Documents that the international application must contain:
  - Request (Form PCT/R0/101 or prepared by PCT SAFE)
  - Description
  - Claims
  - Abstract\*
  - Drawings (where applicable)\*\*
- ② Documents that should be filed with the application (where applicable):
  - Separate Power of Attorney or Copy of General Power of Attorney\*
  - Priority Document(s)\*
  - Indications Concerning Deposited Microorganisms
  - Nucleotide and/or Amino Acid sequence Listing in the Prescribed Format\* and in Machine Readable Form\*

<Notes>

- \* may be filed later without affecting the international filing date
- \*\* subject to certain conditions, later submission of drawings results in a correction of the international filing date

#### (2) Physical Requirements of the International Application (Rule 11)

- ① A4-sized paper for all of the sheets
- ② Minimum and maximum margins for the sheets of text and drawings (see Rule 11.6)
- ③ Adequate quality for making copies
- ④ Numbering of pages (Rule 11.7, Administrative Instructions 207, 311)
  - 3 numbering series: (a) request
  - (b) description, claims, abstract
  - (c) drawings

#### (3) Where to file the International Application

- (a) Competent Receiving Office (RO)
  - the **national office** of the Contracting State of which the applicant is a resident or national, or
  - the **International Bureau of the WIPO** (Rule 19.1)
- ↻ Language of filing --- in the prescribed language accepted by the RO (Rule 12.1)

- (b) Competent Receiving Office and Language of International Application
- |   |                     |
|---|---------------------|
| <National Office>                             | <Language>          |
| ○ JAPAN PATENT OFFICE -----                   | Japanese or English |
| (For nationals and residents of Japan)        |                     |
| ○ PATENT OFFICE (INDIA) -----                 | English or Hindi    |
| (For nationals and residents of India)        |                     |
| ○ DIRECTORATE GENERAL OF IP (INDONESIA) ----- | English             |
| (For nationals and residents of Indonesia)    |                     |
| ○ IP CORPORATION OF MALAYSIA -----            | English             |
| (For nationals and residents of Malaysia)     |                     |
| ○ IP OFFICE (PHILIPPINES) -----               | English or Filipino |
| (For nationals and residents of Philippines)  |                     |
| ○ DEPARTMENT OF IP (DIP) -----                | English or Thai     |
| (For nationals and residents of Thailand)     |                     |
| ○ NATIONAL OFFICE OF IP (VIET NAM) -----      | English or Russian  |
| (For nationals and residents of Viet Nam)     |                     |

<International Bureau of the WIPO as the RO (RO/IB)>

For a national or resident in all of the contracting states of the PCT

☞ Language of filing --- any language

(If the language in which the international application is filed is not accepted by the International Searching Authority, the applicant has to furnish a translation thereof (Rule 12.3))

## 2. Basic Issues of an International Application

### (1) Minimum Requirements for Obtaining an International Filing Date

(PCT Article 11(1))

The receiving Office shall accord as the international filing date the date of receipt of the international application when the application fulfills the following minimum requirements:

**(a) Applicant** --- The applicant has the right to file with a national office of the Contracting State (the Receiving Office) of which the applicant is a national or resident (Rule 18, 19).

**(b) Language** -- The application is in a language accepted by the RO (Rule 12.1)

**(c) The application contains:**

- ① an indication of the intention to file a PCT application (Rule 4.2)
- ② the designation of at least one contracting state (Rule 4.9 (a))

[Note] As from January 1, 2004, it is unnecessary for the applicant to designate the contracting state(s), since all of the contracting states are automatically designated when the international application is filed.

- ③ a prescribed indication of the name of the applicant (Rule 4.5)
- ④ a description (Rule 5)
- ⑤ a claim (Rule 6)

If the receiving Office finds that the international application did not, at the time of receipt, fulfill the minimum requirements, it shall invite the applicant to file the required correction.

If the applicant complies with the invitation, the Receiving Office shall accord as the international filing date the date of receipt of the required correction. On the other hand, if the applicant does not fulfill the requirements, the application is not treated as an international application.

## **(2) Requirements not necessary for obtaining an International Filing Date (PCT Article 14)**

The receiving Office checks whether the international application contains any of the following defects:

### **(a) Certain Defects (A) in the International Application**

- (a) it is not signed as provided in the Regulations;
- (b) it does not contain the prescribed indications concerning the applicant (name, the address, nationality and residence) ;
- (c) it does not contain a title of the invention;
- (d) it does not contain an abstract;
- (e) it does not comply with the prescribed physical requirements;
- (f) the fees have not been paid within the prescribed time limit.

➤ If the receiving Office finds any of the said defects (a)-(f), it invites the applicant to correct the international application within the prescribed time limit, failing which the application shall be considered withdrawn.

On the other hand, the applicant can correct the said defects (a)-(f) without affecting the international filing date.

### **(b) Certain Defects (B) in the International Application**

- (g) a part of the description is missing;
- (h) a part of the claims is missing;
- (i) a part or all of the drawings is missing.

➤ If the receiving Office finds any of the said defects (g)-(i), it invites the applicant to complete the international application by furnishing the missing part.

Where the applicant furnishes to the receiving Office the missing part, after



the date on which all of the requirements for obtaining the international filing date were fulfilled, the part is included in the application, provided that the receiving Office corrects the international filing date to the date on which the receiving Office received that part. On the other hand, even if the applicant does not furnish the missing parts, the international application is not withdrawn and the international filing date is not corrected.

### **(3) The applicant of the international application**

- ① The applicant must be any natural person or legal entity (e.g., the assignee or the inventor)
- ② The request may, for different designated states, indicate different applicants (Rule 4.5(d)).
- ③ At least one of the applicants must be a national or resident of the Contracting State (Rule 18.3)
- ④ If the U.S.A. is designated, an applicant for the U.S.A must be the inventor of the application (PCT Article 27(3), Rule 18.4)

## **3. Incorporation by Reference**

Regarding the requirements provided with PCT Articles 11(1) and Article 14, where an **element** of the international application (description or claims) or a **part** of the description, claims or drawings (including all drawings) is not contained in the international application, but the element or part is completely contained in an earlier application whose priority is claimed, the missing element or part is incorporated by reference in the international application without affecting the international filing date.

<Elements and parts which can be incorporated by reference>

- Missing Elements: Description and claims
- Missing Parts: Part of description, claims or drawings (including all drawings)

## **4. The Request**

### **(1) The request shall contain** (Rule 4.1(a)):

- a petition (requesting the application to be processed according to the PCT)
- the title of the invention
- an indication concerning the applicant (and the agent)
- the designation of the States (from January 1, 2004, it is considered that all of the Contracting States shall be designated)

- an indication concerning the inventor

**(2) The request shall or, where applicable, may contain** (Rule 4.1(b), (c))

- a priority claim
- declaration relating to national requirements (e.g. a declaration as to the identity of the inventor, non-prejudicial disclosures or exception to lack of novelty, etc.)
- a reference to any earlier international, international-type or other search
- choice of certain kinds of protection (from January 1, 2004, it is considered that all kinds of protection shall be elected)
- an indication that the applicant wishes to obtain a regional patent (from January 1, 2004, it is considered that the applicant wishes to obtain all regional patents)
- an indication of a parent application or parent patent (from January 1, 2004, the applicant may indicate the same at the time of entry into the National Phase. Note that the applicant must indicate a relevant parent application or parent patent in a request, if the applicant specifies any application for which any earlier search has been carried out.)

**(3) The Request** (Form PCT/R0/101)

(see **APPENDIX (6)**)

## **5. The Designation of the Contracting State or States and a Regional Patent**

### **(1) The Designation of the Contracting State or States**

An applicant shall designate at least one PCT Contracting State in the request for which the applicant wishes to obtain a patent for an invention (Article 11(1)(iii)(b)).

Under the current PCT system, the filing a request shall constitute the designation of all PCT Contracting States on the international filing date (Rule 4.9(a)(i)).

### **(2) The Designation of a Regional Patent**

An applicant may designate PCT Contracting States for the following Regional Patents in the international application under the PCT.

However, according to the current PCT Regulations, all of the member States of the Regional Patent Conventions are considered to be designated for the Regional Patents (Rule 4.9(a)(iii)).

<PCT Contracting States which can be designated for the Regional Patent>

- European Patent Convention (EPC)  
European Patent --- Member States: 38 states
- Eurasian Patent Convention (EAPC)  
Eurasian Patent ---- Member States: 9 states
- African Intellectual Property Organization (OAPI) System  
OAPI patent-----Member States: 16
- Harare Protocol System in the framework of the African Regional Intellectual Property Organization (ARIPO)  
ARIPO patent ----- Member States: 16 states

(3) PCT Contracting States for which a Regional Patent can be obtained via the PCT (see APPENDIX (7))

## 6. Types of Protection Available via the PCT

The applicant can ask for protection of a utility model instead of a national patent, patent of addition, or inventor's certificate by filing the International Application (see APPENDIX (8))

## 7. Electronic Application

○ Electronic Application with the International Bureau of the WIPO (RO/IB)

For international applications written in English, by filing the application using software for on-line applications (PCT-SAFE) prepared by the International Bureau of the WIPO, the applicant can obtain the following reduction of fees.

(a) When the Request is prepared using PCT-SAFE and the Description, Claim, Drawing and Abstract are prepared in PDF or TIFF, a reduction of 200 Swiss Francs may be obtained.

(b) When all of the documents (Request, Description, Claim, Drawing and Abstract) are prepared as XML data and only a linked image is prepared in TIFF, a reduction by 300 Swiss Francs may be obtained.

[Note 1] PCT-SAFE (PCT **S**ecure **A**pplication **F**iled **E**lectrically)

[Note 2] Only English is accepted as the language for on-line applications with RO/IB

## 8. Description (Rule 5)

### (1) Manner of the Description (Rule 5(a), (b))

The description shall first state the **title of the invention** as appearing in the request, and shall:

- (i) specify the technical field to which the invention relates (**Technical Field**);
- (ii) indicate the background art which can be regarded as useful for the understanding, searching and examination of the invention, preferably cite the documents reflecting such art (**Background Art**);
- (iii) disclose the invention, as claimed, in such terms that the technical problem and its solution can be understood, and state the advantageous effects, if any, of the invention with reference to the background art (**Disclosure of Invention**);
- (iv) briefly describe the figures in the drawings, if any (**Brief Description of Drawings**);
- (v) set forth at least the best mode contemplated by the applicant for carrying out the invention claimed (**Best Mode for Carrying out the Invention**);
- (vi) indicate explicitly, when it is not obvious from the description or nature of the invention, the way in which the invention is capable of exploitation in industry and the way in which it can be made and used (**Industrial Applicability**).

### (2) Nucleotide and/or Amino Acid Sequence Disclosure

- Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, the descriptions shall contain a sequence listing complying with the standard provided for in the Administrative Instructions and presented as a separate part of the description in accordance with that standard. (Rule 5.2(a))

- The Competent International Searching Authority may invite the applicant to furnish a sequence listing in computer readable form complying with the standard provided for in the Administrative Instructions, in addition to a sequence listing contained in the application. (Rule 13ter.1 (a))

## 9. Claims

### (1) Manner of Claiming

(a) The definition of the matter for which protection is sought shall be in terms of the technical features of the invention.

(b) Whenever appropriate, claims shall contain:

- (i) a statement indicating those technical features of the invention which are

necessary for the definition of the claimed subject matter but which, in combination, are part of the prior art,

(ii) a characterizing portion preceded by the words "characterized in that," "characterized by," or any other words to the same effect (stating concisely the technical features which, in combination with the features stated under (i), it is desired to protect).

## (2) Kind of Claims

- Independent Claim: Claim which does not refer to other claim or claims
- Dependent Claim: Claim which refers to one or more other claims, and therefore includes all features of one or more other claims
- Multiple Dependent Claim: Dependent claim which refers to more than one other claim

[Note 1] Multiple dependent claims shall refer to more than one other claim in the alternative only.

[Note 2] Multiple dependent claims shall not serve as a basis for any other multiple dependent claims.

## (3) Unity of Invention

The international application shall relate to one invention only, or to a group of inventions so linked as to form a single general inventive concept. (Rule 13.1)

Specifically, the international application shall fulfill the following requirements for unity of invention:

(a) Where a group of inventions is claimed in one and the same international application, there must be a technical relationship among those inventions involving one or more of the same or corresponding special technical features.

(b) The expression "**special technical features**" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes up the prior art. (Rule 13.2)

### <Examples Concerning Unity of Invention>

#### Example 1

*Claim 1: A method of manufacturing chemical substance X.*

*Claim 2: Substance X.*

*Claim 3: The (method of) use of substance X as an insecticide.*

Unity exists between claims 1, 2 and 3. The special technical feature common to all the claims is substance X. However, if substance X is known in the art, unity would be lacking because there would not be a special technical feature common to all the claims.

### Example 2

*Claim 1: A process of manufacture comprising steps A and B.*

*Claim 2: Apparatus specifically designed for carrying out step A.*

*Claim 3: Apparatus specifically designed for carrying out step B.*

Unity exists between claims 1 and 2 or between claims 1 and 3. There is no unity between claims 2 and 3, since there exists no common special technical feature between the two claims.

### Example 3

*Claim 1: Plug characterized by feature A*

*Claim 2: Socket characterized by corresponding feature A*

Feature A is a special technical feature that is included in both claims 1 and 2, and therefore unity is present.

### Example 4

*Claim 1: Conveyor belt with feature A*

*Claim 2: Conveyor belt with feature B*

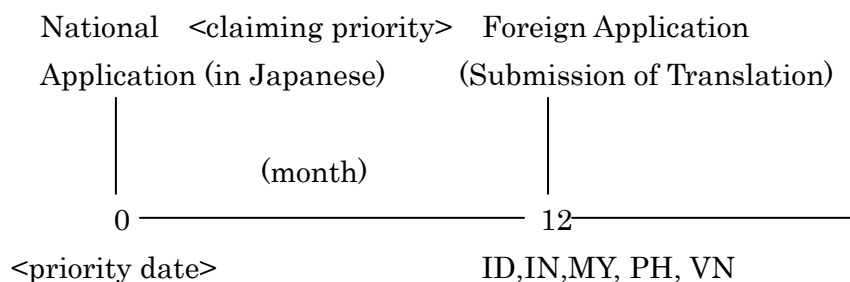
*Claim 3: Conveyor belt with features A + B*

Feature A is a special technical feature and feature B is another unrelated special technical feature. Unity exists between claims 1 and 3 or between claims 2 and 3, but not between claims 1 and 2.

## 10. The PCT and Claiming Priority

### (1) Claiming Priority under the Paris Convention

patent application in the first country ⇒ patent application in the second country

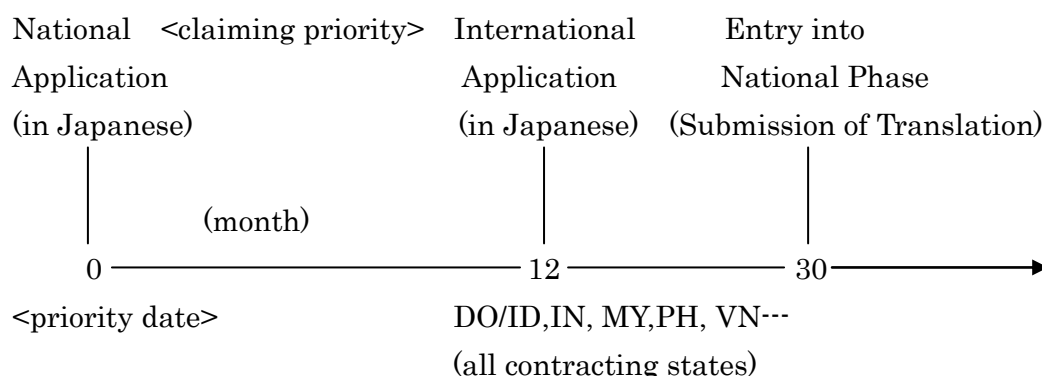


An applicant

- files a national patent application in Japanese at the Japan Patent Office;
- files a patent application in foreign countries within 12 months from the filing date of the national patent application, claiming priority based on the earlier filed national patent application.

**(2) The PCT and Claiming Priority under the Paris Convention (PCT Article 8)**

patent application in the first country ⇨ international application



An applicant

- files a national patent application in Japanese at the Japan Patent Office;
- files an international application in Japanese at the Japan Patent Office within 12 months from the date of filing of the earlier filed national patent application, claiming priority based on the national patent application;
- proceeds with entry procedures into the national phase within 30 months from the priority date at the Patent Offices of the designated states for which a patent is desired to be obtained.

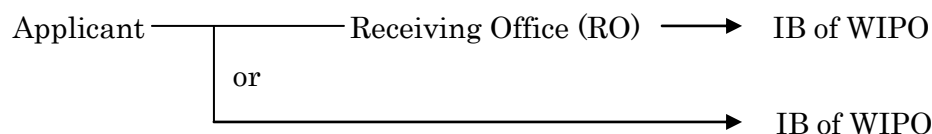
**(3) Furnishing of the Priority Documents by the Applicant**

①The applicant shall submit one priority document to the Receiving Office (RO) or the International Bureau (IB) of WIPO before the expiration of 16 months from the (earliest) priority date (Rule 17.1 (a)).

②Where the priority document is issued by the RO, the applicant may request the RO to prepare and transmit the priority document to the IB (Rule 17.1(b))

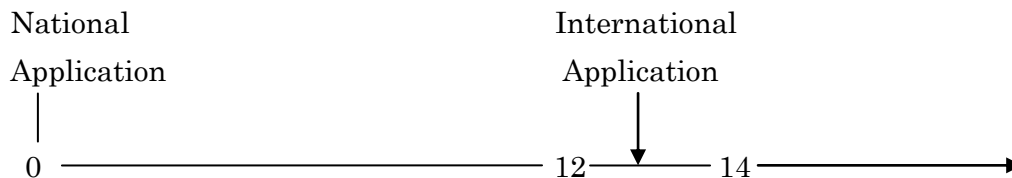
③The applicant may correct or add a priority claim to the request by a notice to the RO or IB within a time limit of 16 months from the priority date. The notice may be submitted until the expiration of 4 months from the international filing date (Rule 26bis.1).

< Furnishing of the Priority Documents>



## 11. Restoration of Right of Priority (Rule 26bis.3)

Where the application has an international filing date which is later than the date on which the priority period expired but within the period of two months from that date, the receiving shall, on the request of the applicant, restore the right of priority if the Office finds that a criterion applied by it is satisfied.



## 12. Correction or Addition of Priority Claim

### (1) Correction or Addition of Priority Claim (Rule 26bis.1)

The applicant may correct a priority claim or add a priority claim to the request by a notice submitted to the receiving Office or the International bureau.

< Time limit for correcting or adding a priority claim >

- within 16 months from the priority date or, where the correction or addition would cause a change in the priority date,

- 16 months from the priority date as so changed, whichever 16-month period expired first, provided that such a notice may be submitted until the expiration of four months from the international filing date.

<Note> Where the correction or addition of a priority claim causes a change in the priority date, any time limit which is computed from the previously applicable priority date and which has not already expired shall be computed from the priority date as so changed.

### (2) Defects in Priority Claims (Rule 26bis.2)

Where the receiving Office or the International Bureau finds the following defects in relation to a priority claim, they shall invite the applicant to correct the priority claim:

- (i) The international application has an international filing date which is later than the date on which the priority period expired, and a request for restoration of the right of priority has not been submitted;

- (ii) The priority claim does not comply with the requirements of Rule 4.10 (the date on which the earlier application was filed, the number thereof, etc.);



(iii) Any indication in the priority claim is inconsistent with the corresponding indication appearing in the priority document;

**(3) Priority Date as a Basis to Calculating Time Limit** (Rule 26bis.2(c)(iii))

Even if a receiving Office has notified the IB of the incompatibility of PCT Rule 26bis.3 (Restoration of Priority) with its national law, PCT Rule 26bis.2(c)(iii), which is applicable in respect of *all* receiving Offices, provides that a priority claim shall not be considered void if the international filing date is within two months from the date on which the priority period expired. Also, the date of the earlier application (priority date) will serve as a basis to calculate time limits during the international phase.

**13. Fees**

<Kind of Fee>	<Time Limit for Payment>
• Transmittal Fee -----	Shall be paid within one month from the date of receipt of the international application
• International Search Fee-----	Shall be paid within one month from the date of receipt of the international application
• International Filing Fee -----	Shall be paid within one month from the date of receipt of the international application

**14. Function and Service of the Receiving Office (RO)**

- (a) Accord or refuse the international filing date (PCT Article 11)  
(the RO checks the requirements for according the international filing date)
- (b) Check formal and physical requirements of the international application (PCT Article 14)
- (c) Collect fees for the RO, the International Searching Authority (ISA), and the International Bureau of WIPO (IB)
- (d) Check whether or not necessary fees have been paid within the time limit
- (e) Forward a record copy to the IB and a search copy to the ISA
- (f) Transmit the priority documents to the IB

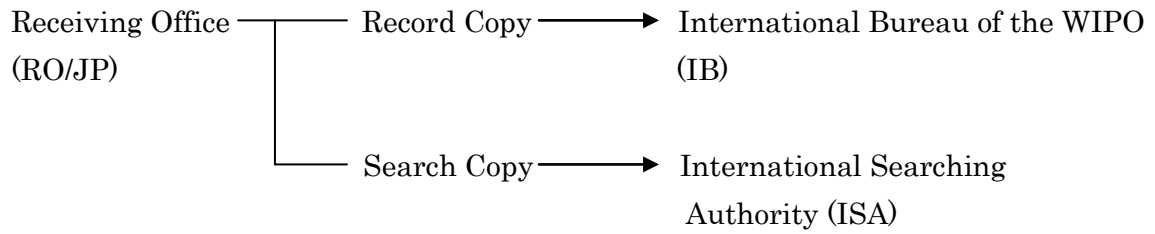
<Request for Transmitting the Priority Documents: PCT Rule 17.1(b)>

When the priority document is issued by the RO (e.g., Japan Patent Office), the applicant may, instead of submitting the priority document, request the RO to prepare and transmit the priority document to the IB.

Such a request shall be made not later than 16 months after the priority date, and

may be subjected to the payment of a fee.

<Transmittal of International Application> (PCT Article 12(1))



## **[Part III] International Search and International Publication**

### **1. International Search**

The International Search is carried out by the International Searching Authority (ISA). The ISA establishes:

- **International Search Report (ISR)** and
- **Written Opinion of the International Searching Authority (WO/ISA)**

#### **(1) What Is the International Search?** (PCT Article 15)

##### (a) Positioning

The international search is one of the most significant elements, and each international application shall be the subject of an international search.

##### (b) Object and Content

① The objective of the international search is to discover “relevant prior art”.  
(Regarding relevant prior art, see Rule 33.1(a))

② The international search shall be made on the basis of the claims, with due regard to the description and the drawings.

③ The international Searching Authority (ISA) shall, in any case, consult the documentation specified in the Regulations (PCT Minimum Documentation: Rule 34).

④ Further, ISA examines whether the application complies with the requirements of:

- Title of invention (Rule 37)
- Abstract of invention (Rule 38)
- Unity of invention (Rule 40)

#### **(2) Case not Establishing International Search Report (ISR)** (PCT Article 17(2)(a))

In the following cases, no ISR will be established.

- ① If international application relates to a subject matter for which the ISA is not required, under the Regulations, to search (Rule 39)
- ② If the description, the claims, or the drawings of the international application, fail to comply with the prescribed requirements to such an extent that a meaningful search could not be carried out
- ③ If the dependent claims fail to comply with the requirements prescribed under the Regulations (Rule 6.4)

[Example of Rule 6.4 third sentence]

< Rule 6.4 third sentence >

Multiple dependent claims shall not serve as a basis for any other multiple dependent claim.

- Claim 1: An electric motor comprising a constituent A (Independent Claim)
- Claim 2: An electric motor as set forth in claim 1, wherein a structure of a coil is “a” (Dependent Claim)
- Claim 3: An electric motor as set forth in claim 1 or 2, wherein a structure of a rotor is “b” (Multiple Dependent Claim)
- Claim 4: An electric motor as set forth in claim 1 or 2, wherein a structure of a stator is “c” (Multiple Dependent Claim)
- × • **Claim 5**: An electric motor as set forth in claim 3 or 4, wherein a structure of a frame is “d” (Multiple Dependent Claim on the basis of Multiple Dependent Claims)

**(3) Subject matter for which the ISA is not required to search** (Rule 39)

No International Searching Authority shall be required to search an international application if, and to the extent to which, its subject matter is any of the following:

- (i) scientific and mathematical theories,
- (ii) plant or animal varieties or essentially biological process for the production of plants and animals, other than microbiological processes and the products of such processes,
- (iii) schemes, rules or methods of doing business, performing purely mental of such processes,
- (iv) methods for treatment of the human or animal body by surgery or therapy, as well as diagnostic methods,
- (v) mere presentations of information,
- (vi) computer programs to the extent that the International Searching Authorities is not equipped to search prior art concerning such programs.

**(4) Written Opinion of the International Searching Authority (WO/ISA)**

The International Searching Authority shall, at the same time as it establishes the international search report (ISR), establish a written opinion (WO/ISA) as:

- (i) whether the claimed invention appears to be novel, to involve inventive step, and be industrially applicable;
  - (ii) whether the international application complies with the requirements of the Treaty and these Regulations in so far as checked by the ISA. to
- (Rule 43bis.1)

### <Character of WO/ISA>

The written opinion (WO/ISA) is established in any case, and if an applicant demands for the international preliminary examination, the WO/ISA is considered to be the first written opinion of the International Preliminary Examining Authority (WO/IPEA), in which case the applicant is invited to submit to the International Preliminary Examining Authority a written reply together, where appropriate, with amendments.

On the other hand, if the applicant does not demand for the international preliminary examination, the written opinion (WO/ISA) is given the title “International Preliminary Report on Patentability (Chapter I of the Patent Cooperation Treaty).”

## 2. International Searching Authority (ISA)

### (1) International Searching Authority (PCT Article 16)

The international search is carried out by an International Searching Authority, which may be either a national Office or an intergovernmental organization.

The end aim is to establish a single International Searching Authority (Article 16(2))

### < International Searching Authority (ISA)>

There are 17 international searching authorities (2010.11.1).

<Name of Authority>                      <Language Accepted for International Search>

- The Japan Patent Office (JP) ----- Japanese, English
- The United States Patent and Trademark Office (US) ----- English
- The European Patent Office (EP) -----English, German, French
- The Swedish Patent and Registration Office (SE) -----English, French, Danish, Norwegian, Swedish, Finnish
- The Australian Patent Office (AU) ----- English
- The Austrian Patent Office (AT) ----- English, German, French
- The Federal Service for Intellectual Property, Patents and Trademarks (ROSPATENT)(RU)----- Russian, English, French, German, Spanish
- The State Intellectual Property Office (CN) ----- Chinese, English

- The Spanish Patent and Trademark Office (ES) ----- Spanish
- The Korean Intellectual Property Office (KR) ----- Korean, English
- The Canadian Patent Office (CA) ----- --English, French
- The National Board of Patents and Registration of Finland (FI) -----English, Finnish, Swedish
- The Nordic Patent Institute (XN) ----- Danish, English, Icelandic, Norwegian, Swedish
- The National Institute of Industrial Property (BR) ----- --English, Portuguese, Spanish
- The Patent Office (India) (IN) -----(Not yet determined)
- The Egyptian Patent Office (EG) -----(Not yet determined)
- The Israel Patent Office (IL) ----- (Not yet determined)

**(2) Distribution of ISRs by ISAs (2009)** (see **APPENDIX (9)**)

APPENDIX (9) shows the distribution of international search reports (ISRs) issued by all ISAs in 2009.

**(3) Receiving Office (RO) and Competent International Searching Authority (ISA)**  
(Rule 35)

(a) The Competent International Searching Authority

Each receiving Office informs the International Bureau which International Searching Authority competent for the searching of the international applications filed with it.

(b) When an international application is filed with the Japan Patent Office as the RO, the competent International Searching Authorities are:

- Japan Patent Office (ISA/JP), if the application is filed in Japanese
- European Patent Office (ISA/EP) or Japan Patent Office (ISA/JP),  
if the application is filed in English

(c) Receiving Office and Competent International Searching Authority (ISA)

<Receiving Office> <Competent ISA>

- JAPAN PATENT OFFICE -----JPO, EPO  
(For nationals and residents of Japan)
- PATENT OFFICE (INDIA) -----AU-PO, AT-PO, EPO, SIPO,SE-PRO, USPTO  
(For nationals and residents of India)
- DIRECTORATE GENERAL OF IP (INDONESIA) -----AU-PO, EPO, RU-PO,

- (For nationals and residents of Indonesia) KIPO
- IP CORPORATION OF MALAYSIA -----AU-PO, EPO, KIPO  
(For nationals and residents of Malaysia)
- IP OFFICE (PHILIPPINES) -----AU-PO, EPO, JPO, KIPO, USPTO  
(For nationals and residents of Philippines)
- DEPARTMENT OF IP (DIP) -----EPO, JPO, KIPO, SIPO, USPTO  
(For nationals and residents of Thailand)
- NATIONAL OFFICE OF IP (VIET NAM) -----AU-PO, AT-PO, EPO, RU-PO,  
(For nationals and residents of Viet Nam) KIPO, SE-PRO

**(4) Search Fees** (from January 1, 2011)

<ISA>	<Search Fee>
ISA/JP -----	USD 1,163
ISA/US -----	USD 2,080
ISA/EP -----	USD 2,443
ISA/KR -----	USD 1,157 (carried out in English) USD 401 (carried out in Korean)
ISA/AU -----	USD 1,837
ISA/AT -----	USD 2,326
ISA/CN -----	USD 314
ISA/SE -----	USD 2,443
ISA/RU -----	USD 443

**(5) Minimum Requirements for International Searching Authorities (Rule 36)**

The minimum requirements shall be the following:

- ① The national Office or intergovernmental organization must have at least 100 full-time employees with sufficient technical qualifications to carry out searches;
- ② That Office or organization must have in its possession, or have access to, at least the minimum documentation referred to in Rule 34, properly arranged for search purposes;
- ③ That Office or organization must have a staff which is capable of searching the required technical fields and which has the language facilities to understand at least those languages in which the minimum documentation is written or is translated.

### 3. International Search Report (ISR)

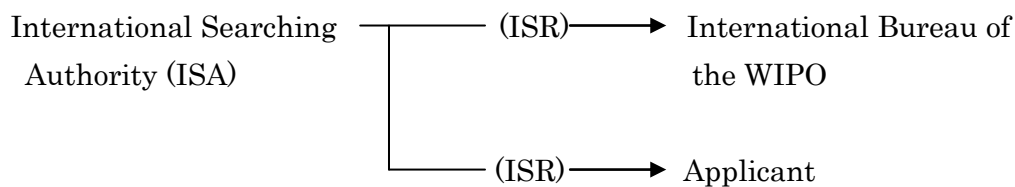
#### (1) Time Limit for Establishing the International Search Report (Rule 42)

- Three months from the receipt of the search copy or
- Nine months from the priority date, whichever time limit expires later.

#### (2) International Search Report (ISR) (Rule 43)

(See APPENDIX (10))

#### (3) Transmittal of International Search Report (ISR) (Rule 44)



#### (4) Publication of the ISR

The international search report (ISR) and its English translation prepared by the International Bureau are published together with the international application.

The meaning of "Kind Code" indicated on the front page of the international publication is as follows.

- A1 --- International application published with ISR
- A2 --- International application published without ISR
- A2 --- International application published with declaration under Article 17(2)(a)
- A3 --- Later publication of ISR with revised front page

### 4. Written Opinion of the ISA (WO/ISA)

#### (1) Written Opinion of the ISA (WO/ISA)

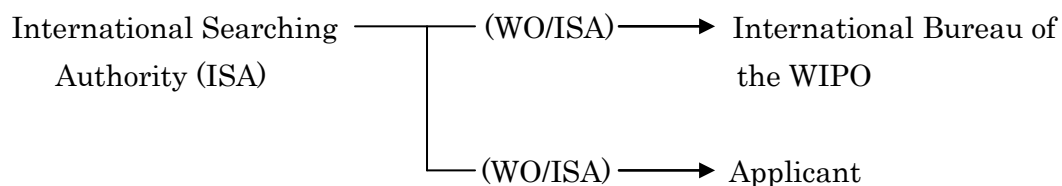
(See APPENDIX (11))

##### (a) Time Limit for Establishing the Written Opinion of the ISA (WO/ISA)

Same as the time limit for establishing the International Search Report



(b) Transmittal of Written Opinion of the ISA (WO/ISA) (Rule 44.1)



**(2) International Preliminary Report on Patentability**

**(Chapter I of the Patent Cooperation Treaty)** (See **APPENDIX (12)**)

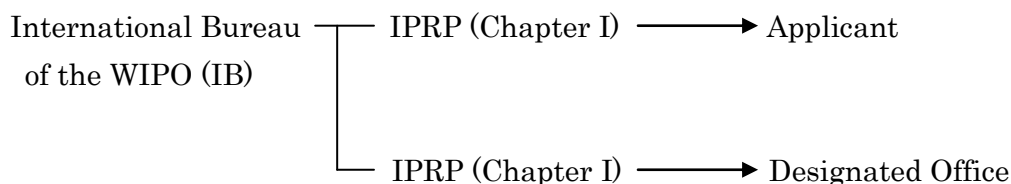
If a demand for international preliminary examination of the international application is not made, the International Bureau of the WIPO issues a report on behalf of the ISA. The report shall have the same content as the written opinion established by the ISA (WO/ISA). The report bears the title:

**“International Preliminary Report on Patentability**

**(Chapter I of the Patent Cooperation Treaty)”** (abbr.: IPRP (Chapter I)).

The International Bureau transmits one copy of the report to the applicant.

The International Bureau of the WIPO transmits a copy of the report to the designated Offices which made a request, but not before the expiration of 30 months from the priority date.



**5. Response to the ISR and WO/ISA**

**(1) Filing of Article 19 Amendment**

After having received the ISR and WO/ISA, an applicant may once amend the claims of the international application under Article 19, by filing amendments with the International Bureau within the prescribed time limit, in order to avoid prior arts and overcome negative opinions raised by the International Searching Authority.

**(2) Submission of Informal Comments**

The written opinion of the ISR (WO/ISA) is established based on the international application as filed without providing the applicant with any

opportunity to express an opinion. Accordingly, if the applicant wishes to argue against the written opinion (WO/ISA), the applicant may informally submit comments to the International Bureau. If the comments are submitted, the International Bureau transmits the comments together with a copy of IPRP (Chapter I) to the designated Office.

<Note> Since the written opinion of the ISA (WO/ISA) is an opinion established without providing any opportunity for the applicant to express an opinion, an international publication of the written opinion of the ISA (WO/ISA) is not made.

## 6. PCT Article 19 Amendment

### (1) Amendment of the claims under Article 19 (PCT Article 19)

• The applicant shall, after having received the ISR, be entitled to one opportunity to amend the claims of the international application by filing amendments.

• The amendment shall be effective toward all of the designated states.

• The amendment shall not go beyond the disclosure in the international application as filed.

<Note> Usually, Article 19 amendment is not necessary when a demand for international preliminary examination is filed.

### (2) Filing of PCT Article 19 Amendment (Rule 46)

a) Time limit for filing: two months from the date of transmittal of ISR, or 16 months from the priority date, whichever time limit expires later.

If an amendment made under Article 19 reaches the International Bureau before the technical preparation for international publication has been completed, it is considered to have been received by that Bureau on the last day of that time limit.

b) Where to file: directly with the International Bureau of WIPO

c) Language of amendment: language of the international publication.

### (3) Brief Statement of Article 19 Amendments

#### (a) Filing of Statement

The applicant may, at the time of filing the amendment, file a brief statement explaining the amendment and indicating any impact that such amendment might have on the description and the drawings.

#### (b) Content of Statement (Rule 46.4)

Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

<Note> The Article 19 amendment and its brief statement are published together with the international application.

## 7. Supplementary International Search (Rule 45bis)

### (1) Objectives of Supplementary International Search (SIS)

Supplementary International Search is introduced for the following objectives:

(a) to reply to PCT applicant's concerns about new prior art which is found in the national phase after they have already incurred significant costs,

(b) to reduce this risk by introducing optional supplementary searches in the PCT international phase,

(c) to expand the scope of search in the international phase taking into account the growing linguistic diversity in prior art.

### (2) Supplementary International Searching Authority (SISA)

The international search is carried out for each international application by a competent international searching authority (main ISA).

The applicant may, at any time prior to the expiration of 19 months from the date, request that a supplementary international search be carried out in respect of the international application by an International Searching Authority which offers to carry out the supplementary international search. Such requests may be made in respect of more than one Authority.

#### ○ SISA: ISAs which offered to carry out the SIS

<SISA>	<Required Language>
ISA/RU -----	Russian or English
ISA/SE -----	Swedish, English, Danish, or Norwegian
ISA/XN -----	Danish, English, Norwegian Icelandic or Swedish
ISA/ EP -----	English, French or German
ISA/AU -----	English

### (3) Supplementary International search Report

The supplementary international search shall be carried out on the basis of the international application as filed, taking due account of the international search report and the written opinion of the International Searching Authority (WO/ISA), and therefore Article 19 and 34 amendments are not taken into consideration (Rule

45bis.5 (b).

Supplementary International Searching Authority (SISA) shall establish the supplementary search report within 28 months from the priority date (Rule 45bis.7 (a))

## **8. International Publication**

### **(1) Outline of the International Publication** (PCT Article 21)

The international application is published by the International Bureau promptly after the expiration of 18 months from the priority date of that application.

<Languages of Publication: 10 languages>

Arabic, Chinese, English, French, German, Japanese, Korean, Portuguese, Russian or Spanish

If the international application is filed in a language of publication, that application is published in the language in which it was filed.

When the international application is not filed in a language of publication, the applicant prepares a translation into the language of publication and that translation is published.

### **(2) Contents of International Publication**

The publication of the international application contains following items.

(i) Front page (bibliographic data, abstract, representative drawing)

(see **APPENDIX (13):A2, APPENDIX (14):A3**)

(ii) Description

(iii) Claims

(iv) Drawings, if any

(v) ISR (English translation thereof is also attached)

(vi) Article 19 amendments and any statement

If the international application is published in a language other than English, the international search report or the declaration referred to in Article 17(2)(a), the title of the invention, the abstract and any text matter pertaining to the figure(s) accompanying the abstract are published both in that language and in English.

### **(3) Gazette**

The International Bureau shall publish a Gazette. The Gazette contains, for each published international application, the data specified by the Administrative Instructions taken from the front page of the publication of the international

application, the drawing (if any) appearing on the front page, and the abstract. (Rule 86.1) (see [APPENDIX \(15\)](#))

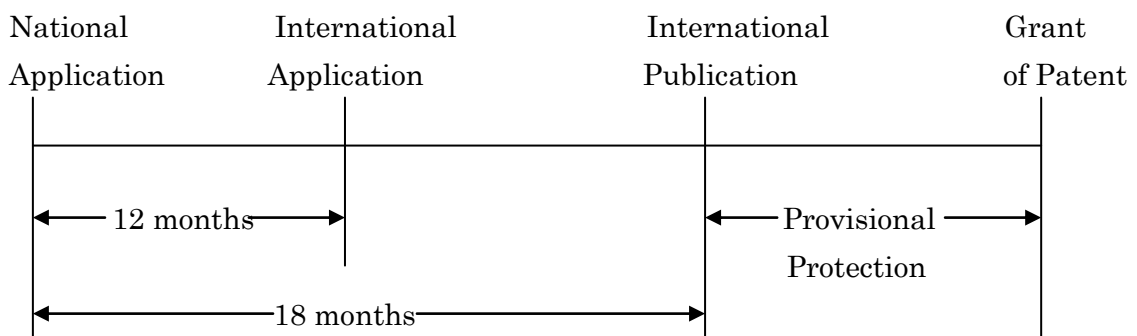
**9. Effect of International Publication** (PCT Article 29)

The effects of the international publication of an international application is the same as those which the national law of the designated State provides for the compulsory national publication of unexamined national application as such.

<Provisional Protection in Japan>

**(1) In the case of International Application in Japanese**

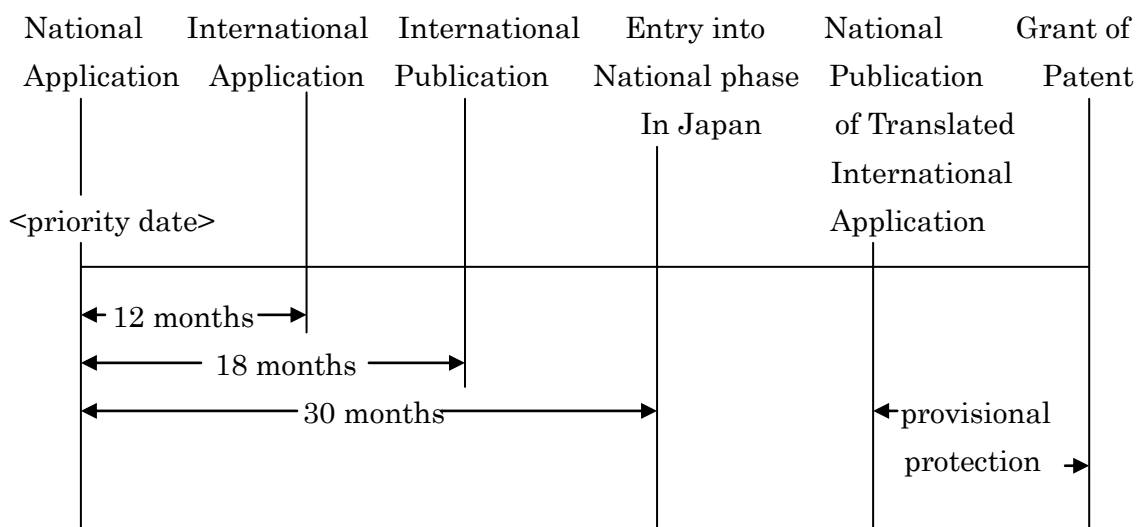
(Japanese Patent Law Article 184 decies)



<priority date>

**(2) In the case of International Application in foreign language**

(Japanese Patent Law Article 184 decies)



## **10. Withdrawal of International Application and Priority Claims**

### **(1) Withdrawal of International Application** (Rule 90bis.1)

The applicant may withdraw the international application at any time prior to the expiration of 30 months from the priority date.

Withdrawal is effective on the receipt of a notice addressed by the applicant to the International Bureau, the receiving Office or the International Preliminary Examining Authority.

### **(2) Withdrawal of Designations** (Rule 90bis.2)

The applicant may withdraw the designation of any designated State at any time prior to the expiration of 30 months from the priority date.

Withdrawal is effective on the receipt of a notice addressed by the applicant to the International Bureau, the receiving Office or the International Preliminary Examining Authority.

### **(3) Withdrawal of Priority Claims** (Rule 90bis.3)

The applicant may withdraw a priority claim at any time prior to the expiration of 30 months from the priority date.

Withdrawal is effective on the receipt of a notice addressed by the applicant to the International Bureau, the receiving Office or the International Preliminary Examining Authority.

Where the withdrawal of a priority claim causes a change in the priority date, any time limit which is computed from the original priority date and which has not already expired shall be computed from the priority date resulting from that change.

### **(4) Withdrawal of the Demand, or Elections** (Rule 90bis.4)

The applicant may withdraw the demand or any or all elections at any time prior to the expiration of 30 months from the priority date.

Withdrawal shall be effective on the receipt of a notice addressed by the applicant to the International Bureau.

## **11. Functions of the WIPO International Bureau**

Principal services by the International Bureau are (IB) as follows:

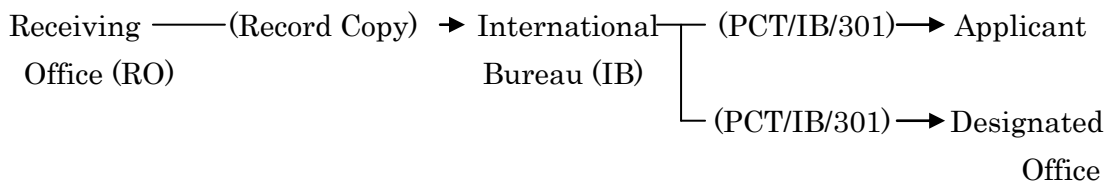
### ① Receipt of the Record Copies

The IB inputs the bibliographic data and notifies the receipt of the record

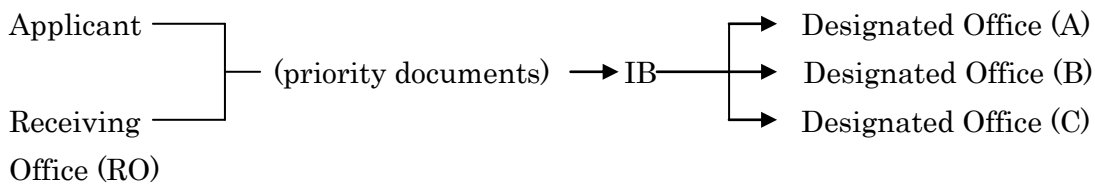
copy to the applicant and designated Office (DO) (Form PCT/IB/301).

- ② Receipt of the Priority Document and Transmittal of the Copy to the designated Office (Form PCT/IB/304)
- ③ Receipt of amendments to the claims (Article 19 Amendment)  
The IB receives Article 19 Amendment and publishes the same.
- ④ International Publication  
The IB publishes the international application, international search report (ISR) and Article 19 Amendment.
- ⑤ Transmittal of copies of the international application and international search report (ISR) to the designated state
- ⑥ Transmittal of the international preliminary examination report (IPER) to the elected state
- ⑦ Translation of titles and abstracts into English and French
- ⑧ Translation of the international search report into English
- ⑨ Translation of the written opinion of the international searching authority (WO/ISA) into English
- ⑩ Translation of the international preliminary examination report (IPER) into English

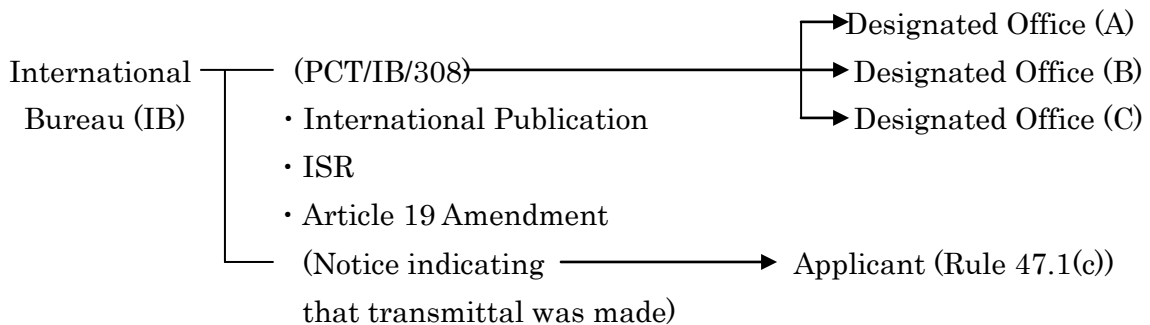
<Notification of Receipt of the Record Copy> (Rule 24.2(b))



<Transmittal of the Priority Documents> (Rule 17.2(a))



<Transmittal of the International Application> (PCT Article 20)



## **[Part IV] International Preliminary Examination (IPE)**

### **1. Outline of International Preliminary Examination (IPE)**

#### **(1) What is the International Preliminary Examination?**

##### **(a) Positioning**

The international preliminary examination is one of the most significant elements and is an optional feature, which is made on the demand of the applicant desiring to obtain information for making a decision on the possibility of obtaining a patent for the application based on the result of the international search of the application (PCT Article 31).

##### **(b) Object (PCT Article 33(1))**

The objective of the international preliminary examination is to formulate a preliminary and non-binding opinion on

- Novelty
- Inventive step
- Industrial applicability

#### **(2) Filing a Demand for the International Preliminary Examination**

(a) For what kinds of cases it is better to file a demand for the international preliminary examination?

① The applicant wishes to obtain a positive international preliminary examination report (IPER) by submitting a written reply to the International Preliminary Examining Authority (IPEA) or filing amendments, when all or parts of the opinions in the written opinion of the International Searching Authority (WO/ISA) is negative.

② The applicant wishes to amend the international application (not only claims, but also description and drawing).

(b) Time Limit for Filing a Demand for the International Preliminary Examination

A demand may be made at any time prior to the expiration of whichever of the following period expires later:

(i) three months from the date of transmittal to the applicant of the international search report (ISR) or the declaration referred to in Article 17(2)(a), and of the written opinion (WO/ISA); or

(ii) 22 months from the priority date.

(c) Election of States

—The demand shall indicate the Contracting State or States in which the



applicant intends to use the results of the international preliminary examination (: PCT Article 31 (4)(a)).

That States are elected from the designated States (**Elected States**).

– States which shall be elected

• Any Contracting State already designated may be elected except the state(s) not bound by Chapter II (PCT Article 31(4)(b), PCT Article 61(1)(a))

• At the present, among 142 Contracting States, there is no State not bound by Chapter II. Accordingly, all of the designated States may be elected.

– The filing of a demand for the international preliminary examination constitutes the election of all Contracting States which are designated and are bound by Chapter II (Rule 53.7).

(d) Who may file a demand for the International Preliminary Examination? (Rule 54)

– Any applicant

- who is a national or resident of a Contracting State bound by Chapter II, and
- whose international application was filed with the patent Office of the Contracting State bound by Chapter II as the receiving Office, is entitled to file a demand for the international preliminary examination.

(e) Number of Demands for the International Preliminary Examination Filed (see **APPENDIX(16)**)

## **2. International Preliminary Examining Authority (IPEA)**

### **(1) Competent Preliminary Examining Authority** (PCT Article 32)

– International preliminary examination (IPE) is carried out by an International Preliminary Examining Authority (IPEA) (PCT Article 32).

– The Requirements for the IPEA are the same as that of the International Searching Authority (ISA) (Rule 63).

– The demand shall be submitted to the competent International Preliminary Examining Authority. The receiving Office specifies the IPEA competent for the preliminary examination.

The International Preliminary Examination Authorities are the same as the International Searching Authority.

### **(2) Distribution of IPEs by IPEAs (2009)** (see **APPENDIX (17)**)

APPENDIX (17) shows the distribution of international preliminary examination reports (IPEs) issued by all IPEAs in 2009.

### 3. Procedure for Filing a Demand for International Preliminary Examination (IPE)

#### (1) Demand for IPE (PCT/IPEA/401)

(a) The applicant must indicate one or more than one Contracting State or States (**Elected States**) in which the applicant intends to use the results of the international preliminary examination (IPE).

- The elected State or States shall be elected among the designated State(s).

(However, from January 1, 2004, the filing of a demand for the international preliminary examination constitutes the election of all Contracting States which are designated and are bound by Chapter II.)

(b) The demand for IPE shall be filed with a competent International Preliminary Examining Authority (IPEA).

<Competent International Preliminary Examining Authority>

- Filing International Application in Japanese: Japan Patent Office (IPEA/JP)
- Filing International Application in English: European Patent Office (IPEA/EP) or Japan Patent Office (IPEA/JP)

(c) Payment of Fees

The applicant shall pay two kinds of fees:

- Handling Fee
- Preliminary Examination Fee

#### (2) Procedure at the International Preliminary Examining Authority (IPEA)

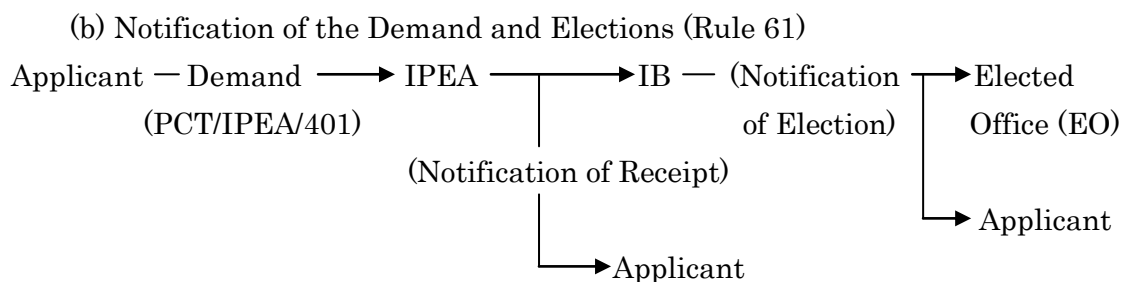
(a) When the demand is filed, the IPEA checks whether it complies with the formal requirements (Rule 60).

– If the demand does not comply with the requirements, the IPEA invites the applicant to correct the defects within a time limit.

– If the applicant complies with the invitation within the time limit, the demand is considered as if it had been received on the actual filing date, provided that the demand as submitted identifies the international application.

– Otherwise, the demand is considered as if it had been received on the date on which the International Preliminary Examining Authority received the correction.

– If the applicant does not comply with the invitation within the time limit, the demand is considered as if it had not been submitted.



(c) Demand for the IPE (Form PCT/IPEA/401)  
(see **APPENDIX (18)**)

#### 4. PCT Article 34 Amendment

##### (1) What is the PCT Article 34 Amendment? (PCT Article 34(2)(b))

- The applicant shall have the right to amend the claims, the description and the drawings, when the applicant files a demand for the international preliminary examination.
- The Article 34 Amendments is effected only in the Elected State(s).

##### (2) Requirements for the PCT Article 34 Amendments

① Subject to be Amended: Claims, Description and Drawings (PCT Article 34(2)(b))

- However, the amendment shall not go beyond the disclosure in the international application as filed.

② Opportunity of Amendment: There is no limit of the number of times an Article 34 Amendment can be filed.

③ Time Limit for Filing the Amendment: From the time of filing the demand until the international preliminary examination report is established (Rule 66.1(b)).

- However, the applicant is recommended to submit the amendment at the following timing:

- At the same time as filing a demand for the international preliminary examination (IPE)

- During the time period for filing a written reply to the written opinion by the Examiner of the IPEA

- When the Examiner of the IPEA gives an opportunity for amendment in response to a request from the applicant

④ Where to file the Amendment: At a competent International Preliminary Examining Authority (IPEA)

- Filing international application in Japanese: Japan Patent Office (IPEA/JP)

- Filing international application in English: European Patent Office (IPEA/EP) or Japan Patent Office (IPEA/JP)
- <Note> The Article 19 Amendment shall be filed with the International Bureau of the WIPO.

## 5. International Preliminary Examination (IPE)

### (1) Contents of the International Preliminary Examination

- There is little difference between the preliminary examination and the normal examination.
- Criteria of international preliminary examination
  - Novelty (PCT Article 33(2), Rule 64)
  - Inventive step (PCT Article 33(3), Rule 65)
  - Industrial applicability (PCT Article 33(4))
- The IPE also reveals other defects, such as
  - An amendment that goes beyond the disclosure in the international application as filed (Rule 66.2(a)(iv))
  - Insufficient disclosure of the invention (Rule 66.2(a)(v))
  - Lack of unity of invention (PCT Article 34(3)(a))

### (2) Written Opinion of the International Preliminary Examining Authority

(WO/IPEA) (see **APPENDIX (19)**)

(a) The International Preliminary Examination Authority must notify the applicant at least one time in writing (WO/IPEA) in the following conditions (PCT Article 34(2)(c), Rule 66.2):

- If the invention does not satisfy the criteria of novelty, inventive step and industrial applicability
- If the international application does not comply with the requirements of the PCT Treaty and Regulations in so far as checked by that Authority

(b) In response to the WO/IPEA, the applicant may:

- Amend the international application (Article 34 Amendment)
- Submit a **written reply** to the written opinion if the applicant disagrees with the opinion
- Submit a written reply together with the Amendment

(c) Number of times the WO/IPEA can be issued

- If the International Preliminary Examining Authority wishes to issue one or more additional written opinions, it may do so at any time during the period of the

international preliminary examination.

- The International Preliminary Examining Authority may, if it wishes, or on the request of the applicant, give him one or more additional opportunities to submit amendments or arguments (Rule 66.4).

(d) Informal Communications with the Applicant (Rule 66.6)

The IPEA may, at any time, communicate informally, over the telephone, in writing, or through personal interviews, with the applicant.

The IPEA shall, at its discretion, decide whether it wishes to grant more than one personal interview if so requested by the applicant, or whether it wishes to reply to any informal written communication from the applicant.

<Note> Amendments and arguments need not be taken into account by the IPEA, if they are received after it has begun to draw up the WO/IPEA or IPER (Rule 66.4bis).

**(3) Relationship between the written opinion of the IPEA (WO/IPEA) and the written opinion of the ISA (WO/ISA)**

When the applicant files a demand for the international preliminary examination, the written opinion established by the International Searching Authority (WO/ISA) is considered to be a first written opinion of the International Preliminary Examining Authority (WO/IPEA) (Rule 66.1bis(a)).

Therefore, the applicant may submit a written reply and file an amendment in response to the WO/ISA, at the time of filing the demand.

<Note> If the applicant does not file a response to the WO/ISA, and the WO/ISA contains negative opinion, the IPEA will establish an international preliminary examination report which contains negative opinion same as the WO/ISA, since WO/ISA is considered to be a first written opinion of the International Preliminary Examining Authority (WO/IPEA).

**6. International Preliminary Examination Report (IPER)**

**(1) International Preliminary Examination Report (IPER)**

(a) Time Limit: The IPER must be drawn up before the expiration of 28 months from the priority date, or the expiration of 6 months from a beginning of the international preliminary examination, whichever time limit expires later.

(b) Contents and Character of the IPER

•The IPER shall contain a statement, in relation to each claim, on whether the claimed invention satisfies three criteria, that is, ① Novelty, ② Inventive step, and ③ Industrial applicability.

- No statement shall be made on the question whether the invention shall be patentable under the national law of any elected State.

- A statement of the IPER is non-binding in the national phase.

(c) Annexes to the IPER (Rule 70.16)

- If the report is based on the international application in an amended form, all of the replacement sheets including the amendments shall be annexed to the IPER.

- The sheets which had been replaced are not be annexed to the IPER.

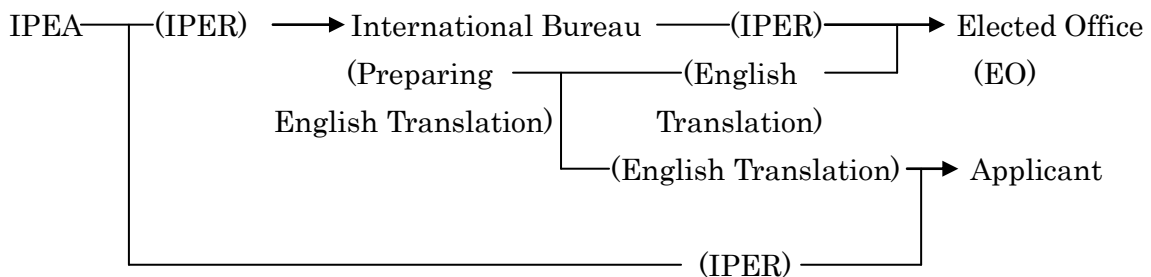
**(2) Transmittal of International Preliminary Examination Report (IPER)** (PCT Article 36, Rule 72.2)

The international preliminary examination report established by the IPEA shall be titled:

**International Preliminary Report on Patentability**

**(Chapter II of the Patent Cooperation Treaty)** (Abbr.: “IPRP (Chapter II)”) and is transmitted to the applicant and to the International Bureau (IB).

The International Bureau (IB) transmits the “IPRP (Chapter II)” to each elected Office which had made a request, after the expiration of 30 months from the priority date.



**(3) Differences between the International Preliminary Examination Report (IPER) and the Written opinion of the International Searching Authority (WO/ISA)**

Regarding the IPER, the International Preliminary Examination Authority (IPEA) gives the applicant opportunities to amend the claims, the description, and drawings, and to argue against the opinion of the IPEA during the international preliminary examination; and it establishes the IPER in consideration of the above amendments and arguments.

On the other hand, the International Searching Authority establishes the written opinion (WO/ISA) based on the claims, the description and the drawings of the international application as filed without giving any opportunity for the applicant to make amendments and arguments.

**(4) International Preliminary Report on Patentability (Chapter II of the Patent Cooperation Treaty)**

(see APPENDIX (20))

## **[Part V] Entry into the National Phase**

### **1. Entry into the National Phase**

Where an applicant wishes to obtain a patent with the international application in the designated States the applicant concerns, the applicant must make necessary procedures at the designated Office of that States in order to fulfill the requirements for the entry into the national phase.

“(A) Entry into National Phase at Designated Office” in the following page indicates procedures at the designated Offices. Documents indicated at the upper half are transmitted from the International Bureau (IB) to the designated Offices, and procedure indicated at the lower half should be carried out by the applicant.

“(B) Entry into National Phase at Elected Office” in the following page indicates procedures at the elected Offices. Documents indicated at the upper half are transmitted from the International Bureau (IB) to the elected Offices, and procedure indicated at the lower half should be carried out by the applicant

### **2. Time Limits for Entering National Phase** (see **APPENDIX (21)**)

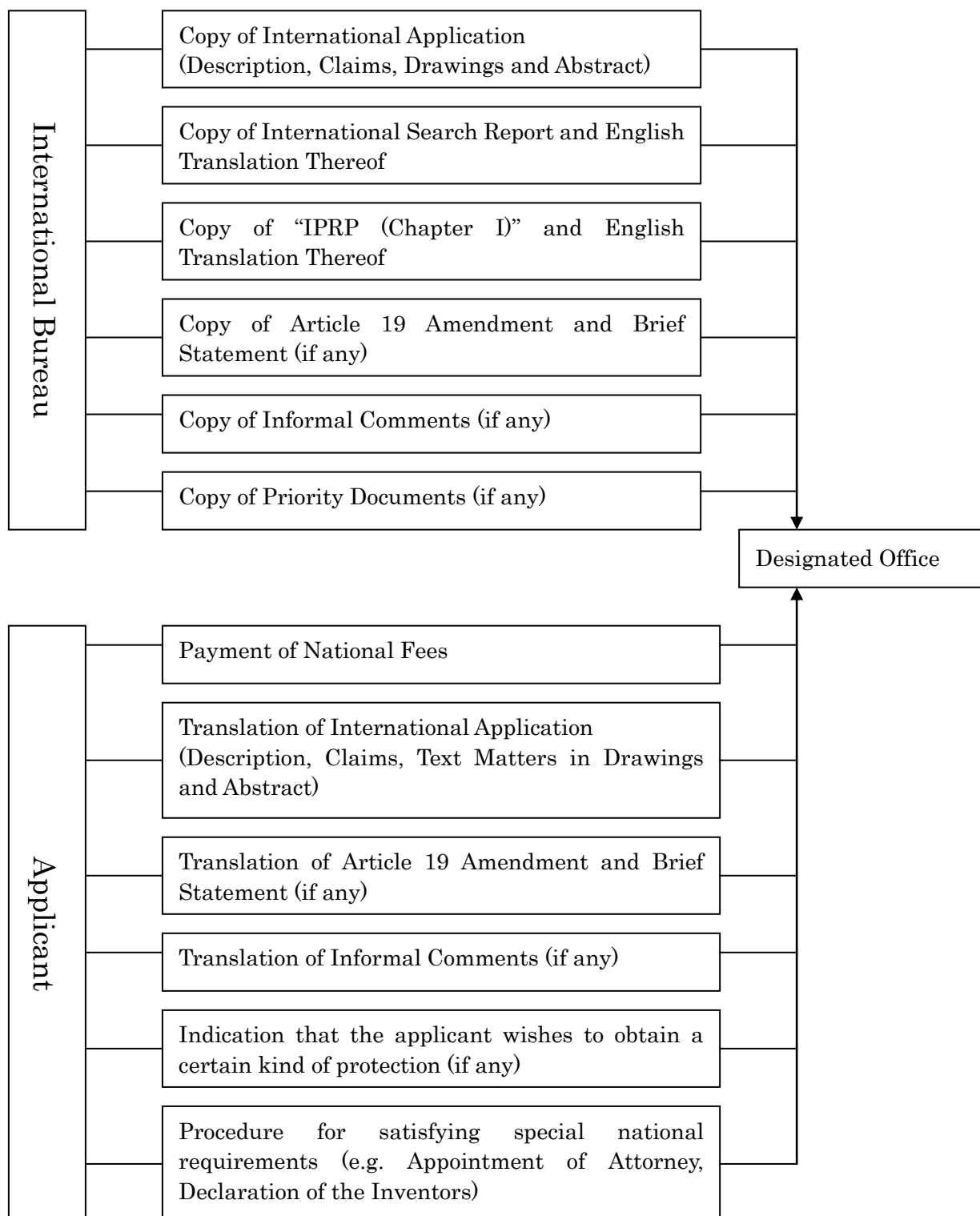
The time limits for entering a national/regional phase at a designated Office and elected Office of each state are shown in **APPENDIX (21)**. The time limit for entering a national/regional phase shall be at the expiration of 30 months from the priority date or later, regardless of the filing a demand for the international preliminary examination.

Note that, in some Contracting States (Luxembourg, Tanzania, Uganda), the time limits for entering a national phase shall be at the expiration of 20 months or 21 months from the priority date, if the applicant does not file a demand for the international preliminary examination before the expiration of 19 months from the priority date.



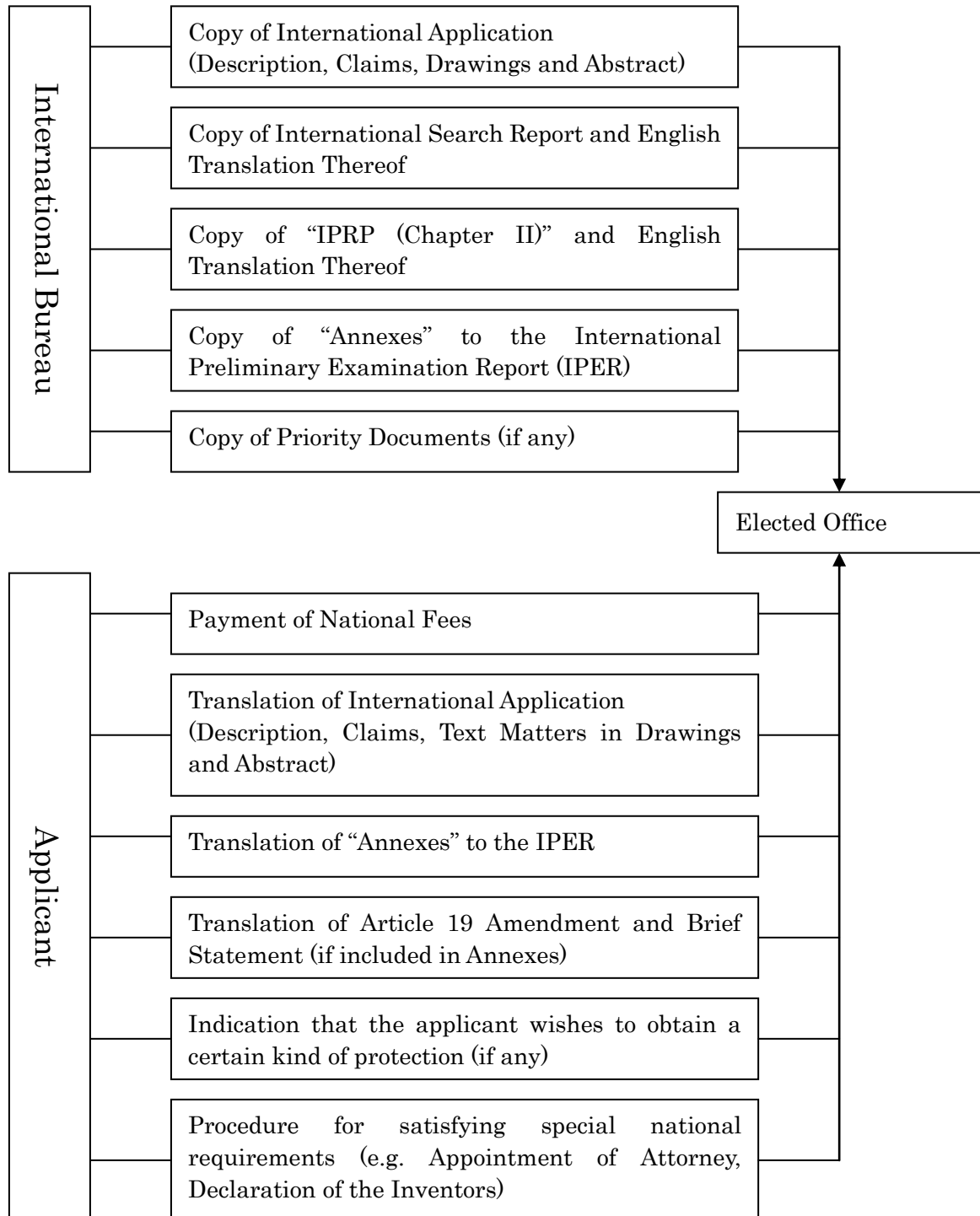
**(A) Entry into National Phase at Designated Office** (PCT Article 22(1))

(In principle, the time limit for entering the national phase shall be before the expiration of 30 months from the priority date.)



**(B) Entry into National Phase at Elected Office** (PCT Article 39(1))

(In principle, the time limit for entering the national phase shall be before the expiration of 30 months from the priority date.)



### **3. Substantive Examination at the Designated (Elected) Sates**

After the entry into the international phase, the national or regional patent Offices concerned begin the substantive examination.

The Examiner at the designated Office carries out the substantive examination referring to the “International Search Report” (ISR) and the “International Preliminary Report on Patentability (Chapter I of the Patent Cooperation Treaty)”, and “Article 19 Amendment” and “Informal Comments”, if any.

The Examiner at the elected Office carries out the substantive examination referring to the “International Search Report” (ISR) and the “International Preliminary Report on Patentability (Chapter II of the Patent Cooperation Treaty)” (IPER), and “Amendments” attached to the IPER, if any.

#### **<Amendment at the Designated Office>**

The applicant has the opportunity to amend the claims, the description, and the drawings, at the designated (elected) Office within prescribed time limit. No designated (elected) Office shall grant or refuse the grant of a patent, before such time limit has expired except with the express consent of the applicant (Article 28 (1), Rule 52.1, Article 41(1), Rule 78.1).

# OUTLINE OF THE PATENT COOPERATION TREATY (PCT)

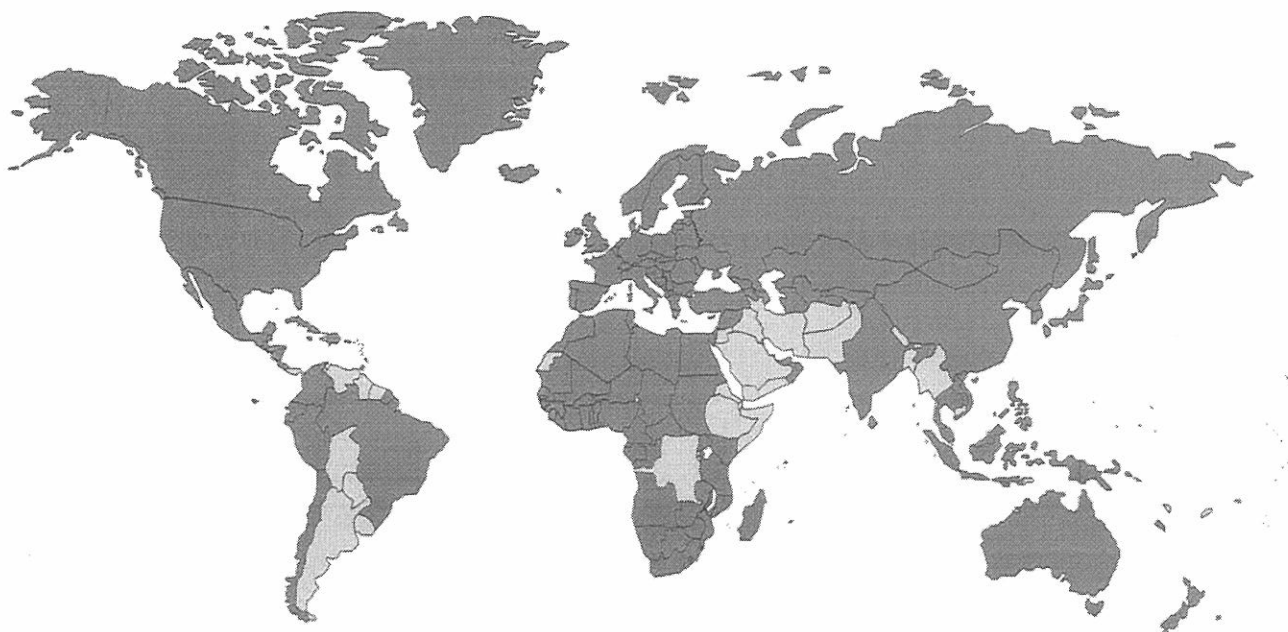
## APPENDIX

- (1) PCT Contracting States
- (2) Number of International Applications Filed Worldwide
- (3) Number of International Applications Filed in Japan
- (4) Number of international Applications  
Filed by the Top 20 Countries of Origin (2009)
- (5) Number of International Applications  
Filed by a Selection of Developing Countries
- (6) Request
- (7) PCT Contracting States for which a Regional Patent  
can be Obtained via the PCT
- (8) Types of Protection Available via the PCT in PCT Contracting States
- (9) Distribution of ISRs by ISAs (2009)
- (10) International Search Report (ISR)
- (11) Written Opinion of the International Searching Authority (WO/ISA)
- (12) International Preliminary Report on Patentability  
(Chapter I of the Patent Cooperation Treaty)
- (13) Front Page of the International Publication (A2)
- (14) Front Page of the International Publication (A3)
- (15) PCT Gazette
- (16) Number of Demand for International Preliminary Examination
- (17) Distribution of IPEERs by IPEAs (2009)
- (18) Demand for International Preliminary Examination
- (19) Written Opinion of the International Preliminary  
Examination Authority (WO/IPEA)
- (20) International Preliminary Report on Patentability  
(Chapter II of the Patent Cooperation Treaty)
- (21) Time Limits for Entering National/Regional Phase  
under PCT Chapter I and II

(From PCT Resources provided by WIPO: December 1, 2010)

## APPENDIX (1) PCT Contracting States

### PCT Contracting States and Two-letter Codes (142 on 1 November 2010)



AE United Arab Emirates	CR Costa Rica	IL Israel	MK The former Yugoslav Republic of Macedonia (EP) <sup>5</sup>	SI Slovenia (EP) <sup>3</sup>
AG Antigua and Barbuda	CY Cyprus (EP) <sup>3</sup>	IN India	ML Mali (OA) <sup>3</sup>	SK Slovakia (EP)
AL Albania (EP) <sup>1,2</sup>	CZ Czech Republic (EP)	IS Iceland (EP)	MN Mongolia	SL Sierra Leone (AP)
AM Armenia (EA)	DE Germany (EP)	JP Japan	MR Mauritania (OA) <sup>3</sup>	SM San Marino (EP) <sup>6</sup>
AO Angola	DK Denmark (EP)	KE Kenya (AP)	MT Malta (EP) <sup>3</sup>	SN Senegal (OA) <sup>3</sup>
AT Austria (EP)	DM Dominica	KG Kyrgyzstan (EA)	MW Malawi (AP)	ST Sao Tome and Principe
AU Australia	DO Dominican Republic	KM Comoros	MX Mexico	SV El Salvador
AZ Azerbaijan (EA)	DZ Algeria	KN Saint Kitts and Nevis	MY Malaysia	SY Syrian Arab Republic
BA Bosnia and Herzegovina <sup>2</sup>	EC Ecuador	KP Democratic People's Republic of Korea	MZ Mozambique (AP)	SZ Swaziland (AP) <sup>3</sup>
BB Barbados	EE Estonia (EP)	KR Republic of Korea	NA Namibia (AP)	TD Chad (OA) <sup>3</sup>
BE Belgium (EP) <sup>3</sup>	EG Egypt	KZ Kazakhstan (EA)	NE Niger (OA) <sup>3</sup>	TG Togo (OA) <sup>3</sup>
BF Burkina Faso (OA) <sup>3</sup>	ES Spain (EP)	LA Lao People's Democratic Republic	NG Nigeria	TH Thailand
BG Bulgaria (EP)	FI Finland (EP)	LC Saint Lucia	NI Nicaragua	TJ Tajikistan (EA)
BH Bahrain	FR France (EP) <sup>3</sup>	LI Liechtenstein (EP)	NL Netherlands (EP) <sup>3</sup>	TM Turkmenistan (EA)
BJ Benin (OA) <sup>3</sup>	GA Gabon (OA) <sup>3</sup>	LV Latvia (EP) <sup>3</sup>	NO Norway (EP)	TN Tunisia
BR Brazil	GB United Kingdom (EP)	LU Luxembourg (EP)	NZ New Zealand	TR Turkey (EP)
BW Botswana (AP)	GD Grenada	LY Libyan Arab Jamahiriya	OM Oman	TT Trinidad and Tobago
BY Belarus (EA)	GE Georgia	MA Morocco	PG Papua New Guinea	TZ United Republic of Tanzania (AP)
BZ Belize	GH Ghana (AP)	MC Monaco (EP) <sup>3</sup>	PH Philippines	UA Ukraine
CA Canada	GM Gambia (AP)	MD Republic of Moldova (EA)	PL Poland (EP)	UG Uganda (AP)
CF Central African Republic (OA) <sup>3</sup>	GN Guinea (OA) <sup>3</sup>	ME Montenegro <sup>2</sup>	PT Portugal (EP)	US United States of America
CG Congo (OA) <sup>3</sup>	GQ Equatorial Guinea (OA) <sup>3</sup>	MG Madagascar	RO Romania (EP)	UZ Uzbekistan
CH Switzerland (EP)	GR Greece (EP) <sup>3</sup>		RS Serbia (EP) <sup>2</sup>	VC Saint Vincent and the Grenadines
CI Côte d'Ivoire (OA) <sup>3</sup>	GT Guatemala		RU Russian Federation (EA)	VN Viet Nam
CL Chile	GW Guinea-Bissau (OA) <sup>3</sup>		SC Seychelles	ZA South Africa
CM Cameroon (OA) <sup>3</sup>	HN Honduras		SD Sudan (AP)	ZM Zambia (AP)
CN China	HR Croatia (EP)		SE Sweden (EP)	ZW Zimbabwe (AP)
CO Colombia	HU Hungary (EP)		SG Singapore	
	ID Indonesia			
	IE Ireland (EP) <sup>3</sup>			

1 Only international applications filed on or after 1 May 2010 include the designation of this State for a European patent.

2 Extension of European patent possible; in the case of Albania and Serbia, only for international applications filed before 1 May 2010 and 1 October 2010, respectively.

3 May only be designated for a regional patent (the "national route" via the PCT has been closed).

4 Only international applications filed on or after 24 March 2010 include the designation of this State for an ARIPO patent.

5 Only international applications filed on or after 1 January 2009 include the designation of this State for a European patent.

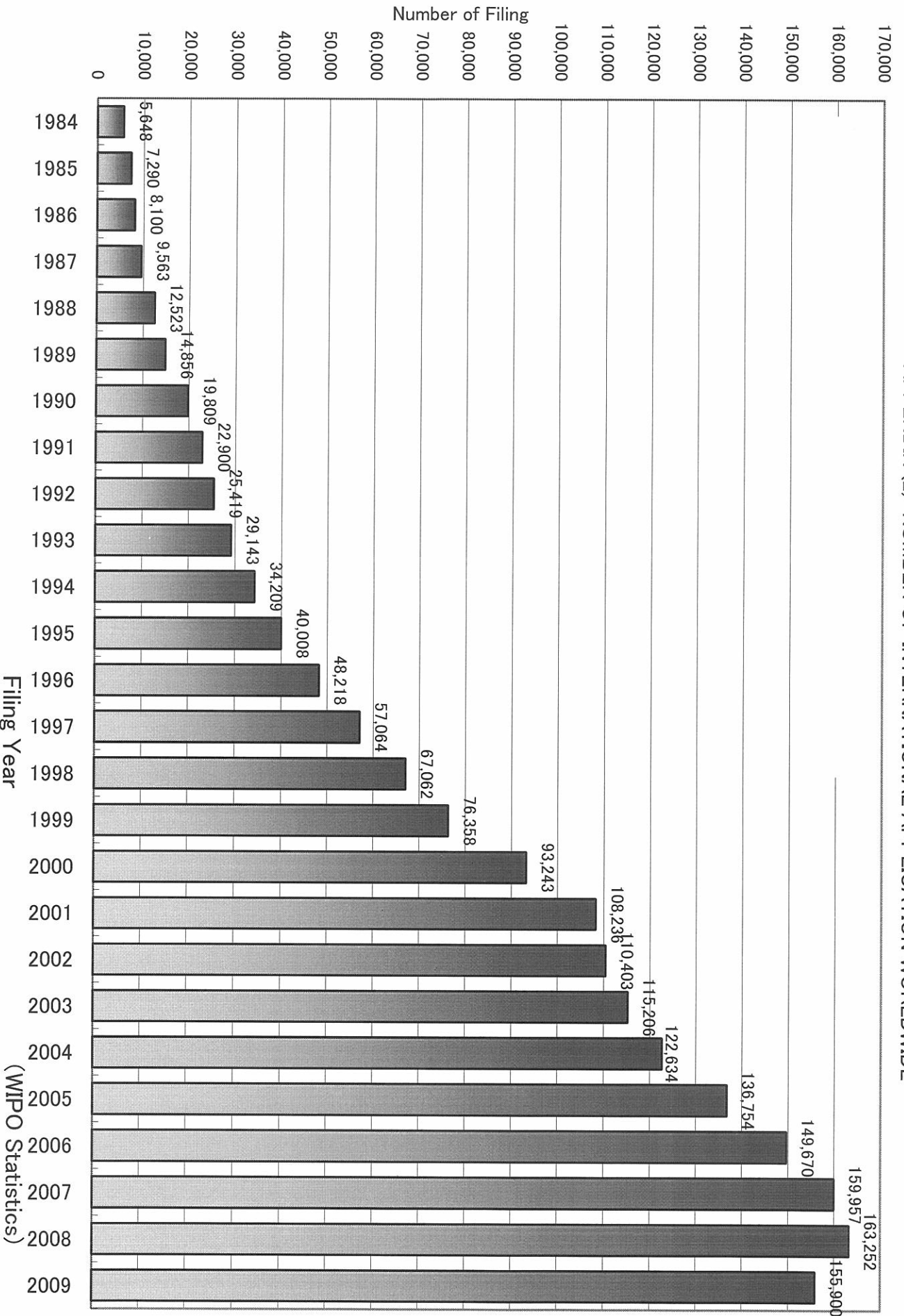
6 Only international applications filed on or after 1 July 2009 include the designation of this State for a European patent.

Where a State can be designated for a regional patent, the two-letter code for the regional patent concerned is indicated in parentheses (AP = ARIPO patent, EA = Eurasian patent, EP = European patent, OA = OAPI patent).

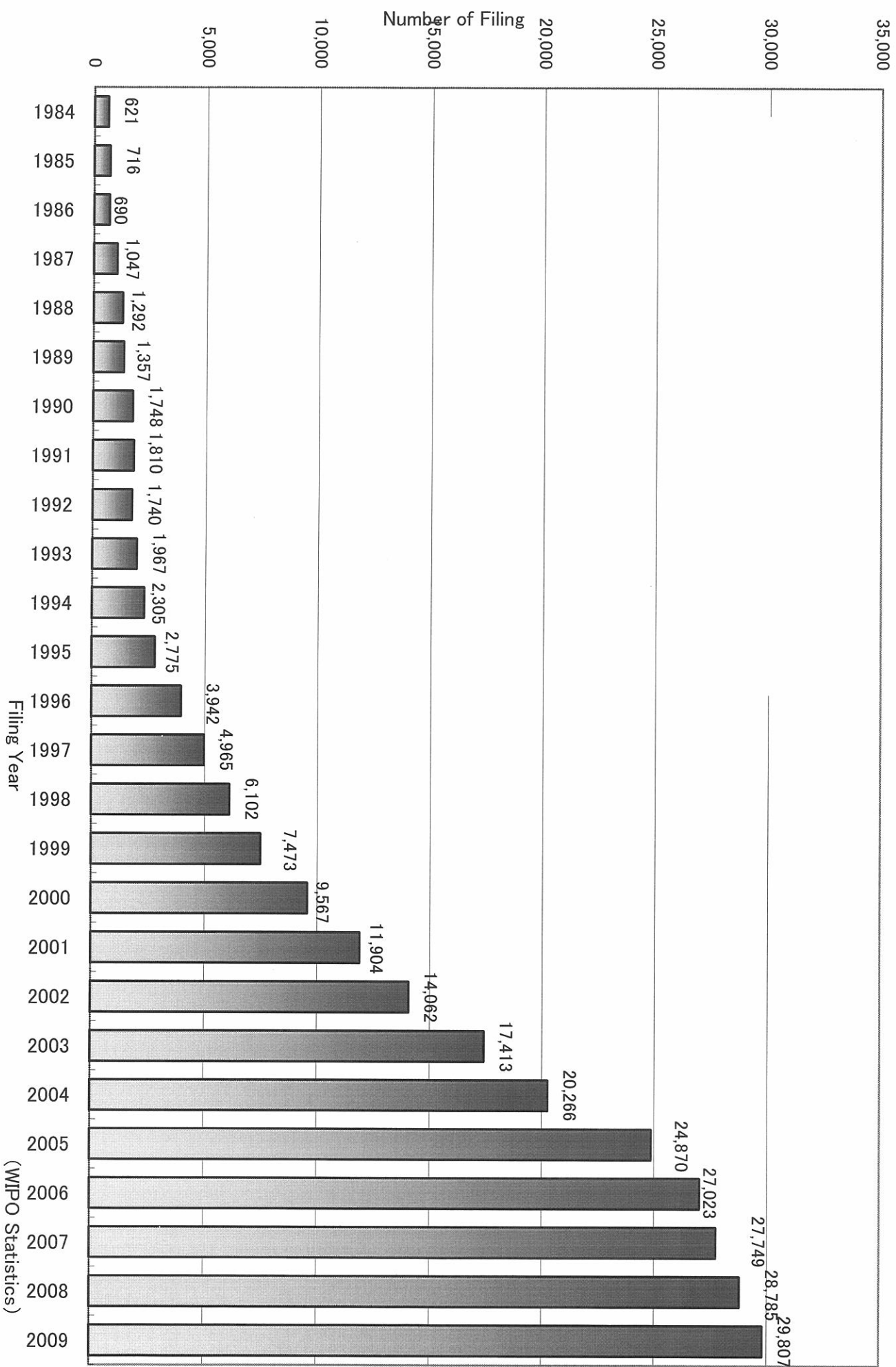
**Important:** This list includes all States that have adhered to the PCT by the date shown in the heading. Any State indicated in **bold italics** has adhered to the PCT but will only become bound by the PCT on the date shown in parentheses; it will not be considered to have been designated in international applications filed before that date.

Note that even though the filing of a request constitutes under PCT Rule 4.9(a) the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents, applicants should always use the latest versions of the request form (PCT/RO/101) and demand form (PCT/IPEA/401) (the latest versions are dated January 2010 and July 2010, respectively) or, if filing the request using the PCT-EASY features of the PCT-SAFE software, the latest version of that software (which is available at: <http://www.wipo.int/pct-safe/en/>). The request and demand forms can be printed from the website, in editable PDF format, at: <http://www.wipo.int/pct/en/forms/>, or obtained from receiving Offices or the International Bureau, or, in the case of the demand form, also from International Preliminary Examining Authorities.

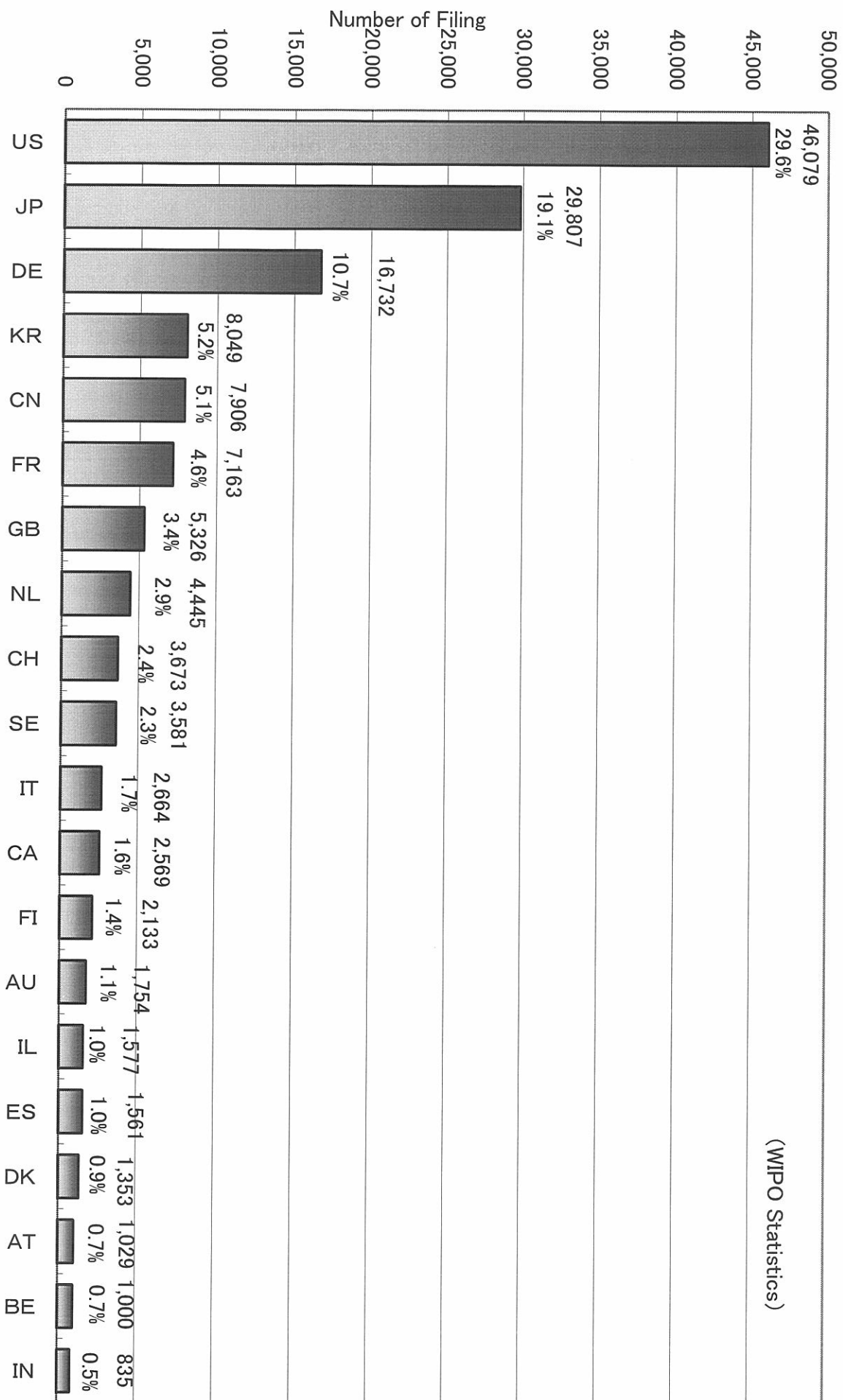
APPENDIX (2) NUMBER OF INTERNATIONAL APPLICATION WORLDWIDE



### APPENDIX (3) NUMBER OF INTERNATIONAL APPLICATION IN JAPAN



APPENDIX (4) NUMBER OF PCT APPLICATIONS FILED BY THE TOP 20 COUNTRIES OF ORIGIN IN 2009





## APPENDIX (5) Number of International Application Filed by a Selection of Developing Countries

Table 1.3 shows the number of PCT applications filed by a selection of developing countries and countries in transition from 2005 to 2009.

**Table 1.3. PCT Applications by Developing Countries and Countries in Transition, 2005 - 2009**

Countries of Origin among Selected Developing Countries/Countries in Transition	Year of Filing				
	2005	2006	2007	2008	2009
Republic of Korea	4,689	5,946	7,065	7,900	8,049
China	2,512	3,937	5,465	6,126	7,906
India	679	836	901	1,070	835
Russian Federation	660	697	735	803	662
Singapore	455	483	522	563	578
Brazil	270	334	398	472	496
Turkey	174	269	359	393	385
South Africa	360	424	406	399	376
Malaysia	38	60	111	205	226
Mexico	141	168	186	213	193
Poland	97	101	107	128	174
Ukraine	60	77	94	99	77
Colombia	23	29	44	37	64
Chile	9	12	17	27	54
Egypt	51	41	40	43	33
Serbia		8	23	37	26
Bulgaria	22	26	30	27	25
Latvia	16	17	21	20	24
Lithuania	8	10	13	18	22
Morocco	9	10	18	16	22
All Others	186	258	224	244	246
<b>Total</b>	<b>10,459</b>	<b>13,743</b>	<b>16,779</b>	<b>18,840</b>	<b>20,473</b>

Source: WIPO Statistics Database

- > The majority of developing countries and countries in transition saw increases in 2009 compared to the previous year, despite the onset of the economic crisis. However, the percentage increases are lower than those experienced in 2008, with the notable exception of Chinese PCT applications, which grew by 29.1% in 2009, compared to 12.1% in 2008.
- > Since 2005, PCT applications from all developing countries and countries in transition combined show annual increases, although each annual increment is smaller than the previous one, i.e., 2006 growth was 31.4% followed by 22.1% in 2007, 12.3% in 2008 and 8.7% in 2009.

APPENDIX (6) Request

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) **CHOCO 95549**

<b>Box No. I TITLE OF INVENTION</b>	
PROCESS FOR FOLDING WRAPPING PAPER FOR CHOCOLATES	
<b>Box No. II APPLICANT</b> <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.) <b>CANDY WRAP UNLIMITED, INC.</b> 300 Colorado Street Baltimore, Maryland 21201-4307 United States of America	
Telephone No. <b>(+1-301) 876-5432</b>	Facsimile No. <b>(+1-301) 876-5555</b>
Applicant's registration No. with the Office	
<b>E-mail authorization:</b> 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. <input type="checkbox"/> as advance copies followed by paper notifications; or <input checked="" type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: <b>candy@anumma.com</b>	
State (that is, country) of nationality: <b>US</b>	State (that is, country) of residence: <b>US</b>
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	
<b>Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)</b>	
<input checked="" type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.	
<b>Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE</b>	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as: <input checked="" 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.) <b>DAVIS, Catherine</b> 2500 Virginia Avenue, N.W. Washington, D.C. 20037-1902 United States of America	
Telephone No. <b>(+1-301) 557-3054</b>	Facsimile No. <b>(+1-301) 557-3060</b>
Agent's registration No. with the Office <b>44,111</b>	
<b>E-mail authorization:</b> 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. <input type="checkbox"/> as advance copies followed by paper notifications; or <input checked="" type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: <b>davispatents@anumma.com</b>	
<input type="checkbox"/> <b>Address for correspondence:</b> Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	

**Box No. V DESIGNATIONS**

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

However,

- DE Germany is **not designated** for any kind of national protection
- JP Japan is **not designated** for any kind of national protection
- KR Republic of Korea is **not designated** for any kind of national protection

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

**Box No. VI PRIORITY CLAIM**

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

Filing date of earlier application (day/month/year)	Number of earlier application	Where earlier application is:		
		national application: country or Member of WTO	regional application: regional Office	international application: receiving Office
item (1) 12 February 2009 (12.02.2009)	61/274,654	US		
item (2) 10 September 2009 (10.09.2009)	09187654.4		EP	
item (3)				

Further priority claims are indicated in the Supplemental Box.

The **International Bureau** is requested to obtain from a digital library, a certified copy of the earlier application(s) *(if the earlier application(s) is available to it from a digital library)* identified above as:\*

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

The **receiving Office** is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) *(if the earlier application(s) was filed with the Office which for the purposes of this international application is the receiving Office)* or to obtain a certified copy of the earlier application(s) from a digital library and transmit a copy of it to the International Bureau *(if the earlier application(s) is available to the receiving Office from a digital library)*, identified above as:\*

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

\* Where the certified copy of the earlier application(s) is not stored in a digital library under the number of the earlier application indicated above but under the application number of another application which also claims priority from it, indicate that number in the supplemental sheet (item 4).

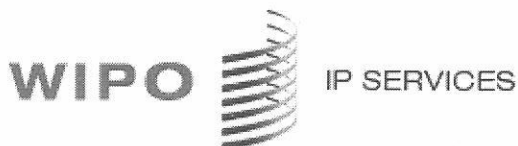
**Restore the right of priority:** the receiving Office is requested to restore the right of priority for the earlier application(s) identified above or in the Supplemental Box as item(s) (\_\_\_\_\_). *(See also the Notes to Box No. VI; further information must be provided to support a request to restore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

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

**Box No. VII INTERNATIONAL SEARCHING AUTHORITY**

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

ISA/ EP.....



WORLD INTELLECTUAL PROPERTY ORGANIZATION

Home IP Services PATENTSCOPE® PCT Resources Legal Texts

## PCT Contracting States for which a Regional Patent can be Obtained via the PCT

(situation on 6 September 2010)

	STATES FOR WHICH ONLY A REGIONAL PATENT CAN BE OBTAINED (AND NOT A NATIONAL PATENT):	STATES FOR WHICH A REGIONAL PATENT CAN BE OBTAINED IN ADDITION TO, OR INSTEAD OF, A NATIONAL PATENT	STATES NOT INCLUDED IN EP DESIGNATION BUT TO WHICH A EUROPEAN PATENT CAN BE EXTENDED <sup>1</sup>
AP ARIPO patent	SZ Swaziland	BW Botswana GH Ghana GM Gambia KE Kenya LR Liberia <sup>2</sup> LS Lesotho MW Malawi MZ Mozambique NA Namibia SD Sudan SL Sierra Leone TZ United Republic of Tanzania UG Uganda ZM Zambia ZW Zimbabwe	Not applicable
EA Eurasian patent	Not applicable	AM Armenia AZ Azerbaijan BY Belarus KG Kyrgyzstan KZ Kazakhstan MD Republic of Moldova RU Russian Federation TJ Tajikistan TM Turkmenistan	Not applicable
EP European patent	BE Belgium CY Cyprus FR France GR Greece IE Ireland IT Italy LV Latvia MC Monaco MT Malta NL Netherlands SI Slovenia	AL Albania <sup>3</sup> AT Austria BG Bulgaria CH Switzerland CZ Czech Republic DE Germany DK Denmark EE Estonia ES Spain FI Finland GB United Kingdom HR Croatia HU Hungary IS Iceland LI Liechtenstein LT Lithuania LU Luxembourg MK The former Yugoslav Republic of Macedonia <sup>4</sup> NO Norway PL Poland PT Portugal RO Romania RS Serbia <sup>5</sup> SE Sweden	BA Bosnia and Herzegovina ME Montenegro <sup>7</sup> RS Serbia <sup>8</sup>

		SK Slovakia	
		SM San Marino <sup>6</sup>	
		TR Turkey	
OA	OAPI patent	Not applicable	Not applicable
	BF Burkina Faso		
	BJ Benin		
	CF Central African Republic		
	CG Congo		
	CI Côte d'Ivoire		
	CM Cameroon		
	GA Gabon		
	GN Guinea		
	GQ Equatorial Guinea		
	GW Guinea-Bissau		
	ML Mali		
	MR Mauritania		
	NE Niger		
	SN Senegal		
	TD Chad		
	TG Togo		

<sup>1</sup> A request for the extension of a European patent to these States may be made at the time of entry into the regional phase before the European Patent Office, provided that the designations of EP and/or of the State concerned have not been withdrawn. Such a request may not be made in the PCT request form itself. See the *PCT Applicant's Guide*, Introduction to the International Phase, paragraphs 4.026 and 5.054, and National Chapter (EP) for further details as to the procedure to be followed.

<sup>2</sup> For international applications filed on or after 24 March 2010.

<sup>3</sup> For international applications filed on or after 1 May 2010. In the case of international applications filed before that date, it is possible to request the extension of a European patent to this State (see footnote 1).

<sup>4</sup> For international applications filed on or after 1 January 2009. In the case of international applications filed before that date, it is possible to request an extension of a European patent to this State (see footnote 1).

<sup>5</sup> For international applications filed on or after 1 October 2010. In the case of international applications filed before that date, it is possible to request the extension of a European patent to this State (see footnote 1).

<sup>6</sup> For international applications filed on or after 1 July 2009.

<sup>7</sup> For international applications filed on or after 1 March 2010

<sup>8</sup> For international applications filed before 1 October 2010. International applications filed on or after that date will include the designation of this State for a European patent.

**APPENDIX (8) Type of Protection Available via the PCT  
in PCT Contracting States**

<b>Types of Protection Available via the PCT in PCT Contracting States</b> (status on 18 February 2010)								
	National patent	ARIPO patent (AP)	Eurasian patent (EA)	European patent (EP)	OAPI patent (OA)	Utility model instead of national patent	Utility model in addition to national patent	Other
AE	X					X		Patent of addition
AG <sup>1</sup>	X							
AL	X					X		Extension of EP patent <sup>2</sup>
AM	X		X			X		Provisional patent
AO	X					X		Certificate of addition
AT	X			X		X	X	Patent of addition
AU	X							Patent of addition
AZ	X		X			X		
BA	X							Patent of addition, extension of EP patent <sup>2</sup>
BB	X							
BE				X				
BF					X	OAPI utility model		OAPI certificate of addition
BG	X			X		X	X	
BH	X						X	
BJ					X	OAPI utility model		OAPI certificate of addition
BR	X					X		Certificate of addition
BW	X	X				ARIPO utility model	ARIPO utility model	Utility model certificate
BY	X		X			X		
BZ	X					X		
CA	X							
CF					X	OAPI utility model		OAPI certificate of addition
CG					X	OAPI utility model		OAPI certificate of addition
CH + LI	X			X				
CI					X	OAPI utility model		OAPI certificate of addition
CL	X					X		
CM					X	OAPI utility model		OAPI certificate of addition
CN	X					X		
CO	X					X		
CR	X					X		
CU	X							Patent of addition, inventor's certificate, inventor's certificate of addition
CY				X				
CZ	X			X		X	X	
DE	X			X		X	X	Patent of addition

*[continued on next page]*



**Types of Protection Available via the PCT in PCT Contracting States**  
(status on 18 February 2010)

	National patent	ARIPO patent (AP)	Eurasian patent (EA)	European patent (EP)	OAPI patent (OA)	Utility model instead of patent	Utility model in addition to patent	Other
DK	X			X		X	X	
DM <sup>1</sup>	X							
DO	X					X		
DZ	X							Certificate of addition
EC	X					X		
EE	X			X		X	X	
EG	X					X		
ES	X			X		X		Patent of addition
FI	X			X		X	X	
FR				X				
GA					X	OAPI utility model		OAPI certificate of addition
GB	X			X				
GD <sup>1</sup>	X							
GE	X					X		
GH	X	X				ARIPO utility model	ARIPO utility model	Utility certificate
GM	X	X				ARIPO utility model	ARIPO utility model	
GN					X	OAPI utility model		OAPI certificate of addition
GQ					X	OAPI utility model		OAPI certificate of addition
GR				X				
GT	X					X		
GW					X	OAPI utility model		OAPI certificate of addition
HN <sup>1</sup>	X							
HR	X			X <sup>3</sup>				"Consensual patent," extension of EP patent <sup>2,4</sup>
HU	X			X		X		
ID	X							
IE				X				
IL	X							Patent of addition
IN	X							Patent of addition
IS	X			X				
IT				X				
JP	X					X		
KE	X	X				National or ARIPO utility model	ARIPO utility model	
KG	X		X			X		
KM <sup>1</sup>	X							
KN <sup>1</sup>	X							
KP	X					X		Inventor's certificate
KR	X					X		
KZ	X		X			X		Provisional patent
LA <sup>1</sup>	X							

[continued on next page]

**Types of Protection Available via the PCT in PCT Contracting States**  
(status on 18 February 2010)

	National patent	ARIPO patent (AP)	Eurasian patent (EA)	European patent (EP)	OAPI patent (OA)	Utility model instead of patent	Utility model in addition to patent	Other
LC	X							
LI (see CH)								
LK	X							
LR	X	X <sup>5</sup>				ARIPO utility model <sup>5</sup>	ARIPO utility model <sup>5</sup>	
LS	X	X				National or ARIPO utility model	ARIPO utility model	
LT	X			X				
LU	X			X				
LV				X				
LY	X							Patent of addition
MA	X							Certificate of addition
MC				X				
MD	X		X			X		Short-term patent
ME	X							Extension of EP patent <sup>6</sup>
MG	X							Certificate of addition
MK	X			X <sup>7</sup>				Patent of addition, extension of EP patent <sup>2,8</sup>
ML					X	OAPI utility model		OAPI certificate of addition
MN	X							
MR					X	OAPI utility model		OAPI certificate of addition
MT				X				
MW	X	X				ARIPO utility model	ARIPO utility model	Patent of addition
MX	X					X		
MY	X							"utility innovation"
MZ	X	X				National or ARIPO utility model	ARIPO utility model	
NA	X	X				ARIPO utility model	ARIPO utility model	
NE					X	OAPI utility model		OAPI certificate of addition
NG	X							
NI	X					X		
NL				X				
NO	X			X <sup>3</sup>				
NZ	X							Patent of addition
OM	X					X		
PE	X					X		
PG	X							
PH	X					X		
PL	X			X		X		
PT	X			X		X	X	
RO	X			X				
RS	X							Patent of addition, petty patent, extension of EP patent <sup>2</sup>

[continued on next page]



Types of Protection Available via the PCT in PCT Contracting States (status on 18 February 2010)								
	National patent	ARIPO patent (AP)	Eurasian patent (EA)	European patent (EP)	OAPI patent (OA)	Utility model instead of patent	Utility model in addition to patent	Other
RU	X		X			X		
SC	X							
SD	X	X				ARIPO utility model	ARIPO utility model	
SE	X			X				
SG	X							
SI				X				
SK	X			X		X	X	
SL	X	X				National or ARIPO utility model	ARIPO utility model	
SM	X							
SN					X	OAPI utility model		OAPI certificate of addition
ST	X							
SV	X					X		
SY	X							Certificate of addition
SZ		X				ARIPO utility model	ARIPO utility model	
TD					X	OAPI utility model		OAPI certificate of addition
TG					X	OAPI utility model		OAPI certificate of addition
TH <sup>9</sup>	X							Petty patent
TJ	X		X			X		
TM	X		X					Provisional patent
TN	X							
TR	X			X		X		Patent of addition
TT	X							Utility certificate
TZ	X	X				ARIPO utility model	ARIPO utility model	
UA	X					X		
UG	X	X				ARIPO utility model	ARIPO utility model	Utility certificate
US	X							
UZ	X					X		
VC	X							Utility certificate
VN	X							"Patent for utility solution"
ZA	X							Patent of addition
ZM	X	X				ARIPO utility model	ARIPO utility model	Patent of addition
ZW	X	X				ARIPO utility model	ARIPO utility model	Patent of addition

1 Information regarding any other type of national protection is not yet available.

2 A request for an extension may be made at the time of entry into the regional phase before the European Patent Office, provided that the designations of EP and/or of the State concerned have not been withdrawn. See the *PCT Applicant's Guide*, International Phase, paragraphs 41 and 89, and National Phase, National Chapter (EP) for further details as to the procedure to be followed.

3 Only for international applications filed on or after 1 January 2008.

4 Only for international applications filed before 1 January 2008.

5 Only for international applications filed on or after 24 March 2010.

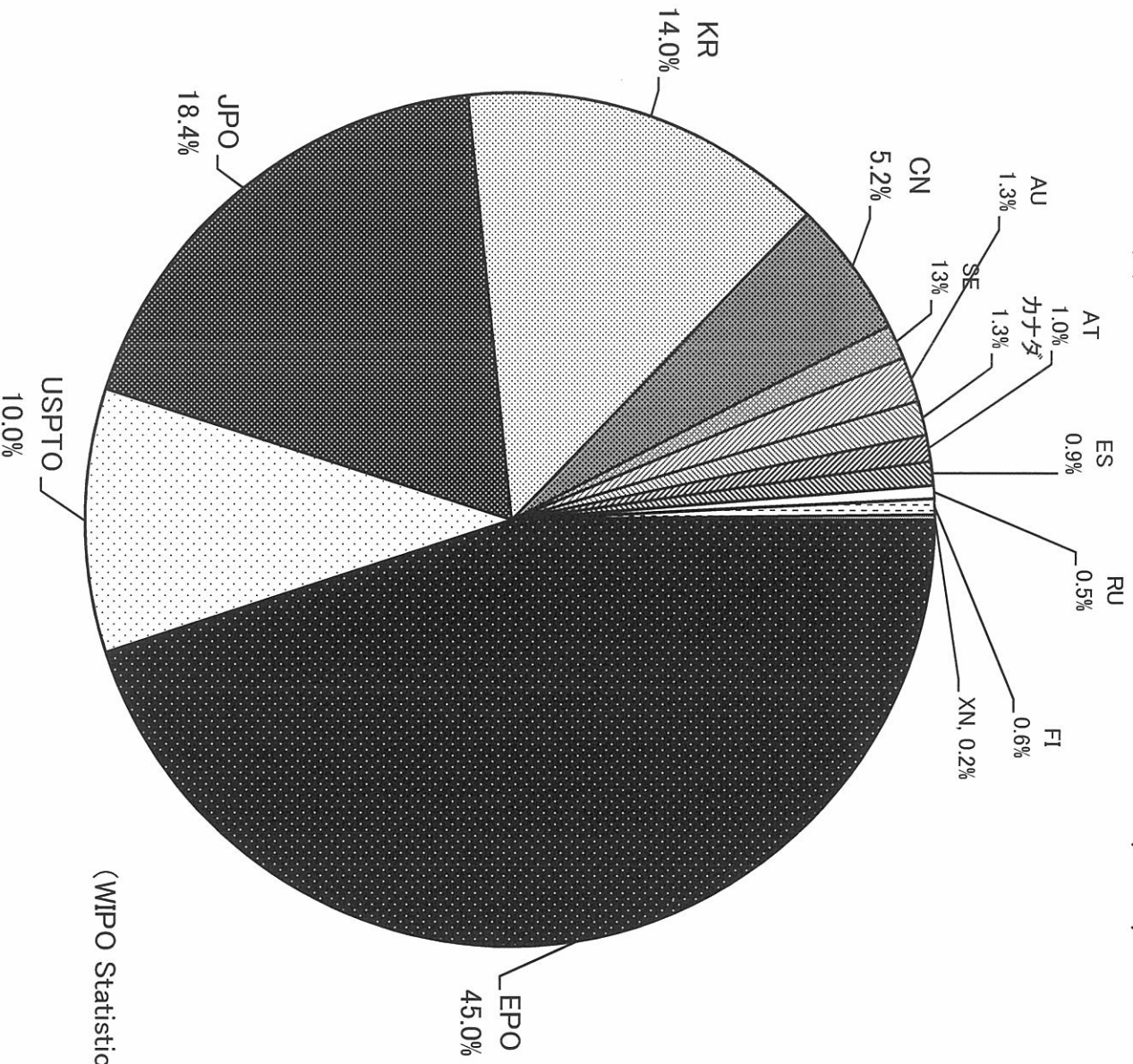
6 Only for international applications filed on or after 1 March 2010.

7 Only for international applications filed on or after 1 January 2009.

8 Only for international applications filed before 1 January 2009.

9 Only for international applications filed on or after 24 December 2009.

APPENDIX (9) DISTRIBUTION OF ISRS BY ISAs (2009)



(WIPO Statistics)

# APPENDIX (10) International Search Report (ISR)

## INTERNATIONAL SEARCH REPORT

International application No. PCT/JP2010/023456
--

<b>A. CLASSIFICATION OF SUBJECT MATTER</b> H01N 33/04, G09G3/34 According to International Patent Classification (IPC) or to both national classification and IPC		
<b>B. FIELDS SEARCHED</b> Minimum documentation searched (classification system followed by classification symbols) H01N 33/04, G09G3/34 Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Jitsuyo Shinan Koho 1922-1996 Jitsuyo Shinan Toroku Koho 1996-2010 Kokai Jitsuyo Shinan Koho 1971-2010 Toroku Jitsuyo Shinan Koho 1994-2010 Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y  Y	JP2002-303283A (OO Computer Co., Ltd.) December 17, 1990 (17.12.1990) Page 3, upper left column line 2-upper right column line 6; Fig. 1 (Family: none)  JP2003-44000A (△△Electric Corporation) December 18, 2000 (18.12.2000), paragraph [0032] & US 2004/0009188A1 & EP 1313345A2	1-4 5-6  5-6
<input type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex.		
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family		
Date of the actual completion of the international search August 10, 2010 (10.08.2010)		Date of mailing of the international search report August 18, 2010 (18.08.2010)
Name and mailing address of the ISA/		Authorized officer
Facsimile No.		Telephone No.

Form PCT/ISA/210 (second sheet) (July 2009)

From the  
INTERNATIONAL SEARCHING AUTHORITY

# PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

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

Applicant

- This opinion contains indications relating to the following items:
  - Box No. I Basis of the opinion
  - Box No. II Priority
  - Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - Box No. IV Lack of unity of invention
  - Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
  - Box No. VI Certain documents cited
  - Box No. VII Certain defects in the international application
  - Box No. VIII Certain observations on the international application
- FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.
- For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/  
Facsimile No.

Date of completion of this opinion

Authorized officer  
Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

**Box No. V** Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	_____	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	_____	YES
	Claims	_____	NO

2. Citations and explanations:

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
International Patent Classification (IPC) or national classification and IPC			
Applicant			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44bis.1(a).

2. This REPORT consists of a total of \_\_\_\_\_ sheets, including this cover sheet.  
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- Box No. I Basis of the report
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).

	Date of issuance of this report
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

# APPENDIX (13) Front Page of the International Publication (A2)

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization  
International Bureau



(43) International Publication Date  
5 August 2010 (05.08.2010)

PCT

(10) International Publication Number  
**WO 2010/086875 A2**

(51) International Patent Classification:  
D06B 1/10 (2006.01)

(21) International Application Number:  
PCT/IN2010/000006

(22) International Filing Date:  
6 January 2010 (06.01.2010)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
169/MUM/2009 28 January 2009 (28.01.2009) IN

(72) Inventor; and

(71) Applicant : **THAKER, Umesh, Hariprasad** [IN/IN];  
407, Ajitnath apartment, B/H Sudama Resort, Pritam Nagar, Ellis bridge, Ahmedabad-380006, Gujarat State (IN).

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD,

ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Declarations under Rule 4.17:

— as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))

— as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii))

Published:

— without international search report and to be republished upon receipt of that report (Rule 48.2(g))

(54) Title: VARIABLE MICRO SLIT PADDER

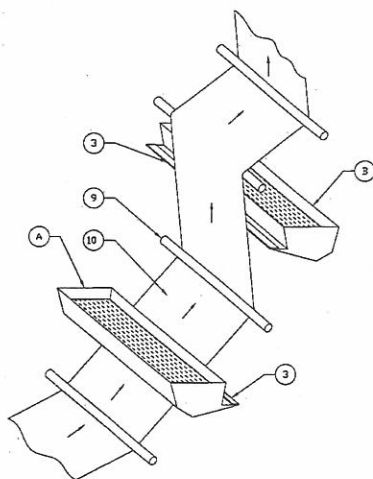


Fig. 2

(57) Abstract: For finishing the fabric in textile processing, the fabric is generally treated by dipping it into the solution of chemicals dissolved in water in required amount. The fabric absorbs the said solution. The fabric is further passed through a padder or mangle. A padder or a mangle is a device to press the fabric between two rollers to squeeze out the water from the fabric. The excess water then is removed by heating the fabric in a stenter. Present invention provides a variable micro slit padder to supply exact amount of solution to be applied on fabric for treatment so that excess energy for removing excess water is avoided. The said variable micro slit padder is mainly characterized by: Plurality of micro slit assembly comprises of plurality of microslit with plurality of microslit blade and plurality of actuator motors providing either tilting movement or sliding movement for accurate opening of the microslits. A Programmable Logic Controller or micro processor based controller is provided for accurate functioning of microslits. This controller calculates the required accurate opening of microslit based on process inputs and sends signal accordingly to plurality of actuator motor. Plurality of chemical tanks is provided for the each of the plurality of the micro slit to treat the top and bottom side of the fabric separately using the solution stored in plurality of chemical tanks.

WO 2010/086875 A2



# APPENDIX (14) Front Page of the International Publication (A3)

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization  
International Bureau



(43) International Publication Date  
5 August 2010 (05.08.2010)

(10) International Publication Number  
**WO 2010/086875 A3**

(51) International Patent Classification:  
*D06B 1/10* (2006.01)

SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(21) International Application Number:  
PCT/IN2010/000006

(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(22) International Filing Date:  
6 January 2010 (06.01.2010)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
169/MUM/2009 28 January 2009 (28.01.2009) IN

**Declarations under Rule 4.17:**

(72) Inventor; and  
(71) Applicant : **THAKER, Umesh, Hariprasad** [IN/IN];  
407, Ajitnath apartment, B\H Sudama Resort, Pritam Nagar, Ellis bridge, Ahmedabad-380006, Gujarat State (IN).

- as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))
- as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii))

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD,

**Published:**

- with international search report (Art. 21(3))
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments (Rule 48.2(h))

(88) Date of publication of the international search report:  
16 September 2010

(54) Title: VARIABLE MICRO SLIT PADDER

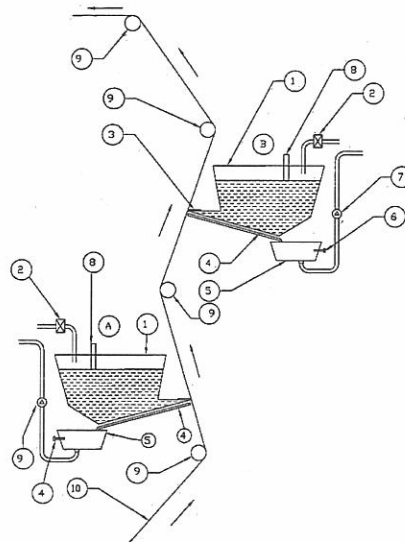


Fig. 3

(57) Abstract: For finishing the fabric in textile processing, the fabric is generally treated by dipping it into the solution of chemicals dissolved in water in required amount. The fabric absorbs the said solution. The fabric is further passed through a padder or mangle. A padder or a mangle is a device to press the fabric between two rollers to squeeze out the water from the fabric. The excess water then is removed by heating the fabric in a stenter. Present invention provides a variable micro slit padder (a, B) to supply exact amount of solution to be applied on fabric (10) for treatment so that excess energy for removing excess water is avoided. The said variable micro slit padder is mainly characterized by: Plurality of micro slit (3) assemblies: A Programmable Logic Controller or micro processor; Plurality of chemical tanks (1).

WO 2010/086875 A3





Search result: 1 of 1

**(WO/2010/086875) VARIABLE MICRO SLIT PADDER**

Biblio. Data	Description	Claims	National Phase	Notices	Documents
--------------	-------------	--------	----------------	---------	-----------

Latest bibliographic data on file with the International Bureau 

Pub. No.:	WO/2010/086875	International Application No.:	PCT/IN2010/000006
Publication Date:	05.08.2010	International Filing Date:	06.01.2010

IPC: D06B 1/10 (2006.01)

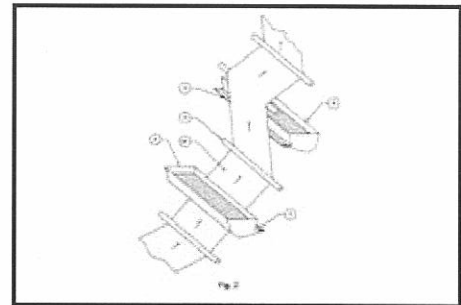
Applicant: THAKER, Umesh, Hariprasad [IN/IN]; (IN).

Inventor: THAKER, Umesh, Hariprasad; (IN).

Priority Data: 169/MUM/2009 28.01.2009 IN

Title: VARIABLE MICRO SLIT PADDER

**Abstract:** For finishing the fabric in textile processing, the fabric is generally treated by dipping it into the solution of chemicals dissolved in water in required amount. The fabric absorbs the said solution. The fabric is further passed through a padder or mangle. A padder or a mangle is a device to press the fabric between two rollers to squeeze out the water from the fabric. The excess water then is removed by heating the fabric in a stenter. Present invention provides a variable micro slit padder (a, B) to supply exact amount of solution to be applied on fabric (10) for treatment so that excess energy for removing excess water is avoided. The said variable micro slit padder is mainly characterized by: Plurality of micro slit (3) assemblies; A Programmable Logic Controller or micro processor; Plurality of chemical tanks (1).

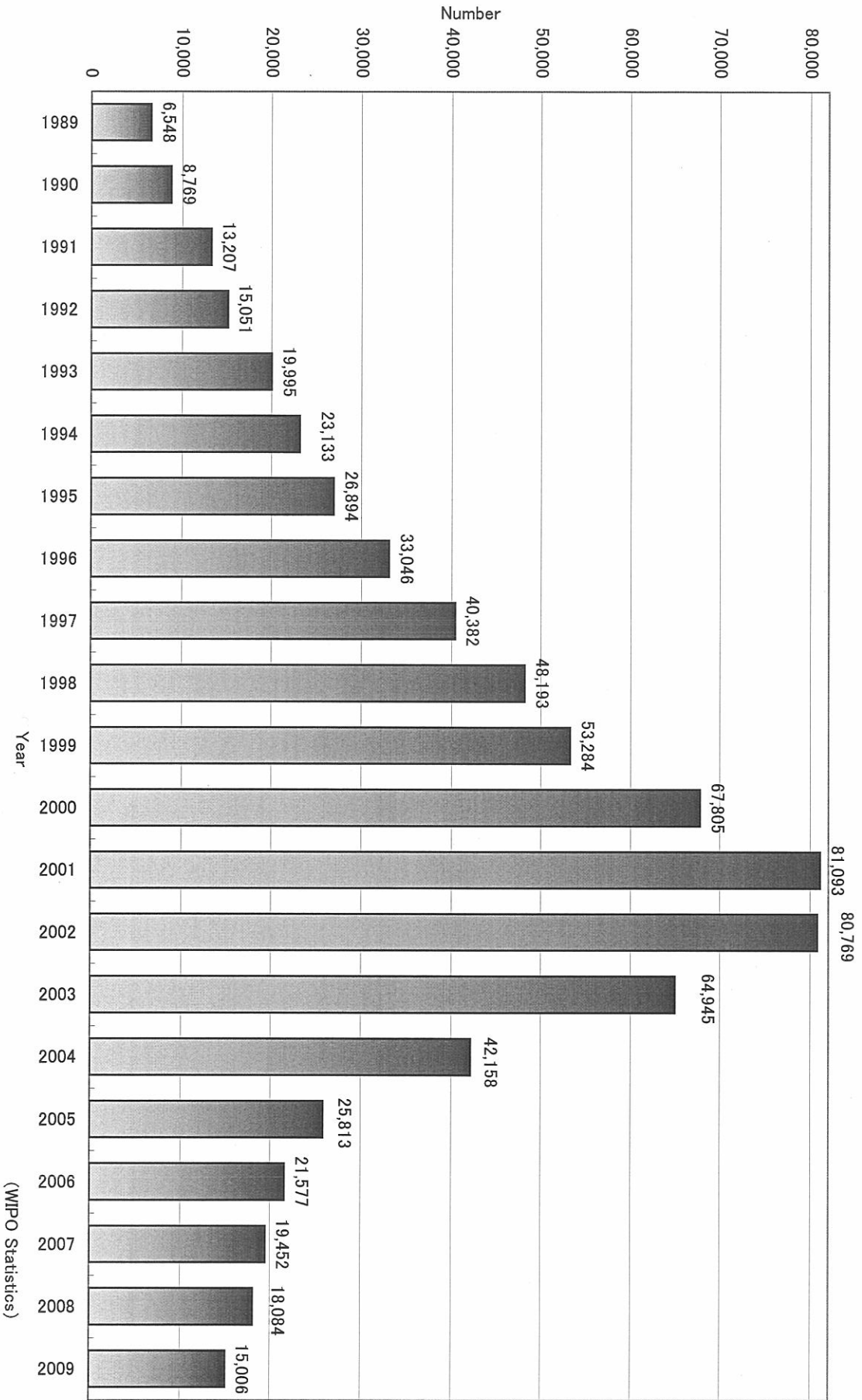


**Designated States:** AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.  
African Regional Intellectual Property Org. (ARIPO) (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW)  
Eurasian Patent Organization (EAPO) (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM)  
European Patent Office (EPO) (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, SE, SI, SK, SM, TR)  
African Intellectual Property Organization (OAPI) (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

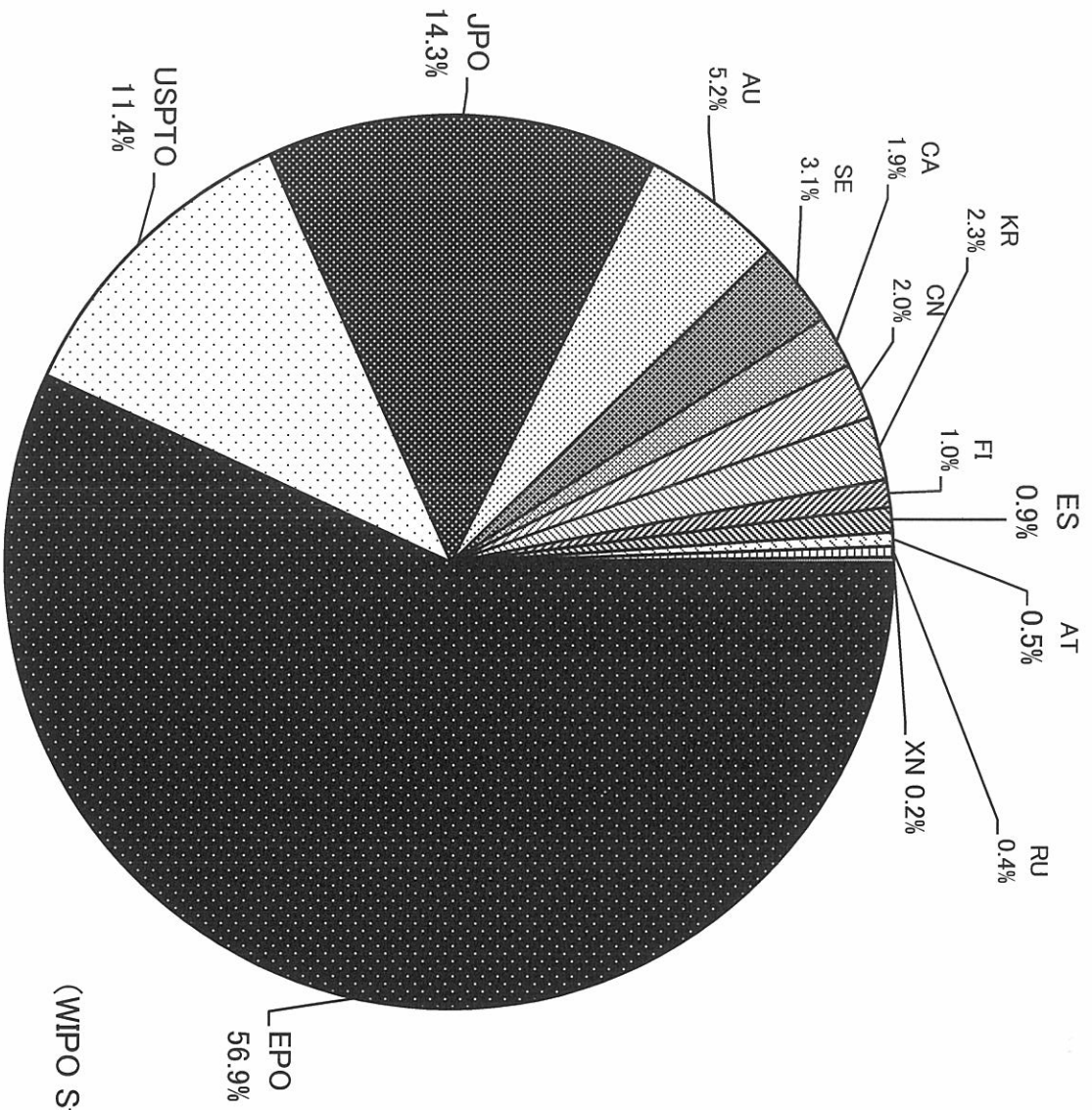
Publication Language: English (EN)

Filing Language: English (EN)

# APPENDIX (16) Number of Demand



APPENDIX (17) Distribution of IPEs by IPEAs (2009)



(WIPO Statistics)

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:

## APPENDIX (18) Demand for International Preliminary Examination

# 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
<b>Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION</b>	
Applicant's or agent's file reference <b>CHOCO 95549</b>	
International application No. <b>PCT/US2010/654321</b>	International filing date ( <i>day/month/year</i> ) <b>15 February 2010</b> (15.02.2010)
(Earliest) Priority date ( <i>day/month/year</i> ) <b>25 February 2009</b> (25.02.2009)	
Title of invention <b>PROCESS FOR FOLDING WRAPPING PAPER FOR CHOCOLATES</b>	
<b>Box No. II APPLICANT(S)</b>	
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> )  <b>CANDY WRAP UNLIMITED, INC.</b> <b>300 Colorado Street</b> <b>Baltimore, Maryland 21201-4307</b> <b>United States of America</b>	Telephone No.  <b>(+1) 301 876-5432</b>
	Facsimile No.  <b>(+1) 301 876-5555</b>
	Applicant's registration No. with the Office
<b>E-mail authorization:</b> 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. <input type="checkbox"/> as advance copies followed by paper notifications; or <input checked="" type="checkbox"/> exclusively in electronic form (no paper notifications will be sent). E-mail address: <u><b>candy@anumma.com</b></u>	
State ( <i>that is, country</i> ) of nationality: <b>US</b>	State ( <i>that is, country</i> ) of residence: <b>US</b>
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> )  <b>JONES, Mary</b> <b>1600 South Eads Street</b> <b>Arlington, Virginia 22202-2913</b> <b>United States of America</b>	
State ( <i>that is, country</i> ) of nationality: <b>US</b>	State ( <i>that is, country</i> ) of residence: <b>US</b>
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.	

**Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE**

The following person is  agent  common representative  
 and  has been appointed earlier and represents the applicant(s) also for international preliminary examination.  
 is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked.  
 is hereby appointed, specifically for the procedure before the International Preliminary Examining Authority, in addition to the agent(s)/common representative appointed earlier.

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.)*

DAVIS, Catherine  
 2500 Virginia Avenue, N.W.  
 Washington, D.C. 20037-1902  
 United States of America

Telephone No.

(+1) 301 557-3054

Facsimile No.

(+1) 301 557-3060

Agent's registration No. with the Office

**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.

as advance copies followed by paper notifications; or  exclusively in electronic form (no paper notifications will be sent).  
 E-mail address: **davispatents@anumma.com**

**Address for correspondence:** Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

**Box No. IV BASIS FOR INTERNATIONAL PRELIMINARY EXAMINATION****Statement concerning amendments:\***

1. The applicant wishes the international preliminary examination **to start on the basis of:**

the international application as originally filed

the description  as originally filed  
 as amended under Article 34

the claims  as originally filed  
 as amended under Article 19 (together with any accompanying statement)  
 as amended under Article 34

the drawings  as originally filed  
 as amended under Article 34

2.  The applicant wishes any amendment to the claims under Article 19 to be considered as reversed.

3.  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 requests the IPEA **to postpone** the start of the international preliminary examination until the expiration of the applicable time limit under Rule 69.1(d).

4.  The applicant expressly wishes the international preliminary examination **to start earlier** than at the expiration of the applicable time limit under Rule 54bis.1(a).

\* Where no check-box is marked, international preliminary examination will start on the basis of the international application as originally filed or, where a copy of amendments to the claims under Article 19 and/or amendments of the international application under Article 34 are received by the International Preliminary Examining Authority before it has begun to draw up a written opinion or the international preliminary examination report, as so amended.

**Language for the purposes of international preliminary examination:** English

- which is the language in which the international application was filed.  
 which is the language of a translation furnished for the purposes of international search.  
 which is the language of publication of the international application.  
 which is the language of the translation (to be) furnished for the purposes of international preliminary examination.

**Box No. V ELECTION OF STATES**

The filing of this demand constitutes the election of all Contracting States which are designated and are bound by Chapter II of the PCT.

**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  | : | 3 | sheets |
| 3. copy (or, where required, translation) of amendments under Article 19 and accompanying letter (Rule 46.5(b)) | : |   | sheets |
| 4. copy (or, where required, translation) of any statement under Article 19 (Rule 62.1(ii))                     | : |   | sheets |
| 5. letter   | : |   | sheets |
| 6. 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"/> |

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).*

*Catherine Davis*  
Catherine Davis

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:



## PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

# PCT

WRITTEN OPINION OF THE  
INTERNATIONAL PRELIMINARY  
EXAMINING AUTHORITY

(PCT Rule 66)

To:		Date of mailing (day/month/year)	
Applicant's or agent's file reference		REPLY DUE within _____ months/days from the above date of mailing	
International application No.	International filing date (day/month/year)	Priority date (day/month/year)	
International Patent Classification (IPC) or both national classification and IPC			
Applicant			

1.  The written opinion established by the International Searching Authority:  
 is  is not  
considered to be a written opinion of the International Preliminary Examining Authority.

2. This \_\_\_\_\_ (first, etc.) opinion contains indications relating to the following items:

Box No. I Basis of the opinion

Box No. II Priority

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Box No. IV Lack of unity of invention

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

Box No. VI Certain documents cited

Box No. VII Certain defects in the international application

Box No. VIII Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

**When?** See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3.  
For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also** For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4*bis*.  
For an informal communication with the examiner, see Rule 66.6.  
For an additional opportunity to submit amendments, see Rule 66.4.

**If no reply is filed.** the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability  
(Chapter II of the PCT) must be established according to Rule 69.2 is: \_\_\_\_\_

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

WRITTEN OPINION OF THE  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

**Box No. V** Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	_____	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	_____	YES
	Claims	_____	NO

2. Citations and explanations:



## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No.	International filing date ( <i>day/month/year</i> )	Priority date ( <i>day/month/year</i> )
International Patent Classification (IPC) or national classification and IPC		
Applicant		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of \_\_\_\_\_ sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a.  (*sent to the applicant and to the International Bureau*) a total of \_\_\_\_\_ sheets, as follows:

sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b.  (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_ containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

4. This report contains indications relating to the following items:

Box No. I Basis of the report

Box No. II Priority

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Box No. IV Lack of unity of invention

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

Box No. VI Certain documents cited

Box No. VII Certain defects in the international application

Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	_____	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	_____	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70.7)

## Time Limits for Entering National/Regional Phase under PCT Chapters I and II

(in months from priority date)  
(status on 1 July 2010)

Note that detailed information on the excusing of delays in meeting time limits before certain designated/elected Offices is contained in the corresponding National Chapters of the *PCT Applicant's Guide*.

Designated/elected Office	Chapter I (under PCT Article 22)	Chapter II (under PCT Article 39(1))
AE	30	30
AG <sup>1</sup>	30	30
AL	30	31
AM <sup>2</sup>	31	31
AO <sup>1</sup>	30	30
AP <sup>3</sup>	31	31
AT <sup>4</sup>	30	30
AU	31	31
AZ <sup>2</sup>	30	31
BA	34	34
BB	30	30
BG <sup>4</sup>	31	31
BH	30	30
BR	30	30
BW <sup>5</sup>	31	31
BY <sup>2</sup>	31	31
BZ	30	30 <sup>6</sup>
CA	30 (42 <sup>7</sup> )	30 (42 <sup>7</sup> )
CH <sup>4, 8</sup>	30	30
CL	30	30
CN	30	30
CO	31	31
CR	31	31
CU	30	30
CZ <sup>4</sup>	31	31
DE <sup>4</sup>	30	30
DK <sup>4</sup>	31 <sup>9</sup>	31 <sup>9</sup>
DM <sup>1</sup>	30	30
DO	30	30
DZ	31	31
EA	31	31
EC	31	31
EE <sup>4</sup>	31	31

EG	30 (33 <sup>7</sup> )	30 (33 <sup>7</sup> )
EP <sup>12</sup>	31	31
ES <sup>4</sup>	30	30
FI <sup>4</sup>	31	31
GB <sup>4</sup>	31	31
GD <sup>1</sup>	30	30
GE	31	31
GH <sup>5</sup>	30	30
GM <sup>5</sup>	30	31
GT	30	30
HN	30	30
HR <sup>4</sup>	31	31
HU <sup>4</sup>	31	31
ID	31 <sup>13</sup>	31 <sup>13</sup>
IL	30	30
IN	31	31
IS <sup>4</sup>	31	31
JP	30	30
KE <sup>5</sup>	30	30
KG <sup>2</sup>	31	31
KM <sup>1</sup>	30	30
KN <sup>1</sup>	30	30
KP	30	30
KR	31	31
KZ <sup>2</sup>	31	31
LA <sup>1</sup>	30	30
LC <sup>1</sup>	30	30
LK	30	30
LR	30	31
LS <sup>5</sup>	30	31
LT <sup>4</sup>	31	31
LU <sup>4</sup>	20 <sup>10</sup>	30
LY <sup>1</sup>	30	30
MA	31	31
MD <sup>2</sup>	31	31
ME <sup>1</sup>	30	30
MG	30	30
MK <sup>11</sup>	31	31
MN	31	31
MW <sup>5</sup>	30	30
MX	30	30
MY	30	30
MZ <sup>5</sup>	31	31

NA <sup>5</sup>	31	31
NG	30	30
NI	30	30
NO <sup>4</sup>	31	31
NZ	31	31
OA <sup>14</sup>	30	30
OM <sup>1</sup>	30	30
PE	30	30
PG	31	31
PH	30 (31 <sup>7</sup> )	30 (31 <sup>7</sup> )
PL <sup>4</sup>	30	30
PT <sup>4</sup>	30	30
RO <sup>4</sup>	30	30
RS	30 <sup>15</sup>	30 <sup>15</sup>
RU <sup>2</sup>	31	31
SC	31	31
SD <sup>5</sup>	30	30
SE <sup>4</sup>	31	31
SG	30	30
SK <sup>4</sup>	31	31
SL <sup>5</sup>	31	31
SM <sup>16</sup>	31	31
SV <sup>1</sup>	30	30
SY	31	31
TJ <sup>2</sup>	30	31
TM <sup>2</sup>	30	31
TN <sup>1</sup>	30	30
TR <sup>4</sup>	30 (33 <sup>7</sup> )	30 (33 <sup>7</sup> )
TT	30	31
TZ <sup>5</sup>	21 <sup>10</sup>	31
UA	31	31
UG <sup>5</sup>	21 <sup>10</sup>	31
US	30	30
UZ	31	31
VC	30	30
VN	31	31
ZA	31	31
ZM <sup>5</sup>	30	30
ZW <sup>5</sup>	30	31

<sup>1</sup> In the absence of information from the Office concerned, the time limits shown are those which would normally apply under PCT Articles 22(1) and 39(1)(a). If the Office decides to apply longer time limits, that information will be published

in the *PCT Newsletter*.

<sup>2</sup> If designated/elected for a Eurasian patent, see EA as designated/elected Office (DO/EO) for the applicable time limits.

<sup>3</sup> This Office acts as DO/EO for the following State which does not act in the capacity of DO/EO: SZ.

<sup>4</sup> If designated/elected for a European patent, see EP as DO/EO for the applicable time limits.

<sup>5</sup> If designated/elected for an ARIPO patent, see AP as DO/EO for the applicable time limits.

<sup>6</sup> May be extended upon written request of the applicant.

<sup>7</sup> Time limit applicable if applicant pays an additional fee for late entry into the national phase (see relevant national chapter of *PCT Applicant's Guide* for details).

<sup>8</sup> This Office acts as DO/EO for the following State which does not act in the capacity of DO/EO: LI.

<sup>9</sup> A special time limit of 20 months applies in respect of the Danish territory of the Faroe Islands.

<sup>10</sup> This Office has notified the International Bureau of the non-applicability of the time limit under PCT Article 22(1), as modified with effect from 1 April 2002 – it does not yet apply the 30-month time limit for entering the national phase.

<sup>11</sup> For international applications filed on or after 1 January 2009 only: if designated/elected for a European patent, see EP as DO/EO for the applicable time limits.

<sup>12</sup> This Office acts as DO/EO for the following States which do not act in the capacity of DO/EO: BE, CY, FR, GR, IE, IT, LV, MC, MT, NL, SI.

<sup>13</sup> This time limit may be extended provided that the applicant pays an additional fee for late entry into the national phase.

<sup>14</sup> This Office acts as DO/EO for the following States which do not act in the capacity of DO/EO: BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG.

<sup>15</sup> The time limit can be extended by 30 days if the applicant pays an additional fee for late entry into the national phase.

<sup>16</sup> For international applications filed on or after 1 July 2009 only, if designated/elected for a European Patent, see EP as DO/EO for the applicable time limits.