

Preparing for the December 5, 2023 webinar

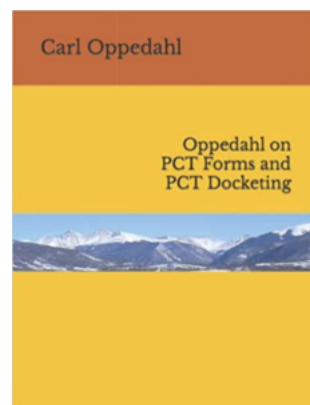
What will I need to have in hand when I attend the webinars? To make best use of the webinar, you will need to have on hand a *copy of each PCT form being discussed*. I can imagine three ways that you might do this.

Print copies of the PCT forms. You can go to the WIPO web site at <https://www.wipo.int/pct/en/forms/ib/index.html> and you can click on and print out each of the approximately sixteen PCT/IB forms that will be discussed. This approach has the advantage that you can write notes on the forms and can jot questions on the forms. You can then preserve your annotated forms along with the presentation materials.

Viewing the PCT forms on a computer screen. Some attendees might choose simply to view the forms on a computer screen. To make this work well you would likely want to use two computer monitors during the webinar, devoting one monitor to the forms as viewed at <https://www.wipo.int/pct/en/forms/ib/index.html> and devoting the other monitor to the live webinar activity.

The PCT Forms book. Some attendees will already have a copy of the book *Oppedahl on PCT Forms and PCT Docketing*. If so, then the attendee will find it very helpful to keep the book at hand during the webinar, turning the pages of the book to follow along as we discuss the various PCT/RO forms one by one. This permits writing notes on the forms and jotting questions on the forms.

Printing out the presentation materials. Most attendees will likely find it very helpful to print out the presentation materials in advance of the webinar. This permits taking notes and jotting questions on the presentation materials.



International Bureau forms

Tuesday, December 5, 2023
10AM to 11:30 AM MT

Carl Oppedahl
Blog.oppedahl.com

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Today's webinar

- Feel free to post questions as they come to mind
- We will adjourn at 90 minutes and this means some slides might get deferred to the next webinar on Friday, December 8, 2023
- You will want to refer to the forms themselves:
 - You may have already printed them out from <https://www.wipo.int/pct/en/forms/>
 - You may have set it up to view them on a computer screen from <https://www.wipo.int/pct/en/forms/>
 - You may be making use of a copy of *Oppedahl on PCT Forms and PCT Docketing* which provides the forms

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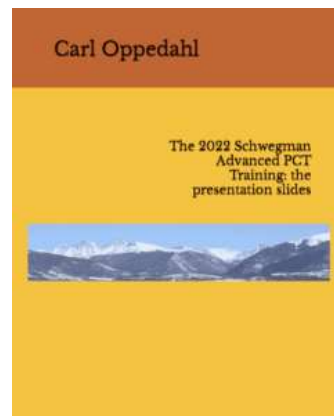
The next two webinars

- **International Searching Authority forms** webinar, Friday, December 8, 2023. 10AM to 11:30 AM MT. Note that depending on timing, some of the International Searching Authority forms will likely be covered in the December 12 webinar. If you sign up for the December 8 webinar, you will probably also want to sign up for the December 12 webinar.
- **International Preliminary Examining Authority forms** webinar, Tuesday, December 12, 2023. 10AM to 11:30 AM MT.

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Helpful resources

- Binge-watching 14 hours about the PCT
- Free of charge
- <https://blog.oppedahl.com/the-2022-schwegman-advanced-pct-training/>



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Helpful resources

- Binge-watching 19 hours about ePCT
- Free of charge
- <https://blog.oppedahl.com/please-sign-up-for-fifteen-webinars-about-epct/>

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PCT Distance Learning Course: Introduction to the Patent Cooperation Treaty

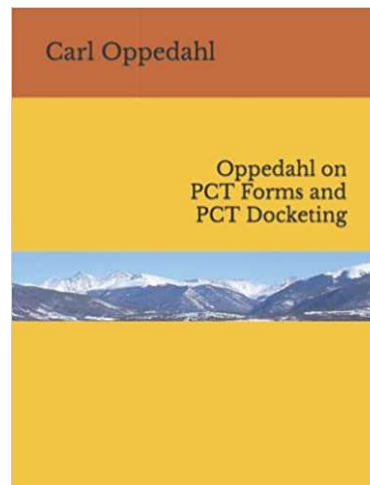
Course number PCT_101E – DL101

- Free of charge
- Self-paced
- You can earn a certificate
- https://welc.wipo.int/acc/index.jsf?page=courseCatalog.xhtml&lang=en&cc=PCT_101E

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Oppedahl on PCT Forms and PCT Docketing

- 218 pages
- 8.5 x ½ x 11 inches
- Language: English
- ISBN-13: 979-8766914655
- Item Weight: 1.41 pounds



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PCT listserv

- https://oppedahl-lists.com/mailman/listinfo/pct_oppedahl-lists.com
- More than 900 members

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Form PCT/RO/117 – Notification that International Application Considered to be Withdrawn

What's going on here: This is the form by which the receiving office tells you that they do officially consider the application to be deemed withdrawn. It will normally have been preceded by Form PCT/RO/115. This might count as good news if your goal was that you wanted to be deemed withdrawn. The other possibility of course is that you did not at all want it to be deemed withdrawn, in which case this form is extremely bad news.

Inbound docketing significance: Probably you had already set a docket for this form, prompted by previous receipt of Form PCT/RO/115. If not, then it is time to Call a Meeting.

Reporting: This should almost certainly be reported to the client. One possibility is that the form is expected in which case the reporting letter begins "this is no surprise because ...". The other possibility is that the form was not expected. Either way it should be reported.

Next steps: If you are trying to somehow avert or undo the withdrawal, then you will likely have many next steps. Depending on what went wrong, you might want to see whether you can make use of a Request for the Restoration of the Right of Priority with a new PCT filing.

Outbound docketing significance: If the withdrawn status was expected, then there may be no further steps to carry out beyond reporting to the client.

Form PCT/RO/126 – Notification Concerning Later Submitted Sheets Not For Incorporation By References

What's going on here: you sent in "later submitted sheets". This may well have been a big mistake.

The applicant is hereby notified that later submitted sheets embodying a missing part or a correct element or part of the (purported) international application furnished by the applicant to complete or correct the international application were received by this receiving Office on <blah date> that is, on a date later than the date on which one or more elements referred to in Article 11(1)(iii) were first received by this receiving Office.

WARNING: Where item c. or d. is checked, the applicant may, in a notice submitted to the receiving Office within one month from the date of mailing of this notification, request that the later submitted sheets be disregarded, in which case the later submitted sheets shall be considered not to have been furnished and the correction of the international filing date shall be considered not to have been made and, where applicable, the erroneously filed element or part shall be considered not to have been removed from the application (Rule 20.5(e) or 20.5bis(e)).

Form PCT/RO/126 – Notification Concerning Later Submitted Sheets Not For Incorporation By References

Inbound docketing significance: Maybe you had already set a docket for this form, prompted by your having sent in “later submitted sheets”. More likely this form will be a complete surprise. Either way, it is time to Call a Meeting.

Reporting: This should almost certainly be reported to the client. One possibility is that the form is expected in which case the reporting letter begins “this is no surprise because ...”. The other possibility is that the form was not expected. Either way it should be reported.

Next steps: Decide whether you are willing to lose your original filing date.
Almost certainly the answer is “no”!

Outbound docketing significance: Aggressively docket the one-month response period.

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Form PCT/RO/132 – Communication in Cases for which no other form is Applicable

This is the RO counterpart to form PCT/IB/345.

What’s going on here: Usually this form is unexpected.

The chief situation where this form is expected is the situation where you asked the Receiving Office to make the IA available to the DAS system. When the RO does this, the RO needs to somehow let you know the DAS access code. This form is used to communicate the DAS access code. (See next slide.)

If this form was unexpected ...

Inbound docketing significance: You get to Call a Meeting.

Reporting: The form is probably letting you know you did something wrong. Probably the client needs to be told.

Next steps: You will have to choose next steps based upon whatever is being communicated by the form.

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Form PCT/RO/132 – Communication in Cases for which no other form is Applicable

The chief situation where this form is expected is the situation where you asked the Receiving Office to make the IA available to the DAS system. When the RO does this, the RO needs to somehow let you know the DAS access code. This form is used to communicate the DAS access code.

Inbound docketing significance: Given that you asked the Receiving Office to make the IA available to the DAS system, then it will have been a Best Practice to set a docket to check for receipt of this form and then you get to clear the docket.

Next steps: If the point of this form was to learn the DAS access code, then your next step will be to add this IA to your DAS workbench and to set up an alert and to obtain a Certificate of Availability. Probably it will not be possible to do these things on the very day that the form arrives. More likely you will have to wait one or two business days to get these things to work.

Form PCT/IB/301 – Notification of Receipt of Record Copy

What's going on here: Nominally this form's purpose is to let you know that the International Bureau received the Record Copy of the PCT application from the Receiving Office. This is the IB's counterpart to Form PCT/RO/105.

Inbound docketing significance: The arrival of this form permits you to clear your docket to check for receipt of this form. If you had not previously set a docket for this, it is time to Call a Meeting (page 15). So anyway, yes, if you receive this form, you get to clear this docket. Then of course you need to proofread this form to make sure it is accurate. Is the filing date what you expected it to be? Are all of the priority claims that you intended to present listed accurately on the form? Does the international application number match what you thought it was?

Form PCT/IB/301 – Notification of Receipt of Record Copy

- If you e-filed using ePCT, you can be pretty sure that everything is probably accurate on this form, for the simple reason that your information will have auto-loaded into the PCT systems.
- If you e-filed in RO/US using a ZIP file, you can be pretty sure that everything is accurate on this form for the same reason as the previous point.
- The chief risk area for a filer in RO/US is if you filed without using a ZIP file, which is tantamount to malpractice. In such a case, the Office personnel had to hand-key the Request information into the PCT systems, and could conceivably have mistyped something.

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Form PCT/IB/301 – Notification of Receipt of Record Copy

Reporting: This form is very much like a domestic Filing Receipt and you will probably want to report it to the client in much the same way that you would report a Filing Receipt.

Next steps: At this point you should now have access to the application in your workbench in ePCT, if you did not already have such access. So an important next step is to check to make sure that you have access to the application in your workbench in ePCT. If necessary you would need to extend that access to others in your office, and to colleagues. If you do not already have access to the application in your workbench in ePCT, then it is time to Call a Meeting (page 15) to try to figure out why you did not automatically get such access. You can then use the Secret Code Number in the lower right corner of the form PCT/IB/301 to gain access in ePCT.

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Form PCT/IB/304 – Notification Concerning Submission, Obtention or Transmittal of Priority Document

What's going on here: This is the International Bureau's way of letting you know that it has or has not received certified copies of the priority documents listed in Box VI of the Request. This is a very important form. Assuming that you had made a priority claim, you will have previously set a docket to check for receipt of this form. (That, or Call A Meeting.) Once this form is received, you may clear that docket. The main significance of this form is that if you did claim priority from any previous application, you should expect to receive this form and you will want to check and make sure that the International Bureau has received a certified copy of each such priority application.

This is, by the way, the place where a person will likely have encountered the word "obtention" for the first time in one's life.

Form PCT/IB/304 – Notification Concerning Submission, Obtention or Transmittal of Priority Document

A chief significance of this form is ***the dreaded NR***. if you see the letters NR next to any application listed on this form, then this is cause for calling a meeting. The main point here is that if you see an NR, you need to try to figure out why the certified copy has not been received by the International Bureau. The explanation might be benign, but the explanation might be that some terrible problem needs to be fixed. Perhaps a mistyped priority application number, a mistyped priority application date, a mistyped two-letter code for the office in which the priority application was filed or some other very serious problem. In any event, if you receive Form IB/304 with the dreaded NR, you need to set one or more dockets, probably multiple dockets to try very hard to get the problem remedied well in excess of the 4 and 16 date, the 4 and 16 date being the date that is four months after the international filing date or 16 months after the priority date, whichever is later.

Keep in mind that if you use ePCT to prepare your Request, you will greatly reduce the risk of ***the dreaded NR***.

Form PCT/IB/304 – Notification Concerning Submission, Obtention or Transmittal of Priority Document

Reporting: Depending upon the client's level of interest in these things, you may wish to report this to the client. If there is a **dreaded NR** then very likely you will want to report this to the client.

Outbound docketing significance: If there is a dreaded NR, then you need to docket aggressively to see that the problem gets fixed somehow. On the other hand if everything on the form matches the priority claims that you really wanted, then you get to relax and you do not need to set any more dockets on this.

Form PCT/IB/306 – Notification of the Recording of a Change

What's going on here: The main significance of Form PCT/IB/306 is that it represents a recognition by the International Bureau that you have carried out some change, typically a change under Rule 92*bis*. The point here is that if you do a 92*bis* change, this change is binding upon all of the designated and elected offices, or to say the same thing differently, the designated and elected offices are not allowed to say no in response to your having carried out a 92*bis* change. The chief significance of this is that you will not have to pay local counsel in the various designated and elected offices to bring about the changes that are described here. The designated and elected offices are obligated to bring about these changes in their own records directly and without the need of local counsel carrying out any formal steps.

Using the 92*bis* process saves you money, sometimes a lot of money. This form is the document by which you save the money.

Inbound docketing significance: Back when you did the 92*bis* change, you will have set a docket to check to make sure that you receive Form PCT/IB/306. If no docket had been set, then it is time to Call a Meeting (page 15). When you receive Form PCT/IB/306, you may clear that docket.

Form PCT/IB/306 – Notification of the Recording of a Change

Next steps: An step that is called for when you receive this form is to go look in ePCT and to independently confirm that the information shown in the IASR (International Application Status Report) is the way you expected it to be. If the international application has not yet been published, you will want to download and confirm that the preview of the front page of your PCT publication is as you expect it to be. To see this, you will go into ePCT and select the application of interest, and click on “data”. You will then click on “publication”. You will use an expansion button, which is a right arrow, to expand the publication section, and you will then click on the publication preview, and you can then make sure that the front page preview of your publication is as you expected it to be. You will probably want to report the new publication preview to the client.

Outbound docketing significance: You'll need to set new dockets to check to make sure that the changes reflected in this form are recognized by the various offices in which you enter the national phase. If you entered the national phase in say six offices, you would need to set six distinct dockets to make sure that all six offices recognized the changes that are reflected in this form.

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Form PCT/IB/307 – Notification of Withdrawal of International Application or Designations

What's going on here: The main significance of form IB/307 is that you might have attempted to withdraw your application typically to try to keep it from being published. Why does this happen? Well, perhaps because you received an international search report or written opinion that made the applicant get very discouraged and made the applicant decide that they would rather keep the IA from being published and withdraw the application so as to avoid revealing to the public the information in the international application. The point then of Form PCT/IB/307 is that the International Bureau is acknowledging that the case is in fact deemed withdrawn and then you can look at the check boxes to see whether the IB will keep the case from being published.

Inbound docketing significance: Assuming that you were trying to get the case withdrawn, then you will have set a docket to check for this Form PCT/IB/307. (If no docket had been set, then it is time to Call a Meeting (page 15).) When you receive Form PCT/IB/307, you may clear that docket.

Reporting: Assuming you were trying to get the case withdrawn, and assuming you were trying to get it withdrawn to prevent publication, then you will want to check section 2 to see whether you succeeded. Hopefully you did succeed, in which case you get to report this result to the client.

If you were not trying to get the case withdrawn, you will also need to report this form to the client.

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Form PCT/IB/308 (First Notice) – First Notice Informing the Applicant of the Communication of the International Application (To Designated Offices Which do not Apply the 30-month Time Limit Under Article 22(1))

What's going on here: This is a routine form mailed out by the IB in all normal PCT applications.

Inbound docketing significance: You may have set a docket for this form. If so, then you get to clear it.

Reporting: Most practitioners do not feel the need to do anything upon receipt of this form. Its chief significance is to remind the reader that there are two Offices (Tanzania and Luxembourg) that will only permit national-phase entry at 20 months unless a Demand has been filed by P+19. Each of those Offices may also be reached through a respective regional filing office.

Outbound docketing significance: You might want to set a docket for Form PCT/IB/308 (Second and Supplementary Notice). Most practitioners do not feel the need to set such a docket.

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Form PCT/IB/308 (Second and Supplementary Notice) – Second and Supplementary Notice Informing the Applicant of the Communication of the International Application (To Designated Offices Which Apply the 30 Month Time Limit Under Article 22(1))

What's going on here: This is a routine form mailed out by the IB in all normal PCT applications.

Inbound docketing significance: You may have set a docket for this form. If so, then you get to clear it.

Reporting: Most practitioners do not feel the need to do anything upon receipt of this form.

Next steps: Entry into the national/regional phase in one or more Offices.

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Form PCT/IB/311 – Notification Concerning Availability of the Publication of the International Application

What's going on here: Nominally the significance of this form is that it is telling you that the International Bureau has published your PCT patent application. Or it has republished it perhaps because of a late International Search Report or an Article 19 amendment.

The thing is, you would almost certainly already know about such events. You will have known for many months just when the publication was going to occur, among other things because you will have arranged for the PCT application to be present in your ePCT workbench. So you will have checked the "timeline" in ePCT and you will have known for a long time when the publication was going to happen.

But in the unlikely event that you had somehow snoozed through all of this, maybe the Form PCT/IB/311 would be the first time that you would be aware that the 18-month publication of your PCT application had occurred.

Form PCT/IB/311 – Notification Concerning Availability of the Publication of the International Application

One reason for inclusion of Form PCT/IB/311 in this book is that it is one of the forms that every PCT applicant receives in nearly every case. If someone were just for the first time becoming familiar with the PCT process, yes the person would turn to this page to find out what this form is and what to do about it.

Inbound docketing significance: It's possible that you may have set a docket to check for arrival of this form. If so, then of course the arrival of the form would prompt you to clear that docket.

Failure of the form to arrive, or more saliently, failure of the IB to carry out the publication, would be potentially a much more serious matter. One way that this could arise is if there were some big misunderstanding about what the actual priority date is (and thus the 30-month time line) for the application. Such misunderstandings should be very nearly impossible because of course you would be using ePCT and crosschecking its time line with your own docketing systems. But a practitioner that had not been using ePCT, and that was somehow mixed up about the true priority date, might find that the failure of this form to arrive when expected could be a tipoff of some mixup about the true priority date.

Form PCT/IB/311 – Notification Concerning Availability of the Publication of the International Application

Next steps: A very important aspect of this form is that it offers a reminder that the case is now visible in Patentscope. Heretofore you could see your pending PCT application in ePCT but members of the general public could not see anything about it. But the event of publication is simultaneous with the event of the application being for the first time visible in Patentscope. This means that anyone sitting at home in their pajamas could learn of the existence of your PCT application.

You will doubtless already have warned the client in writing that **scammers** will be contacting the client, trying to trick the client into paying money for unneeded services. The visibility of the application in Patentscope on a particular date means that as of that date, the scammers can now obtain the mailing address of your client and can start sending their scam letters to your client. Thus the arrival of this form might be a good reason to offer yet another reminder to the client about the importance of not falling prey to the scams.

The fact that the case is now available in Patentscope means that there is now a **permalink in Patentscope** for this case. The permalink can be very handy for purposes of client communications. You may wish to paste the permalink into your docketing database or into an intranet. The client might find it helpful to send the permalink to its inventors on the application.

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Form PCT/IB/311 – Notification Concerning Availability of the Publication of the International Application

The fact that the case has been published means that there is a PDF publication now in existence. You may wish to download and save a copy of the PDF publication. You may wish to save it into your document management system or intranet. The client might want to provide a copy of the PDF file to the inventors.

Outbound docketing significance: I think most practitioners do not set any particular new docket because of the arrival of this form. Yes you may wish to capture the **permalink** and save it to your own systems and communicate it to the client.

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Form PCT/IB/311 – Notification Concerning Availability of the Publication of the International Application

Kind codes. There are several possible “kind codes” that WIPO may use when it carries out a publication of a PCT application.

- 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
- A4 – Later publication of amended claims and/or statement (Article 19) with revised front page
- A8 – International application republished with corrections to front page bibliographic data
- A9 – International application or ISR republished with corrections, alterations or supplements (see also WIPO Standard ST.50)

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Form PCT/IB/311 – Notification Concerning Availability of the Publication of the International Application

Late ISRs. Years ago it was commonplace for some ISAs to be quite tardy in the establishment of ISRs. This led to the IB having to publish the application without the ISR (kind code A2) followed by a later publication of the ISR (kind code A3). In recent years most of the ISAs are quite timely and almost always, the IB is able to publish the ISR with the application itself (kind code A1).

Late Article 19 claims. The ISA might establish the ISR just barely in time for the IB to include it in an A1 publication. In such a case, the applicant is given two months during which to decide whether or not to do an Article 19 amendment. The amendment would thus reach the IB too late to be included with the A1 publication. This would get published separately (the A4 publication).

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Form PCT/IB/314 – Invitation to Request Rectification

What's going on here: This is a form by which the IB tells you that it has identified what it feels is an obvious mistake. You will want to Call a Meeting (page 15).

This is a counterpart to Form PCT/RO/108 and Form PCT/IPEA/411 and Form PCT/ISA/216.

You would normally not have docketed to expect this form. You will typically want to report this to the client.

The IB will give a hint as to which Office it feels is the correct Office to entertain the request for rectification.

You will want to docket this aggressively. If you made your request to the RO, then you will docket to check for receipt of form PCT/RO/109. If you made your request to the ISA, then you will docket to check for receipt of form PCT/ISA/217. If you made your request to the IB, then you will docket to check for receipt of form PCT/IB/315. If you made your request to the IPEA, then you will docket to check for receipt of form PCT/IPEA/412.

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Form PCT/IB/315 – Notification of Decision Concerning Request for Rectification

What's going on here: This is the IB telling you its decision about whether it will carry out a rectification that you have requested. The point of this form is that you have submitted a request for rectification to the IB, and this is the IB's way of telling you what decision they have made about it.

This is the counterpart to Form PCT/ISA/217 and Form PCT/IPEA/412 and Form PCT/RO/109.

If you had already set a docket, then you get to clear it. If you had not set a docket, then it is time to Call a Meeting (page 15). You may wish to report this to the client. Your next steps may be to try to get things fixed in the national phase.

You can request that the request for rectification and the decision be published, along with further brief comments. One must balance the possible benefit of such publication against the possible embarrassment of having the public reading about the situation.

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Form PCT/IB/316 – Invitation to correct priority claim and/or notification of possibility to request restoration of the right of priority

What's going on here: If you received Form PCT/IB/316, this is a serious matter. This means that the International Bureau has the view that there is something seriously wrong with at least one of your priority claims. It may well be that at this point, you need to consider the possibility of requesting restoration of the right of priority. If so, you need to make sure that you put in your request before the end of 14 months from the priority date. You need to Call a Meeting (page 15).

Inbound docketing significance: It is unlikely that you were expecting this form, so probably you had not already set a docket.

Reporting: This needs to be reported immediately to the client.

Form PCT/IB/345 – Communication in Cases for which No Other Form is Applicable

What's going on here: Usually this form is unexpected.

This is the IB counterpart to form PCT/RO/132.

Inbound docketing significance: In general it would be a surprise if you had docketed for receipt of this form. Usually the arrival of this form is unexpected.

Next steps: You will have to choose next steps based upon whatever is being communicated by the form.

Outbound docketing significance: see above.

Form PCT/IB/346 – Notification Concerning the Filing of Amendments of the Claims

What's going on here: The main significance of this form is that maybe you filed an amendment under Article 19. If so, one of the incredibly important points is whether you did or did not manage to get your amendment filed timely. If you got it filed timely, then the International Bureau will take the claim amendments into account and will publish them. If on the other hand you were too late, then the International Bureau will not publish the claim amendments.

Inbound docketing significance: You get to clear the docket for this form. If no docket had been set, then you need to Call a Meeting (page 15).

Reporting: You will probably want to report this to the client.

Outbound docketing significance: The chief next step, assuming that you satisfied the time limit, is to make sure that the IB publishes the amended claims. If there has already been an A1 or A2 publication, then you get to docket to check for an A3 publication. If the case has not yet been published, then the amended claims might get published in the A1 publication.

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Form PCT/IB/368 – Notification of Transmittal of Demand to the Competent International Preliminary Examining Authority

What's going on here: This is the form in which the IB lets you know that you successfully filed a Demand through ePCT.

The paragraph about 19 months and 20 months is not likely to be of concern, because the client probably does not attach great significance to national phase entry in LU or TZ. The paragraph about Rule 54*bis*.1 is likely to be of much greater concern.

Inbound docketing significance: If you e-filed a Demand in ePCT, then you should have set this docket and you may now clear it. If no docket had been set, then you need to Call a Meeting (page 15).

Reporting: You will want to check to see that the IB says you filed your Demand timely. If it says you did not file the Demand timely, then you need to Call a Meeting (page 15).

Outbound docketing significance: Your next docket will be to check for receipt of Form PCT/IPEA/402. You might docket one week for this.

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Form PCT/IB/371 – Notification Relating to Declaration Made Under PCT Rule 4.17

Reporting: If the declarations **were not filed timely**, then you face the unwelcome task of letting the client know that the due date was missed. If the declarations **were timely filed**, then you may wish to provide a copy of the (updated) publication preview (see below) to the client.

Next steps: Assuming good news, namely that the IB agrees that you did file your PCT Declaration or Declarations timely, then the usual next step is to **check the publication preview** in ePCT to see that it shows what you expect. For example if the Declaration you filed is Declaration number 1, you can look to see if the inventor names appear in the preview as expected. For any of Declarations number 2 through 5 you can look for the sentence near the Abstract reciting the Declarations that are to be published.

Outbound docketing significance: If the due date was missed, then you may wish to set a docket to serve as a reminder to file appropriate papers with the Designated or Elected Offices that are affected by the subject matter of the Declarations.

Form PCT/IB/373 – International Preliminary Report on Patentability (Chapter I of the Patent Cooperation Treaty)

What's going on here: This form is the mirror image of Form PCT/IPEA/409 – International Preliminary Report on Patentability (**Chapter II of the Patent Cooperation Treaty**). If no Demand was filed, then what you receive is this form.

This is the form by which the International Bureau communicates the international preliminary report on patentability under chapter I of the Patent Cooperation Treaty. This is a form that is stapled to the front of your Written Opinion from the ISA. The point of this form is that in a particular PCT application, it's possible that you did not file a Demand. If you did not file a Demand, then the International Bureau will take the WO from the ISA and will put this form on the front of it. This form is then used to communicate it to you as the IPRP.

Form PCT/IB/373 – International Preliminary Report on Patentability (Chapter I of the Patent Cooperation Treaty)

When this arrives, it seems exciting. It seems like something important has occurred when in fact nothing important has happened. This is simply telling you something that you already know from perhaps a year earlier when the International Bureau received, just as you did, the WO of the ISA. This form is seldom interesting or exciting news. The significance of this form is basically that there are some patent offices around the world that have business process rules in place that only permit certain things to be done if there is an international preliminary report on patentability, and this form makes the rules possible to carry out.

Inbound docketing significance: most practitioners do not go to the trouble to docket for this form.

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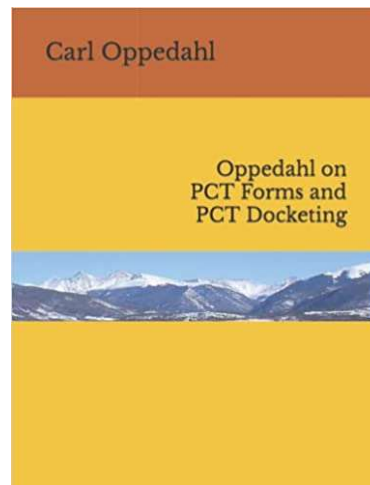
The next three webinars

- ***International Searching Authority forms*** webinar, Friday, December 8, 2023. 10AM to 11:30 AM MT. Note that depending on timing, some of the International Searching Authority forms will likely be covered in the December 12 webinar. If you sign up for the December 8 webinar, you will probably also want to sign up for the December 12 webinar.
- ***International Preliminary Examining Authority forms*** webinar, Tuesday, December 12, 2023. 10AM to 11:30 AM MT.

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- Be sure to complete the evaluation questionnaire
- Thank you!