



## Patent Cooperation Treaty (PCT) Professional Training Seminars

Register at: [pctlearningcenter.org](http://pctlearningcenter.org)

PCT Advanced Seminar: *Key Points in the PCT Process*

December 8, 2009

Alexandria, Virginia

Virginia MCLE Credits (5.25 units) Applied For

Message From Gary Smith, Managing Director:

Welcome back to PCT Learning Center!



After a quiet summer, events this Fall generated some significant changes to the PCT:

The PCT Assembly meeting at WIPO on September 25 approved certain changes to the Rules. Highlights of the changes are:

- When filing amendments to the description, claims or drawings, applicants will be required to indicate the basis for those amendments in the application as filed. To provide for this, Rules 46.5 and 66.8 have been amended and a new Rule 70.2 (*c-bis*) has been added. These changes will effect any amendments made on or after 1 July 2010.
- The Supplementary International Search (SIS) program has been clarified as to how those authorities providing SIS may define the scope of the SIS services and policies for refunding certain fees. These changes will be effective for any SIS requested on or after 1 July 2010.

### Entering the Patent Prosecution Highway (PPH) via the PCT

The PCT search report with written opinion (IPRP Chapter I) as well as the preliminary examination report (IPRP II) will soon become entry points to the Patent Prosecution Highway (PPH). It is expected that the Trilateral Offices (USPTO, EPO and JPO) will announce very soon the decision to implement this new program in the three offices, starting with pilot projects early next year. It has been a major shortcoming of the PPH to not allow the PCT to become an entry point since most applicants wishing to internationalize their inventions use the PCT system.

In the opinion of the PCT Learning Center, this will be a considerable inducement to those applicants wishing to obtain patent protection in the growing list countries participating in the PPH. Since the PCT requires International Searching Authorities to complete their search report with written opinion under strict time limits -- which are usually shorter than the time needed to reach a first action in most PPH participating countries -- applicants will have the opportunity to obtain much earlier decisions on patentability by the PCT/PPH route.

This new PCT/PPH linkage should result in an environment where patent offices will be better able to share scarce examining resources to help reduce the large and growing backlogs of pending applications world-wide (currently over 4 million!)

### Alert!

- ➔ The Web address of the PCT Legal Administration was changed with the release of the new Web site of the USPTO. The new Web address is: [http://www.uspto.gov/patents/init\\_events/pct/index.jsp](http://www.uspto.gov/patents/init_events/pct/index.jsp).
- ➔ On September 25, 2009, the patent offices of Egypt and Israel were appointed as ISA/IPEAs, to be effective at a future date determined by those offices.
- ➔ Thailand (TH) acceded to the PCT, Sept. 24, 2009 Any international application filed on or after December 24, 2009 will automatically designate TH.

### From our Comprehensive Seminar in Philly:

- ➔ “. . . user-friendly, convenient, prepared in every detail, comprehensive, glad I came. . .”
- ➔ “I have been doing this a LONG time. I learned lots of tips and tricks. . . EXCELLENT TOOL TO DO WHAT YOU DO WELL!”
- ➔ “Course book: better than any other I have.”