

## **Patent Cooperation Treaty (PCT) Working Group**

**Seventeenth Session**  
**Geneva, February 19 to 21, 2024**

### **REVISED ANNOTATED DRAFT AGENDA**

*Document prepared by the Secretariat*

1. This information document contains an annotated draft agenda and a revised proposed timetable for the seventeenth session of the PCT Working Group, which will be held in Geneva from February 19 to 21, 2024 in hybrid format. It replaces document PCT/WG/17/INF/1 published on January 26, 2024. The Working Group will meet each day from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. Central European Time (CET, UTC + 1 hour).
2. The document is prepared for the convenience of all participants as requested by Member States. Annex I to this document contains an annotated draft agenda which was prepared on the basis of document PCT/WG/17/1 PROV. 2 and is identical to that published in document PCT/WG/17/INF/1. Annex II presents an indicative timetable for session. The timetable includes a lunchtime side event that will take place on Tuesday February 20, 2024, not on Monday February 19, 2024, as indicated in document PCT/WG/17/INF/1. Taking into account the progress of the discussions and preferences expressed by delegations during the session, the Chair may propose changes to the timing of discussions on agenda items, as and when appropriate.

[Annex I follows]

## ANNOTATED DRAFT AGENDA

### 1. OPENING OF THE SESSION

*At its sixteenth session, the Working Group elected Ms. Dong Cheng (China) as Chair and Ms. Ann Edillon (Philippines) as Vice-Chair to act for this session.*

*The Chair and a representative of the Director General open the session and deliver their welcoming remarks.*

### 2. ADOPTION OF THE AGENDA

See document PCT/WG/17/1 Prov. 2.

### 3. ELECTION OF SECOND VICE-CHAIR FOR THE SESSION AND OFFICERS FOR THE EIGHTEENTH SESSION

*Nominations are invited for a second Vice-Chair for this session and officers for the next session.*

*The Working Group is invited to elect a Chair and two Vice-Chairs for the eighteenth session, expected to be held in the first half of 2025. A nomination has been made for Ms. Aleksandra Mihailović (Serbia) as Chair.*

### 4. PCT STATISTICS

*The International Bureau will give a short presentation outlining the development of PCT application filing and processing in 2023.*

### 5. MEETING OF INTERNATIONAL AUTHORITIES UNDER THE PCT: REPORT OF THE THIRTIETH SESSION

See document PCT/WG/17/2.

*The International Bureau presents a report on the thirtieth session of the Meeting of International Authorities, held as a remote meeting in November 2023.*

### 6. COORDINATION OF TECHNICAL ASSISTANCE UNDER THE PCT

See document PCT/WG/17/19.

*The International Bureau reports on technical assistance projects relating to the PCT undertaken at the end of 2022 (following the report made at the fifteenth session of the Working Group), and in 2023.*

## 7. COORDINATION OF PATENT EXAMINER TRAINING

See document PCT/WG/17/11.

*The International Bureau presents an overview of work to assist patent examiner training, including a provisional report of the results of a survey concerning the coordination of patent examiner training for small and medium Offices, sent out on November 21, 2023 (Circular C. PCT 1658).*

## 8. PCT ONLINE SERVICES

See document PCT/WG/17/20.

*The International Bureau presents an overview of the current state and notable developments in PCT online services.*

## 9. FILING MEDIUM OF INTERNATIONAL APPLICATIONS AND RELATED DOCUMENTS

See document PCT/WG/17/15.

*Brazil presents a revised proposal to allow Offices to require filing of international applications and submission of subsequently filed documents to be in electronic form. To address concerns raised at the fifteenth session, (i) the International Bureau would be required to continue to provide a route by which applicants could file on paper and (ii) Offices could allow filing on paper to obtain a filing date, but require electronic versions of documents to be submitted within two months.*

## 10. LEGAL MEASURES TO SUPPORT ELECTRONIC PROCESSING

See document PCT/WG/17/9.

*The International Bureau presents proposals to require the provision of an email address for the processing of an international application and to allow email addresses to be excluded from the public file view. The document also reviews other areas where changes to the legal framework may be desirable to support more effective electronic processing. Original proposed agenda item 9 (Full Text Processing of International Applications) in document PCT/WG/17/1 Prov. Is subsumed into this item, which will include an oral report of the first session of the PCT Text Processing Task Force, held from January 29 to 31, 2024.*

## 11. PERSONAL DATA PROTECTION AND THE PCT

See document PCT/WG/17/8.

*The International Bureau presents an overview of the United Nations principles on personal data protection and privacy and their relevance to processing of international applications under the PCT. Likely areas for future work are highlighted, including the possibility of using the provision for the exclusion of email addresses from the public record proposed in document PCT/WG/17/9 also in relation to some postal addresses.*

## 12. LANGUAGES OF COMMUNICATION FOR THE INTERNATIONAL BUREAU

See document PCT/WG/17/6.

*The International Bureau presents a proposal to permit the extension of languages that may be used by the International Bureau for communication with the applicant or national Offices from English or French to also include other languages of publication. Due to the nature of the communications for which this option would be used, designated Offices will not need official translations. A tool is nevertheless under development to allow machine translation on demand of any such communications into any of the languages of publication.*

## 13. FURTHER AMENDMENT TO RULE 26.3ter – INVITATION TO CORRECT DEFECTS UNDER ARTICLE 3(4)(i)

See document PCT/WG/17/7.

*Japan proposes to close a further gap identified where, despite the amendments to Rule 26.3ter due to enter into force in July 2024, it may not be possible to require a translation of the abstract and text matter in the drawings into the language of publication in certain circumstances where the international application was not filed all in a single language.*

## 14. CITATION OF NON-WRITTEN DISCLOSURES

See document PCT/WG/17/10.

*The International Bureau proposes an amendment to the PCT Regulations to include non-written disclosures as part of the definition of prior art under the PCT. It is recommended that any agreement on amendment of the Regulations be considered provisional and not sent for approval by the PCT Union Assembly pending consideration by the International Authorities of certain related issues concerning the citation of such prior art and storage of evidence of the non-written disclosures.*

## 15. REPORT OF SURVEY ON SEARCH STRATEGIES

See document PCT/WG/17/14.

*The International Bureau reports on the results of two surveys on search strategies provided with the international search report launched on May 3, 2023 (Circular C. PCT 1653), one for IP Offices and one for users of the patent system.*

## 16. COLOR DRAWINGS

See document PCT/WG/17/12.

*The International Bureau introduces questions that will need to be addressed when Rule 11 is revised to permit the use of color drawings, identifying whether Offices will require a means to regulate when different types of image (such as photos) are acceptable and, if so, how this should be reflected in the formalities requirements.*

## 17. GLOBAL IDENTIFIER AND THE PCT

See document PCT/WG/17/13.

*The International Bureau reports on the progress on the global identifier pilot project and outlines potential benefits and issues that would need to be addressed if such an identifier were able to be used with the PCT System.*

## 18. CRITERIA FOR FEE REDUCTIONS TO CERTAIN APPLICANTS FROM CERTAIN COUNTRIES, NOTABLY DEVELOPING AND LEAST DEVELOPED COUNTRIES

See document PCT/WG/17/5.

*The lists of States whose nationals and residents are eligible for fee reductions under items 5(a) and (b) of the Schedule of Fees must be updated this year, with effect from January 1, 2025. The lists are prepared according to criteria set out in the Schedule of Fees. The Assembly decided that these criteria should be reviewed at least every five years. The document sets out the criteria and gives a preliminary indication of what changes are likely to the lists, based on the latest figures available.*

## 19. SEQUENCE LISTINGS

### (a) Implementation of WIPO Standard ST.26 in the PCT

See document PCT/WG/17/3.

*The International Bureau reports on the implementation of WIPO Standard ST.26 in the PCT System and invites delegations to report on any specific issues from their national Offices, as well as user groups to report on their experiences of using the new Standard.*

### (b) Sequence Listings Task Force: Status Report

See document PCT/WG/17/18.

*The European Patent Office as leader of the Sequence Listings Task Force reports on the status of work.*

### (c) Transmission of Sequence Listings as Part of Priority Documents

See document PCT/WG/17/4.

*The International Bureau reports on progress in the project to adopt and implement a new standard for the exchange of priority documents, aimed at allowing the exchange of material in machine-readable formats, notably including sequence listings in WIPO Standard ST.26 format.*

## 20. PCT MINIMUM DOCUMENTATION TASK FORCE: STATUS REPORT

See document PCT/WG/17/16.

*The European Patent Office and the United States Patent and Trademark Office as leaders of the PCT Minimum Documentation Task Force report on the status of work.*

21. IP5 PCT COLLABORATIVE SEARCH AND EXAMINATION: FINAL REPORT

See document PCT/WG/17/17.

*The European Patent Office on behalf of the IP5 Offices (China National Intellectual Property Administration, European Patent Office, Japan Patent Office, Korean Intellectual Property Office and the United States Patent and Trademark Office) reports on the PCT Collaborative Search and Examination pilot, which has recently concluded.*

22. INFORMATION-SHARING WORKSHOP: PATENT PROSECUTION HIGHWAY (PPH) AND THE PCT

*Offices and applicants are invited to share their views and experiences of the PPH. This may include benefits, best practices and concerns.*

*Offices and user groups should preferably nominate speakers in advance to give presentations covering a range of different perspectives, followed by questions and discussions.*

*Any nominated speaker should be part of a member or observer delegation. Where the speaker is not part of a Member State government or Office staff, they may nevertheless be added to the delegation, indicated as an expert.*

23. OTHER MATTERS

*Delegations are invited to offer suggestions for further areas of work not already covered in the session.*

24. SUMMARY BY THE CHAIR

*The Summary by the Chair will be in the form of a list of decisions. As agreed by the Assemblies of WIPO (see paragraph 102 of document A/62/13), the report of the meeting will be in the form of the automated speech-to-text transcripts of the session.*

25. CLOSING OF THE SESSION

[Annex II follows]

PCT WORKING GROUP  
TENTATIVE SCHEDULE

*All times indicated are Central European Time (CET, UTC + 1 hour)*

*Depending on progress, coffee breaks may be included at the discretion of the Chair, likely around 11.15 and 16.30.*

**Monday, February 19, 2024**

Morning Session, 10.00-13.00

Agenda items 1 to 8

Afternoon Session, 15.00-18.00

Agenda items 9 to 11

**Tuesday, February 20, 2024**

Morning Session, 10.00-13.00

Item 22 (Information-Sharing Workshop: Patent Prosecution Highway (PPH) and the PCT)

*Noting that this session may include experts attending remotely only for the purpose of this agenda item, it is proposed to hold this workshop on Tuesday morning at 10.00, irrespective of where discussions may have reached on Monday afternoon.*

*Depending on the time used by the workshop, other agenda items may resume afterwards from where they left off on Monday afternoon.*

Lunchtime Side Event 13.00-14.50, Room B

An overview of the Patent Law Treaty (PLT) and its relationship with the PCT

*A light lunch is provided for participants 13.00-13.30 followed by presentations and discussion 13.30-14.50.*

Afternoon Session, 15.00-18.00

Agenda items 12 to 16

**Wednesday, February 21, 2024**

Morning Session, 10.00-13.00

Agenda items 17 to 21 and 23

Afternoon Session, 15.00-18.00

Agenda items 24 and 25 (Summary and Closing)

[End of Annex II and of document]