



Filing a new international application under the Patent Cooperation Treaty (PCT)

July 2010

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PCT Help Desk

For any questions relating to PCT documents, please contact the PCT Help Desk.

Phone: (571)272-4300

Hours: Monday – Friday 9:00 a.m. to 4:30 p.m.

Fax: (571)273-0419

Hours: 24 hours/day

Electronic filing requirements

The required page size for a PCT international application filed via EFS-Web in pdf format is A4. See PCT Rule 11.5.

All pdf documents submitted via EFS-Web must have a minimum resolution of 300 dpi.

Additional documents must not be added to the PCT Easy zip file.

General PCT guidelines

Applicant must be a resident or national of a PCT Contracting State.

The application must include at least one applicant who is a resident or national of the United States and the application must be entirely in the English language for the United States receiving Office (RO/US) to be deemed competent.

The application papers must indicate that it is intended as an international application pursuant to PCT Article 11(1)(iii)(a).

Selection of the appropriate radio button during EFS-Web filing will result in the Electronic Acknowledgment Receipt indication of “International Application for filing in the U.S. receiving office” as the Application Type.

At least one Contracting State must be designated pursuant to PCT Article 11(1)(iii)(b).

Unless otherwise indicated, all Contracting States are designated for any PCT international application having an international filing date on or after April 1, 2004.



The application must contain the name of the applicant, a description, and a claim or claims pursuant to PCT Article 11(1)(iii)(c)-(e).

Required documents for a PCT international application filing date

PCT Request (Form PCT/RO/101)

A standard form generally used to meet some of the requirements set forth in PCT Article 11.

When filing via EFS-Web, the request may be filed in one of two different formats: (1) conventional format and (2) PCT-Safe Easy format.

- (1) *The request may be filed via EFS-Web in conventional format by uploading the pdf format of the Request (Form PCT/RO/101, which includes the last sheet – EFS-Web).*

Document code category: PCT Form and PCT Application Part

Document code description: RO/101 Request form for new IA conventional

- (2) *Alternatively, the request may be filed via EFS-Web in PCT-Safe Easy format by uploading a zip file containing the request which is created using the PCT-Safe Easy mode software.*

Document code category: PCT Form and PCT Application Part

Document code description: RO/101 Request form for new IA PCT-Easy format

NOTE: *The request does not need to be signed in order to obtain an international filing date. The receiving Office will invite the applicant to correct the defect by sending an invitation to correct.*

Description

Document code category: PCT Application Part

Document code description: Specification

Claim or claims

Document code category: PCT Application Part

Document code description: Claims

Documents which are part of the international application and, where applicable, must be included with the initial application documents

Abstract

Document code category: PCT Application Part

Document code description: Abstract

Drawings, when necessary for the understanding of the invention pursuant to PCT Article 7

Black and white line drawings, e.g., prepared by a draftsman.

Document code category: PCT Application Part

Document code description: Drawings only black and white line drawings

Although there is no provision for photographs under the PCT, this document code may be used for drawings that are not line drawings.

Document code category: PCT Application Part

Document code description: Drawings – other than black and white line drawings

Sequence listing part of the description (when required)

A sequence listing may be submitted as a single text file which will not be included in the number of sheets of the international application and which will be used for purposes of search.

Document code category: PCT Application Part

Document code description: Sequence listing (text file)

Alternatively, a sequence listing may be submitted in pdf format which sheets will be included in the number of sheets of the international application (and which will require a text file of the sequence listing and statement of identity for purposes of search).

Document code category: PCT Application Part

Document code description: Sequence listing

Chapter I fee payment

ADVISORY: If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To protect your information, it is recommended paying fees online by using the electronic payment method.

Chapter I fee payment made in response to an invitation (PCT/RO/102, PCT/RO/133) or spontaneously

- May be made electronically via the fee payment screens.
- May be made on the Request fee calculation sheet annex, including an authorization to charge a deposit account.
Document code category: PCT Application Part and PCT General Transmittal
Document code description: Fee payment international application
- May be made by uploading a document giving authorization to charge a deposit account.
Document code category: PCT Application Part and PCT General Transmittal
Document code description: Fee payment international application

Documents which often accompany a new international application filed under the PCT

Transmittal letter (preferably PTO-1382)

Document code category: PCT General Transmittal and PCT Application Part
Document code description: PCT transmittal letter

Fee calculation sheet annex

Document code category: PCT General Transmittal and PCT Application Part
Document code description: RO/101 Annex (fee calculation sheet)

Sequence listing cover letter

Document code category: PCT General Transmittal and PCT Application Part
Document code description: Seq Listing Cover Sheet/Stmt under PCT Rule 13ter

Sequence listing statement

Document code category: PCT General Transmittal and PCT Application Part
Document code description: Seq Listing Cover Sheet/Stmt under PCT Rule 13ter

Power of attorney

Document code category: PCT Change Request and PCT Application Part
Document code description: Power of attorney

General power of attorney

Document code category: PCT Change Request and PCT Application Part
Document code description: Power of attorney

PCT-Easy validation log

Document code category: PCT General Transmittal and PCT Application Part

Document code description: PCT Easy validation log

Reference to deposited microorganisms or biological material

Document code category: PCT Application Part

Document code description: RO/134 Deposited microorganisms/Bio material

Request for restoration of right of priority under PCT Rule 26bis.3

Document code category: PCT Change Request and PCT Petition

Document code description: Evidence for restore of priority claim

Rarely, Chapter I communication for which no other document code is applicable

Rarely, there may be a Chapter I communication for which no other document code is applicable.

Document code category: PCT General Transmittal and PCT Application Part

Document code description: Misc incoming letter from applicant IA