

One of the complicating features of the PCT is that it has its own unique terminology. In order to maximize the benefits of the PCT, it is helpful to have a command of the language of the PCT. The following is a glossary of PCT terms.

Glossary of Terms

Chapter I of the PCT: The provisions in the PCT that regulate the filing of PCT applications, the establishment of international searches and written opinions by ISAs, and the international publication of PCT applications; provides for the communication of PCT applications and related documents to designated offices.

Chapter II of the PCT: The provisions in the PCT that regulate the optional international preliminary examination procedure.

Contracting State: A PCT member country.

Designated Office (DO): A national or regional office of or acting for a PCT member country designated in a PCT application under Chapter I of the PCT.

Designated State: A PCT member country in which protection for an invention is sought, as specified in the PCT application.

Digital Access Service (DAS): The WIPO electronic system that allows priority and other documents to be exchanged securely between participating intellectual property offices.

Elected Office: The national or regional office of or acting for a PCT member country elected by the applicant under Chapter II of the PCT.

ePCT: The PCT's online filing system used for preparing and validating PCT applications and managing post-filing actions.

International Authority: A national or regional patent office or international organization that fulfills specific search and examination tasks, as prescribed by the PCT.

International Bureau (IB): The International Bureau of the World Intellectual Property Organization that is the administrative arm of the PCT, responsible for PCT oversight. The IB acts as a receiving office for PCT applications from all PCT member countries, and it handles certain processing tasks with respect to all PCT applications filed with all receiving offices worldwide.

International Filing Date: The date on which a receiving office receives a PCT application (provided the application meets the treaty requirements).

International Patent Classification (IPC): An internationally recognized patent classification system. The IPC has a hierarchical structure of language-independent symbols that consists of sections, classes, subclasses, and groups. A patent office assigns IPC symbols according to

technical features in the patent application. One patent application can be assigned multiple IPC symbols, as it may relate to multiple technical features.

International Phase of the PCT: The international phase consists of six main stages:

1. the filing of a PCT application by the applicant and its processing by a Receiving Office;
2. the establishment of an International Search Report and Written Opinion by an international searching authority;
3. the publication of the PCT application and related documents as well as their communication to designated and elected offices by the International Bureau;
4. the option for the applicant to file claim amendments or to seek international preliminary examination and file amendments to the claims and/or description and/or drawings;
5. the optional establishment of a supplementary international search report by a supplementary international searching authority; and
6. the optional establishment of an international preliminary report on patentability (Chapter II of the PCT) by an international preliminary examining authority, or the communication of an international preliminary report on patentability (Chapter I of the PCT) by the international bureau.

International Preliminary Examining Authority (IPEA): A national or regional patent office appointed by the PCT Assembly to carry out international preliminary examination. The IPEA establishes the International Preliminary Report on Patentability (Chapter II of the PCT). There are currently 24 IPEAs, all of which also serve as international searching authorities (see below).

International Preliminary Report on Patentability (IPRP): There are two types of international preliminary reports on patentability: an IPRP (Chapter I of the PCT); and an IPRP (Chapter II of the PCT). An IPRP (Chapter I) is issued by the International Bureau when an applicant who has not requested international preliminary examination enters the national phase; it consists of the Written Opinion of the International Searching Authority to which a cover sheet (entitled IPRP (Chapter I)) is attached. An IPRP (Chapter II) is the Written Opinion of the International Preliminary Examining Authority (a preliminary, nonbinding opinion, established by the IPEA at the request of the applicant, on whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), and to be industrially applicable), which is issued by the IPEA on the 28th month from priority. Prior to January 1, 2004, the IPRP (Chapter II) was known as the International Preliminary Examination Report (IPER).

International Search Report (ISR): A report established by the International Searching Authority containing citations of documents (prior art) considered to be relevant for determining, in particular, the novelty and inventive step (non-obviousness) of the invention as claimed. The ISR also includes the classification of the subject matter of the invention and an indication of the fields searched as well as any electronic databases searched.

International Searching Authority (ISA): A national or regional patent office appointed by the PCT Assembly to carry out international searches. ISAs establish International Search Reports and Written Opinions on PCT applications. There are currently 24 international searching authorities, all of which also serve as international preliminary examining authorities.

National Phase Entry: When a PCT applicant converts a PCT application into a national or regional application, it is referred to as entering the national phase before a national or regional patent office, or simply as national phase entry (it is also sometimes described as “nationalizing” a PCT application). National phase entry consists of the payment of fees and, where necessary, the submission of the translated PCT application. It must take place within 30 months from the priority date of the application (longer time periods are allowed by some offices). Entering the national phase in the United States is, in accordance with § 371 of the U.S. Patent Act (35 U.S.C. § 371), called entering the “national stage.”

National Phase of the PCT: This phase follows the international phase of the PCT procedure and consists of the processing of the application before each national or regional patent office in which applicants seek protection for their inventions.

National Stage of the PCT: As provided in § 371 of the U.S. Patent Act (35 U.S.C. § 371), the term used to designate entering the national phase in the United States. The generic term for national stage is “national phase.”

Paris Convention: An international treaty (The Paris Convention for the Protection of Industrial Property), signed in Paris, France, on March 20, 1883. It was the first, and remains one of the most important, multilateral intellectual property treaties. The Paris Convention establishes, among other provisions, the “right of priority,” which enables a patent applicant, when filing an application in countries other than the original country of filing, to claim priority of up to 12 months for that filing. The PCT is a “special agreement” under the Paris Convention, and both are administered by the World Intellectual Property Organization (WIPO).

PATENTSCOPE Search Service: The PATENTSCOPE search service allows access, free of charge, to all published PCT applications as well as to patent documents of many national and regional patent offices. Since April 2006, the PATENTSCOPE search service has become the official publication source of PCT applications. Powerful, flexible search interfaces allow retrieval of relevant PCT applications and associated information.

Publication of PCT Applications: The International Bureau publishes PCT applications and related documents promptly after the expiration of 18 months from the priority date. If the PCT application is withdrawn or considered withdrawn, the application is not published. An applicant can request an early publication of the PCT application. An applicant can also request withdrawal of a PCT application to prevent publication.

Receiving Office (RO): The national or regional patent office, or the International Bureau, with which a PCT application is filed. The role of the receiving office is to check the application in accordance with the PCT and its regulations and to forward the application to the International Bureau for further processing and to the International Searching Authority for search.

Supplementary International Searching Authority (SISA): An international searching authority (ISA) that provides a supplementary international search service. Also known as “Authority specified for Supplementary International Search.”

Supplementary International Search Report (SISR): A report, similar to the international search report, established during the supplementary international search. Supplementary international search permits an applicant to request, in addition to the main international search, one or more additional international searches, each to be carried out by an international authority other than the international searching authority that carried out the main international search. The supplementary international search primarily focuses on patent documentation in the language in which the supplementary international searching authority specializes.

World Intellectual Property Organization (WIPO): WIPO is a specialized agency of the United Nations with a current membership of 193 countries. It serves as the international secretariat for both the Paris Convention and the PCT. WIPO was established in 1967 with a mandate from its member countries to promote the protection of intellectual property throughout the world through cooperation among countries and in collaboration with other international organizations.

Written Opinion of the ISA (WO; also WOSA or WOISA): For every PCT application filed on or after January 1, 2004, an international searching authority establishes, at the same time that it establishes the international search report, a preliminary and nonbinding written opinion on the questions whether the claimed invention appears to be novel, to involve an inventive step, and to be industrially applicable.

Glossary of Abbreviations

- **CNIPA:** China National Intellectual Property Office
- **DAS:** WIPO Digital Access Service
- **DO:** Designated Office
- **EO:** Elected Office
- **EPO:** European Patent Office (sometimes abbreviated just as EP); also the European Patent Organisation (the administrative and governing body of the European Patent Office)
- **IA:** International Application (the formal name of a PCT application)
- **IB:** International Bureau

- **INID:** Internationally Agreed Numbers for the Identification of Bibliographic Data, used by patent offices to indicate bibliographic data on the cover pages of published patents and patent applications
- **IPC:** International Patent Classification
- **IPEA:** International Preliminary Examining Authority
- **ISA:** International Searching Authority
- **ISR:** International Search Report
- **IPRP:** International Preliminary Report on Patentability (can be Chapter I or Chapter II)
- **JPO:** Japan Patent Office
- **KIPO:** Korean Intellectual Property Office
- **PDX:** WIPO Priority Document Exchange
- **PCT:** Patent Cooperation Treaty
- **RO:** Receiving Office (often designated as RO/US = Receiving Office at the USPTO; or RO/IB = Receiving Office at the International Bureau)
- **SISA:** Supplementary International Searching Authority
- **SISR:** Supplementary International Search Report
- **USPTO:** United States Patent and Trademark Office
- **WO:** Written Opinion (sometimes WOISA or WOSA)
- **WIPO:** World Intellectual Property Organization