

Filing a New International Application Under the Patent Cooperation Treaty (PCT)

Updated: January 10, 2008

For Any Questions Relating to PCT documents, please contact the PCT Help Desk:

Phone: (571) 272-4300
Hours: M-F 9am – 4:30pm

Fax: (571) 273-0419
24 hrs/day

- The required page size for PCT applications 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.
-
- 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 English for the United States to be a competent receiving Office.
 - Application must indicate that it is intended to be an international application
 - At least one Contracting State must be designated
 - Application must include the name of the applicant as prescribed

The following documents must be submitted in order to get a PCT filing date:

- Request
 - The PCT Request Form is required. It can be submitted in either the “conventional” format (Form PCT/RO/101) or in the PCT-EASY format created using the PCT-SAFE client. Discounts are offered for customers using the PCT-EASY format. For more information on PCT-SAFE visit <http://www.wipo.int/pct-safe/en/>
 - The Request does not need to be signed in order to get an initial filing date, but the receiving Office will invite the applicant to correct the defect by sending, an invitation to correct.
- Description: In EFS-Web, the Doc Code Description “Specification” takes the place of the PCT “Description.”
- Claims

EFS-Web Doc Code Category	EFS-Web Doc Code Description	Business Process	Form Type Number	Printable Image Sample Document
Documents described as “CHII” should only be used when corresponding with the USPTO in its capacity as International Preliminary Examining Authority.				
–PCT Request Forms				
PCT-Form OR PCT-Application Part	RO/101 - Request form for new IA - Conventional	New international applications are accompanied by a bibliographic data form authored by the applicant. The form is referred to by number as the RO/101 or, alternatively, by name as the "Request". The "conventional" format of this form is filled out manually.	PCT/RO/101	P.N.101.CONV_sd
OR use this option to submit a signed copy of the request authored by PCT-EASY.				
PCT-Form OR PCT-Application Part	RO/101 - Request form for new IA- PCT EASY Format	New international applications are accompanied by a bibliographic data form authored by the applicant. The form is referred to by number as the RO/101 or, alternatively, by name as the "Request". The "EASY" format of this form is filled out using an authoring tool developed by the International Bureau (IB). The bibliographic data is stored to a diskette that accompanies the paper application to the receiving Office.	P.N.101.SAFE info	P.N.101.SAFE_sd
PCT-Application Part	Specification	The written portion of the application is submitted by the applicant describing the invention.		SPEC_sd

PCT-Application Part	Claims	The claim is that part of a patent application particularly pointing out and distinctly claiming the subject matter which the applicant regards as the invention or discovery.		CLM_sd
----------------------	--------	--	--	--------

The following documents are a part of the international application and must, where applicable, be filed with the initial application papers

- Abstract
 - Drawings
 - Sequence Listing part of the description (when required)
 - May be filed as a .TXT file or a .PDF file; however if filed as a PDF, you must also submit a .TXT file to comply with PCT Rule 13ter.
 - If attaching a .TXT file, use “Sequence Listing (Text File)” as Document Description
 - If attaching a .PDF file, use “Sequence Listing” as Document Description
- Tables related to sequence listing
- If attaching a .PDF file, use “Specification” as Document Description.
 - If attaching a .TXT file Use “Table in text format” as Document Description

EFS-Web Doc Code Category	EFS-Web Doc Code Description	Business Process	Form Type Number	Printable Image Sample Document
Documents described as “CHII” should only be used when corresponding with the USPTO in its capacity as International Preliminary Examining Authority.				
PCT-Application Part	Abstract	A portion of the application, as submitted by the applicant, that gives a brief overview of the disclosed invention.		ABST_sd
PCT-Application Part	Drawings	Where it is necessary to understand the invention, a complete application must include drawings illustrating the disclosed invention.		DRW_sd

Use this format ONLY for attaching a Sequence Listing as a .TXT file –

PCT - Application Part	Sequence Listing (Text File)	In a PCT application, the sequence listing is filed as a .txt file either as the "sequence listing part of the description" under PCT Rule 5.2 or the sequence listing in electronic form under PCT Rule 13ter.1.		
------------------------	------------------------------	---	--	--

Use this format ONLY if also attaching a Sequence Listing as a .PDF file –

PCT - Application Part	Sequence Listing	In a PCT application, the "sequence listing part of the description" under PCT Rule 5.2 in paper or electronic format in compliance with the PCT Administrative Instructions. If applicant files the sequence listing as a PDF file, applicant must also file the sequence listing as a .txt file in response to an invitation from the International Searching Authority under PCT Rule 13ter.1.		SEQLIST_sd
------------------------	------------------	---	--	----------------------------

Use this format ONLY if attaching a table relating to a sequence listing in a .PDF file –

PCT-Application Part	Specification	The written portion of the application is submitted by the applicant describing the invention.		SPEC_sd
----------------------	---------------	--	--	-------------------------

Use this format ONLY if attaching a table relating to a sequence listing in a .TXT file –

PCT-Application Part	Table in text format	In a PCT application, the only tables that may be filed in .txt format are "Tables relating to sequence listing" in accordance with PCT Administrative Instruction Annex C-bis.		
----------------------	----------------------	---	--	--

The following documents are often included in a new International Application filed under the PCT:

- Transmittal Letter (Preferably PTO-1382)
- Fee Calculation Sheet
- Sequence Listing Cover Letter and/or Statement
- Power of Attorney or General Power of Attorney
- PCT- EASY Validation Log
- Reference to deposited microorganisms or biological material
- Misc. Incoming Letter from Applicant – IA

EFS-Web Doc Code Category	EFS-Web Doc Code Description	Business Process	Form Type Number	Printable Image Sample Document
PCT - General Transmittal OR PCT - Application Part	PCT-Transmittal Letter	Upon filing any papers to the USPTO regarding the filing of a new application, applicant includes a transmittal letter indicating the contents of the submission, including any fees that may accompany the papers. This letter usually includes the Express Mail Certificate of Mailing. This transmittal letter corresponds to the transmittal letter in a PCT application.	PTO-1382	
PCT - General Transmittal OR PCT - Application Part	RO/101 Annex (fee calculation sheet)	New international applications are accompanied by a form authored by the applicant showing how much money is due and for which fees.	PCT/RO/101	
PCT - General Transmittal OR PCT - Application Part	Seq Listing Cover Sheet/Stmt under PCT Rule 13ter	Where a sequence listing is provided in both computer readable and in paper form, the applicant supplies a statement verifying that the content of the two forms is the same		
PCT-Change Requests OR PCT - Application Part	Power of Attorney	Applicant may file a change in Power of Attorney or an associate Power of Attorney at any time during prosecution of an application. The POA indicates representatives given permission to act on behalf of the inventor or assignee to prosecute an application.	PCT Rule 90.4 (Regular Power of Attorney) OR PCT Rule 90.5 (General Power of Attorney)	
PCT – General Transmittal OR PCT - Application Part	PCT EASY Validation Log	The authoring program devised by the International Bureau for preparing the request form (Form PCT/RO/101) automatically scans entered data for obvious errors and inconsistencies and generates this list of any problems detected.		

PCT – Application Part	RO/134 Deposited Microorganisms/Bio Material	If the invention in an international application pertains to a microorganism or other biological material, the applicants use this form to document that they have fulfilled their obligation to deposit a sample with an appropriate authority.	PCT/RO/134	
PCT General Transmittal OR PCT - Application Part	Misc. Incoming Letter from Applicant – IA	Miscellaneous incoming communication from the applicant concerning an international application		

EFS-Web Doc Code Category	EFS-Web Doc Code Description	Business Process	Form Type Number	Printable Image Sample Document
The following document should be included where the applicant is requesting restoration of priority under PCT Rule 26bis.3:				
PCT-Change Request PCT- Petition	Evidence for restore of priority claim	An applicant submits to the RO a request to restore Right of Priority for an international application. The request must be received by the RO within two months from the date of priority expiration. See PCT Rule 26bis.3		