Information for filling out the Request for international applications containing a sequence listing and/or related tables filed in the RO/US via EFS-Web

The Legal Framework for EFS-Web (http://www.uspto.gov/ebc/portal/efs/legal.htm) contains information for the filing of international applications containing a sequence listing (SL) and/or related tables in parts XVIII through XXI.

Part XIX. A. indicates that the SL part of the description should be submitted as a single ASCII text file with a ".txt" extension (e.g. "seqlist.txt"). Submission of the SL part in PDF format is not recommended because applicant would still be required to supply a copy of the SL in text format in accordance with AI Annex C, ¶ 39 for search purposes. If the SL part is submitted as a text file, applicant need not submit any additional copies. No statement is required that the SL part of the application is identical to the copy provided for search purposes when only one text file is provided.

Part XIX. B. indicates that tables related to a SL maybe be either interspersed with the rest of the description or consolidated into a separate part of the description. Description pages containing interspersed tables must be submitted in PDF format. Tables consolidated into a separate part of the description may be submitted in either PDF or text format, although text format is preferred.

Unfortunately, neither the conventional Request (PCT/RO/101) nor the PCT-SAFE/EASY Request has been modified to date to allow proper identification of the items provided in an international application containing a SL and/or related tables filed in the RO/US via EFS-Web. The following examples illustrate a means by which the Request can be filled out until it is revised.

Similarly, the Fee Calculation Sheet has also not been updated, and consequently, indication of the applicable fee for a SL and/or related tables provided in an electronically filed international application is difficult. An understanding of the three different methods for the assessment of these international fees is necessary to understand the suggested interim means to fill out the Request and Fee Calculation Sheet for international applications electronically filed via EFS-Web. Currently, there are three different methods to assess international fees for a SL and/or related tables depending upon how the international application itself and the SL and/or related tables were filed:

1) International application and SL/tables provided in paper – SL/tables are assessed per sheet, with no upper limit;

2) International application provided in paper with SL/tables on CD under AI Part 8, §801 – SL/tables are assessed at a flat rate of 400 x fee per sheet;

3) International application and SL/tables provided electronically via EFS-Web (AI Part 7) – SL/tables are assessed per sheet[1] up to a 400 sheet maximum.

Therefore, it is recommended that, for an international application filed electronically via EFS-Web containing a SL and/or related tables that are consolidated into a separate part of the description, together totaling less than 400 sheets (1,197,000 bytes or less), the Request be filled out as though the SL and related tables were provided in paper. Further, it is recommended that, for an international application filed electronically via EFS-Web containing a SL and/or related tables that are consolidated into a separate part of the description, together totaling 400 or more sheets (more than 1,197,000 bytes), the Request be filled out as though the SL and/or related tables were provided under AI §801. The following examples illustrate means by which either version of the Request can be filled out at the present time.

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[1] Part XX of the Legal Framework for EFS-Web indicates that for text files, each three kilobytes of content as measured by USPTO computer systems shall be counted as one printed page for fee calculation purposes. (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)

Conventional Request form (PCT/RO/101) for international applications containing a **SL and/or related tables** filed in .txt format in the RO/US via EFS-Web where the calculated number of consolidated **SL and/or related table sheets** totals **less than 400** (1,197,000 bytes or less). (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)

1) The Request (Box IX Check List item (a), see below) should be filled out as though the SL and/or related tables are provided in paper as part of the international application (to allow proper assessment of fees).

2) Type and number of carriers should be indicated as "1 .txt – EFS" as part of the international application (beneath Box IX Check List item (c), see below).

3) No indications should be provided in the right column, accompanying items 9. and/or 10., since only 1 .txt file is provided and no statement is required.

Box No. IX   CHECK LIST; LANGUAGE OF FILING

This international application **contains**:

(a) **on paper**, the following number of sheets:

request (including declaration and supplemental sheets)	:	3
description (excluding sequence listing and/or tables related thereto)	:	30
claims	:	5
abstract	:	1
drawings	:	10
Sub-total number of sheets	:	49
sequence listing		250
tables related thereto	:	50

(for both, actual number of sheets if filed on paper, whether or not also filed in electronic form; see (c) below)

Total number of sheets	:	349

(b) ☐ **only in electronic form** (Section 801(a)(i))
   (i) ☐ sequence listing
   (ii) ☐ tables related thereto

(c) ☐ **also in electronic form** (Section 801(a)(ii))
   (i) ☐ sequence listing
   (ii) ☐ tables related thereto

Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the

   ☒ sequence listing: .1 .txt - EFS . . . . .
   ☒ tables related thereto: .1 .txt - EFS . .

(additional copies to be indicated under items 9(ii) and/or 10(ii), in right column)

This international application is **accompanied by the following** item(s) *(mark the applicable check-boxes below and indicate in right column the number of each item)*:   **Number of items**

1. ☐ fee calculation sheet   :
2. ☐ original separate power of attorney   :
3. ☐ original general power of attorney   :
4. ☐ copy of general power of attorney; reference number, if any: . . . .   :
5. ☐ statement explaining lack of signature   :
6. ☐ priority document(s) identified in Box No. VI as item(s): . . . .   :
7. ☐ translation of international application into (language): . . . .   :
8. ☐ separate indications concerning deposited microorganism or other biological material   :
9. ☐ sequence listing in electronic form *(indicate type and number of carriers)*
   (i) ☐ copy submitted for the purposes of international search under Rule 13*ter* only (and not as part of the international application) :
   (ii) ☐ *(only where check-box (b)(i) or (c)(i) is marked in left column)* additional copies including, where applicable, the copy for the purposes of international search under Rule 13*ter*   :
   (iii) ☐ together with relevant statement as to the identity of the copy or copies with the sequence listing mentioned in left column   :
10. ☐ tables in electronic form related to sequence listing *(indicate type and number of carriers)*
   (i) ☐ copy submitted for the purposes of international search under Section 802(b-*quater*) only (and not as part of the international application)   :
   (ii) ☐ *(only where check-box (b)(ii) or (c)(ii) is marked in left column)* additional copies including, where applicable, the copy for the purposes of international search under Section 802(b-*quater*)   :
   (iii) ☐ together with relevant statement as to the identity of the copy or copies with the tables mentioned in left column   :
11. ☐ other *(specify)*: . . . .   :

Figure of the drawings which should accompany the abstract:	1
Language of filing of the international application:	English

1

2

3

3

Conventional Fee Calculation Sheet for international applications filed in .txt format in the RO/US via EFS-Web where the calculated number of consolidated **SL and/or related table sheets** totals **less than 400** (less than 1,197,000 bytes).

      In this example, the international application <u>including</u> the SL and related tables contains 349 sheets, i.e. 49 PDF pages plus 300 SL and table pages as calculated by the Office's algorithm.[1] Applicant pays the international filing fee*, currently $1086 for the first 30 sheets, with a $78 reduction for electronic filing, resulting in $1008. The additional 319 sheets are assessed at a fee per sheet rate, currently $12.

* since fees are subjected to change, please see the current fees
        @ www.uspto.gov/web/offices/pac/dapps/pct/fees.htm

PCT

FEE CALCULATION SHEET
Annex to the Request

For receiving Office use only

International Application No.

Applicant's or agent's file reference   SL/tables

Date stamp of the receiving Office

Applicant
SL Company

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE . . . .   300 [T]

2. SEARCH FEE . . . .   232 [S]
International search to be carried out by   KR
(If two or more International Searching Authorities are competent to carry out the international search, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FILING FEE

Where items (b) and/or (c) of Box No. IX apply, enter **Sub-total number of sheets** }
Where items (b) and (c) of Box No. IX do not apply, enter **Total number of sheets** }   349

[i1] first 30 sheets . . . .   1008 [i1]

[i2]   319   x   12   =   3828 [i2]
    number of sheets   fee per sheet
    in excess of 30

[i3] additional component (only if a sequence listing and/or tables related thereto are filed in electronic form under Section 801(a)(i), or both in that form and on paper, under Section 801(a)(ii)):

    400   x _____   =   [i3]
         fee per sheet

Add amounts entered at i1, i2 and i3 and enter total at I . . . .   4836 [I]

(Applicants from certain States are entitled to a reduction of 75% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 25% of the international filing fee.)

4. FEE FOR PRIORITY DOCUMENT *(if applicable)* . . . .   [P]

5. TOTAL FEES PAYABLE   5368
Add amounts entered at T, S, I and P, and enter total in the TOTAL box   TOTAL

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1. Part XX of the Legal Framework for EFS-Web indicates that for text files, each three kilobytes of content as measured by USPTO computer systems shall be counted as one printed page for fee calculation purposes. (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)

PCT SAFE/EASY Request for international applications containing a **SL and/or related tables** filed in .txt format in the RO/US via EFS-Web where the calculated number of consolidated **SL and/or related table sheets** totals **less than 400** (1,197,000 bytes or less).   (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)

1) The Request (Box IX Check list, IX-6a/6b, see below) should be filled out as though the SL and/or related tables are provided in paper as part of the international application (to allow proper assessment of fees).

2) Type and number of carriers should be indicated as "1 .txt – EFS" as an accompanying item, since PCT SAFE/EASY does not allow such an indication as part of the application when paper is provided in the RO/US (Box IX Accompanying Items, IX-16(A)-(ii)/16(B)-(ii)).

3) No statement of identity is required, since only one file is provided. (For PCT EASY/SAFE, if the box is not checked, it will not be displayed.)

IX	Check list	number of sheets	electronic file(s) attached
IX-1	Request (including declaration sheets)	3	✓
IX-2	Description (excluding sequence listing part)	30	–
IX-3	Claims	5	–
IX-4	Abstract	1	✓
IX-5	Drawings	10	–
IX-7a	Sub-total number of sheets	49	
IX-6a	Sequence listing part of description	250	–
IX-6b	Tables in electronic form related to sequence listings	50	
IX-7	TOTAL	349	

1

	Accompanying Items	paper document(s) attached	electronic file(s) attached
IX-8	Fee calculation sheet	✓	–
IX-16(A)	Sequence listing in electronic form		
IX-16(A)-(ii)	additional copies including, where applicable, the copy for the purposes of international search under Rule 13ter	–	1 .txt - EFS
IX-16(B)	Tables in electronic form related to sequence listings		
IX-16(B)-(ii)	additional copies including, where applicable, the copy for the purposes of international search	–	1 .txt - EFS
IX-17	PCT-SAFE physical media	–	✓
IX-19	Figure of the drawings which should accompany the abstract		
IX-20	Language of filing of the international application	English	

2

PCT SAFE/EASY Fee Calculation Sheet for international applications containing a **SL and/or related tables** filed in .txt format in the RO/US via EFS-Web where the calculated number of consolidated **SL and/or related table sheets** totals **less than 400** (1,197,000 bytes or less).

      In this example, the international application <u>including</u> the SL and related tables contains 349 sheets, i.e. 49 PDF pages plus 300 SL and table pages as calculated by the Office's algorithm.[1] Applicant pays the international filing fee*, currently $1086 for the first 30 sheets, with a $78 reduction for PCT EASY filing (the reduction for electronic filing via EFS-Web is not reflected). The additional 319 sheets are assessed at a fee per sheet rate, currently $12.

* since fees are subjected to change, please see the current fees
    @ www.uspto.gov/web/offices/pac/dapps/pct/fees.htm

0-4	Form PCT/RO/101 (Annex) PCT Fee Calculation Sheet			
0-4-1	Prepared Using		PCT-SAFE [EASY mode] Version 3.51.022.197 MT/FOP 20070701/0.20.5.10	
0-9	Applicant's or agent's file reference		SL/tables	
2	Applicant		SL COMPANY	
12	Calculation of prescribed fees		fee amount/multiplier	Total amounts (USD)
12-1	Transmittal fee	T	⇨	300
12-2-1	Search fee	S	⇨	232
12-2-2	International search to be carried out by	KR		
12-3	International filing fee (first 30 sheets)	i1	1086	
12-4	Remaining sheets		319	
12-5	Additional amount	(X)	12	
12-6	Total additional amount	i2	3828	
12-7	i1 + i2 =	i	4914	
12-12	EASY Filing reduction	R	-78	
12-13	Total International filing fee (i-R)	I	⇨	4836
12-14	Fee for priority document			
	Number of priority documents requested		0	
12-15	Fee per document	(X)	20	
12-16	Total priority document fee:	P	⇨	
12-17	Fee for restoration of priority rights	F		
	Number of requests for restoration of priority rights		0	
	Total amount of fees for restoration of priority rights			
12-18	TOTAL FEES PAYABLE (T+S+I+P+F)		⇨	5368

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1. Part XX of the Legal Framework for EFS-Web indicates that for text files, each three kilobytes of content as measured by USPTO computer systems shall be counted as one printed page for fee calculation purposes. (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)

Conventional Request form (PCT/RO/101) for international applications containing a **SL and/or related tables** filed in .txt format in the RO/US via EFS-Web where the calculated number of consolidated **SL and/or related table sheets** totals **400 or more** (more than 1,197,000). (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)

      1) The Request (Box IX Check List item (a) and (b), see below) should be filled out as though the SL and/or related tables are provided under AI § 801 as part of the international application (to allow proper assessment of fees).

      2) Type and number of carriers should be indicated as "1 .txt – EFS" as part of the international application (beneath Box IX Check List item (c), see below).

      3) No indications should be provided in the accompanying items 9. and/or 10., since only 1 .txt file is provided; and therefore, no statement is required.

Box No. IX   CHECK LIST; LANGUAGE OF FILING

This international application **contains**:

(a) **on paper**, the following number of sheets:

request (including declaration and supplemental sheets) :	3
description (excluding sequence listing and/or tables related thereto) :	30
claims :	5
abstract :	1
drawings :	10
Sub-total number of sheets :	49
sequence listing :	
tables related thereto :	

(for both, actual number of sheets if filed on paper, whether or not also filed in electronic form; see (c) below)

Total number of sheets : 49

(b) ☒ **only in electronic form** (Section 801(a)(i))
  (i) ☒ sequence listing
  (ii) ☒ tables related thereto

1

(c) ☐ **also in electronic form** (Section 801(a)(ii))
  (i) ☐ sequence listing
  (ii) ☐ tables related thereto

Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the

☒ sequence listing: .1 .txt - EFS . . . . .
☒ tables related thereto: 1 .txt - EFS . .

2

(additional copies to be indicated under items 9(ii) and/or 10(ii), in right column)

This international application is **accompanied by** the following item(s) *(mark the applicable check-boxes below and indicate in right column the number of each item)*:   Number of items

1. ☐ fee calculation sheet :
2. ☐ original separate power of attorney :
3. ☐ original general power of attorney :
4. ☐ copy of general power of attorney; reference number, if any: . . . . :
5. ☐ statement explaining lack of signature :
6. ☐ priority document(s) identified in Box No. VI as item(s): . . . . :
7. ☐ translation of international application into *(language)*: . . . . :
8. ☐ separate indications concerning deposited microorganism or other biological material :
9. ☐ sequence listing in electronic form *(indicate type and number of carriers)*
  (i) ☐ copy submitted for the purposes of international search under Rule 13*ter* only (and not as part of the international application) :
  (ii) ☐ *(only where check-box (b)(i) or (c)(i) is marked in left column)* additional copies including, where applicable, the copy for the purposes of international search under Rule 13*ter* :
  (iii) ☐ together with relevant statement as to the identity of the copy or copies with the sequence listing mentioned in left column :
10. ☐ tables in electronic form related to sequence listing *(indicate type and number of carriers)*
  (i) ☐ copy submitted for the purposes of international search under Section 802(b-*quater*) only (and not as part of the international application) :
  (ii) ☐ *(only where check-box (b)(ii) or (c)(ii) is marked in left column)* additional copies including, where applicable, the copy for the purposes of international search under Section 802(b-*quater*) :
  (iii) ☐ together with relevant statement as to the identity of the copy or copies with the tables mentioned in left column :
11. ☐ other *(specify)*: . . . . :

3

3

Figure of the drawings which should accompany the abstract:	1	**Language of filing** of the international application:	English

Conventional Fee Calculation Sheet for international applications containing a **SL and/or related tables** filed in .txt format in the RO/US via EFS-Web where the calculated number of consolidated **SL and/or related table sheets** totals **400 or more** (more than 1,197,000 bytes).

In this example, the international application <u>excluding</u> the SL and related tables contains 49 sheets. The SL and related tables comprise 400 or more sheets as calculated by the Office's algorithm.[1] Applicant pays the international filing fee*, currently $1086 for the first 30 sheets, with a $78 reduction for electronic filing, resulting in $1008. The additional 19 sheets are assessed at a fee per sheet rate, currently $12. The SL and tables are assessed at a rate of 400 times the fee per sheet rate, currently $12, for a total of $4800.

 * since fees are subjected to change, please see the current fees
   @ www.uspto.gov/web/offices/pac/dapps/pct/fees.htm

PCT

FEE CALCULATION SHEET
Annex to the Request

For receiving Office use only

International Application No.

Applicant's or agent's file reference	SL/tables

Date stamp of the receiving Office

Applicant
SL Company

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE . . . . 300 [T]

2. SEARCH FEE . . . . 232 [S]
International search to be carried out by _____ KR _____
(If two or more International Searching Authorities are competent to carry out the international search, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FILING FEE

Where items (b) and/or (c) of Box No. IX apply, enter **Sub-total number of sheets** } 49
Where items (b) and (c) of Box No. IX do not apply, enter **Total number of sheets** }

[i1] first 30 sheets . . . . 1008 [i1]

[i2] ___ 19 ___ x ___ 12 ___ = 228 [i2]
number of sheets in excess of 30   fee per sheet

[i3] additional component (only if a sequence listing and/or tables related thereto are filed in electronic form under Section 801(a)(i), or both in that form and on paper, under Section 801(a)(ii)):

400 x ___ 12 ___ = 4800 [i3]
fee per sheet

Add amounts entered at i1, i2 and i3 and enter total at I . . . . 6036 [I]

(Applicants from certain States are entitled to a reduction of 75% of the international filing fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 25% of the international filing fee.)

4. FEE FOR PRIORITY DOCUMENT *(if applicable)* . . . . [P]

5. TOTAL FEES PAYABLE 6568
Add amounts entered at T, S, I and P, and enter total in the TOTAL box   TOTAL

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1. Part XX of the Legal Framework for EFS-Web indicates that for text files, each three kilobytes of content as measured by USPTO computer systems shall be counted as one printed page for fee calculation purposes. (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)

PCT SAFE/EASY Request for international applications containing a **SL and/or related tables** filed in .txt format in the RO/US via EFS-Web where the calculated number of consolidated sheets totals **400 or more** (more than 1,197,000 bytes). (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)

      1) The Request (Box IX Check list, IX-6a/6b, see below) should be filled out as though the SL and/or related tables are provided under AI § 801 as part of the international application (to allow proper assessment of fees).

      2) Type and number of carriers should be indicated as "1 .txt – EFS" as part of the international application (Box IX Accompanying Items, IX-6(A)-(ii)/6(B)-(ii)).

      3) No indications should be provided in the accompanying items 9. and/or 10., since only 1 .txt file is provided; and therefore, no statement is required. (For PCT EASY/SAFE, if the box is not checked, it will not be displayed.)

IX	Check list	number of sheets	electronic file(s) attached
IX-1	Request (including declaration sheets)	3	✓
IX-2	Description (excluding sequence listing part)	30	–
IX-3	Claims	5	–
IX-4	Abstract	1	✓
IX-5	Drawings	10	–
IX-6a	Sequence listing part of description filed in electronic form only (under Section 801(a)(i))	–	1 .txt - EFS
IX-6b	Tables in electronic form related to sequence listings	–	1 .txt - EFS
IX-7	TOTAL	49	

IX	Accompanying Items	paper document(s) attached	electronic file(s) attached
IX-8	Fee calculation sheet	✓	–
IX-17	PCT-SAFE physical media	–	✓
IX-19	Figure of the drawings which should accompany the abstract		
IX-20	Language of filing of the international application	English	

1

2

PCT SAFE/EASY Fee Calculation Sheet for international applications containing a **SL and/or related tables** filed in .txt format in the RO/US via EFS-Web where the calculated number of consolidated sheets totals **400 or more** (more than 1,197,000 bytes).

In this example, the international application <u>excluding</u> the SL and related tables contains 49 sheets. The SL and related tables comprise more than 400 sheets as calculated by the Office's algorithm.[1] Applicant pays the international filing fee*, currently $1086 for the first 30 sheets, with a $78 reduction for PCT EASY filing (the reduction for electronic filing via EFS-Web is not reflected). The additional 19 sheets are assessed at a fee per sheet rate, currently $12 and are calculated together with the SL and tables, assessed at a rate of 400 times the fee per sheet rate, showing the total number of sheets as 419.

* since fees are subjected to change, please see the current fees
    @ www.uspto.gov/web/offices/pac/dapps/pct/fees.htm

0-4	Form PCT/RO/101 (Annex) PCT Fee Calculation Sheet				
0-4-1	Prepared Using		PCT-SAFE [EASY mode] Version 3.51.022.197 MT/FOP 20070701/0.20.5.10		
0-9	Applicant's or agent's file reference		SL/tables		
2	Applicant		SL COMPANY		
12	Calculation of prescribed fees		fee amount/multiplier	Total amounts (USD)	
12-1	Transmittal fee	T	⇨	300	
12-2-1	Search fee	S	⇨	232	
12-2-2	International search to be carried out by	KR			
12-3	International filing fee (first 30 sheets)	i1	1086		
12-4	Remaining sheets		419		
12-5	Additional amount	(X)	12		
12-6	Total additional amount	i2	5028		
12-7	i1 + i2 =	i	6114		
12-12	EASY Filing reduction	R	-78		
12-13	Total International filing fee (i-R)	I	⇨	6036	
12-14	Fee for priority document				
	Number of priority documents requested		0		
12-15	Fee per document	(X)	20		
12-16	Total priority document fee:	P	⇨		
12-17	Fee for restoration of priority rights	F			
	Number of requests for restoration of priority rights		0		
	Total amount of fees for restoration of priority rights				
12-18	TOTAL FEES PAYABLE (T+S+I+P+F)		⇨	6568	

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1. Part XX of the Legal Framework for EFS-Web indicates that for text files, each three kilobytes of content as measured by USPTO computer systems shall be counted as one printed page for fee calculation purposes. (Number of bytes divided by 3,000; the quotient then rounded up to the next whole number.)