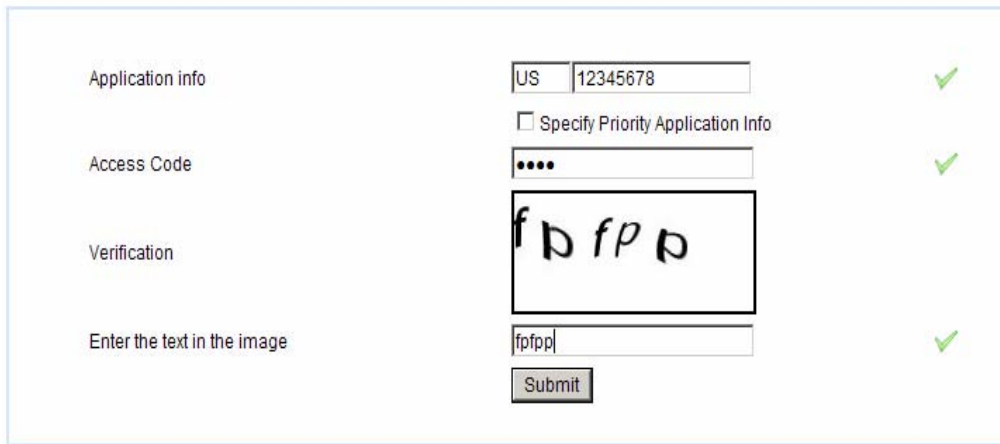


FORWARDING US PRIORITY DOCUMENTS TO THE WIPO

Step 1: Using the Digital Access Service (DAS) to Register US Priority Documents

1. Launch https://webaccess.wipo.int/priority_documents/. Enter US as the two letter country code and enter the application number into Application Info fields.
2. Enter the access code (this is the US confirmation number of the application and can be found on the EFS-Web Electronic Acknowledgment Receipt document and the filing receipt).
3. Enter the CAPTCHA text and click Submit



The screenshot shows a registration form with the following fields and values:

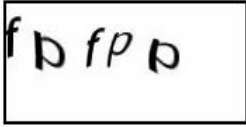
Application info	US 12345678	✓
	<input type="checkbox"/> Specify Priority Application Info	
Access Code	✓
Verification		
Enter the text in the image	f p p	✓
	<input type="button" value="Submit"/>	

Figure 1: Registration of US application

4. The below screen will launch. Enter applicant's name, email address, and click "Submit". The email information given will be used by the DAS to notify the applicant of the application accessibility confirmation status (Registered, Not-Registered, Access Control Code (ACC) Invalid, or Application was not found) by the office of first filing (OFF).



The screenshot shows a form for entering applicant information:

Application info	US 12345678	
Priority Application Info		
Name	John Doe	✓
Email	john.doe@patent.com	✓
Confirm Email	john.doe@patent.com	✓
	<input type="button" value="Submit"/>	

Figure 2: Applicant's email information for confirmation status notification

5. The below screen will be displayed. The applicant will receive an email regarding their accessibility confirmation status once the registration request has been completely processed. This process will take at least one business day.

For successful “Registered” status, all of the following criteria must be met.

- a. The US application number and access code (a.k.a. confirmation number) are correct and matched.
- b. At least one of the following criteria:
 - i. The application has published
–OR–
 - ii. The applicant has submitted the proper authorization to the USPTO in a separate document (e.g., Form PTO/SB/01 or PTO/SB/39) to release the application for this purpose **AND** the application has cleared national security review. Form PTO/SB/01 can be found at <http://www.uspto.gov/web/forms/sb0001.pdf> and Form PTO/SB/39 at <http://www.uspto.gov/web/forms/sb0039.pdf>.



Your request has been registered in the system with the following details. You will get the email once request has been processed.

Application info	US	12345678
Priority Application Info		
Name	John Doe	
Email	john.doe@patent.com	

Figure 3: Registration is being processed

6. Once the accessibility confirmation status, “Registered” is received, log into DAS and click the “Update Access Control List” tab. And select the appropriate participating Accessing Office(s) to grant access to this US application and click “Update”

Query Pdoc
Update Access Control List
Update Control Code
Update Applicant Email

Access Control List			
Select	Office code ↕	State or Office of second filing ↕	Access Granted on ↕
<input checked="" type="checkbox"/>	CN	6 Xituchenglu, Jimen Bridge, Haidian District, P.O. Box 8020, Beijing 100088	Mar 20, 2009

Figure 4: Access Control List Management

Step 2: Forwarding US Priority Documents To the WIPO

1. The USPTO can exchange priority documents via the DAS with the World Intellectual Property Organization (WIPO). The WIPO accesses “Registered” US priority applications for DAS participating accessing Offices. Please refer to the following WIPO’s Web site for the current listing of the participating accessing Offices: <http://www.wipo.int/patentscope/en/pdocforum/participating.html>
2. If you are filing an application in a DAS participating accessing Office and you want the WIPO to retrieve one or more US priority documents from the USPTO for placement in that application file:
 - a. Check with the WIPO or DAS participating accessing office for instructions on how requests for retrieval of US documents should be filed. ***Prerequisite: Applicant must have successfully “Registered” with the DAS accessibility confirmation for the intended retrieval of the US priority document(s) as described above in Step 1.***
 - b. The USPTO will release a priority document to the WIPO ONLY if the US application meets at least one of the following criteria:
 - i. The application has been published.
–OR–
 - ii. The applicant has submitted the proper authorization (e.g., Form [PTO/SB/01](#) or [PTO/SB/39](#)) to the USPTO in a separate document to

release the application for this purpose **AND** the application has cleared national security review.

3. Form PTO/SB/01 can be found at <http://www.uspto.gov/web/forms/sb0001.pdf> and Form PTO/SB/39 at <http://www.uspto.gov/web/forms/sb0039.pdf>.
4. For authorization, please submit Form PTO/SB/01 or Form PTO/SB/39 using one of the routes indicated below:
 - a. electronically via EFS-Web
 - i. For PTO/SB/01, select document description “Oath or Declaration filed” under the category Application Part
 - ii. For PTO/SB/38, select document description “Authorization to access Appl. by Trilateral Office” under the category Priority Documents.
 - b. mailed to the usual USPTO mailing address:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
 - c. Only Form PTO/SB/39 can be faxed to the usual Central Fax number (571-273-8300)
5. The USPTO will send a notice to applicant if the submitted PTO/SB/39 does not meet USPTO requirements under the DAS program (e.g.; signature provided is not an attorney or agent of record).
6. At the present time the WIPO cannot retrieve foreign priority documents contained within a US application
7. The USPTO and WIPO will not charge any fees to the applicant for this service.

Instructions For Completion Of Form PTO/SB/01

1. On the first page of the Oath (Declaration), place a checkmark inside the checkbox under “Authorization to Permit Access to Applicant by Participating Offices” paragraph. Please see sample below.

Doc Code: Oath
Document Description: Oath or declaration filed

PTO/SB/01 (10-08)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</p> <p><input type="checkbox"/> Declaration Submitted With Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(f)) required)</p>	Attorney Docket Number	
	First Named Inventor	
	<i>COMPLETE IF KNOWN</i>	
	Application Number	
	Filing Date	
	Art Unit	
Examiner Name		

I hereby declare that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name; and (2) I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

(Title of the Invention)

the application of which

is attached hereto
OR

was filed on (MM/DD/YYYY) _____ as United States Application Number or PCT International Application Number _____ and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Authorization To Permit Access To Application by Participating Offices

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, or other intellectual property office in which a foreign application claiming priority to the above-identified application is filed to have access to the application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the application-as-filed with respect to : 1) the above-identified application, 2) any foreign application to which the above-identified application claims priority under 35 USC 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified US application, and 3) any U.S. application from which benefit is sought in the above-identified application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

1

Figure 5: PTO/SB/01 Form

Instructions For Completion Of Form PTO/SB/39

2. In the upper right-hand corner of the form (the section marked “1” in the attached below sample), please enter as much identifying information as you have available about the US application to which you are authorizing access.
3. In the box labeled “2”, please insert the title of the US application to which you are authorizing access.
4. The form must be signed in the area labeled “3” in accordance with 37 CFR 1.14(c).

For DA support, please contact:

EBC Customer Support Center	Hung Vuong	Tamara Graysay
1-866-217-9197 (toll-free)	Computer Specialist	Special Program Examiner
571-272-4100 (local)	571-272-5727	571-272-6728
M-F: 6AM – Midnight (Est. Time)	PDX@uspto.gov	PDX@uspto.gov
PDX@uspto.gov		

Doc Code: PD.TO.AUTH

Document Description: Authorization to access Appl. by Trilateral Office

PTO/SB/39 (03-09)

Approved for use through 04/30/2009. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

COMPLETE IF KNOWN	
Application Number	
Filing Date	
First Named Inventor	
Attorney Docket Number	
Title (Required)	

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

The undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h).

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the application-as-filed with respect to: 1) the above-identified application, 2) any foreign application to which the above-identified application claims priority under 35 USC 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified US application, and 3) any U.S. application from which benefit is sought in the above-identified application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

This written authorization should be submitted prior to the filing of a subsequent foreign application, in which priority is claimed to the above-identified patent application, with any intellectual property office (e.g., the EPO, JPO, or KIPO). However, if applicant does not wish the EPO, JPO, KIPO, or other intellectual property office in which a foreign application claiming priority to the above-identified application is filed to have access to the application, this written authorization should not be filed.

No fee will be charged under 37 CFR 1.19(b)(1) for providing a participating intellectual property office with an electronic copy of the above-identified application.

This form must be signed by an authorized party in accordance with 37 CFR 1.14(c).

_____ Signature	_____ Date
_____ Printed or Typed Name	_____ Telephone Number
_____ Title	_____ Registration Number, if applicable

Figure 6: PTO/SB/39 Form

Last Updated: April 20, 2009