

PCT-EPO Guidelines – 29th meeting of the SACEPO WP/G meeting 8 May 2025

Consultation results

Comments marked in **green** were discussed during the meeting.

The Office's replies to comments that are not marked in colour were communicated to the members in writing prior to the meeting.

#	Part	Chapter	Section	Comments	Suggested improvement	Consultation results
1	GP	--	--	<p>I suggest you add a section in the 'Guidelines for Examination in the European Patent Office' concerning the DAS for PCT applications filed with the EPO as Office of First Filing.</p> <p>In Online Filing 2.0, when filing a PCT there is a box one has to actively tick named "The receiving Office is requested to make this international application available to the Priority Document Access Service (DAS) (provided that an international application number and international filing date is accorded to this purported international application)."</p> <p>Ticking this box will create the Box n°IX-22 in the PCT REQUEST electronic form that asks the European Patent Office, as Office of First Filing, to put the international application in the DAS.</p> <p>However, even if this box is *not*</p>		<p>This comment refers to A-VI, 1.7.</p> <p>As of 1 April 2019 a DAS access code is generated by the EPO automatically for any international application filed with the EPO acting as receiving Office (OJ EPO 2019, A27). Therefore there is no need for the applicant filing with the RO/EP to tick the box requesting the receiving Office to make the international application available to the DAS. However, the box may be relevant for the procedure before other receiving Offices (note that OLF2.0 embeds WIPO's ePCT filing tool).</p> <p>The Office agreed to clarify this in the PCT-EPO Guidelines.</p> <p>There were no further comments from SACEPO WP/G members.</p>

				<p>ticked, the filing receipt of the PCT application filed via the EPO will contain a DAS code.</p> <p>Thus, could you please add in the guidelines what this box to tick is for? Is it an instance in which the Office of First Filing will always provide a DAS code, but said DAS code is only useable if we tick this box? (the PCT Newsletter mentions the existence of cases in which the OFF is requested to make priority document available in DAS so that "a code that was given to you as part of the application process will become available for use as an access code" - PCT Newsletter 11/2019: Practical Advice, https://www.wipo.int/pct/en/newslett/practical_advice/pa_112019.html)</p> <p>Could you please also add what are the consequences if we forget to tick this box, and what are the remedies and their formalities?</p>		
2	GP	--	--	<p>I am sending a more complete feedback than the one I had previously sent via the contact form in November 2024 on the use of the word "unitary" in the Guidelines, this time taking into account the previews of the upcoming 2025 Guidelines.</p> <p>I have noticed that at some places in the upcoming 2025 guidelines, the word "unitary" was used, but not to refer to the Unitary Patent; I believe this use could create confusion for the reader who may think this refers in some way to the</p>	<p>I suggest the EPO uses another word than "unitary" (e.g., cojoined, joint, amalgamated, associated, etc.) in instances where it does not refer to the Unitary Patent, or at least replaces "unitary" in as many of the current instances as possible, in order to avoid needless confusion for the reader.</p> <p>If the word "unitary" cannot be changed when it comes to designate the unity of an invention (even though I suggest this use be changed), I strongly advise that the word "unitary" be at least removed when it refers to the whole of a procedural act, i.e. in</p>	<p>See comment 4 regarding the EPC Guidelines</p> <p>The Office took note of this comment. However, it assumed that the comment was based on a misunderstanding.</p> <p>First, the Office clarified that Unitary Patent proceedings are not dealt with in the PCT-EPO Guidelines but in a separate publication.</p>

			<p>Unitary Patent (especially since the Unitary Patent is covered in the same 'Guidelines for Examination' where this same "unitary" word is used to refer to completely different things).</p> <p>While I do understand that the confusion would not exist if the reader is seasoned in EPO procedures, many readers unfamiliar with the EPO procedures (e.g., paralegals or patent engineers who begin their formation, inventors, etc.) may be unnecessarily confused by the use of this specific word.</p> <p>I have noted the confusing use of "unitary" in the following sections (I tried to be exhaustive).</p> <p>1) 'Guidelines for Examination in the European Patent Office':</p> <p>---Part B, Ch. I: 2., 2.2.1 (including the title of the section itself), and 2.2.2 (including the title of the section itself) ---Part B, Ch. VII: 1.1, 1.2, and 2.3 ---Part B, Ch. IX: 5.</p> <p>---Part C, Ch. III: 3.1, and 3.2.1</p> <p>---Part E, Ch. VIII: 2., and 3.1.3</p> <p>---Part F, Ch. V, 3.2, and 4.1</p> <p>---Part H, Ch. II, 6.1, and 6.2 ---Part H, Ch. IV, 4.1.2</p> <p>2) 'Guidelines for Search and Examination at the European Patent Office as PCT Authority'</p>	<p>Guidelines for Examination, Part E, Ch. VIII, 2., and 3.1.3.</p>	<p>Second, the term "unitary" is a standing term used in the context of "unity of invention" (see Rules 13 and 40 PCT), which by its nature cannot be confused with unitary patent protection.</p> <p>It is commonly used inside and outside the Office, as well as in numerous decisions of the Boards of Appeal. A change of terminology is unnecessary and would create more uncertainty.</p> <p>Hence there is no possibility of any confusion with proceedings before the Unitary Patent Division.</p> <p>There were no further comments from SACEPO WP/G members.</p>
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				<p>--Part B, Ch. VII, 6.3, and 7.2 --Part B, Ch. XI, 3.4</p> <p>--Part C, Ch. IV, 2.2 --Part C, Ch. V, 1., and 4.1 --Part C, Ch. VIII, 3.</p>		
3	GP		1	<p>2nd paragraph: When referring to applicants, it is superfluous to refer also to their representatives.</p>	<p>Delete "and patent attorneys"</p>	<p>The Office did not agree to this proposal.</p> <p>Applicants and patent attorneys represent distinct user groups, and patent attorneys may consult the GLs not solely in connection with their own clients.</p> <p>SACEPO WP/G members indicated that if the Office decided to keep the reference to patent attorneys, the sentence should also cover third parties.</p> <p>The Office agreed to consider this proposal.</p> <p>There were no further comments from SACEPO WP/G members.</p>
4	GP		1.1	<p>3rd paragraph:</p>	<p>Add the "Administrative Instructions under the Patent Cooperation Treaty" latest version July 1, 2024)</p>	<p>The Office did not agree to this proposal. As indicated by its title, section 1.1 is intended to describe the relationship between the PCT and the EPC. All other legal sources are listed in section 2.4. The Office will consider whether there is a need to adapt the title of section 2.4 (at present "Further sources of information") to better reflect its content or whether any further change is needed.</p>

						There were no further comments from SACEPO WP/G members.
5	GP		1.1	<p>Point 3 of consultation results of 28th SACEPO: A list with all notifications of incompatibility in one place will be welcomed:</p> <p>The Office stated that a reference to the list of notifications of incompatibility appeared to be sufficient in the General Part. Specific information might be included in the affected parts of the future, if needed.</p>		<p>As agreed at the SACEPO WP/G meeting in October 2024, a link to the list of reservations is included in section 1.1. This list is published on the WIPO website.</p> <p>As to the notification of incompatibility with Rule 66.1 <i>bis</i>(b) PCT, specific information is contained in C-IV, 2.2.</p> <p>No further change appears to be needed.</p> <p>There were no further comments from SACEPO WP/G members.</p>
6	GP		1.1	The EPO-WIPO Agreement provides the legal provisions for EPO as ISA/SISA/IPEA (e.g., competence, languages), in addition to PCT and EPC itself, but is not mentioned in 1.1.	Add EPO-WIPO agreement to General 1.1, as that covers EPO as ISA/SISA/IPEA in addition to PCT and EPC itself.	Same as comment 4
7	GP		2.4	General 2.4 is titled Sources of information, but the EPO-WIPO Agreement listed therein is not a “source of information”, but a binding legal text *see also comments to General 1.1)	Remove the reference to the EPO-WIPO agreement from General 2.4 and add it to General 1.1	Same as comments 4 and 6
8	GP		2.4	In General 2.4 (or moved to General 1.1), legal basis with content of EPO-WIPO agreement is only given as OJ 2017, A115 while there have been numerous updates since – some of them relating to fee amounts, but	Add the most currently relevant updates to the legal basis for the EPO-WIPO Agreement (currently just OJ 2017, A115):	The Office agreed to add this information.

				other relating to more substantive changes	<ul style="list-style-type: none"> + update Annex A(ii) [BE deleted as BE no longer rO] per 1/4/2018 – OJ 2018, A24 + update Annex D, part II(4) [Reductions] per 1/4/2020 – OJ 2020, A35 + update Annex D, part I [Fees] per 1/4/2024 – OJ 2024, A29 	
9	GP		2.4	In General 2.4 (or moved to General 1.1), legal basis in the PCT for the EPO-WIPO agreement is missing	In GP 2.4 (to be moved to GP 1.1, see above): add PCT Art. 16(3) and 32(3) as legal basis for EPO-WIPO Agreement	The Office agreed to the proposal.
10	GP		2.6	Why PCT/RO/102 is not used by EPO, both before and after payment of the filing fees? Raised in previous meetings, see also point 16 of consultation results of 28 th SACEPO.		<p>With regard to why the Office does not issue Form PCT/RO/102 after payment of fees, reference was made to the explanations provided by the Office at the SACEPO WP/G meeting in October 2024 (comment 16).</p> <p>With regard to issuing the form before payment of fees, the Office noticed that the fees to be paid for filing an international application are automatically calculated in the fee calculation sheet. This amount is indicated even when the applicant decides to pay at a later stage.</p> <p>Users are recommended to use the Central Fee Payment, which shows the amounts due under the category "Fees due".</p> <p>The Office thus concluded that the use of Form PCT/RO/102 to indicate the fees to be paid did not seem necessary.</p>

						SACEPO WP/G members insisted on the importance of the form for users, especially as a confirmation of the payment of fees. They noted that not all users make use of Central Fee Payment. SACEPO WP/G members concluded that they intend to keep this point open.
11	GP		3.1	The use of the term “prior use” is inaccurate or even incorrect, as reference to “prior art” or “state of the art” is meant. See comments to B-VI 2 and G-IV 6	Replace “prior use” by “prior art” or “state of the art”	The Office agreed to replace the word "use" with "art". The corresponding text will also be updated in view of the amended Rules 33 and 64. See comments 31 and 37 below. There were no further comments from SACEPO WP/G members.
	Part A					
12	A	II	1.2.2	Now that it does not just specify CET, but intends to be more accurate to also indicate UTC+1/+2, it seems appropriate to add that daylight saving time applies.	Add that daylight saving time applies	Applicability of daylight saving time is already included in the current definition: "All EPO filing offices are based in the Central European Time (CET) zone, i.e. UTC +1, and Central European Summer Time (CEST), i.e. UTC +2. CEST starts on the last Sunday in March and ends on the last Sunday in October." The Office indicated that it preferred to keep the current formulation, which is also in line with other EPO publications (see for instance: epo.org Which time zone do we use as standard?). There were no further comments from SACEPO WP/G members.

						See also comment 36 on C-II, 1
13	A	II	1.2.2	<p>W.r.t. the automatic mailbox: The “may be <u>used</u>” alone does not indicate or imply that it also provides the letter with a date /time stamp (I can also <u>use</u> the mailbox from the Post at any time as it does not close), nor does “automatic” as the term itself does not specify what is automated. Note that de accordance of a date to documents posted in the automated mailbox is only explicitly specified in an older OJ than the ones mentioned.</p>	<p>“[automatic mail boxes] which may be used at any time” to be expanded with “the date and time at which a letter is deposited in the automatic mail box will be recorded/ date stamped/ ...”.</p>	<p>The Office noted that the text matches the relevant decision of the President (OJ EPO 2025, A33) and the corresponding section of the EP Guidelines (A-II, 1.2). These details are not provided for other means of filing on paper.</p> <p>According to the Office, no change is necessary, since it may be clearly derived from the fourth paragraph of the same section that: "The international filing date accorded to an application delivered by hand or by post is the date of handing over or receipt respectively at an EPO filing office, provided that the requirements under Art. 11 are fulfilled."</p> <p>There were no further comments from SACEPO WP/G members.</p>
14	A	II	1.2.2	<p>What if an application is sent to a sub-office? Will EPO inform the sender or will it be ignored (see next section on filing with other means – use of PCT/RO/142)?</p>		<p>According to Art. 1(2) of the decision of the President of the EPO dated 2 April 2025 (OJ EPO 2025, A33), patent applications filed with the Vienna sub-office are forwarded to one of the filing offices and will only be accorded a filing date on receipt by the latter.</p> <p>The Office noticed that this is an unlikely scenario, given that about</p>

						<p>99.8% of international applications are submitted electronically. Therefore there seems to be no need to include further information on this in the Guidelines.</p> <p>There were no further comments from SACEPO WP/G members.</p>
15	A	II	2	<p>“If an international application is filed with the EPO acting as receiving Office, the EPO is the only competent ISA, so the ISA does not need to be entered in Box No. VII of the PCT request form.” Does this apply also when filing with ePCT and EPO as RO?</p>		<p>The Office confirmed that this also applies to international applications filed with the EPO as RO via ePCT.</p> <p>There were no further comments from SACEPO WP/G members.</p>
16	A	II	6.2	<p>”at the <u>time</u> of filing” is not defined and not clear. It may be misunderstood as the international filing date, as first accorded or as re-dated. But it presumably intends refer to the “first” -clause of PCT Rule 20.5bis(d), which reads “<i>on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office</i>”?</p>	Please specify clearly.	<p>The Office will slightly amend the sentence mentioned to clarify this point.</p>
17	A	III	3.1	<p>Point 11 of consultation results of 28th SACEPO (verification of the number of pages) not addressed.</p>		<p>In line with what the Office promised at the SACEPO WP/G meeting in October 2024, further internal consultation was carried out in this respect.</p> <p>The Office would like to highlight the importance of the check to be performed by users as to what they</p>

						<p>submit. It is the submission package as uploaded and approved by the users that is received by the Office electronically.</p> <p>Most importantly, however, the number of pages is not relevant to ensuring correct transmission. As already indicated last year, the integrity and completeness of the submission is guaranteed by the message digest. Calculating the number of pages at this stage is error-prone, as experience from the past has shown. To ensure the completeness of documents filed applicants should rely on the message digest of the package and the PDF files contained in the submission package, not on any additional counting that may be performed on the EPO side at a later date.</p> <p>SACEPO WP/G members took note of the fact that the Office and users take different positions. According to SACEPO WP/G members, the indication of the number of pages remains important for users.</p>
18	A	III	3.2	Last sentence. Not clear how it is linked with the previous paragraph (probably editorial error).		<p>The Office noted that the indicated reference did not appear to be correct. Further clarification from SACEPO members was necessary. They clarified that this comment referred to A-II.</p>

19	A	III	4.2	<p>It is nowhere mentioned that the pages of the PCT Request form are to be included in the page count.</p> <table border="1" data-bbox="622 272 1093 1114"> <thead> <tr> <th colspan="2" data-bbox="622 272 1093 331">Box No. IX CHECK LIST for PAPER</th> </tr> </thead> <tbody> <tr> <td data-bbox="622 331 1025 400">This international application contains the following:</td> <td data-bbox="1025 331 1093 400">Number of sheets</td> </tr> <tr> <td data-bbox="622 400 1025 635">(a) request form PCT/RO/101 (including any declarations and supplemental sheets).....</td> <td data-bbox="1025 400 1093 635">: []</td> </tr> <tr> <td data-bbox="622 635 1025 699">(b) description</td> <td data-bbox="1025 635 1093 699">: []</td> </tr> <tr> <td data-bbox="622 699 1025 762">(c) claims</td> <td data-bbox="1025 699 1093 762">: []</td> </tr> <tr> <td data-bbox="622 762 1025 826">(d) abstract</td> <td data-bbox="1025 762 1093 826">: []</td> </tr> <tr> <td data-bbox="622 826 1025 890">(e) drawings (if any).....</td> <td data-bbox="1025 826 1093 890">: []</td> </tr> <tr> <td data-bbox="622 1050 1025 1114">Total number of sheets</td> <td data-bbox="1025 1050 1093 1114">: []</td> </tr> </tbody> </table>	Box No. IX CHECK LIST for PAPER		This international application contains the following:	Number of sheets	(a) request form PCT/RO/101 (including any declarations and supplemental sheets).....	: []	(b) description	: []	(c) claims	: []	(d) abstract	: []	(e) drawings (if any).....	: []	Total number of sheets	: []	<p>Add: "the number of pages of the request form PCT/RO/101 (including any declarations and supplemental sheets) is to be included in the page count" (see Box No. IX of the PCT Request form).</p>	<p>The Office indicated that section 4.2 refers to paragraph 241 of the RO GLs, which states the following: "The amount of the international filing fee depends on the total number of sheets of the international application at the time of filing, which appears under "Total number of sheets" in Box No. IX (check list) of the request." Since the request is part of the international application (Art. 3(2) PCT), it is also to be included in the page count.</p> <p>The Office thus did not believe that specific information on the request needed to be added. The aforementioned sentence of paragraph 241 of the RO GLs could nevertheless be included in section 4.2 to further increase its clarity. SACEPO WP/G members stated that the fact that the request is included in the page count should be clearly indicated in the text.</p> <p>There were no further comments from SACEPO WP/G members.</p>
Box No. IX CHECK LIST for PAPER																						
This international application contains the following:	Number of sheets																					
(a) request form PCT/RO/101 (including any declarations and supplemental sheets).....	: []																					
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(c) claims	: []																					
(d) abstract	: []																					
(e) drawings (if any).....	: []																					
Total number of sheets	: []																					
20	A	III	8.2	<p>See point 18 of 28th SACAPO: in my opinion the supplementary in brackets make it more unclear.</p>	<p>We suggest to explicitly mention that it applies also to the search fee for a supplementary international search.</p>	<p>Following the discussion at the last SACEPO WP/G meeting in October 2024, the proposed subparagraph (8.2.2) dedicated to the reduction of the supplementary international search fee was removed. The indication that the instructions in section 8.2 also cover the supplementary international search</p>																

						<p>was, however, left in the title, as stated at the meeting, to clearly show that the section also covers the supplementary international search procedure (especially in the HTML version).</p> <p>Since the supplementary international search procedure is a separate procedure, it is important to ensure that applicants can easily identify where this information can be found.</p> <p>Since inclusion of the word "supplementary" in the title related to the international search fee still appears to raise some concerns, the Office will further consider how best to include this information.</p> <p>SACEPO WP/G members indicated that it should be clear from the text what is meant by supplementary.</p>
21	A	VI	2.1	The last paragraph relates to closure of the national route (Art. 24(2) PCT, which is however <i>not</i> "Non-designation for reasons of national law" (Rule 4.9(b)) as section 2.1 is titled.	Move the closure of the national route to a new paragraph 2.2.	<p>The Office thanked the respondent for the comment. The information will be moved to a different section.</p> <p>There were no further comments from SACEPO WP/G members.</p>
22	A	VI	2.1	On page A VI-8 of the draft 2025 PCT Guidelines, OJ EPO 2022, A82 is cited in the margin of a paragraph that relates to Germany. However, OJ EPO 2022, A82 relates (exclusively)		The Office thanked the respondent for the comment. The incorrect reference will be removed. As to Germany's self-designation, reference to the relevant chapter of the PCT Applicant's Guide is

				to Montenegro so that this reference is incorrect. It is requested to replace the reference by the correct reference for Germany's self-designation vs EPO-route for Germany.		already included, as agreed at the 28 th SACEPO WP/G meeting on 9 October 2024 (comment 26). There were no further comments from SACEPO WP/G members.
23	A	VI	4	Please clarify by amending as shown.	<i>The consequences of non-compliance are a matter of national law <u>and do not affect the international phase.</u></i>	The Office agreed to the proposed change.
24	A	VII	2.3.2	The language regime for amendments and for rectification is not exactly the same. However, this may easily be overlooked when reading this paragraph (relating to amendments), as no reference to the provisions for rectification are made.	It is requested to add a reference to A-VII, 3.1 for language for rectifications/ corrections	The Office agreed to add a reference to the relevant information.
25	A	VII	3.1	What if the language of filing is not the language of publication?		The Office agreed to clarify this point.
26	A	VIII	3.2	Does it apply also to elected offices?		The EPO as elected Office would not require a missing signature to be submitted upon entry into the European phase (R. 51bis.1(a)(vi) PCT and R. 76.5 PCT). The Office will consider adding this information. There were no further comments from SACEPO WP/G members.
27	A	VIII	3.2	A-VIII, 3.2 says: "The PCT request form or, where applicable, the power of attorney must be signed by the applicant (Box No. X of the request form)". This suggests that the agent	It is suggested to amend to: "The PCT request form, <u>which may include the appointment of an agent, must be signed by the applicant or by the agent.</u> Where applicable, the power of attorney must be	The Office will consider slightly amending the text to clarify that the agent may sign the PCT request form. There were no further comments from SACEPO WP/G members.

				may not sign the PCT request form, which is incorrect.	signed by the applicant (Box No. X of the request form).”	
	Part B					
28	B	II	1.1	The specific provision for applicants from the USA can be removed, as they do not get a special treatment already for over 10 years.	In our view, the paragraph on applicants from the USA can be removed	The Office believed that this comment was made in relation to C-II, 2 rather than B-II, 1.1. The Office agreed to remove the paragraph on applicants from the USA in C-II, 2. There were no further comments from SACEPO WP/G members.
29	B	II	1.1		it is suggested to add to the paragraph that starts with “If an international application is filed with the EPO acting as receiving Office, the EPO is the only competent ISA for the international search.”, that: “The same applies If an international application is filed with any other receiving Office that only allows the EPO to be ISA for international applications filed with them.”	The Office did not agree to the proposal, explaining that it was true some ROs only allow the EPO as the competent ISA. However, the same paragraph in B-II, 1.1 specifies “Therefore, this need not be entered in Box No. VII of the PCT request form”. The Office cannot give advice on this when the RO is not the EPO. There were no further comments from SACEPO WP/G members.
30	B	II	1.1	Editorial	Replace “European ISA” by “ISA of an EPO member-state”	The Office thanked the respondent for the comment and will consider whether to amend this. There were no further comments from SACEPO WP/G members.
31	B	VI	2	Amendment to Rule 33 was adopted July, 2024 and will enter into force 01-01-2026	Oral disclosures are included in prior art.	See also comment 37. The Office will update the wording of B-VI, 2 in view of the amended Rules 33 and 64

						There were no further comments from SACEPO WP/G members.
32	B	VII	1	B-VII, 1 provides: “The PCT does not provide for the possibility of filing a divisional application”	It is suggested to add: “However, the PCT provides for additional searches for additional inventions in case of non-unity (see VII, 2) and for additional international preliminary examination for additional inventions that were searched (see C-V).”	<p>The Office believed the suggested sentence was not necessary, since non-unity is extensively dealt with in sections B-VII and C-V, especially B-VII, 2 and B-VII, 3, C-V, 1, C-V, 2 and C-V,3. The very first sentence of the first paragraph would also be redundant, as acknowledged during the meeting by SACEPO WP/G members.</p> <p>SACEPO WP/G members agreed in principle, but asked the Office to add the relevant references to the PCT GL of B-VII and C-V to the first sentence of the first paragraph. The Office agreed to consider that option.</p> <p>There were no further comments from SACEPO WP/G members.</p>
33	B	VIII	2	The fresh sentence in the last paragraph may facilitate a decision not to perform an IS.	Delete the new sentence. It does not add anything useful.	<p>The Office thanked the respondent for the comment. The new sentence is redundant, given the second sentence of B-VIII, 2: the Office therefore agrees to the proposal. However, the reference to B-VIII, 1 and B-VIII, 3 will be moved to the end of the second sentence.</p> <p>There were no further comments from SACEPO WP/G members.</p>

34	B	VIII	3.3	<p>See point 38 of 28th SACEPO. The Office disagreed. The comment is retained.</p> <div data-bbox="593 288 1003 507" style="border: 1px solid black; padding: 5px;"> <p>It is suggested to change "the examiner may informally contact the applicant" into "the examiner <u>must</u> informally contact the applicant"</p> </div>		<p>The Office stated that this topic had already been discussed during the last SACEPO WP/G meeting in October 2024. The Office did not agree to the proposal. The word "must" is not reflected in the legal texts (OJ 2011, 327 and the ISPE Guidelines, paragraph 9.34). The OJ reads "the EPO....may seek informal clarification"..."in particular, the EPO is under no obligation to ask for informal clarification"..."An examiner who finds it appropriate to ask for informal clarification may contact the applicant by phone or in writing". In practice, examiners are encouraged to conduct constructive consultations regularly.</p> <p>SACEPO WP/G members did not agree with the Office's position and asked for this encouragement to be explicitly mentioned in the Guidelines. In addition, Rules 62a/63 PCT are "shall" provisions. The Office was asked to reconsider its position.</p> <p>The Office will look into the matter and consider how to best achieve a harmonised approach.</p> <p>There were no further comments from SACEPO WP/G members.</p>
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35	B	XII	10.3	<p>“Furthermore, if the main ISA has already objected to lack of unity, the applicant can indicate, on the supplementary search request form (in Box IV), which of the inventions searched by the main ISA the SIS should be based upon.”</p> <p>The text “the inventions searched by the main ISA” is wrong, because in case of a non-unity objection found by the main-ISA, the applicant can request the SISA to search an invention not searched by the main-ISA, as is clear from the formulation of PCT Rule 45<i>bis</i>.1(d):</p> <p>“Where the International Searching Authority has found that the international application does not comply with the requirement of unity of invention, the supplementary search request may contain an indication of the wish of the applicant to restrict the supplementary international search to one of the inventions as identified by the International Searching Authority other than the main invention referred to in Article 17(3)(a).”</p> <p>By the way, this topic occurred in Q.5 of the 2025 D1 Paper.</p>	<p>“Furthermore, if the main ISA has already objected to lack of unity, the applicant can indicate, on the supplementary search request form (in Box IV), which of the inventions searched by the main ISA the SIS should be based upon.”</p>	<p>The Office thanked the respondent for the comment. It will consider amending the sentence mentioned, possibly as follows: "which of the inventions identified by the main ISA".</p> <p>There were no further comments from SACEPO WP/G members.</p>
Part C						
36	C	II	1	<p>Now that it does not just specify CET, but intends to be more accurate to also indicate UTC+1/+2, it seems appropriate to add that daylight saving time applies.</p>	<p>Add that daylight saving time applies.</p>	<p>See comment 12.</p>

	Part E					
	E			No comments		
	Part F					
	F			No comments		
	Part G					
37	G	IV	6	<p>Despite our request thereto, no information has been included about the changes of the definition of relevant prior art for international search and preliminary examination per 1 January 2026, i.e., during the lifetime of this version of the PCT Guidelines (amendments to PCT Rules 33 and 64 for ISRs established on or after 1 January 2026), so as to also include non-written disclosures, esp. oral disclosures. Reference is made to PCT Newsletter July-Aug 2024, PCT/A/56/2 (56th session of the PCT Assembly, 9-17 July 2024), PCT/WG/17/10 and par 25 and 26 and Annex II of PCT/WG/17/21). It is also noted that the entry into force provisions (ISR established \geq 1/1/26) effectively means taking effect for PCT applications filed well before 1/1/2026 in view of the time span between the filing and the establishing of the ISR. As this is a key change that was already known well before the copy close date of this version of the PCT Guidelines, and as this mention has been requested, an incorporation of this information would have been</p>	<p>It is requested to either issue an intermediate updated version of the PCT Guidelines, or otherwise to include this information in using a "New provisions" button (see "Summary Report_SACEPO_9102024.pdf")</p>	<p>The Office stated that it will update the wording of G-IV, 6 in view of the amended Rules 33 and 64. Intermediate publication of the PCT-EPO Guidelines is not foreseen at this point. The Office would further like to point out that the changes to Rules 33 and 64 PCT will not result in any major change of practice. As already set out in the current version of G-IV, 6, "the EPO as PCT authority takes into account disclosures that can be considered "print equivalent" (see G-IV, 6.4) or that are otherwise captured in a way which allows them to be seen or copied by others and to ascertain the date on which they were made available to the public, such as, for example, multimedia disclosures (videos) available on the internet".</p> <p>SACEPO WP/G members explained that the update was requested in view of the Guidelines revision cycle – the amended provisions will enter into force on 1 January 2026, i.e. when the PCT-EPO GL2025 are still in force.</p> <p>The Office agreed to consider the comment and possibly issue a corresponding Notice in the Official Journal.</p>

				appropriate and was expected; we are disappointed that it was not done.		There were no further comments from SACEPO WP/G members.
	Part H					
38	H	I	5	When inserting a paragraph the initial numbering of paragraphs (if any) changes. Is there a need to resubmit all further pages?		<p>The Office will take this comment into account when reviewing this section of the Guidelines.</p> <p>In substance: the renumbering of paragraphs will be done automatically. However, when something is inserted in the description there is always the risk that the page break is no longer correct with respect to the first subsequent unamended sheet. To avoid publication errors it is therefore advisable to resubmit all further pages.</p> <p>SACEPO WP/G members suggested including this information in this Guidelines section.</p> <p>The Office confirmed that it is considering clarifying this section in this respect.</p> <p>There were no further comments from SACEPO WP/G members.</p>
39	H	IV	1		Replace “strict limits: by “limits”	The Office agreed to the proposal.