

SEQUENCE LISTINGS AND TABLES RELATED THERETO IN INTERNATIONAL APPLICATIONS FILED IN THE U.S. RECEIVING OFFICE

The Administrative Instructions (AIs) under the Patent Cooperation Treaty (PCT), in force as of **July 1, 2009**, contain important changes relating to the manner of filing, and applicable fees for, sequence listings and/or tables related thereto (sequence-related tables) in international applications. The complete text may be accessed at <http://www.wipo.int/pct/en/texts/index.htm>.

Effective July 1, 2009, Part 8 and Annex C-*bis* will no longer form part of the AIs. Part 8 was introduced in 2001 as a temporary solution to problems arising from the filing of very large sequence listings on paper and provided for a *sequence listing forming part of the international application* to be filed in electronic form on physical medium (e.g., CD), together with the remainder of the application on paper. In 2002, Part 8 was expanded to include sequence-related tables and Annex C-*bis* was added to provide technical requirements. All applicants may now file complete international applications in electronic form, eliminating the need for these temporary provisions.

I. AIs PART 8 AND ANNEX C-BIS DELETED AS OF JULY 1, 2009:

A) Sequence-related tables cannot be filed as a separate part of the description or in text format. They must be provided as an integral part of the international application either:

- in PDF format as part of an international application filed in electronic form via EFS-Web; or
- on paper as part of an international application filed on paper.

B) A *sequence listing forming part of an international application* may be provided either:

- in electronic form, as part of an international application filed in electronic form via EFS-Web, in
 - Annex C/ST.25 text format (preferred), or
 - PDF format; or
- on paper as part of an international application filed on paper.

C) A *sequence listing not forming part of the international application* (for search under PCT Rule 13^{ter}) in Annex C/ST.25 text format

- is not required where the *sequence listing forming part of the international application* was filed in Annex C/ST.25 text format as part of an international application filed in electronic form via EFS-Web
- is required for search where the *sequence listing forming part of the international application* was filed in PDF
- is required for search on physical medium (e.g., CD) where the *sequence listing forming part of the international application* was filed on paper as part of an international application filed on paper.

II. CALCULATION OF THE INTERNATIONAL FILING FEE AND FEE REDUCTION UNDER AI § 707

A) A sequence-related table must form an integral part of the international application and will incur FULL page fees with no upper limit.

B) A *sequence listing forming part of an international application* filed:

- via EFS-Web in Annex C/ST.25 text format will incur NO page fees;
- on paper or in PDF format will incur FULL page fees with no upper limit.

III. AVAILABILITY OF SEQUENCE LISTINGS SUBMITTED FOR SEARCH UNDER PCT RULE 13^{TER}

International Searching Authorities will be required to transmit to the International Bureau a copy of an Annex C/ST.25 text format sequence listing provided for search under PCT Rule 13^{ter}. Any such sequence listing will be made available on PATENTSCOPE® (*sequence listings forming part of the international application* are already available).

IV. JULY 2009 REQUEST (PCT/RO/101)

The Request now has two options for the last sheet: one for paper filings; and one for EFS-Web filings. The July 2009 Request may be accessed at <http://www.wipo.int/pct/en/forms/index.htm>.