

Date: July 2, 2012.

Notification on filing of PCT national Phase Application in India

Indian Patent Office (IPO) in coordination with the International Bureau (IB) has now acquired online access to the PCT International Applications and related documents available with IB. This online accession of documents shall simplify the process of filing the PCT National Phase Applications in India, as applicants shall no longer be required to file multiple copies of the documents already available with IB. IPO shall utilize such documents accessed electronically from IB.

The Controller General has also issued following instructions applicable to **PCT National Phase Applications entering India** which **do not** claim priority of any PCT National Phase Application filed **previously in India**:

- The applicant shall no longer be required to submit description, abstract and claims;
- Only the last page of claim (first page, if claims comprise of only one page) with date and signature shall be required to be submitted in this regard;
- Even if the applicant submits the aforementioned details, the IPO shall consider the contents accessed from the IPO;
- The particulars for filing Divisional Application and Patent of Addition need not be provided **in any case** in application for grant of patent;
- The documents filed by the applicant should exactly correspond with the up-to-date information available on the record of IB on the date of filing of the PCT National Phase Application in India;
- The request pending with the IB shall be of no consequence and shall not be reflected in any documents;
- In case where the International Application was either not filed or has not been published in English, the applicant shall file duly verified translation of the application in English;
- The notification further clarifies that the IPO does not allow an Applicant to amend the specification or the related documents before he actually enters National Phase in India.

The instructions shall come into effect on July 6, 2012.

The CGPDTM's notice can be accessed from the following link:

http://www.ipindia.nic.in/iponew/PublicNotice_PCT_02July2012.pdf