

**AMENDMENTS TO THE REGULATIONS  
UNDER THE PATENT COOPERATION TREATY (PCT)**

Adopted on July 11 2023, by the Assembly of the International Patent Cooperation Union (PCT Union) at its Fifty-Fifth (24<sup>th</sup> Ordinary) Session held from July 6 to 14, 2023, with effect from July 1, 2024

**Rule 26**

**Checking by, and Correcting before, the Receiving Office of Certain Elements of the International Application**

26.1 to 26.2bis [No change]

26.3 Checking of Physical Requirements under Article 14(1)(a)(v)

- (a) Where the international application is filed in a language of publication, the receiving Office shall check:
  - (i) the international application for compliance with the physical requirements referred to in Rule 11 only to the extent that compliance therewith is necessary for the purpose of reasonably uniform international publication;
  - (ii) any translation furnished under Rule 12.3 or 26.3ter for compliance with the physical requirements referred to in Rule 11 to the extent that compliance therewith is necessary for the purpose of satisfactory reproduction.
- (b) Where the international application is filed in a language which is not a language of publication, the receiving Office shall check:
  - (i) the international application for compliance with the physical requirements referred to in Rule 11 only to the extent that compliance therewith is necessary for the purpose of satisfactory reproduction;
  - (ii) any translation furnished under Rule 12.3 or 12.4 or 26.3ter and the drawings for compliance with the physical requirements referred to in Rule 11 to the extent that compliance therewith is necessary for the purpose of reasonably uniform international publication.

26.3bis [No change]

26.3ter Invitation to Correct Defects under Article 3(4)(i)

(a) Where the abstract or any text matter of the drawings is filed in a language which is different from the language, subject to Rules 12.1bis and 26.3ter(e), of the description and the claims, the receiving Office shall, unless

(i) a translation of the international application is required under Rule 12.3(a), or

(ii) the abstract or the text matter of the drawings is in the language in which the international application is to be published,

invite the applicant to furnish a translation of the abstract or the text matter of the drawings into the language in which the international application is to be published. Rules 26.1, 26.2, 26.3, 26.3bis, 26.5 and 29.1 shall apply *mutatis mutandis*.

(b) to (d) [No change]

(e) Where the description of an international application is filed in a language which is different from the language of the claims, or parts of the description or parts of the claims are filed in a language which is different from the language of the remainder of this element, and where all such languages are accepted by the receiving Office under Rule 12.1(a), the receiving Office shall, as appropriate, invite the applicant to furnish, within one month of the date of receipt of the international application by the receiving Office, a translation of the description or the claims, or any part thereof, such that the description and claims are in a single language which is all of the following:

(i) one of the languages contained in the description or claims as filed;

(ii) a language accepted by the International Searching Authority that is to carry out the international search; and

(iii) the language in which the international application is to be published.

Rule 12.3(c) to (e) shall apply *mutatis mutandis*.

26.4 and 26.5 [No change]

## **Rule29**

### **International Applications Considered Withdrawn**

#### 29.1 Finding by Receiving Office

If the receiving Office declares, under Article 14(1)(b) and Rule 26.5 (failure to correct certain defects), or under Article 14(3)(a) (failure to pay the prescribed fees under Rule 27.1(a)), or under Article 14(4) (later finding of non-compliance with the requirements listed in items (i) to (iii) of Article 11(1)), or under Rule 12.3(d), 12.4(d) or 26.3ter (failure to furnish a required translation or, where applicable, to pay a late furnishing fee), or under Rule 92.4(g)(i) (failure to furnish the original of a document), that the international application is considered withdrawn:

- (i) the receiving Office shall transmit the record copy (unless already transmitted), and any correction offered by the applicant, to the International Bureau;
- (ii) the receiving Office shall promptly notify both the applicant and the International Bureau of the said declaration, and the International Bureau shall in turn notify each designated Office which has already been notified of its designation;
- (iii) the receiving Office shall not transmit the search copy as provided in Rule 23, or, if such copy has already been transmitted, it shall notify the International Searching Authority of the said declaration;
- (iv) the International Bureau shall not be required to notify the applicant of the receipt of the record copy;
- (v) no international publication of the international application shall be effected if the notification of the said declaration transmitted by the receiving Office reaches the International Bureau before the technical preparations for international publication have been completed.

29.2 to 29.4 [No change]