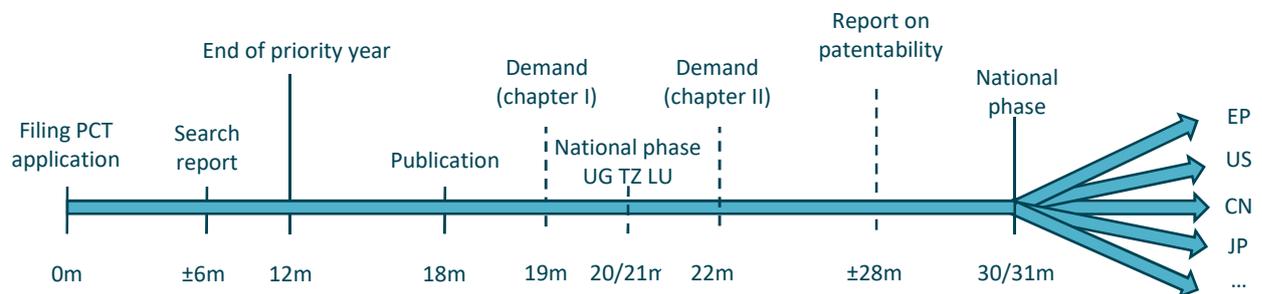


International patent procedure (PCT)



The international patent procedure is a common filing for a very large number of countries. The common procedure runs up to the entry into the national phases, after which the procedure continues locally. The granting of the patents remains under the control of the national or regional patent offices. Patents with a different scope of protection can be obtained in different countries.

An international patent application is filed in a single language, which can be any language which the receiving office accepts. A translation in a language accepted by the searching authority may be required.

The first step in the international patent granting procedure is the examination on filing, which involves checking whether all required information has been provided (a.o. identification of applicant, description of the invention) so the application can be accorded a filing date.

After the formalities examination has been carried out, a search report is drawn up, citing documents which the Examiner considers relevant to the patentability of the invention.

The application is published, usually together with the search report.

International preliminary examination is a second evaluation of the potential patentability of the invention, started by the filing of a demand. This filing of a demand, however, is optional, and if no such demand is filed, the international application proceeds to the entry in the national phases, without losing any rights.

If the international preliminary examination is carried out, the applicant can amend the application and/or can argue to overcome the Examiner's objections. This part of the procedure ends with a report on patentability (IPRP), which is a non-binding report citing an opinion on the compliance of the claims with the international patentability criteria.

Whatever the outcome of the international search or the IPRP is, a decision has to be taken as to whether or not the national phases will be entered. The decision on the granting of the patent is the responsibility of each of the national or regional offices, which do their job independent of the other offices, hence patents with a different scope can be obtained in the different countries as a result of the national phases.