

ePCT webinar series

Using ePCT to e-file in ISAs and IPEAs, filing Demands

Webinar 14
Thursday, June 8, 2023, 10AM Mountain Time

Carl Oppedahl
<https://blog.oppedahl.com>

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Disclaimer

Watching this webinar, or reading these slides, does not make you my firm's client and does not make me your attorney. This webinar is intended to be educational.

At times I will wear either of two hats. At times I will be presenting purely factual information, the same way that a WIPO person might present. At other times I will be sharing opinions and preferences. Please join me in appreciating these two distinct hats.

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Upcoming ePCT webinars

Webinar 15. Thursday, June 15, 2023,
10AM Mountain Time. Doing *92bis* changes.

Webinar 16. Thursday, June 22, 2023,
10AM Mountain Time. Publication front page
preview, generating reports of outstanding
Forms ISA/202, generating reports of
applications with outstanding priority
documents.

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Upcoming ePCT webinars

How to register? Go to

https://blog.oppedahl.com/?page_id=8978.

How to learn of future webinars? Subscribe to
my blog (<https://blog.oppedahl.com/>), or
subscribe to the PCT listserv (https://oppedahl-lists.com/mailman/listinfo/pct_oppedahl-lists.com).

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Recordings

- Webinar 1. Thursday, March 2, 2023. Intro to ePCT, why ePCT is important, getting a user ID and password, setting up 2FA. Download the presentation materials. View the recording (1:13).
- Webinar 2. Thursday, March 9, 2023. Why attorneys need to learn about ePCT, why you cannot simply delegate stuff to support staff. Download the presentation materials. View the recording (1:05).
- Webinar 3. Thursday, March 16, 2023. Making sure your US priority documents are available to DAS, best practices for filing US priority documents, Certificates of Availability, setting up alerts. Download the presentation materials. View the recording (1:21).
- Webinar 4. Thursday, March 23, 2023. Handshakes, eOwners, eEditors, eViewers, access rights groups, employee first day of work, employee last day of work. Download the presentation materials. View the recording (1:20).
- Webinar 5. Thursday, March 30, 2023. Shared address books, collaborative workflow, sharing with clients, sharing with outside counsel. Download the presentation materials. View the recording (1:10).
- Webinar 6. Tuesday, April 4, 2023. Getting to know your ePCT workbench, portfolios, office profiles, cloning, ePCT actions. Download the presentation materials. View the recording (1:15).
- Webinar 7. Thursday, April 13, 2023. Getting pending PCT applications into your workbench, going back to January 1, 2009, archiving old applications. Download the presentation materials. View the recording (0:39).
- Webinar 8. Thursday, April 20, 2023. Filing a new PCT application in RO/US using ePCT. Download the presentation materials. View the recording (1:13).
- Webinar 9. Thursday, April 27, 2023. Filing a new PCT application in RO/IB using ePCT. Download the presentation materials. View the recording (1:05).
- Webinar 10. Tuesday, May 2, 2023. ePCT actions and communications with the IB. Download the presentation materials. View the recording (1:18).
- Webinar 11. Thursday, May 11, 2023. External signatures and PCT declarations. Download the presentation materials. View the recording (1:18).
- Webinar 12. Thursday, May 18, 2023, 10AM Mountain Time. Sequence listings and ePCT. Note that this is not about how to create a sequence listing. This webinar assumes you already know how to create a sequence listing. This webinar talks about things that you need to know in ePCT that relate to sequence listings. Download the presentation materials. View the recording (1:21).
- Webinar 13. Thursday, June 1, 2023, 10AM Mountain Time. Docketing of PCT applications and making use of ePCT notifications. Suggested companion purchase. Download the presentation materials. View the recording (1:05).

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Today's scheduled topics

- Using ePCT to e-file in ISAs
- Using ePCT to e-file in IPEAs
 - Using ePCT to e-file Demands
- Date and time credit in ePCT?
 - For ISAs, it is the date and time at the ISA
 - For IPEAs, it is the date and time at the IPEA or the date and time in Geneva, which ever is better for you

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Today's bonus topic

- Using EPO mailbox to receive communications from ISA/EP instantly instead of by postal mail
- Using EPO mailbox to receive communications from IPEA/EP instantly instead of by postal mail
- Using EPO mailbox to receive communications from SISA/EP instantly instead of by postal mail

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Using ePCT to e-file in ISAs

- If you are a US filer and your ISA is ISA/US you probably will use EFS-Web or Patentcenter
- ISA filing in ePCT is ideal for ISAs that are not ISA/US
- It will be recalled that we discussed this in some detail in Webinar 12 (sequence listings)

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Using ePCT to e-file in ISAs

- What are examples of what you might wish to e-file?
 - Sequence listing
 - Election of an invention for search
 - Request for rectification of obvious error

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How to deliver a document to the ISA?

- Maybe you are in the US and the ISA is the ISA/US ...
 - In which case you might as well use Patentcenter to deliver it
 - If it's not a SL you could use EFS-Web to deliver it

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How to deliver the document to the ISA?

- Maybe the ISA is in some other place that is not ISA/US
 - For example ISA/EP or ISA/KR or ISA/AU or ISA/SG
 - In which case you might not be familiar with how to e-file in EPO or KIPO or AU or SG
- ePCT saves the day!
- Date and time credit in ePCT?
 - It is the date and time at the ISA

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	Can Send ePCT Messages?	Can upload Documents?	EDI or instant?
ISA/AU	yes	yes	instant
ISA/EP	no	yes	EDI
ISA/IL	no	no	neither
ISA/JP	no	no	neither
ISA/KR	no	yes	EDI
ISA/RU	no	yes	EDI
ISA/SG	no	yes	EDI
ISA/US	no	no	neither

How trendy, modern and up-to-date are the ISAs?

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EDI or instant?

- EDI is slower to reach the ISA
- Batched once a day
- Even if the EDI reaches the ISA past midnight at the ISA, ***you will get credit for what time it was at the ISA when you submitted it to ePCT***

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Upload action

The screenshot shows a web interface for uploading documents. At the top, there is a navigation bar with the following tabs: DATA, DOCUMENTS, FEES, ACTIONS, and ACC. Below this is a header for the 'UPLOAD DOCUMENTS' section. The form contains several fields:

- A 'Recipient *' field with a blue border.
- A dropdown menu for 'Document Type *' with a blue bar at the top. The options 'IB' and 'ISA' are visible, with 'ISA' highlighted by a green box.
- An 'Attach document *' field with a dashed line above it.

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Upload to ISA

Recipient *
ISA

Electronic routing method: PCT Electronic Data Interchange Daily online batch (max 24 hour de
Current date and time at recipient Office: Wednesday, 17 May 2023, 14:44 CEST

Document Type *

Rectification of Obvious Mistakes [Rule 91]
Request for Rectification
Rectified Sheets
Sequence Listing - Rectification

Sequence listing [Rule 13ter]
Sequence listing for the purposes of international search [Rule 13ter]
Statement relative to Seq List for the purposes of international search [Rule 13ter]
Translation of Sequence Listing for the purposes of international search
Sequence Listing - Rectification - Rule 13ter

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Upload your document

ACTIONS

UPLOAD DOCUMENTS

Recipient *
ISA

Electronic routing method: PCT Electronic Data Interchange Daily online batch (max 24
hour delivery time)
Current date and time at recipient Office: Wednesday, 17 May 2023, 14:44 CEST

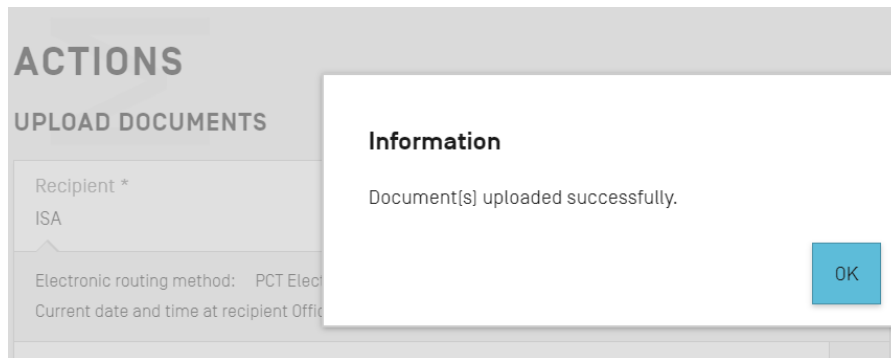
Document Type *
Sequence listing for the purposes of international search [Rule 13ter]

Attach document *

Add document [.xml or .zip]

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Document uploaded successfully



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Using ePCT to e-file in IPEAs

- It will be recalled we discussed this in some detail in Webinar 10
- What might you wish to e-file at an IPEA?
 - Demand for preliminary examination under Chapter II of the PCT
 - Article 34 amendment
 - Withdrawal of Demand

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How to deliver a document to the IPEA?

- Maybe you are in the US and the IPEA is the IPEA/US ...
 - In which case you might as well use Patentcenter to deliver it
 - Or maybe EFS-Web

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How to deliver the document to the IPEA?

- Maybe the IPEA is in some other place that is not IPEA/US
 - For example IPEA/EP or IPEA/KR or IPEA/AU or IPEA/SG
 - In which case you might not be familiar with how to e-file in EPO or KIPO or AU or SG
- ePCT saves the day!
- Date and time credit in ePCT?
 - It is the date and time at the IPEA or the date and time in Geneva, which ever is better for you

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	Can Send ePCT Messages?	Can upload Documents?	EDI or instant?
IPEA/AU	yes	yes	instant
IPEA/EP	no	yes	EDI
IPEA/IL	no	no	neither
IPEA/JP	no	no	neither
IPEA/KR	no	yes	EDI
IPEA/RU	no	yes	EDI
IPEA/SG	no	yes	EDI
IPEA/US	no	no	neither

How trendy, modern and up-to-date are the IPEAs?

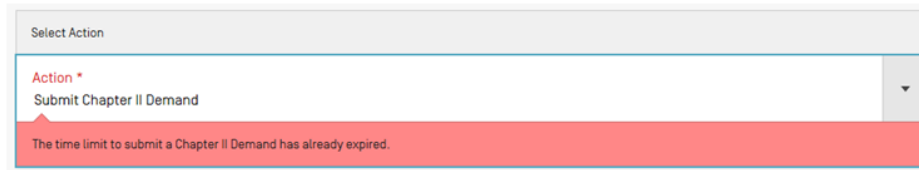
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Submit Chapter II Demand

- This ePCT action will pre-populate many fields in the Demand form
- This saves you time and reduces risk of mistakes
- This ePCT action carries out many validations of your inputs
- This reduces risk of mistakes and malpractice

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Submit Chapter II Demand



Select Action

Action *

Submit Chapter II Demand

The time limit to submit a Chapter II Demand has already expired.



Select Action

Action *

Submit Chapter II Demand

A Chapter II Demand was already filed on 13 Apr 2012.

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Submit Chapter II Demand

PCT Rule 59.3(e). Where the demand is transmitted to a competent International Preliminary Examining Authority [by the IB], it shall be considered to have been received on behalf of that Authority on the date marked on it [by the IB], and the demand so transmitted shall be considered to have been received by that Authority on that date.

If the selected IPEA accepts Demands filed directly via ePCT, in cases where the time limit has already expired at that IPEA (e.g. IPEA/AU), but the current date and time at the IB in Switzerland is still within the time limit, the Demand will be routed automatically to the IB for subsequent transmittal to the IPEA with Form PCT/IB/368. (*Oppedahl on PCT Forms*, page 124)

When the Demand gets e-filed, docket to check for receipt of Form PCT/IB/368.

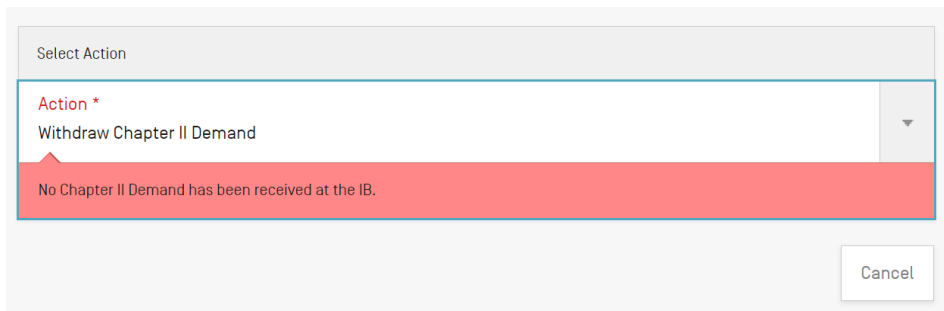
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Submit Chapter II Demand

Maybe you don't know how to e-file documents directly with your selected IPEA. This ePCT action saves you from having to figure out how to e-file documents with the IPEA.

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Withdraw Chapter II Demand



The screenshot shows a software interface with a 'Select Action' dropdown menu. The selected action is 'Withdraw Chapter II Demand'. Below the dropdown, a red error message reads: 'No Chapter II Demand has been received at the IB.'. A 'Cancel' button is visible in the bottom right corner of the interface.

The Demand must have already been transmitted by the IPEA to the IB, otherwise the system will not allow you to proceed and you should address your notice of withdrawal to the IPEA.

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You said “exclusively in electronic form”!

IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/ has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	Agent
IV-1-1	Name (LAST, First)	OPPEDAHL, Carl
IV-1-2	Address	Oppedahl Patent Law Firm LLC P O Box 351240 Westminster, Colorado 80035 United States of America
IV-1-3	Telephone No.	+1 303 252 8800
IV-1-5	e-mail	docket-oppedahl@oppedahl.com
IV-1-5(a)	E-mail authorization The receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority are authorized to use this e-mail address, if the Office or Authority so wishes, to send notifications issued in respect of this international application:	exclusively in electronic form (no paper notifications will be sent)

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Using EPO mailbox to receive communications from ISA/EP instantly instead of by postal mail

Examples of such communications:

- PCT/ISA/202 - Notification of Receipt of search copy
- PCT/ISA/206 - Invitation to pay additional fees
- PCT/ISA/225 - Invitation to furnish Nucleotide and/or Amino Acid Sequence Listing
- PCT/ISA/220 - Notification of transmittal of the International Search Report or the Declaration
 - PCT/ISA/210 - International search report
 - PCT/ISA/237 - Written opinion of the ISA
- PCT/ISA/224 - Communication in cases for which no other form is applicable

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Invitation to furnish

- The ISA might notice that you should have provided a sequence listing but failed to do so
- The ISA might look at a sequence listing that you provided, and might decide you did not do it correctly
- Either way, you will receive an *Invitation to furnish*

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The invitation

- Form PCT/ISA/225 – Invitation to Furnish Nucleotide and/or Amino Acid Sequence Listing and to Pay, Where Applicable, Late Furnishing Fee (page 145 of *Oppedahl on PCT Forms and PCT Docketing*)

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Using EPO mailbox to receive communications from IPEA/EP instantly instead of by postal mail

Examples of such communications

- IPEA402 - Notification of receipt of demand
- IPEA403 - Invitation to pay fees
 - IPEA440 - Invitation to pay prescribed fees together with late payment fee (Rule 58*bis* PCT)
- IPEA404 - Invitation to correct defects in demand
- IPEA441 - Invitation to furnish nucleotide and/or amino acid sequence listing complying with standard (Rule 13*ter*.1(e) PCT)
- IPEA416 - Transmittal of International Preliminary Examination Report
 - IPEA409 - International preliminary examination report

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Using EPO mailbox to receive communications from SISA/EP instantly instead of by postal mail

Examples of communications you might want to receive:

- SISA506 - Notification of Receipt of search copy
- SISA225 - Invitation to furnish Nucleotide and/or Amino Acid Sequence Listing
- SISA377 - Invitation to pay prescribed fees together with late payment fee
- SISA505 - Notification of transmittal of the Supplementary International Search Report or the declaration
 - SISA501 - Supplementary International Search Report
- SISA524 - Communication, in cases where no other form is applicable

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How to do this EPO mailbox system?

You have to learn how to do these things:

- How to migrate one's EPO smartcard login to a 2FA login
- If you don't have an EPO smartcard, or have not activated it yet, how to set up a new EPO 2FA login
- How to create an EPO mailbox
- How to give access rights in the EPO mailbox to colleagues
- How to link one or more pending PCT applications to the EPO mailbox

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How to migrate one's EPO smartcard login to a 2FA login

- This assumes you already have an EPO smartcard ***and you have activated it***
- You go to <https://ciam.epo.org/migration>
- See draft training materials “2FA with smartcard 08.05.2023”


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If you don't have an EPO smartcard, or have not activated it yet, how to set up a new EPO 2FA login

- You go to this web page - <https://ciam.epo.org/registration>
- See draft training materials “User Journey 2FA without smartcard”

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Now you wait

 **We're validating your data.**

We've received your data. After validation, we'll send an email to the address associated with your EPO account.

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They've sent you an email



We've sent you an email.

Go to your email account, open the email with the subject line "EPO online services – creating an EPO account – the next step " and follow the instructions.

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Now set a password

Hello Carl2 Oppedahl,

You're in the process of creating an EPO account.

The next step is to set a password.

[Set a password for your EPO account](#)

Button valid for the next 30 days

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Now you have set a password

Hello Carl2 Oppedahl,

This message concerns the account you access using the email address carl2@oppedahl.com. A verification method has been set up for that account.

Details

Password

Saturday, June 3, 2023


8:15:17 AM UTC

Don't recognise this activity?

If this wasn't you, please report this to us.

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How you know you made progress?

 carl2@oppedahl.com

Your EPO account is now set up.

To use your EPO account to access our online services for patent applications and related proceedings, please complete your set-up by supplying us with a few more details in MyEPO Portfolio:

[Complete set-up in MyEPO Portfolio](#)

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Choosing a 2FA method

Two-step verification methods

Okta Verify app (iOS/Android)

⊕ Add

✓ Google Authenticator app (iOS/Android)

⊖ Remove

Phone - code sent by text message (SMS)

⊕ Add

Email - code sent by email

⊕ Add

Do not set up just one 2FA method!

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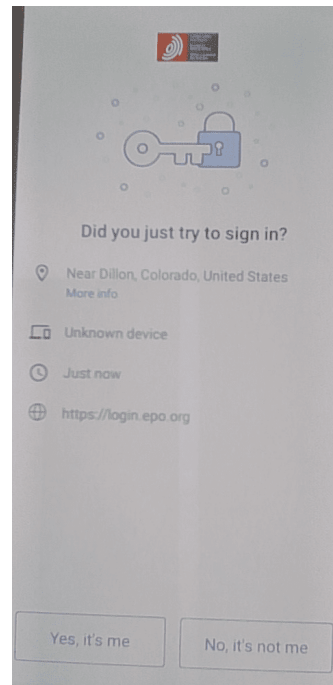
What is “Okta Verify app”?

- This is a “push notification”
- This is similar to the Salesforce push notification for ePCT

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EPO push notification

Many users find this to be a very convenient form of 2FA



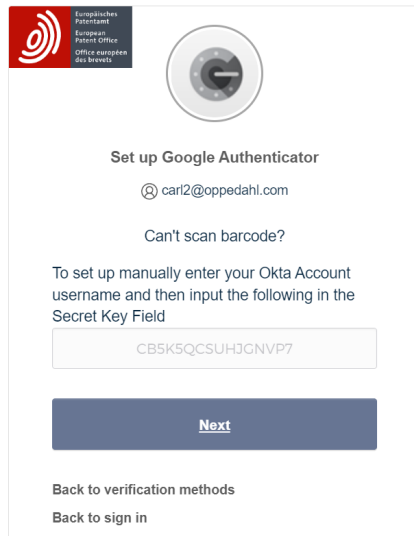
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What is TOTP?

- Time-based one-time password
- The EPO screens wrongly call this “Google Authenticator”
 - You might use Authy or Winauth or any of a dozen other TOTP apps

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Setting up TOTP 2FA



The screenshot shows the 'Set up Google Authenticator' interface. At the top left is the logo for the European Patent Office (EPO) with the text 'Europäisches Patentamt', 'European Patent Office', and 'Office européen des brevets'. To the right is a circular icon with a 'G' for Google. Below the logo is the title 'Set up Google Authenticator' and the email address 'carl2@oppedahl.com'. A link 'Can't scan barcode?' is provided. Below that, instructions state: 'To set up manually enter your Okta Account username and then input the following in the Secret Key Field'. A text input field contains the secret key 'CB5K5QCSUHJGNVP7'. A blue 'Next' button is at the bottom. At the very bottom are two links: 'Back to verification methods' and 'Back to sign in'.

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You have set up TOTP

Hello Carl2 Oppedahl,

This message concerns the account you access using the email address carl2@oppedahl.com. A verification method has been set up for that account.

Details

Google Authenticator

Saturday, June 3, 2023

8:18:44 AM UTC

Don't recognise this activity?

If this wasn't you, please report this to us.

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Setting up SMS

Enter phone number

This is the number to which codes will be sent to you by text message (SMS).

Account settings

Next

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Now your photo ID

Subject **Enrolment form: Carl2 Oppedahl 83637**



Online Services - Enrolment form

Dear Mr/Ms Oppedahl,

Thank you for your enrolment.

Please print out, complete and sign the form. Return the form to the EPO, preferably by e-mail to support@epo.org, or to the address shown below. If you are enclosing a copy of your ID, please help ensure that we can read it by using e-mail or post, not fax.

European Patent Office
EPO User Desk
Bayerstr. 115
80335 Munich
Germany

Note: Receipt of the form by the EPO will initiate the enrolment process.

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They liked your photo ID



You can now log in to MyEPO Portfolio.

Dear Mr/Ms Carl2 Oppedahl,

Your registration for MyEPO Portfolio has been successfully validated, and you can now log in.

[MyEPO Portfolio](#)

European Patent Office
EPO User Desk
Bayerstr. 115
80335 Munich
Germany

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Later logins



Verify it's you with a security method

carl2@oppedahl.com

Select from the following options

-  Email
-  Google Authenticator
-  Enter a code
Okta Verify
-  Get a push notification
Okta Verify
-  Phone
+1 XXX-XXX-6088

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Creating an EPO mailbox

- Maybe your law firm or corporate patent department already has an EPO mailbox
- If so, then that is the mailbox that you will use
- If not, then you get to create an EPO mailbox for your law firm or corporate patent department

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How to give access rights in the EPO mailbox to colleagues

- In general you will want to have multiple users who can make use of the EPO mailbox

The screenshot shows the 'Admin area' of the EPO mailbox interface. The top navigation bar includes 'Mailbox', 'Admin area', and 'Preferences'. The left sidebar has 'Company members', 'Mailbox recipients', and 'Mailbox settings'. The main content area is titled 'Company members' and contains a table with columns for 'Name', 'Mailbox access', 'Fee payment rights', and 'Admin rights'. Red arrows point to the 'Admin area' tab, the 'Company members' sidebar item, and the three columns of the table.

Name	Mailbox access	Fee payment rights	Admin rights
Christina ten Hoewel	<input checked="" type="radio"/> Yes	<input checked="" type="radio"/> Manage, pay and view	<input checked="" type="radio"/> Yes
Christina ten Hövel - Amsterdam	<input checked="" type="radio"/> Yes	<input type="radio"/> View	<input checked="" type="radio"/> Yes

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How to link one or more pending PCT applications to the EPO mailbox

- The linkage is accomplished using the PCT email address for correspondence
- This email address for correspondence may have been set up in the PCT Request

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IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/ has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	Agent
IV-1-1	Name (LAST, First)	OPPEDAHL, Carl
IV-1-2	Address	Oppedahl Patent Law Firm LLC P O Box 351240 Westminster, Colorado 80035 United States of America
IV-1-3	Telephone No.	+1 303 252 8800
IV-1-5	e-mail	docket-oppedahl@oppedahl.com
IV-1-5(a)	E-mail authorization The receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority are authorized to use this e-mail address, if the Office or Authority so wishes, to send notifications issued in respect of this international application:	exclusively in electronic form (no paper notifications will be sent)

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Request PCT link

Mailbox Admin area Preferences

Company members

Mailbox recipients

Mailbox settings

Recipients of communications to this Mailbox

Add recipient Request PCT Link

Recipients

First name

There are no recipients registered for your company

Email addresses used for PCT Link

Email address

No PCT Link requested

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Request PCT Link

You're asking the EPO to link the email address entered below to this Mailbox.

First an email will be sent from noreply@epo.org to that email address asking the recipient to sign in to MyEPO Portfolio and to agree to having that email address linked to this Mailbox.

This will route to this Mailbox all communications from the EPO related to international (PCT) applications ("notifications") for which that email address was either indicated in Form PCT/RO/101 or has since been provided to the International Bureau of WIPO.

I understand the information provided above, and confirm that I want to have the email address below linked to this Mailbox.

Enter email address

michael.lindblom@aol.com

Re-enter email address

michael.lindblom@aol.com

Cancel

Send request

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Recipients of communications to this Mailbox

Add recipient

Request PCT Link

Recipients

First name

There are no recipients registered for your company

Email addresses used for PCT Link

Email address

Electronic communications

michael.lindblom@aol.com

Request pending

Remove PCT Link

Resend request

✓ Your request to link **michael.lindblom@aol.com** to this Mailbox is pending (waiting for the email recipient to agree) ✕

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noreply@epo.org

To: michael.lindblom@aol.com



Wed, Apr 26 at 10:29 AM ☆



Action required on request for PCT Link

Michael Lindblom has requested that **michaellindblom@aol.com** be linked to the Mailbox of Lindblom IP LLP for the purpose of receiving PCT communications (international phase).


For this to happen, you need to sign in to MyEPO Portfolio and agree to the use of **michaellindblom@aol.com** as a PCT Link.

[Sign in to MyEPO Portfolio](#)

The period for agreeing to this request will expire on 03.05.2023.

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Agreeing to link michaellindblom@aol.com to this Mailbox ✕

 If you agree to having michaellindblom@aol.com linked to this Mailbox, all communications from the EPO related to international (PCT) applications for which michaellindblom@aol.com was either indicated in Form PCT/RO/101 or has since been provided to the International Bureau of WIPO will be routed to this Mailbox.

Please promptly inform the International Bureau of WIPO if the email address is changed or if there are any other changes under Rule 92*bis*.1 PCT.

I understand the information provided above and agree to having michaellindblom@aol.com linked to this Mailbox

Cancel

Agree

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Mailbox [Admin area](#) [Preferences](#)

Recipients of communications to this Mailbox

[Add recipient](#) [Request PCT Link](#)

Recipients

First name [^]

There are no recipients registered for your company

Email addresses used for PCT Link


Email address [^]

Electronic communications

michaellindblom@aol.com

Yes ^v

[Remove PCT Link](#)

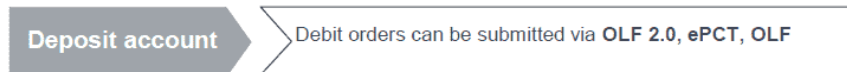
 michaellindblom@aol.com is now linked to this Mailbox ✕

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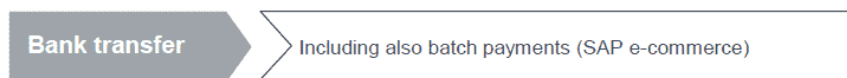
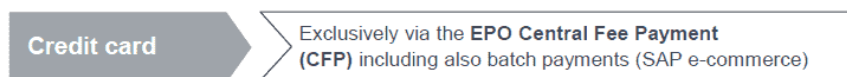
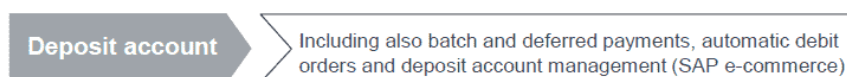


PAYING FEES ONLINE AT THE EPO

VIA FILING TOOLS:



VIA EPO CENTRAL FEE PAYMENT (CFP):



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Four upcoming webinars

- Eighteen most frequently encountered forms from the Receiving Office
- Fourteen most frequently encountered forms from the International Bureau
- Nine most frequently encountered forms from the International Searching Authority
- Eight most frequently encountered forms from the International Preliminary Examining Authority

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Upcoming ePCT webinars

Webinar 15. Thursday, June 15, 2023,
10AM Mountain Time. Doing 92*bis* changes.

Webinar 16. Thursday, June 22, 2023,
10AM Mountain Time. Publication front page
preview, generating reports of outstanding
Forms ISA/202, generating reports of
applications with outstanding priority
documents.

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Upcoming webinars

How to register? Go to

https://blog.oppedahl.com/?page_id=8978.

How to learn of future webinars? Subscribe to
my blog (<https://blog.oppedahl.com/>), or
subscribe to the PCT listserv ([https://oppedahl-
lists.com/mailman/listinfo/pct_oppedahl-
lists.com](https://oppedahl-lists.com/mailman/listinfo/pct_oppedahl-lists.com)).

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Please complete the evaluation questionnaire

- Yes please complete it
- Pay it forward

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Thank you

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