

ePCT webinar series

Getting pending PCT applications into
your workbench, going back to January
1, 2009, archiving old applications

Webinar 7

Thursday, April 13, 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 8. Thursday, April 20, 2023, 10AM Mountain Time. Filing a new US PCT application in RO/US using ePCT.

Webinar 9. Thursday, April 27, 2023, 10AM Mountain Time. Filing a new US PCT application in RO/IB using ePCT.

Webinar 10. **Tuesday**, May 2, 2023, 10AM Mountain Time. ePCT actions and communications with the IB.

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Upcoming ePCT webinars

Webinar 13. Thursday, June 1, 2023, 10AM Mountain Time. Docketing of PCT applications and making use of ePCT notifications.

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

Doing *92bis* changes.

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, 10AM Mountain Time. Getting to know your ePCT workbench, portfolios, office profiles, cloning, ePCT actions. [Download the presentation materials](#). [View the recording](#) (1:15).

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DOCX webinars

- The USPTO will impose a \$400 surcharge on and after June 30, 2023 for those filers who fail to file applications as DOCX files.
- Attend either or both of two upcoming webinars to find out more about this. Attend either or both of the two webinars to appreciate the professional liability risks of filing in DOCX. Attend either or both of the two webinars to learn how to reduce the professional liability risks.
- https://blog.oppedahl.com/?page_id=9354

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Our topics

- Getting pending PCT applications into your workbench
- Going back to January 1, 2009
- Archiving old applications

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Getting pending PCT applications into your workbench

- PCT applications that have already been published
- PCT applications that are pending but have not been published
- PCT applications that get filed in the future

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PCT applications that have already been published

- Maybe somebody already has the PCT application in their ePCT workbench
- In that case, ask them to extend access to you, preferably as an eOwner

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PCT applications that have already been published

- Maybe nobody already has the PCT application in their ePCT workbench
- If so, here is how to get the PCT application into your workbench ...

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PCT applications that have already been published

- User needs to obtain the International Application (PCT) application number and the PCT filing date
- User clicks “Find IA outside my Workbench”, enters the IA number, international filing date
- User can optionally indicate an Access Rights Group
- ePCT compares the e-mail address of the WIPO Account of the current user with the e-mail address for correspondence for the applicant/agent on record at the IB
- If the email addresses match, then access rights are automatically granted to the current user
- If the user also indicated an Access Rights Group in the request, then access rights are automatically granted to the users in the Access Rights Group
- Note that in general the email addresses will almost never match, so this scenario will almost never arise


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- If the email addresses do not match, then the user can ask that ePCT send a request by email to the email address for correspondence
- Note that the email addresses will almost never match. The e-mail address for correspondence will almost always be some generic address like “docketing@lawfirm.com”
- It means that you need to go and talk with the people who monitor that email address, and get them primed and ready to approve your access requests

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Or the request email can be forwarded

- If the email addresses do not match, then the user can ask that ePCT send a request by email to the email address for correspondence.
- Note that the email addresses will almost never match. The e-mail address for correspondence will almost always be some generic address like “docketing@lawfirm.com”
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e-mails for approval of access rights that are sent to the address for correspondence can be forwarded to another e-mail address for processing, if necessary. Some diligence is required to check that the person who is requesting access rights is really entitled to do so. The requests shouldn't be approved routinely without checking and can be forwarded to someone else in case of doubt.

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PCT applications that have already been published

- Let's say the user has asked that ePCT send a request by email to the email address for correspondence
- The EAFC user receives the email request and clicks on the link
- The EAFC user can approve the access request or refuse it
- If the EAFC user approves it, then
 - access rights are granted to the requesting user
 - if the requesting user also indicated an Access Rights Group in the request, then access rights are automatically granted to the users in the Access Rights Group
- Likely this will be your docket department

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PCT applications that are pending but have not been published

- User needs to obtain the International Application (PCT) application number, the PCT filing date, and the Secret Code Number from Form PCT/IB/301
- Or you could get it from the email message that the IB used to transmit the Form PCT/IB/301 to the applicant
- User clicks "Find IA outside my Workbench", enters the IA number, the international filing date, and the Secret Code Number
- User can optionally indicate an Access Rights Group
- ePCT compares the e-mail address of the WIPO Account of the current user with the e-mail address for correspondence for the applicant/agent on record at the IB
- If the email addresses match, then access rights are automatically granted to the current user
- If the user also indicated an Access Rights Group in the request, then access rights are automatically granted to the users in the Access Rights Group
- This will almost never go this way because as a general matter the email addresses will almost never match, so this scenario will almost never arise

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PCT applications that are pending but have not been published

- User clicks “Find IA outside my Workbench”, enters the IA number, international filing date, and the Secret Code Number
- ePCT compared the e-mail address of the WIPO Account of the current user with the e-mail address for correspondence for the applicant/agent on record at the IB and they did not match
- If the email addresses do not match, then the user can ask that ePCT send a request by email to the email address for correspondence.
- Note that the email addresses will almost never match. The e-mail address for correspondence will almost always be some generic address like “docketing@lawfirm.com”
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This is a great improvement

- This procedure has by now been available for just a few months
- It is a great improvement over the previous procedure, which often required the IB mailing out Form PCT/IB/345 and so on
- It is a great improvement over the previous procedure, which often required at least a 24-hour cycle because of the time zones involved

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CREATE NEW IA **FIND IA OUTSIDE OF MY WORKBENCH**

FIND IA OUTSIDE OF MY WORKBENCH

International Application Number *
PCT/IB2022/091602

International Filing Date *
10/11/2022

Reason *
Request access rights

Cancel Search IA

PCT/IB2022/091602

You do not have access rights to this IA. **Request access rights**

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The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Piriou Pascal e-mail viviane.gross@wipo.int Telephone No. +41 22 338 78 78
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Form PCT/IB/301 (revised January 2020) **LJLD7LAT3VU450**

Note that you can omit the initial "1/"

Note that the trailing character is a zero, not the letter "O"

ACTIONS

REQUEST ACCESS RIGHTS

The access rights confirmation code can be found in the bottom right-hand corner of Form PCT/IB/301. If you require a copy of Form PCT/IB/301 and you are authorized to receive it, please contact the IB.

Access Rights
Pascal PIRIOU TEST

The following access rights will be assigned for this IA

- eOwner: Pascal PIRIOU TEST

Access rights confirmation code *
LJLD7LAT3VU450

Cancel Confirm

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MY WIPO ACCOUNT Close

Test

Username Customer ID First/Given name(s) Last Name Company/Organization Phone Street Address City Zip/Postal code State/Province Country or territory Preferred communication language E-mail	<table border="1"> <tr> <td>IV-1</td> <td>Agent or common representative; or address for correspondence <small>(The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as</small></td> <td>Agent</td> <td>Example of PCT/RO101</td> </tr> <tr> <td>IV-1-1</td> <td>Name (LAST, First)</td> <td colspan="2">DUPONT, David</td> </tr> <tr> <td>IV-1-2</td> <td>Address</td> <td colspan="2">150 Madison Avenue Madison, Wisconsin 12354 United States of America</td> </tr> <tr> <td>IV-1-3</td> <td>Telephone No.</td> <td colspan="2">+1111111</td> </tr> <tr> <td>IV-1-5</td> <td>E-mail</td> <td colspan="2">pascal.pirou@wipo.int</td> </tr> <tr> <td>IV-1-5(a)</td> <td>E-mail authorization <small>(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 notification issued in respect of this international application.)</small></td> <td colspan="2">exclusively in electronic form (no paper notifications will be sent)</td> </tr> <tr> <td>IV-1-6</td> <td>Agent's registration No.</td> <td colspan="2">1111</td> </tr> </table> Switzerland French	IV-1	Agent or common representative; or address for correspondence <small>(The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as</small>	Agent	Example of PCT/RO101	IV-1-1	Name (LAST, First)	DUPONT, David		IV-1-2	Address	150 Madison Avenue Madison, Wisconsin 12354 United States of America		IV-1-3	Telephone No.	+1111111		IV-1-5	E-mail	pascal.pirou@wipo.int		IV-1-5(a)	E-mail authorization <small>(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 notification issued in respect of this international application.)</small>	exclusively in electronic form (no paper notifications will be sent)		IV-1-6	Agent's registration No.	1111	
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Information

IMPORTANT - The email address for correspondence with the applicant is the same as the email associated with your WIPO account. Access rights have been assigned automatically by the system.

OK

Information

Your request has been submitted to the Applicant for approval.
 You will receive confirmation by e-mail or ePCT notification as soon as your request has been processed.

OK

Access Rights Request - PCT/IB2022/091602 - T-November2022

The person identified below has submitted an [ePCT Access Rights Request](#) for this application.

It is the responsibility of the Applicant to verify this request and either approve or refuse access rights by clicking [here](#).

Requested by	Pascal PIRIOU TEST
Email	pascal.pirou@wipo.int
Account created on	20 July 2011 00:00:00 CEST
Address	34 chemin des colombettes geneva
Company Name	WIPO
Company Address	
Telephone Number	+41 22 338 81 98
Position in the company	Agent
Role in IA	Agent
eOwnership request date	12 December 2022 10:54:00 CET
Request expires on	19 December 2022 09:52:45 CET
Signature	/Pascal Piriou/

NOTE - Access rights requests expire 7 days after sending.

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ACCESS RIGHTS REQUEST

The person identified below has submitted an ePCT access rights request for this application.
It is the responsibility of the Applicant to verify this request and either approve or refuse access rights.

Request type Access Rights Request
IA number PCT/IB2022/091602
Applicant/agent's file reference T-November2022
Requested by Pascal PIRIOU TEST
Requested by Pascal PIRIOU TEST
Email pascal.pirou@wipo.int
Account created on 20 Jul 2011 00:00:00 CEST
Customer ID user_CH_PIRIOU-TEST_PASCAL_0168
Address 34 chemin des colombettes geneva
Company name WIPO
Company address
Telephone number +41 22 338 81 98
Role in the IA Agent
Date and time 12 Dec 2022, 10:52:45 CET
Request expires on 19 Dec 2022, 10:52:45 CET
Signature /Pascal Piriou/
Capacity Agent

Deadline to approve or refuse Access rights request: 19 Dec 2022, 10:52:45 CET
NOTE - Access rights request expires in 7 days.

Approve request
 Refuse request

It is the responsibility of the Applicant to verify this request and either approve or refuse access rights.

confirm the above decision regarding this access rights request. *

Confirm

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GENEVA DEC 12, 2022, 11:14 AM CET

ACCESS RIGHTS REQUEST

The person who submitted the access rights request will be notified that the following request has been approved.

International Application Number PCT/IB2022/091602
Requested by Pascal PIRIOU TEST

Applicant/agent's file reference T-November2022
Date and time 12 Dec 2022, 10:52:45 CET

If the access rights request is refused, it is mandatory to select a reason from the drop-down list.

Approve request
 Refuse request

Select refusal reason *

- Person not authorized
- You are not/ido not represent the agent
- You are not/ido not represent the applicant
- You are not/ido not represent the common representative
- Duplicate request
- Other

Another way to refuse the request is to allow the seven days to pass

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GENEVA DEC 12, 2022, 11:31 AM CET

ACCESS RIGHTS REQUEST

The person who submitted the access rights request will be notified that the following request has been refused.

International Application Number PCT/IB2022/091602
Requested by Pascal PIRIOU TEST

Applicant/agent's file reference T-November2022
Date and time 12 Dec 2022, 11:25:27 CET

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Expiry of Access Rights request - - PCT/IB2022/086393 - T-ELM-220222

You are requested to review and approve or reject the following request by clicking on the link below

IMPORTANT - This access rights request will expire in 1 day on 14 December 2022 14:17:02 CET

Name	Riadh Test BEN GHACHEM
Email	riadh.benghachem@wipo.int
Access rights request date	07 December 2022 14:17:02 CET
Request expires on	14 December 2022 14:17:02 CET

NOTE: To approve or refuse access rights [click here](#)

WIPO reference: ghachem@wipo.int [62]

ePCT Notification: Request expired - PCT/CL2018/080022 -

The access rights request for this IA has expired

Name	Riadh Test BEN GHACHEM
Email	riadh.benghachem@wipo.int
Access Rights request date	09 December 2022 07:40:59 CET
Request expired on	16 December 2022 07:40:59 CET

NOTE: This is an informal notification for information only.

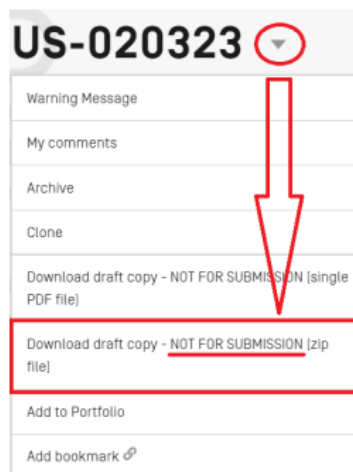
PCT applications that get filed in the future at RO/US

- Be sure to follow the EFS-Web or Patentcenter filing path that includes uploading a ZIP file from ePCT
- You are probably already doing this because it is malpractice not to do so
- ePCT validates your inputs and saves you from many mistakes and much potential embarrassment
- The ZIP file will automatically set up the application so that you will eventually have access in ePCT
- If you identify an Access Rights Group, then access will also automatically be given to the members of the ARG
- Note that in recent times, RO/US has often taken 4-5 weeks to transmit the Record Copy to the IB
- The PCT application will be visible in your ePCT workbench only after the RO/US transmits the Record Copy to the IB
- This is one of the factors that prompts me to try to use RO/IB whenever I can

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PCT applications that get filed in the future at RO/US

- Don't make the mistake of doing your EFS-Web or Patentcenter filing using the "draft copy" of the ZIP file



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PCT applications that get filed in the future at RO/IB

- Use ePCT (not PCT-SAFE) for filing the PCT application
- ePCT validates your inputs and saves you from many mistakes and much potential embarrassment
- The Request will automatically set up the application so that you will eventually have access in ePCT
- If you identify an Access Rights Group, then access will also automatically be given to the members of the ARG
- RO/IB often transmits the Record Copy to the IB very promptly, within seconds of the filing of the PCT application
- This is one of the factors that prompts me to try to use RO/IB whenever I can

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Going back to January 1, 2009

- How old are the oldest PCT applications that you can load into your ePCT workbench?
- January 1, 2009!
- You should load them into your workbench
- The reason is that some day you will have some unpredictable but urgent need to find all of the old PCT applications for which Walter Plinge is the inventor
- Or some other unpredictable but urgent search need will arise without warning
- You need to be able to search all of your old PCT applications

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Archiving old applications

- We discussed this in detail in ePCT Webinar 6
- It is easy to do this
- You can still gain access to the archived applications

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Avoid this mistake

If you file a Rule 92*bis* to change the agent, any access rights request should be submitted to the address for service only **after** Form PCT/IB/306 has been issued.

If you get this sequence wrong, then the access rights request would get sent to the former agent.

In any Rule 92*bis* request, be sure to indicate an email address for correspondence. (The IB no longer sends forms by post but by email only.)

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Helpful training video

"Request access rights after filing"

<https://multimedia.wipo.int/wipo/en/pct/request-access-rights-after-filing-2023-01-23-720p.mp4>

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Please complete the evaluation questionnaire

- Yes please complete it
- Pay it forward

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Thank you