(C1) Amendments to Rule 11 to specify full text processing formality requirements

Rule 11 prescribes the physical requirements of an international application based on paper sheets and the layout of text matter, drawings, formulae, and tables on these sheets to enable page image reproduction. This has continued to be relevant in the transition from filing international applications on paper to electronic filing in PDF format. However, for full text filings, there is no need for a formalities examiner to check requirements related to page layout because the layout is delivered using appropriate stylesheets suited to the reader's display media, be that on paper or on screen.

A revision to Rule 11 should specify requirements for submitting the text of the international application in a manner that is independent of its layout. When using common desktop document editors, it is important that the authors do not use formatting and features that are not supported by the stylesheets used in the display and publication of applications. This is a necessary requirement where Offices are converting the original document editor file into a WIPO Standard based XML file. This ought not to be a significant change in practice for attorneys used to drafting patent application for submission to Offices that typeset their patent publications since it is important to ensure that the application as filed does not rely on particular fonts, colors, sizes or layout features that are not available in the format to be published. However, it is important that the rules on the features that are acceptable for use in filing the application are consistent across national, regional and international systems to avoid errors due to confusion between different requirements.

The International Bureau therefore seeks advice in drafting amendments to Rule 11 to focus primarily on the requirements of applications filed in full text format, with only the figures and certain special content being submitted in image formats.