

## Chapter II – Content of an international application (other than claims)

### 1. General

The contents of the international application are set out in Article 3(2). The application must contain: GL/ISPE 4.01

- (i) a request;
- (ii) a description (see GL/PCT-EPO F-II, 4);
- (iii) one or more claims (see GL/PCT-EPO F-IV);
- (iv) one or more drawings (where required; see GL/PCT-EPO F-II, 5);  
and
- (v) an abstract (see GL/PCT-EPO F-II, 2).

This chapter discusses items (ii), (iv) and (v) insofar as they are the concern of the ISA and IPEA. Item (v) is dealt with first.

### 2. Abstract

#### 2.1 Purpose of the abstract

An international application must contain an abstract. The abstract merely serves the purpose of technical information and cannot be taken into account for any other purpose, particularly not for the purpose of interpreting the scope of the protection sought. Article 3(2), 3(3)

#### 2.2 Definitive content

The abstract is initially supplied by the applicant subject to the exception provided for under Rule 38.2. The examiner conducting the main international search has the task of determining its definitive content, which will normally be published with the application. In doing this, he should consider the abstract in relation to the application as filed. If the search report is published later than the application, the abstract published with the application will be the one resulting from the procedure referred to in ISPE Guidelines 15.40. Rules 8, 44.2

This procedure does not apply to supplementary international searches for which the EPO is SISA, because the main ISA has already provided the publication data (see GL/PCT-EPO B-XII, 2). GL/ISPE 16.34

See also ISPE Guidelines 16.41.

#### 2.3 Content of the abstract

See ISPE Guidelines 16.42 16.43.

See also GL/PCT-EPO B-X, 7.

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