

Chapter IV – Claims (Art. 6 and formal requirements)

1. General

The international application must contain "one or more claims."

Art. 3(2), 6
GL/ISPE 5.01-5.02

The claims must:

- (i) "define the matter for which protection is sought;"
- (ii) "be clear and concise;" and
- (iii) "be fully supported by the description."

This chapter sets out the appropriate form and content of the claims, together with how they should be interpreted for the purposes of assessing the novelty and inventive step of the inventions which they define and searching for prior art which may be relevant to making that assessment.

For form-filling of the written opinion in case of formal defects or of clarity, conciseness or support issues, see GL/PCT-EPO B-XI, 3.2.4.

2. Form and content of claims

2.1 Technical features

Section F-IV, 2.1, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

Rule 6.3(a)
GL/ISPE 5.04

It is not necessary that every feature should be expressed in terms of a structural limitation. Functional features are dealt with in GL/PCT-EPO F-IV, 6.5. For the specific case of a functional definition of a pathological condition, see GL/PCT-EPO F-IV, 4.22.

2.2 Two-part form

See ISPE Guidelines 5.05 and ISPE Guidelines 5.22.

Rule 6.3(b)

2.3 Two-part form unsuitable

See ISPE Guidelines 5.06 and ISPE Guidelines 5.07.

2.3.1 Two-part form "wherever appropriate"

See ISPE Guidelines 5.08.

2.4 Formulae and tables

See ISPE Guidelines 5.09.

Rule 11.10(a)-(c)