

at the examination stage by the Examining Division if the application enters the European phase before the EPO (see GL/EPO C-IV, 7.1).

#### **4.2 National earlier rights**

Section B-VI, 4.2, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

### **5. Date of reference for documents cited in the search report; filing and priority date**

#### **5.1 Verification of claimed priority date(s)**

Section B-VI, 5.1, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

See also ISPE Guidelines 11.02-11.03.

#### **5.2 Intermediate documents**

Section B-VI, 5.2, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

#### **5.3 Doubts as to the validity of the priority claim; extension of the search**

Section B-VI, 5.3, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

See also ISPE Guidelines 11.06.

#### **5.4 Documents published after the filing date**

Section B-VI, 5.4, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

See also ISPE Guidelines 11.11.

#### **5.5 Non-prejudicial disclosures**

Potentially non-prejudicial disclosures should be cited in the international search report. Whether the disclosure falls within Art. 55(1)(a) or (b) EPC will be investigated by the Examining Division after the application has validly entered the European phase.

See also ISPE Guidelines 16.76.

#### **5.6 Matters of doubt in the state of the art**

Section B-VI, 5.6, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

See also ISPE Guidelines 11.23 and 15.64-15.65.

Rule 51bis.1(a)(v)  
Art. 55 EPC