

Chapter V – Non-prejudicial disclosures

1. General

The PCT acknowledges that in certain cases the invention may have been disclosed before the relevant date for the purposes of the PCT in such a way that it is not considered to form part of the prior art in accordance with the national law of one or more designated Offices (Rule 51.bis.1(a)(v)).

GL/ISPE 16.76

PCT/AI Section 215

Rule 4.17(v)

Therefore, it should be borne in mind that, upon validly entering the regional phase before the EPO, the standards for non-prejudicial disclosures as laid down in Article 55(1) EPC will be applied.

Consequently, the principles as laid down in Chapter G-V of the Guidelines for Examination in the EPO apply *mutatis mutandis*.