

4.3.1 Format of background art citations

Section F-II, 4.3.1, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

4.3.1.1 Examples of quotation for non-patent literature

Section F-II, 4.3.1.1, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

4.3.1.2 Examples of quotation for patent literature

Section F-II, 4.3.1.2, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

4.4 Irrelevant matter

Section F-II, 4.4, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

See also GL/PCT-EPO F-II, 7.4.

4.5 Technical problem and its solution

See ISPE Guidelines 4.06-4.07.

Rules 5.1(a)(iii),
9.1(iii)

4.6 Reference in the description to drawings

See ISPE Guidelines 4.08.

4.7 Reference signs

See ISPE Guidelines 4.09.

4.8 Industrial applicability

The description should indicate explicitly the way in which the invention is capable of exploitation in industry, if this is not obvious from the description or from the nature of the invention (see also GL/PCT-EPO, G-III). The expression "capable of exploitation in industry" means the same as "susceptible of industrial application". In view of the broad meaning given to the latter expression in the Appendix to Chapter 14 of the ISPE Guidelines, A14.01[2].1(1) and A14.01[2].2, it is to be expected that, in most cases, the way in which the invention can be exploited in industry will be self-evident, so that no more explicit description on this point will be required; but there may be a few instances, e.g. in relation to methods of testing, where the manner of industrial exploitation is not apparent and must therefore be explicitly indicated.

Art. 33(1), (4)
Rule 5.1(a)(vi)
GL/ISPE A14.01[2]

Also, in relation to certain biotechnological inventions, i.e. sequences and partial sequences of genes, the industrial application is not self-evident and must be disclosed in the patent application.

4.9 Manner and order of presentation

See ISPE Guidelines 4.21.

Rule 5.1(b)
Section 204 PCT AI

4.10 Terminology

See ISPE Guidelines 4.22.

Rule 10.2