

filings on paper. When filing in electronic form using the EPO Online Filing software, the PCT Direct letter needs to be attached as an accompanying item "Applicant letter to ISA concerning earlier search ("PCT Direct")". For filings in electronic form using Online Filing 2.0 or WIPO's ePCT portal, the PCT Direct letter and any marked-up copy of the claims and/or description are to be uploaded under the section "International Search" – "Use of earlier search and classification results" – "Availability of document(s) to the ISA" – "Other document(s) attached" – "Add other Document" by selecting Document Type "Applicant letter to ISA concerning earlier search ("PCT Direct")". Irrespective of the online filing software used, the correct document is automatically reflected in the generated XML and PDF, which show in section IX-10 the PCT Direct letter as an attachment under "Other".

Informal comments filed under PCT Direct must be self-contained. Third parties must be able to fully understand these comments as they stand. If explicit references are made to the search opinion for the first filing, that search opinion should be annexed to the international application. The reason for this requirement is that the search report, the search opinion or any other submissions that are part of the file of the earlier application may not be publicly available.

### **1.3 Processing by the EPO as RO**

The PCT Direct letter and its annexes are transmitted to the EPO as ISA and to the IB, together with, respectively, the search copy and the record copy.

The PCT Direct letter and its annexes are made available to the public via file inspection in the European Patent Register and on WIPO's PATENTSCOPE.

For details on the procedure in the event of missing indications or missing informal comments, see GL/RO 116F and 116G.

For information on the procedure if informal comments are submitted after the filing of the international application, see GL/RO 116H.

### **1.4 Processing by the EPO as ISA**

For the procedure followed by the EPO as ISA when assessing a PCT Direct request, see GL/PCT-EPO B-IV, 1.2.2.

## **2. Withdrawals**

### **2.1 General remarks**

Applicants may withdraw their international application, one or more designations, priority claims, their request for supplementary international search, their demand or any or all elections by filing a notice of withdrawal within the prescribed time limits. Any such withdrawal is free of charge.

A notice of withdrawal must be signed by the applicant or, if there are two or more applicants, by all of them. It may instead be signed, on behalf of the applicant(s), by the duly appointed agent or common representative,

*Rule 90bis.1 to  
90bis.4  
PCT AG I 11.048,  
11.050, 11.056 and  
11.060*

*Rule 90bis.5  
OJ EPO 2004, 305*