

2.1 Applications containing missing parts or elements furnished under Rule 20

Rule 20.6

GL/ISPE 15.11

If an applicant omits to file part(s) of the application and/or (an) entire element(s) thereof (i.e. all of the description and/or all of the claims), it may still furnish it (them) at a later date without affecting the international filing date, subject to the requirements of Rules 4.18 and 20.6(a) and provided the missing part(s) and/or element(s) was (were) completely contained in the priority document. Such parts or elements are then considered to have been part of the application as originally filed. The examiner must check (as far as the documents needed are available) whether the RO's assessment of the "completely contained" criterion was correct (see GL/PCT-EPO H-II, 2.2.2). See also GL/PCT-EPO B-III, 2.3.3, and GL/PCT-EPO H-II, 2.2.2.2, for the impact on the search report and WO-ISA.

2.2 Applications filed in Dutch

Rules 12.4, 43.4, 48.3

Agreement EPO-

WIPO, Annex A(i)

OJ EPO 2017, A115

OJ EPO 2018, A17

OJ EPO 2018, A24

The EPO acting as ISA accepts international applications drawn up in Dutch if the application was filed with the Netherlands patent office as RO.

Therefore, for such files, a translation is not required for the purpose of the international search by the EPO as ISA. However, under Rule 12.4(a), within 14 months of the priority date, a translation must be filed with the RO in a language of publication accepted by the RO for the purpose of international publication, i.e. English, French or German in the case of the EPO as RO. The EPO as ISA will establish the ISR and WO-ISA in that language if it is already known at the time of carrying out the international search; otherwise they will be in the language of the request form, i.e. English, French or German. See also PCT Applicant's Guide, International Phase, Annex C, NL.

3. Analysis of the application and content of the written opinion

3.1 The examiner's dossier

Section B-XI, 3.1 in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

3.2 Reasoned objections

3.2.1 Opinion on novelty, inventive step and industrial applicability

The opinion given in the WO-ISA is restricted to what has actually been searched; this should also be made clear in the WO-ISA.

A full explanation of the conclusions reached should always be given for all searched claims, regardless of whether this conclusion is positive or negative. Normally only one independent claim in each category is treated in detail; for negative conclusions regarding further independent claims, as well as for dependent claims, comments may be shorter.

3.2.2 Multiple independent claims

Multiple independent claims in one category are per se not a reason for a restriction of the search (see GL/PCT-EPO B-VIII, 4).

GL/ISPE 5.13 and

5.14