

## Chapter XII – Supplementary international search (SIS)

### 1. General

The supplementary international search system is optional for both applicants and International Authorities. Its purpose is to enable applicants, during the international phase, to obtain further supplementary searches from other Authorities so that they have a better basis for deciding whether or not to enter the regional phase.

Rule 45bis  
OJ EPO 2010, 316  
OJ EPO 2017, A115  
OJ EPO 2018, A24  
GL/ISPE 2.20, 15.76

The EPO as SISA only accepts a limited number of SIS requests per year. Since 2010, the EPO has limited the number of SIS requests it will accept to 700 per year.

### 2. Time limits

An applicant can request a SIS up to the end of 22 months from the priority date. The request must be filed with the IB.

Rule 45bis.1(a)  
GL/ISPE 2.20, 15.78  
PCT Newsletter  
10/2016, 1

The SISA must start the search promptly after receipt of the necessary documents, though it may delay the start of the search until it has received the ISR from the main ISA, but not later than the end of 22 months from the priority date.

Rule 45bis.5(a)  
GL/ISPE 15.82

The supplementary international search report (SISR) must be established within 28 months from the priority date so as to allow the applicant to take it into account when deciding whether or not to enter the regional/national phase.

Rule 45bis.7(a)  
GL/ISPE 15.94

The file will therefore be sent to the examiner as soon as all the documents have been received, including the ISR from the main ISA. If, however, the ISR from the main ISA is not received within 22 months of the priority date, the file will be sent to the examiner to enable him to start the search.

### 3. Basis for the search

The SIS is always made on the claims as originally filed (or a translation thereof), irrespective of whether amendments have been filed under Art. 19 or 34.

Rule 45bis.5(b)  
GL/ISPE 15.85

### 4. Scope of the search

At the EPO the scope of a SIS is the same as for any other international search carried out by the EPO as ISA and is not limited to documentation in a specific language.

GL/ISPE 15.93

If an ISR from the main ISA is already available when the examiner carries out the SIS, it will be taken into account when establishing the SISR and written opinion.

### 5. Limitation of the search for reasons other than non-unity

With respect to limitations of the search for reasons other than non-unity (including the issuance of a declaration of no search), the same criteria

GL/ISPE 15.87