

international search report and written opinion are issued only for the benefit of the applicant and any designated Offices which have given notice under Rule 20.8(b-bis) of an incompatibility. They therefore do not constitute the international search report under Rule 43 and written opinion under Rule 43bis.

#### **2.4 Anticipation of amendments to claims**

Rule 33.3(b)

GL/ISPE 15.25

Section B-III, 3.5, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

#### **2.5 Broad claims**

GL/ISPE 15.26

Section B-III, 3.6, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

#### **2.6 Independent and dependent claims**

GL/ISPE 15.27

Section B-III, 3.7, in the Guidelines for Examination in the EPO apply *mutatis mutandis*.

#### **2.7 Search on dependent claims**

GL/ISPE 15.28

Section B-III, 3.8, in the Guidelines for Examination in the EPO applies *mutatis mutandis*. See also GL/PCT-EPO F-IV, 3.3.

#### **2.8 Combination of elements in a claim**

GL/ISPE 15.31

Section B-III, 3.9, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

#### **2.9 Different categories**

GL/ISPE 15.32

Section B-III, 3.10, in the Guidelines for Examination in the EPO applies *mutatis mutandis*.

#### **2.10 Subject-matter excluded from search**

Art. 17(2)(a)

Rule 39

GL/ISPE 15.33

The examiner may exclude certain subject-matter from the search. These exclusions may result from the international application including subject-matter which the EPO as ISA is not required to deal with (see GL/PCT-EPO B-VIII, 2). They may also arise because the description, claims or drawings fail to meet a requirement, such as clarity or support of the claims by the description, to such an extent that no meaningful search can be carried out for all or some of the claims (see GL/PCT-EPO B-VIII, 3).

#### **2.11 Nucleotide and amino acid sequences**

Rule 5.2, 13ter.1

OJ EPO 2007, Spec.  
ed. 3, C.2

OJ EPO 2011, 372

OJ EPO 2013, 542

GL/ISPE 9.39, 15.12

If, after an invitation from the EPO as ISA according to Rule 13ter.1, the applicant has not submitted the sequence listing in the required electronic form and text format and paid the late furnishing fee within the time limit set, the EPO as ISA will carry out the international search without the sequence listing to the extent that a meaningful search can be carried out (see also GL/PCT-EPO B-VIII, 3.2).

#### **2.12 Lack of unity**

Art. 17(3)(a)

GL/ISPE 15.24

When the claims of the international application do not relate to one invention only, or to a group of inventions so linked as to form a single