

In the case of US con or cip applications, the first sentence of the description reads as follows: "This application is a continuation in part (continuation) of Serial Number .... filed ....." The following information is found on the title page under the heading "CONTINUING DATA\*\*\*\*\*": "VERIFIED THIS APPLICATION IS A CIP (or CON) OF ....." A form headed "Declaration for Patent Application" must also be attached to the end of the application (in this case the priority document), listing earlier foreign or US applications under the heading "foreign priority benefits under Title 35, United States Code, 119" or "benefit under Title 35, U.S.C., 120 of any United States application(s)".

### **1.5 Multiple priorities**

Art. 8(1)

See ISPE Guidelines 6.05.

## **2. Determining priority dates**

### **2.1 Examining the validity of a right to priority**

See ISPE Guidelines 6.06.

### **2.2 The same invention**

See ISPE Guidelines 6.07 to ISPE Guidelines 6.09.

A disclaimer which is allowable under Art. 34(2)(b) (see GL/PCT-EPO H-III, 4.1 and GL/PCT-EPO H-III, 4.2) does not change the identity of the invention within the meaning of Art. 8. Therefore, such a disclaimer could be introduced when drafting and filing a successive international application, without affecting the right to priority from the first application not containing the disclaimer.

### **2.3 Priority claim not valid**

See ISPE Guidelines 6.10.

## **3. Claiming priority**

### **3.1 General remarks**

Art. 11

See ISPE Guidelines 6.11.

Rule 4.10

### **3.2 Declaration of priority**

Art. 8(1)

See ISPE Guidelines 6.13 to ISPE Guidelines 6.15.

Rule 4.10

### **3.3 Certified copy of the previous application (priority document)**

Rules 17.1

See Euro-PCT Guide, points 143-146.

and 66.7(a)

### **3.4 Translation of the previous application**

Rule 66.7(b)

See ISPE Guidelines 6.17.

### **3.5 Withdrawal of priority claims**

Rule 90bis.3

The applicant may withdraw a priority claim, made in the international application under Article 8(1), at any time prior to the expiration of 30 months from the priority date.