TITLE 35 - PATENTS
PART IV - PATENT COOPERATION TREATY
CHAPTER 36 - INTERNATIONAL STAGE

§ 364. International stage: Procedure

(a) International applications shall be processed by the Patent and Trademark Office when acting as a Receiving Office, International Searching Authority, or International Preliminary Examining Authority, in accordance with the applicable provisions of the treaty, the Regulations, and this title.

(b) An applicant’s failure to act within prescribed time limits in connection with requirements pertaining to a pending international application may be excused upon a showing satisfactory to the Director of unavoidable delay, to the extent not precluded by the treaty and the Regulations, and provided the conditions imposed by the treaty and the Regulations regarding the excuse of such failure to act are complied with.


Amendments


1986—Subsec. (a). Pub. L. 99–616 substituted a comma for “or” before “International Searching Authority” and “International Preliminary Examining Authority” for “both”.


Effective Date of 1999 Amendment


Effective Date of 1986 Amendment

Amendment by Pub. L. 99–616 effective July 1, 1987, and applicable to all international applications pending before or after that date, see section 9 of Pub. L. 99–616, set out as a note under section 351 of this title.

Effective Date of 1984 Amendment