



Regulations under the PCT

Rule 13ter Nucleotide and/or Amino Acid Sequence Listings

13ter.1 *Procedure before the International Searching Authority*

- (a) Where the international application contains disclosure of one or more nucleotide and/or amino acid sequences, the International Searching Authority may invite the applicant to furnish to it, for the purposes of the international search, a sequence listing in electronic form complying with the standard provided for in the Administrative Instructions, unless such listing in electronic form is already available to it in a form and manner acceptable to it, and to pay to it, where applicable, the late furnishing fee referred to in [paragraph \(c\)](#), within a time limit fixed in the invitation.
- (b) Where at least part of the international application is filed on paper and the International Searching Authority finds that the description does not comply with [Rule 5.2\(a\)](#), it may invite the applicant to furnish, for the purposes of the international search, a sequence listing in paper form complying with the standard provided for in the Administrative Instructions, unless such listing in paper form is already available to it in a form and manner acceptable to it, whether or not the furnishing of a sequence listing in electronic form is invited under [paragraph \(a\)](#), and to pay, where applicable, the late furnishing fee referred to in [paragraph \(c\)](#), within a time limit fixed in the invitation.
- (c) The furnishing of a sequence listing in response to an invitation under [paragraph \(a\)](#) or [\(b\)](#) may be subjected by the International Searching Authority to the payment to it, for its own benefit, of a late furnishing fee whose amount shall be determined by the International Searching Authority but shall not exceed 25% of the international filing fee referred to in item 1 of the Schedule of Fees, not taking into account any fee for each sheet of the international application in excess of 30 sheets, provided that a late furnishing fee may be required under either [paragraph \(a\)](#) or [\(b\)](#) but not both.
- (d) If the applicant does not, within the time limit fixed in the invitation under [paragraph \(a\)](#) or [\(b\)](#), furnish the required sequence listing and pay any required late furnishing fee, the International Searching Authority shall only be required to search the international application to the extent that a meaningful search can be carried out without the sequence listing.
- (e) Any sequence listing not contained in the international application as filed, whether furnished in response to an invitation under [paragraph \(a\)](#) or [\(b\)](#) or otherwise, shall not form part of the international application, but this paragraph shall not prevent the applicant from amending the description in relation to a sequence listing pursuant to [Article 34\(2\)\(b\)](#).
- (f) Where the International Searching Authority finds that the description does not comply with [Rule 5.2\(b\)](#), it shall invite the applicant to submit the required correction. [Rule 26.4](#) shall apply *mutatis mutandis* to any correction offered by the applicant. The International Searching Authority shall transmit the correction to the receiving Office and to the International Bureau.

13ter.2 *Procedure before the International Preliminary Examining Authority*

[Rule 13ter.1](#) shall apply *mutatis mutandis* to the procedure before the International Preliminary Examining Authority.

13ter.3 *Sequence Listing for Designated Office*

No designated Office shall require the applicant to furnish to it a sequence listing other than a sequence listing complying with the standard provided for in the Administrative Instructions.