



PCT Notification No. 21 Patent Cooperation Treaty (PCT)

Declaration by the United States of America under Article 64(4)(a)

The Director General of the World Intellectual Property Organization (WIPO) presents his compliments to the Minister for Foreign Affairs and has the honor to notify him of the receipt of a notification by the Government of the United States of America which draws attention to its declaration made under Article 64(4)(a) of the [Patent Cooperation Treaty](#) (PCT) done at Washington on June 19, 1970, at the time of the deposit, on November 26, 1975, of its instrument of ratification of the said Treaty, and informs the Director General, pursuant to Article 64(4)(a) of the said Treaty, of the following:

"As the National Law of the United States of America does not equate, for prior art purposes, the priority date claimed under the Paris Convention for the protection of industrial property to the actual filing date in the United States of America, this country declares under Article 64(4)(a) of the Patent Cooperation Treaty, that the filing outside of the United States of America of an international application designating the United States of America, is not equated to an actual filing in the United States of America for prior art purposes.

If an international application designating the United States of America has been internationally published under Article 21 of the Patent Cooperation Treaty, the prior art effect of the international application shall attach as of that date. If such international application was not internationally published, the prior art effect shall attach to it from the date on which a copy of such international application in the English language, together with the national filing fee and an oath or declaration of the inventor, was received by the United States Patent and Trademark Office."

The declaration of the Government of the United States of America will take effect on May 10, 1978.

March 17, 1978