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INTERNATIONAL PATENT COOPERATION UNION (PCT UNION)

ASSEMBLY

**Thirty-Fifth (20th Extraordinary) Session
Geneva, September 25 to October 3, 2006**

QUALITY MANAGEMENT SYSTEMS FOR PCT INTERNATIONAL AUTHORITIES

Document prepared by the International Bureau

SUMMARY

1. Following the experience of two years of reporting on their quality management systems, the Meeting of International Searching and Preliminary Examining Authorities Under the PCT ("the Meeting") agreed that a more consistent approach to the reports was necessary in order for Authorities to make effective use of the information contained in them, and accordingly adopted templates for reporting by all Authorities. Noting that insufficient time remained for the Authorities to prepare reports using the new templates and consider the contents properly so that the Meeting could present an annual progress report to the Assembly for consideration at its present session, the Meeting agreed that reports by all Authorities using the new templates should be established by the end of 2006 and that these should be the basis of a report to be submitted to the Assembly for consideration in 2007.

BACKGROUND

2. At its 31st (18th extraordinary) session, held in September–October 2002, the Assembly approved a proposal by the United Kingdom that a common quality framework be developed for International Searching and Preliminary Examining Authorities (see paragraphs 52 to 65 of document PCT/A/31/10). Following consultations in a specially formed task force and in the Working Group on Reform of the PCT (see paragraphs 72 to 81 of document PCT/R/WG/4/14), a number of basic requirements for quality management systems

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(“quality framework”) were agreed, which were subsequently included as Chapter 21 of the PCT International Search and Preliminary Examination Guidelines (“the Guidelines”—document PCT/GL/ISPE/1).

3. The quality framework adopted requires annual reports to be made by each of the Authorities to the Meeting, which in turn is required to adopt and submit a general annual report to the Assembly. In accordance with paragraphs 21.17 and 21.18 of the Guidelines, each Authority submitted an initial report in 2004 describing what it had done to implement a quality management system, based on the broad requirements set out in the quality framework, and followed this up in 2005 with a report identifying the lessons learned and actions taken since the initial report. General overviews of these reports and related actions taken by the Meeting of International Authorities were submitted to the Assembly in 2004 and 2005 (see documents PCT/A/33/6 and PCT/A/34/4).

DEVELOPMENT OF TEMPLATES FOR QUALITY REPORTING

4. At the 11th session of the Meeting, held in February 2005, Authorities considered how the reports could be made more useful. It was suggested that it would be desirable to have a more uniform approach to the preparation of reports and that it would be useful if a template and/or questionnaire could be developed for use, if they wished, by all Authorities (see paragraph 71 of document PCT/MIA/11/14). As a consequence, draft templates were prepared by the European Patent Office in consultation with the other Authorities (see documents PCT/MIA/12/8 Add.1 and PCT/MIA/13/3).

5. At its 13th session, held in May 2006, based on the preparatory work carried out by the European Patent Office, the Meeting adopted templates for initial (complete) reports and for annual supplementary (updating) reports by all Authorities (see Annexes II and III of document PCT/MIA/13/8). In order for these templates to be of greatest use, it was considered necessary for the next reports by all Authorities to be based on the new template for complete reports. The arrangements agreed are set out in paragraphs 20 to 22 of the report of the session (document PCT/MIA/13/8) as follows:

“20. The Meeting adopted the templates reproduced in Annexes II and III of [document PCT/MIA/13/8] for use by Authorities in preparing reports under paragraphs 21.17 and 21.18 of the Guidelines, respectively.

“21. The Meeting agreed that the next report by all Authorities should be a complete report under paragraph 21.17 of the Guidelines. Since it would be impractical for Authorities to prepare complete reports in time for the Meeting to discuss them and present a progress report to the PCT Assembly in September 2006, it was agreed that the next reports to be based on the template reproduced in Annex II of this report should be submitted by the end of 2006.

“22. The Meeting also agreed that, to avoid difficulties in understanding a series of updating reports under paragraph 21.18 of the Guidelines, Authorities should in future present a new complete report under paragraph 21.17 every five years.”

6. The Meeting also noted a glossary of terms and a checklist (see Annexes IV and V of document PCT/MIA/13/3), which had been prepared by the European Patent Office to assist the process of assessment, reporting, understanding and consequent improvement of quality systems. The checklist could be used by Authorities for internal purposes to help them identify whether all the requirements of the quality framework had been met and reported on. The glossary of terms was recommended so as to encourage Authorities to report their systems using common language which would be understood in the same way by all readers. The definitions were mainly based on the meanings of terms according to ISO 9000 terminology, though it was emphasized that this was not intended to mean that Authorities should necessarily be using ISO 9000 methodology.

7. The Assembly is invited to note the contents of this document.

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