

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

INTERNATIONAL PATENT COOPERATION UNION (PCT UNION)

ASSEMBLY

Tenth Session (4th Ordinary)

Geneva, September 26 to October 4, 1983

REPORT

Adopted by the Assembly

INTRODUCTION

1. The Assembly was concerned with the following items of the Consolidated Agenda (document AB/XIV/1.Rev.): 1, 2, 3, 4, 5, 6, 11, 13, 18, 23 and 24.
2. The report on the said items, with the exception of items 6 and 13, is contained in the General Report (document AB/XIV/13).
3. The report on items 6 and 13 is contained in this document.

ITEM 6 OF THE CONSOLIDATED AGENDA

FIXATION OF FEES UNDER THE PATENT COOPERATION TREATY (PCT)

4. Discussions were based on document PCT/A/X/2.
5. The Delegation of Brazil stated that it continued to strongly believe that it would be desirable to establish preferential treatment in respect of the amount of fees to be paid under the PCT by applicants who are nationals of developing countries in order for the PCT to be more attractive for such applicants .

6. Several Delegations expressed concern that the proposed increases of fees might lead to a decrease in the number of international applications.

7. The Director General said that the number of the international applications filed in recent months showed a tendency that the number of the international applications estimated in the preparation of the draft budget for the 1984-1985 biennium might be too high and, consequently, that biennium may not prove to be self-supporting. In order to decrease that danger, the proposal for the increase of fees was maintained, although it was difficult to estimate whether a higher number of applications because of lower fees or a lower number of applications because of higher fees would produce more revenue for the PCT Union.

8. The Assembly adopted, with effect from January 1, 1984, the Schedule of Fees as proposed in Annex I of the above-mentioned document. It is also reproduced in the Annex to this report.

9. The Assembly noted the amended table of equivalent amounts communicated to the interested Delegations on September 27, 1983.

ITEM 13 OF THE CONSOLIDATED AGENDA

WORKING CAPITAL FUND OF THE PCT UNION

10. Discussions were based on document PCT/A/X/1.

11. A number of delegations expressed themselves in favor of the establishment of a working capital fund for the PCT Union. However, the Delegation of the United States of America said that it did not believe that a working capital fund for the PCT Union was necessary. In any event, that Delegation would have preferred a decision on such establishment to be deferred until the next ordinary session of the Assembly, in 1985.

12. As far as the amount of the working capital fund was concerned, the majority of the delegations pronounced themselves in favor of an amount of 2,000,000 francs and a few delegations recommended a lower amount ranging from 500,000 francs to 1,500,000 francs.

13. In conclusion, the Assembly of the PCT Union made the following decisions:

(i) The working capital fund of the PCT Union is hereby established; its amount will be 2,000,000 francs to be covered by instalments of 500,000 francs each year, payable on July 1 of 1984, 1985, 1986, 1987; the amount that each State member of the PCT Union will pay each year will be in the same proportion to 500,000 francs as the number of international applications filed by residents of that State in the preceding year is to the total number of international applications filed in that (that is, the preceding) year.

(ii) The possible need for a working capital fund in excess of 2,000,000 francs will be examined during the next (1985) ordinary session of the Assembly of the PCT Union in the light of the report of the Director General and any views expressed by the WIPO Budget Committee on the question.

[Annex follows]

ANNEX

SCHEDULE OF FEES

<u>Fees</u>	<u>Amounts</u>
1. Basic Fee: (Rule 15.2(a))	
if the international application contains not more than 30 sheets	623 Swiss francs
if the international application contains more than 30 sheets	623 Swiss francs plus 13 Swiss francs for each sheet in excess of 30 sheets
2. Designation Fee: (Rule 15.2(a))	150 Swiss francs
3. Handling Fee: (Rule 57.2(a))	191 Swiss francs
4. Supplement to the Handling Fee: (Rule 57.2(b))	191 Swiss francs
<u>Surcharges</u>	
5. Surcharge for late payment: (Rule 16bis.2(a))	Minimum: 236 Swiss francs Maximum: 594 Swiss francs

[End of Annex and of document]