

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

INTERNATIONAL PATENT COOPERATION UNION (PCT UNION)

ASSEMBLY

Sixteenth Session (7th Ordinary)
Geneva, September 25 to October 4, 1989

REPORT

Adopted by the Assembly

INTRODUCTION

1. The Assembly was concerned with the following items of the Consolidated Agenda (document AB/XX/1 Rev.): 1, 2, 3, 4, 8, 11, 13, 17, 19, 23 and 24.
2. The report on the said items, with the exception of item 8, is contained in the General Report (document AB/XX/20).
3. The report on item 8 is contained in this document.
4. Mr. Max A.J. Engels (Netherlands) was elected Chairman of the Assembly.

ITEM 8 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PCT UNION

5. Discussions were based on documents PCT/A/XVI/1 and 2.
6. Several delegations expressed their satisfaction with the growth in use of the PCT, which indicated the manifest attractiveness of the PCT system for users. Several of them also expressed their appreciation for the work done by the Director General and the International Bureau in promoting the use of the PCT and in administering its operations, and noted that further resources and personnel were clearly needed to cope with the increased workload of the PCT.
7. The Delegations of Switzerland, France, Denmark and Belgium suggested that an interim report could be prepared for consideration by the 1990 session of the Assembly to provide the basis for approval of the posts for 1991, which approval they were willing to give in principle.
8. The Delegation of the United Kingdom agreed that the Director General needed a degree of flexibility in staffing posts to deal with the increased workload.
9. The Director General recalled that flexibility in staffing posts was foreseen in paragraph 11 of document PCT/A/XVI/1 as well as in the draft budget for the 1990-91 biennium. The suggestion to review in 1990 the number of posts was undesirable because such a procedure would change the biennial nature of the budget.
10. A number of delegations supported the development of computerization to improve PCT operations and welcomed the proposed development of an optical disc system. The Delegations of Switzerland, France, Denmark and Belgium requested that, since a new technology was involved, a detailed progress report should be submitted in 1990 on the status and further development of the optical disc system.
11. The Director General said that he would present such a report to the 1990 session of the Assembly.
12. The Delegation of Switzerland said that it was satisfied with the conclusions reached in the comparative study regarding whether to print PCT pamphlets in-house or outside.
13. As concerns the proposal to begin reimbursement of PCT deficit-covering contributions, the Delegations of Switzerland, Sweden, Australia and Japan said that they agreed with the proposal. The Delegations of Denmark and Belgium added that they would like the reimbursements to be as fast as possible. The Delegations of France, the United Kingdom, the United States of America, the Federal Republic of Germany and the Netherlands said that they also agreed with the proposal but considered that, in the light of the favorable financial situation of the PCT Union, such reimbursement should be at the level of 2,000,000 francs per year even if the fees were not increased. The Delegation of the United States of America added that it would prefer transfer instead of crediting to contributions.

14. The Delegations of Switzerland, France, the United Kingdom, the United States of America, Australia, Belgium, Japan, the Federal Republic of Germany and the Netherlands opposed any increase in fees for one or several of the following reasons: the reasons given for the increase did not demonstrate the need for increase; the self-supporting requirement of the fee system was more than assured without any change in the fees; an increase of fees may deter some prospective applicants from the use of the PCT.

15. The Delegations of Sweden, the Soviet Union and Austria agreed to a fee increase, but said that it should be lower than the 10% proposed.

16. The Delegation of Denmark agreed to the proposed fee increase and added that it could also accept a fee increase which would be lower than 10%.

17. The representative of FICPI asked that a possible extension of the present 30-month period under Chapter II of the PCT be studied in due course. Speaking on behalf of users of the PCT, he supported an increase in PCT fees provided it was more modest than the 10% proposed by the Director General.

18. The Assembly

(i) noted the information contained in documents PCT/A/XVI/1 and 2,

(ii) approved the proposal concerning the reimbursement of deficit-covering contributions contained in paragraph 43 of document PCT/A/XVI/1 and fixed the yearly amount for 1990 and 1991 at 2,000,000 francs^{*}, and

(iii) decided not to amend the Schedule of Fees annexed to the PCT Regulations.

[Annex follows]

* The share of each interested country in the said amount is shown in the Annex.

ANNEX

SHARE OF COUNTRIES IN THE YEARLY AMOUNT OF TWO MILLION FRANCS
FOR 1990 AND 1991 WHICH IS REFERRED TO IN PARAGRAPH 18(ii)

| <u>Country</u> | <u>Amount</u> |
|--------------------------|---------------|
| Australia | 55,724 |
| Austria | 33,740 |
| Belgium | 11,988 |
| Brazil | 32,570 |
| Canada | 46,560 |
| Cuba | 568 |
| Denmark | 32,672 |
| Egypt | 976 |
| Finland | 21,086 |
| France | 143,070 |
| Germany (Fed. Rep. of) | 231,172 |
| Hungary | 14,866 |
| Ireland | 4,666 |
| Israel | 4,232 |
| Japan | 285,730 |
| Liechtenstein | 1,044 |
| Luxembourg | 3,864 |
| Monaco | 54 |
| Netherlands | 58,270 |
| Norway | 22,672 |
| Philippine | 644 |
| Romania | 3,928 |
| Soviet Union | 166,548 |
| Spain | 14,110 |
| Sweden | 90,732 |
| Switzerland | 80,182 |
| United Kingdom | 170,142 |
| United States of America | 466,630 |
| Yugoslavia | 1,560 |
| | <hr/> |
| | 2,000,000 |

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