

# WIPO



PCT/A/XVII/2

ORIGINAL: English

DATE: October 1, 1990

**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

## **INTERNATIONAL PATENT COOPERATION UNION (PCT UNION)**

### **ASSEMBLY**

**Seventeenth Session (10th Extraordinary)  
Geneva, September 24 to October 2, 1990**

#### REPORT

*Adopted by the Assembly*

#### INTRODUCTION

1. The Assembly was concerned with the following items of the Consolidated Agenda (document AB/XXI/1 Rev.): 1, 2, 6, 11, 15 and 16.
2. The report on the said items, with the exception of item 11, is contained in the General Report (document AB/XXI/7).
3. The report on item 11 is contained in this document.

## ITEM 11 OF THE CONSOLIDATED AGENDA:

## MATTERS CONCERNING THE PCT UNION

4. Discussions were based on document PCT/A/XVII/1.
5. The Delegation of Australia expressed its satisfaction with the progress report on the status and further development of an optical disc system for the processing of international applications under the PCT. The Australian Patent Office was keen in assisting the International Bureau in its efforts to developing an optical disc system and had taken care of selecting, for the purpose of participating as expert-adviser in the tendering procedure, one of its staff members who was familiar with both the PCT and with the optical disc technology.
6. The Delegations of Australia, Austria, Brazil, Canada, the Democratic People's Republic of Korea, France, Germany (Federal Republic of), Hungary, Luxembourg, the Netherlands, Switzerland, the United Kingdom and the United States of America supported the proposal of the International Bureau that each of the International Searching or Preliminary Examining Authorities and each of the other national Offices that chose to receive the ESPACE-WORLD CD-ROMs in substitution for paper or microfilm copies would be able to request the International Bureau to provide it, free of charge, with one work station for reading and printing the said CD-ROMs. They expressed the view that the CD-ROM technology was becoming a major tool for the dissemination of patent documents and that efforts to facilitate the use of that technology were welcomed.
7. The Delegation of Australia called for a certain flexibility in the application of the said proposal.
8. The Delegation of Canada called for a certain flexibility in the application of the said proposal and would see what negotiations were possible for receiving the documentation in CD-ROM format.
9. The Director General said that he would exercise a certain degree of flexibility in implementing the proposal, should the said proposal be accepted.
10. The Delegations of Germany (Federal Republic of), Japan and the United States of America expressed their concern about the present lack of any international standard concerning the production of CD-ROMs for the purpose of making available patent documents as facsimile images. They expressed the hope that the International Bureau would, as soon as an international standard was established, conform to such a standard.
11. The Director General recalled that a draft recommended standard concerning the making available of patent documents as facsimile images on CD-ROMs was under consideration within the framework of the Permanent Committee on Industrial Property Information (PCIPI) and said that the International Bureau would continue to promote the adoption of such a standard and apply it. The Director General stressed, however, that such a standard would have to be followed by all the patent offices producing CD-ROMs. Otherwise, real problems would arise, also with respect to the CD-ROMs of the International Bureau or the European Patent Office.

12. The Delegation of Japan said that it was ready to accept the proposal of the International Bureau if the latter promoted the swift adoption of an international standard and followed that standard once adopted.

13. The Delegations of Austria and the United Kingdom, although they shared the concern of other Delegations concerning the present lack of an international standard on CD-ROMs containing patent documents as facsimile images, expressed the opinion that, pending the establishment of such a standard, the decision to start producing such CD-ROMs before the adoption of the standard was appropriate, it being understood that the standard, when adopted, would be adhered to, as stated by the Director General.

14. The Delegations of the Netherlands and Switzerland said that the move from paper copies of patent documents to CD-ROMs did raise some technical problems which had not yet been fully solved, such as the printing of paper copies from CD-ROMs: the printing speed of the proposed work stations was insufficient for printing large volumes of patent documents and would not allow printing on both sides of paper sheets. Both Delegations expressed the hope that such problems could be solved in a not too distant future. The Delegation of Switzerland added that the exercise of a certain flexibility in providing the offices with work stations could be a partial solution to such problems.

15. The Delegation of Luxembourg expressed the hope that the same work stations could be used for reading and printing both the CD-ROMs relating to international trademarks and those relating to PCT pamphlets.

16. The Delegation of Austria underlined the importance of CD-ROMs containing patent documents as a dissemination media for developing countries, which could access the patent information in a much easier and cheaper way by using such a media.

17. The Representative of the European Patent Organisation stated that the European Patent Office (EPO) was in total agreement with the proposal of the International Bureau. The proposal was fully in line with the policy of the EPO which was aiming at replacing paper copies of patent documents by CD-ROMs.

18. The Representative of Algeria stated that the Authorities of his country were considering the possibility of acceding the PCT. He stressed the importance of CD-ROMs as a media for the dissemination of patent information and asked whether it would be possible for developing countries not party to the PCT to receive also free of charge CD-ROM reading and printing work stations.

19. The Director General said that CD-ROMs containing patent documents were a much cheaper and easier tool for the dissemination of patent information throughout the world and, as such, were of great importance to developing countries. He also said that all possible means would be used within the framework of development cooperation programs to provide developing countries with CD-ROM reading and printing equipment.

20. The Assembly

(i) noted with satisfaction the progress report contained in paragraphs 2 to 8 of document PCT/A/XVII/1,

(ii) approved the proposal contained in paragraph 16 of the said document.

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