

WIPO



PCT/CTC/21/3

ORIGINAL: English

DATE: August 17, 2005

WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

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

PCT COMMITTEE FOR TECHNICAL COOPERATION

Twenty-First Session

Geneva, September 26 to October 5, 2005

PCT MINIMUM DOCUMENTATION:
RECENT DEVELOPMENTS

Document prepared by the International Bureau

SUMMARY

1. This document summarizes the developments that have taken place with regard to PCT minimum documentation since the decision of the Committee at its twentieth session to request that the Meeting of International Authorities Under the PCT undertake a study of this area. The Committee is invited to take note of the progress made.

BACKGROUND

2. At its twentieth session, held in Geneva from September 23 to October 1, 2002, the Committee considered the matter of the non-patent literature part of the PCT minimum documentation (see document PCT/CTC/20/4, paragraphs 6 to 10) and made a recommendation to the Assembly of the PCT Union that the Meeting of International Authorities undertake a study of the composition of the PCT minimum documentation and make recommendations to the Committee on proposed modifications of PCT Rule 34 and proposed mechanisms for reviewing and maintaining the non-patent literature part of the PCT minimum documentation.

3. At its thirty-first (18th extraordinary) session, also held in Geneva from September 23 to October 1, 2002, the Assembly endorsed the above recommendation of the Committee (see document PCT/A/31/20, paragraph 75).

ACTIONS TAKEN BY THE MEETING OF INTERNATIONAL AUTHORITIES

4. Progress has been made by the Meeting of International Authorities Under the PCT in respect of the following:

(i) the extension of the non-patent literature part of the documentation to include traditional knowledge-related periodicals;

(ii) a comprehensive review of the concept, definition and content of PCT minimum documentation; and

(iii) the development of a Search Guidance Intellectual Property Digital Library.

5. The Meeting reviewed a wide range of traditional knowledge-related periodicals¹ and agreed that thirteen of these should be added to the list of published items of non-patent literature forming part of the PCT minimum documentation under Rule 34. Details of these periodicals are included in the Annex. The Meeting also recognized the importance of identifying further traditional knowledge-related databases suitable for use in international searches and agreed that the issues involved should be considered as part of the comprehensive review of the minimum documentation (see paragraph 7, below).

6. In producing the new version of the list of non-patent literature, the opportunity was also taken to review and update the details of all of the currently listed periodicals, including the addition of information items to enhance the quality and usability of the list. This latest version of the list, with effect from June 1, 2005, has been published on the WIPO website² and subsequently as Special Issue S-01/2005 of the PCT Gazette, dated August 11, 2005.

7. The Meeting of International Authorities also set up a task force to undertake the requested comprehensive review of PCT minimum documentation³. This task force is addressing issues relating to both patent documentation, including questions of additional countries and languages, and to non-patent literature. In parallel with its main task, the task force has also been involved in an assessment of the technical issues that need to be addressed to support the proposed addition of the patent documentation of the Republic of Korea into the set of patent documentation to be considered by the International Searching Authorities when conducting an international search (see document PCT/CTC/21/2).

8. The third area in which work has progressed relates to a project aimed at developing a Search Guidance Intellectual Property Digital Library (SGIPDL) to provide assistance to

¹ See documents PCT/MIA/7/3; PCT/MIA/7/5, paragraphs 8 to 17; PCT/MIA/9/4; PCT/MIA/9/6, paragraphs 124 to 131; PCT/MIA/10/4; PCT/MIA/10/11, paragraphs 39 to 43; PCT/MIA/11/5; and PCT/MIA/11/14, paragraphs 13 to 18.

² See <http://www.wipo.int/scit/en/standards/pdf/04-02-01.pdf>.

³ See documents PCT/MIA/10/5; PCT/MIA/10/11, paragraphs 44 to 48; PCT/MIA/11/6; and PCT/MIA/11/14, paragraphs 9 to 12.

examiners in the choice of documentation to be considered when conducting an international search⁴. An initial prototype product, which has been produced by the International Bureau to help in the specification of the requirements for the SGIPDL, is currently being reviewed by a task force of representatives from the International Searching Authorities. The feedback received will be used to further refine the model on which the final system will be based.

9. The Committee is invited to note the extension of the Rule 34 non-patent literature list to include traditional knowledge-related periodicals and the progress made in the comprehensive review of the PCT minimum documentation and the development of a Search Guidance Intellectual Property Digital Library.

[Annex follows]

⁴ See documents PCT/MIA/10/11, paragraph 49; PCT/MIA/11/8; and PCT/MIA/11/14, paragraphs 7 and 8.

ANNEX

TRADITIONAL KNOWLEDGE-RELATED PERIODICALS
ADDED TO THE LIST OF NON-PATENT LITERATURE
FORMING PART OF THE PCT MINIMUM DOCUMENTATION

The following periodicals were added to the list:

- *Acta Pharmaceutica*;
- *Economic Botany, Journal of the Society of Economic Botany*;
- *Fitoterapia*;
- *Indian Journal of Traditional Knowledge*;
- *Journal of Chinese Medicine*;
- *Journal of Ethnopharmacology*;
- *Journal of Natural Products*;
- *Journal of Nutrition*;
- *Medicinal and Aromatic Plants Abstracts*;
- *Pharmaceutical Biology*;
- *Phytochemistry*;
- *Phytotherapy Research*;
- *Planta Medica*.

[End of Annex and of document]