

MAIN PROGRAM 06

Patent Cooperation Treaty (PCT) System

06.1 Operation of the PCT System

06.2 Legal Framework, Information and Training Activities; PCT Reform

06.3 International Patent Classification (IPC)

Summary

97. The Patent Cooperation Treaty (PCT) provides for rationalization and cooperation in the filing and processing of patent applications and the dissemination of the technical information they contain. The principal objective of the PCT is to simplify and render more effective and more economical—in the interests of both the users of patent systems and patent offices—applications for patents in more than one country by reducing duplication of the work of filing and processing in each country.

98. The PCT establishes an international system enabling the filing of a single “international” patent application “designating” the countries in which a patent is sought. The features of the system include: the formal examination of international applications by PCT receiving Offices; an international search, the report of which is made available to the applicant and published; the centralized international publication of international applications with the related international search reports, as well as their communication to the designated Offices; and an optional international preliminary examination, the report of which is made available to the applicant and the designated Offices concerned and contains an opinion on whether the claimed invention meets the main internationally accepted criteria for patentability. The granting of patents remains a matter for national and regional offices, which are able to make use of the international search report and the international preliminary examination report.

99. In 2000, the International Bureau received approximately 91,000 international applications, an increase of 23 per cent over the number received in 1999. It is expected that the number of applications will continue to increase in 2001 and during the 2002–2003 biennium.

100. Should the actual number of international applications and Chapter II demands be higher or lower than forecasted, the budget of the Union would be increased or decreased as described in Appendix 3.

101. On December 31, 2000, the PCT had 108 Contracting States. Further accessions to the PCT that are expected in 2001 and during the 2002–2003 biennium will place additional demands on the International Bureau for information and training activities for the national and regional Offices concerned, as well as for applicants and potential applicants. Following a decision by the PCT Assembly at its 29th session in October 2000, proposals for reform of the PCT will be submitted at its September 2001 session. The International Bureau will continue, during the 2002-2003 biennium, to prepare and service meetings related to simplifying and reforming the PCT system.

102. During the 2002-2003 biennium, one of the main focuses under Main Program 06 will be to support the development of the information and document automation system IMPACT (Information Management for the Patent Cooperation Treaty - see Main Program 15) for the operation of the PCT system authorized by the Assemblies of Member States of WIPO in March 1998. This is a key factor in helping to meet the challenges of both the continuous increase in the number of international applications processed by the International Bureau and the growing number of PCT Contracting States.

103. The International Patent Classification (IPC) provides for a common classification for patents, including utility models and utility certificates, in order to establish an effective search tool for the retrieval of patent documents by patent offices and other users. Periodical revision of the IPC will continue to be needed in order to further enhance its efficiency and effectiveness for the retrieval of patent information. Due to its use in the electronic environment related to digital libraries interconnected by global information networks, IPC reform is to be carried out, including the elaboration of automated tools supporting maintenance and revision of the IPC and facilitating its promotion worldwide.

SUB-PROGRAM 06.1

Operation of the PCT System

Objectives:

- ◆ To provide in a swift, reliable, and cost-effective manner the services entrusted to the International Bureau under the PCT.
- ◆ To enhance the International Bureau's capacity to process the increasing number of international applications.
- ◆ To improve the dissemination on paper or in electronic format of information on international applications and related information.

Background

104. This sub-program deals with the processing by the International Bureau of international applications under the PCT. The sub-program covers the formal examination of applications, the translation of titles, abstracts and international preliminary examination reports, as well as the publication of international applications. It also covers the activities of the International Bureau acting as Receiving Office.

Expected Results	Performance Indicators
1. Increase in the productivity of PCT operations in the International Bureau.	<input type="checkbox"/> Ratio between the total number of PCT staff and the number of international applications. <input type="checkbox"/> Comparison between the growth in the total PCT expenditures and the growth in the number of international applications.
2. Processing in a swift, reliable and cost-effective manner of up to 114,000 international applications in 2002 and 122,000 in 2003; up to 79,000 demands under Chapter II in 2002 and 84,000 in 2003; up to 2,500 international applications in the International Bureau acting as receiving Office in 2002 and 2,900 in 2003; and publishing up to 106,000 pamphlets in 2002 and 113,000 in 2003.	<input type="checkbox"/> Number of international applications and demands received and processed, and number of pamphlets published. <input type="checkbox"/> Timeliness of processing (including publications and under Chapter II) of the international applications.
3. Improved productivity in translation of abstracts and IPERs.	<input type="checkbox"/> Number of translations in each category.
4. Increase in the percentage of international applications prepared using the PCT/EASY software.	<input type="checkbox"/> Number of international applications filed using the PCT/EASY software.

Activities

- ◆ Formal examination of international applications.
- ◆ Monitoring time limits to be observed by Receiving Offices, International Searching Authorities and International Preliminary Examining Authorities.
- ◆ Contacts, including for the communication of notifications and documents, with Patent Offices, applicants and agents.
- ◆ Maintenance of an information service to respond to questions concerning international applications under the PCT.
- ◆ Translation into English and French of international application titles, abstracts and text in drawings.
- ◆ Translation of international preliminary examination reports into English.

- ◆ Development of translation tools, such as electronic dictionaries and on-line reference sources.
- ◆ Publication of international applications in the form of PCT pamphlets.
- ◆ Publication of data from published international applications in the PCT Gazette in both paper and electronic form.
- ◆ Processing of international applications filed with the International Bureau as receiving Office.
- ◆ Phased implementation of a new automation system (IMPACT) for the Office of the PCT capable of handling files in electronic form and of supporting automated processes.

Where appropriate, the activities will be carried out in coordination with Main Program 15 and other main programs.

SUB-PROGRAM 06.2

Legal Framework, Information and Training Activities; PCT Reform

Objectives:

- ◆ To improve the PCT legal framework, and to simplify and render more economical obtaining patent protection worldwide by use of the PCT.
- ◆ To increase awareness and knowledge of the operation and benefits of the PCT system among its users, potential users, industrial property agents, governments and IGOs.

Background

105. This sub-program deals with the further development of the legal framework and the possible simplification and streamlining of procedures of the PCT system, and with the information and training activities related to it.

Expected Results	Performance Indicators
1. Improved legal framework for obtaining protection for inventions under the PCT that, in particular, facilitates electronic filing of international applications.	<input type="checkbox"/> Adoption of the necessary amendments to the PCT Regulations and Administrative Instructions.
2. Increase in the knowledge of the PCT system.	<input type="checkbox"/> Quality, quantity and accessibility of PCT information.

Activities

- ◆ Provision of information, assistance, advice and training to users, potential users and their representatives.
- ◆ Provision of information, assistance, advice and training to PCT Offices and Authorities, in particular, with the goal of increasing quality, productivity and efficiency in PCT implementation.
- ◆ Preparation and servicing of meetings with PCT Contracting States, Offices and Authorities, and users of the PCT system relating to implementing and coordinating PCT procedures; preparation of proposals for amending the PCT Regulations for consideration by the PCT Assembly and for modifying the Administrative Instructions, including Forms and the various Guidelines under the PCT; participation in meetings of PCT Offices and Authorities.
- ◆ Preparation and servicing of meetings related to simplifying and reforming the PCT system.
- ◆ Publication and dissemination of legal texts and information and promotional material on the PCT, both on paper and in electronic form. Further development and improvement of the legal framework for the filing and processing of international applications by users, Offices and Authorities, in particular to support electronic filing and processes.
- ◆ Use of computer-based tools, such as databases, electronic fora and distance learning techniques, for the provision of legal services and the carrying out of training and information activities.
- ◆ Where appropriate, the activities will be carried out in coordination with other main programs, in particular, 05, 09, 12, 13 and 14.

SUB-PROGRAM 06.3 International Patent Classification (IPC)

Objectives:

- ◆ To increase the efficiency and effectiveness of the IPC as a language-independent search tool for retrieval of patent information.
- ◆ To ensure the efficient use of the IPC in an electronic environment by carrying out IPC reform and developing computer-based classification tools.
- ◆ To promote worldwide use of the IPC for classifying and searching of patent documents and patent-related literature.

Background

106. This sub-program deals with the administrative and information services provided by the International Bureau for the maintenance, revision, reform and promotion of the IPC for governments, intergovernmental organizations, research and development bodies, and the general public.

Expected Results	Performance Indicators
1. Increase in the efficiency and use of the IPC for searching patent documentation and patent-associated literature, including further adaptation of the IPC for use in the electronic environment.	<input type="checkbox"/> Number of new entries and other amendments prepared for introduction into the eighth edition of the IPC. <input type="checkbox"/> Preparation of the revised Guide to the IPC.
2. Elaboration of automated tools supporting maintenance and revision of the IPC and creation of classification databases.	<input type="checkbox"/> Implementation of a new IPC management system elaborated under the IPC Information System <i>bis</i> (IBIS) project.

Activities

- ◆ Administration of the revision of the IPC through preparation and servicing of four sessions of the IPC Revision Working Group. Processing and publication of revision documentation.
- ◆ Coordination of IPC reform through preparation and servicing of two sessions of the IPC Committee of Experts and four sessions of the IPC Reform Working Group and administration of the work of the IPC Task Forces. Processing and publication of reform documentation.
- ◆ Providing information and feedback regarding user requirements for the development of the IBIS (IPC Information System*bis*) and the CLAIMS (Classification Automated Information System) Projects (see Main Program 15) with a view to drawing up appropriate user requirements for the developed information systems.
- ◆ Promotion of the worldwide use of the IPC by organizing and participating in IPC training courses and workshops.

**Table 11.6 Detailed Budget 2002-2003
Main Program 06
Patent Cooperation Treaty System**

A. Budget Variation by Object of Expenditure
(in thousands of Swiss francs)

Object of Expenditure	2000-2001 Revised Budget A	Variation						2002-2003 Proposed Budget E=A+D
		Program		Cost		Total		
		Amount B	% B/A	Amount C	% C/A	Amount D=B+C	% D/A	
Staff Expenses	86,771	9,677	11.2	7,746	8.9	17,423	20.1	104,194
Travel and Fellowships	665	(23)	(3.5)	23	3.5	-	-	665
Contractual Services	10,427	(43)	(0.4)	375	3.6	332	3.2	10,759
Operating Expenses	13,196	(314)	(2.4)	464	3.5	150	1.1	13,346
Equipment and Supplies	3,695	93	2.5	137	3.7	230	6.2	3,925
	114,754	9,390	8.2	8,745	7.6	18,135	15.8	132,889

B. Budget Variation by Post Category

Post Category	2000-2001	Variation	2002-2003
	Revised Budget A	B-A	Proposed Budget B
Directors	6	(2)	4
Professionals	45	26	71
General Service	272	25	297
TOTAL	323	49	372

**C. Budget Allocation by Sub-program and
Detailed Object of Expenditure**
(in thousands of Swiss francs)

Object of Expenditure	Sub-program			Total
	1	2	3	
Staff Expenses				
Posts	87,220	7,920	1,042	96,182
Short-term Expenses	7,652	240	120	8,012
Travel and Fellowships				
Staff Missions	295	370	-	665
Contractual Services				
Conferences	15	119	76	210
Consultants	216	190	166	572
Publishing	2,273	337	20	2,630
Other	7,236	41	70	7,347
Operating Expenses				
Premises and Maintenance	5,483	610	50	6,143
Communication and Other	6,392	711	100	7,203
Equipment and Supplies				
Furniture and Equipment	1,284	182	200	1,666
Supplies and Materials	2,039	190	30	2,259
Total	120,105	10,910	1,874	132,889