

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

PCT COMMITTEE FOR TECHNICAL COOPERATION

Fourth Session
Geneva, December 7 to 11, 1981

DRAFT REPORT

prepared by the International Bureau

INTRODUCTION

1. The PCT Committee for Technical Cooperation (hereinafter referred to as "the Committee") held its fourth session in Geneva from December 7 to 11, 1981. Following the Decision Establishing the WIPO Permanent Committee on Patent Information and Dealing with Related Matters, the session of the Committee was held jointly with the fifth session of the WIPO Permanent Committee on Patent Information (hereinafter referred to as "the PCPI").
2. The following members of the Committee were represented: Australia, Austria, Brazil, Democratic People's Republic of Korea, Denmark, Finland, France, Germany (Federal Republic of), Japan, Netherlands, Norway, Soviet Union, Sweden, Switzerland, United Kingdom, United States of America, European Patent Office (EPO) (17). Representatives of the following States were present as special observers: Canada, Spain (2). Bulgaria, Czechoslovakia, the German Democratic Republic, Poland and Portugal (5) were represented by observers. The Arab Industrial Development Organization (AIDO), the Commission of the European Communities (CEC), the Fédération Internationale de Documentation (FID), the International Patent Documentation Center (INPADOC) and the Patent Documentation Group (PDG) were also represented by observers. The list of participants is attached as Annex I to this report.
3. Mr. P. Claus, Director, Classifications and Patent Information Division, WIPO, welcomed the participants on behalf of the Director General of WIPO.
4. The session was presided over by the Chairman of the PCPI, Mr. G.J. Vianès, France. Mr. P. Higham, Head, Developing Countries Section, Classifications and Patent Information Division, WIPO, acted as Secretary of the session.

ADOPTION OF THE AGENDA

5. The Committee unanimously adopted the agenda which is attached as Annex II to this report.

CONCLUSIONS

6. As decided by the Governing Bodies of WIPO at their tenth series of meetings (see document AB/X/32, paragraphs 51 and 52), held from September 24 to October 2, 1979, the report of this session reflects only the conclusions (decisions, recommendations, opinions, etc.) of the Committee and does not, in particular, reflect the statements made by any participant, except where any reservation in respect of any specific conclusion of the Committee was made or repeated after the conclusion was arrived at.

7. The Committee based its conclusions upon the conclusions and recommendations of the PCPI Working Group on Planning (hereinafter referred to as "the Planning Group") at its seventh and eighth sessions, as set forth in documents PCPI/PLAN/VII/4 and PCPI/PLAN/VIII/7, respectively, as well as upon the project files of projects P 39, P 41 to P 44, and P 225.

PCT MINIMUM DOCUMENTATION: "PATENTS"

Inventory 1920 to Date (Project P 39)

8. The Committee noted with appreciation the work of the International Bureau in completing the inventory of patent documents according to PCT Rule 34 so as to include the patent documents issued by Australia, Austria, Canada, Japan, the Soviet Union and by the African Intellectual Property Organization as given in Annex 7 to project file P 39.

9. The Committee agreed that, as regards the patent documents issued by Australia, Austria and Canada, the nature of those series of patent documents should be defined as "documents sequentially numbered at issuance but for the purposes of PCT Rule 34 only those documents not claiming a priority under the terms of the Paris Convention are included within the PCT minimum documentation and consequently very many gaps exist." Such series should be indicated in the inventories of those countries as a continuous series accompanied by a superscript 'c' which should be defined as given above in a new paragraph 3(iii) to be inserted in the introductory paragraphs to the inventory.

10. The Committee also noted that the numbers of documents issued by Australia in the period 1970-1979 and falling within the PCT minimum documentation would be added shortly when outstanding minor queries had been clarified by the Australian Industrial Property Office.

11. Subject to the above, the Committee adopted the inventory and agreed to its publication in the WIPO Handbook on Patent Information and Documentation. The Committee noted that the inventories as adopted would be updated at the end of 1982 and every three years thereafter in accordance with the decision taken at its first session.

Inventories of Sorted Collections of Patent Documents According to PCT Rule 34.1(c)(vi) (Project P 41)

12. The Committee noted that the International Bureau had recently distributed copies on COM microfiche of the inventories of sorted collections of patent documents according to PCT Rule 34.1(c)(vi) in respect of the patent documents issued by Austria and Canada to those Offices who had expressed a desire to receive such copies and would shortly issue, on COM microfiche, copies of an inventory of such patent documents issued by Australia. The Committee also noted that the inventory would be updated at the end of 1982 and every three years thereafter in accordance with the decision taken at its first session.

13. The International Bureau informed the Committee that, in principle, those inventories would be available, upon request and at cost, to any member of the PCT Union in the form of either paper or COM microfiche copies, or recorded on magnetic tape, and requested interested Offices to inform the International Bureau accordingly.

Inventories of English-language Abstracts of Patent Documents According to PCT Rule 34.1(e) (Project P 42)

14. The Committee noted with appreciation the study performed by the International Bureau following the request made by the Committee at its third session concerning the extent to which English-language documents of Japanese patent documents had been published since 1970 by the Japanese Patent Office, Chemical Abstracts Service and Derwent Publications Limited, which study was given in Annex 9 to project file P 42.

15. The Committee agreed that the Japanese patent documents for which English-language abstracts had been published by the Japanese Patent Office, Chemical Abstracts Service or Derwent Publications Limited since 1970 should be regarded as falling within PCT Rule 34.1(e).

16. The Committee also agreed that one machine-readable inventory giving the bibliographic details, including codes of the International Patent Classification where available, of the English-language abstracts referred to in the previous paragraph would be a useful reference tool e.g. for the PCT International Searching Authorities, but should be restricted to internal use by Offices. Accordingly the Committee requested the International Bureau to prepare such an inventory. The Representative of Japan stated that his Office would discuss with the Japanese Patent Information Center whether machine-readable information concerning Patent Abstracts of Japan could be made available to the International Bureau for this purpose.

17. The Committee finally agreed that a machine-readable inventory of English-language abstracts of Soviet Union patent documents that had been generally available since 1970 should also be prepared by the International Bureau.

Bringing Forward the Cut-off Year "1920" Specified in PCT Rule 34.1(c) (i) (Project P 225)

18. The Committee noted the study performed by the International Bureau concerning the age of citations given in Search Reports published under the PCT as given in project file P 225 and the conclusion contained therein that the question of whether the cut-off year "1920", specified in PCT Rule 34.1(c) (i) warranted further study.

19. The Committee requested the International Bureau to invite Offices to comment upon that question in the light of that study or any other like study, e.g. as performed by the European Patent Office (published in World Patent Information, Vol. 3, No. 2) and by the Japanese Patent Office (given in document PCT/TIM/4). The Committee further requested the International Bureau to present those comments, together with comments prepared by itself, to the next General Assembly of the PCT Union which would meet probably in May or June 1982.

PCT MINIMUM DOCUMENTATION: "NON-PATENT LITERATURE"

List of Periodicals Established Under PCT Rule 34.1(b) (iii) (project P 43)

20. The Committee endorsed the recommendations of the Planning Group concerning the list of periodicals established under PCT Rule 34.1(b) (iii) (except in so far as point ii(a) below was modified by the Committee), namely that:

- (i) before recommendations for amending the present minimum list of periodicals established under PCT Rule 34.1(b)(iii) were addressed to the PCT International Searching Authorities (ISAs), comparative data were required to determine which periodicals presently on the list did not yield a sufficient number of articles pertinent to the requirements of patent examination to justify their retention on the list;
- (ii) the International Bureau be requested to
 - (a) analyze the number of articles selected during the year 1981 from all 168 periodicals presently included on the list for which bibliographic details are being published in the Journal of Patent Associated Literature (JOPAL);
 - (b) request each of the ISAs and the International Preliminary Examining Authorities to provide a comprehensive list, including, if available, subscription costs, of all technical periodicals subscribed to by them, or available to them from national library facilities;
 - (c) prepare a document, for consideration by the Planning Group in 1982, containing the findings of (a) and (b) above;
- (iii) amendments to the present list of periodicals should involve replacement of periodicals shown to give low yields rather than an increase in the total number of periodicals so as to minimize, as far as possible, the financial burden of subscriptions;
- (iv) Chemical Abstracts Service (periodical no. 169) should be retained on the list;
- (v) those periodicals shown to give sufficient yields should be retained on the list even if they were also abstracted by Chemical Abstracts Service, but those periodicals shown to give low yields could be deleted from the list, particularly if they were also abstracted by Chemical Abstracts Service.

21. The Committee noted the updated list of periodicals established under PCT Rule 34.1(b)(iii) prepared by the International Bureau to take account of changes to titles, publishers' addresses and ISSN codes of those periodicals, approved that list, and noted that it would be published in an early issue of the PCT Gazette.

Journal of Patent Associated Literature (JOPAL) (Project P 44)

22. The Committee noted that the International Bureau had published so far seven issues of the WIPO Journal of Patent Associated Literature (JOPAL) under the one-year trial period and expressed satisfaction with its contents and structure. The Committee also noted that a summary of those seven issues published so far showed that 3317 selections had been made by the 12 cooperating Offices and that 37 periodicals out of the 168 periodicals scanned had yielded no selections.

23. With regard to the publication of JOPAL by a commercial publisher, the Committee decided that it did not yet have sufficient information to enable a choice to be made between the two bids received; from the Japanese Institute of Invention and Innovation (JIII) and from Pergamon Press Limited. Accordingly, the Committee requested the International Bureau to submit to the Committee in good time before its next session a detailed study on the advantages and disadvantages of the possible courses of action that presented themselves to ensure the publication of JOPAL in the long term, and agreed that the one-year trial project should be extended until the next session of the Committee.

24. In making that decision, the Committee recognized the real benefits already experienced by Offices in the early regular publication of details of articles selected as pertinent to the needs of patent examination which were the result of a very high level of cooperation between the Offices concerned and expressed its appreciation to those Offices.

LIST OF PARTICIPANTS/
LISTE DES PARTICIPANTS

(in the English alphabetical order of the names of the States)/
(dans l'ordre alphabétique anglais des noms des Etats)

I. MEMBER STATES/ETATS MEMBRES

AUSTRALIA/AUSTRALIE

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Dr. J. FICHTE, Vice-President, Austrian Patent Office, Vienna

BRAZIL/BRESIL

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UNITED STATES OF AMERICA/ETATS-UNIS D'AMERIQUE

Mr. T.F. LOMONT, Director, Office of International Patent Classification, Patent and Trademark Office, Washington D.C.

II. MEMBER ORGANIZATION/ORGANISATION MEMBRE

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PATENT DOCUMENTATION GROUP (PDG)

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Chairman/Président:	M. G.J. VIANÈS, France
First Vice-Chairman/ Premier vice-président:	Mrs. E. HÄKLI, Finland
Second Vice-Chairman/ Deuxième vice-président:	Mr. M. KOPČA, Czechoslovakia
Secretary/Secrétaire:	Mr. P. HIGHAM, WIPO

VII. INTERNATIONAL BUREAU OF WIPO/
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Mr. P. CLAUS, Director, Classifications and Patent Information Division

Mr. P. HIGHAM, Head, Developing Countries Section, Classifications and Patent Information Division

Mr. B. BARTELS, Head, Legal Section, PCT Division

[Annex II follows/
L'annexe II suit]

AGENDA

- | | paragraph(s) |
|--|--------------|
| 1. Opening of the session by the Chairman of the WIPO Permanent Committee on Patent Information (PCPI) | |
| 2. Adoption of the agenda of the session | 5 |
| 3. PCT Minimum Documentation: "Patents" | |
| (a) Inventory 1920 to 1979 and Inventory of reported gaps therein in the files of the PCT International Searching Authorities (project file PCPI/P 39/79 Rev. 2) | 8 to 11 |
| (b) Inventories of sorted collections of patent documents according to PCT Rule 34.1(c)(vi) (project file PCPI/P 41/79 Rev.3) | 12 and 13 |
| (c) Inventories of English-language abstracts of patent documents according to PCT Rule 34.1(e) (project file PCPI/P 42/79 Rev.3) | 14 to 17 |
| (d) Bringing forward the cut-off year "1920" specified in PCT Rule 34.1(c)(i) (project file PCPI/P 225/82) | 18 and 19 |
| 4. PCT Minimum Documentation: "Non-patent Literature" | |
| (a) List of periodicals established under PCT Rule 34.1(b)(iii) (project file PCPI/P 43/79 Rev.5) | 20 and 21 |
| (b) Journal of Patent Associated Literature (JOPAL) (project file PCPI/P 44/79 Rev.3) | 22 to 24 |
| 5. Next session | |
| 6. Adoption of the report of the session. | |

[End of Annex II and of Document]