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INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)

COMMITTEE ON REFORM
OF THE PATENT COOPERATION TREATY (PCT)

First Session
Geneva, May 21 to 25, 2001

REFORM OF THE PCT:
PROPOSALS BY ISRAEL

Document prepared by the International Bureau

1. The proposals appearing on the following page were made by Israel in a submission to the International Bureau received on April 22, 2001. Background information appears in document PCT/R/1/2.¹

2. *The Committee is invited to consider the proposals contained in this document.*

¹ The working documents for the Committee's session are available on WIPO's web site at the following address: http://www.wipo.int/pct/en/reform/index_1.htm

PROPOSALS BY ISRAEL

Israel welcomes and fully supports the United States proposal for Reform of the Patent Cooperation Treaty. Israel is interested to participate in discussions or in a working group to advance the improvement of the international patent system.

1. *Elimination of the concept of designations*

Israel supports the US proposal on elimination of the concept of designations. Our experience shows that 98% of the applicants in Israel designate all states and therefore the system of designations which has become an additional burden should be revised.

2. *Elimination of all residency and nationality requirements*

If all residency and nationality requirements are to be eliminated, then we suggest that at least the data of nationality and residence will be included in the international publication (front page).

3. We fully support the proposal of the US to *bring PCT into conformation with PLT*.

4. Israel supports the Netherlands proposal that the Treaty be drafted in such way as to *allow the applicant to file all documents required in the international phase* (amended claims under the PCT Article 19, Demands, later elections under PCT Article 31, corrected declarations etc.) *with the Receiving Office*, which will then communicate received documents to the competent International Authorities.

5. We also suggest *allowing the Receiving Office to authorize the rectification of obvious error in any part of the international application*. Such rectification could be subject to reconsideration by the competent Searching Authority.

6. We propose that the *fees which are due in respect of the international preliminary examination could be payable to the Receiving Office*. The RO would collect and transfer the received moneys to the competent IPEA as is done with the international and search fees.

These changes should make the PCT more user friendly. In our experience “small” applicants are often confused with respect to the appropriate Authorities to communicated with, or submit payments to, at different stages of international procedure. The additional duties proposal to be given to the Receiving Offices should be made subject to the acceptance of each RO.

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