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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

PATENT COOPERATION TREATY

INTERIM COMMITTEE FOR TECHNICAL COOPERATION

Fourth Session: Geneva, November 14 to 19, 1974

PCT MINIMUM DOCUMENTATION (PATENT DOCUMENTS):
ACQUISITION BY THE PROSPECTIVE PCT AUTHORITIES
OF THE NATIONAL PATENT DOCUMENTS
REFERRED TO IN PCT RULE 34

Report prepared by the International Bureau

1. The PCT Interim Committee for Technical Cooperation (hereinafter referred to as "the Interim Committee"), at its third session, held in Tokyo in October 1973, asked its Standing Subcommittee to study the measures relating to the acquisition by prospective PCT Authorities of the minimum documentation required under Rule 34 of the PCT, as well as the possibilities of alerting these Authorities to means enabling them to exchange or otherwise acquire such documents.
2. Since no session of the Standing Subcommittee is scheduled to take place in 1974, the International Bureau is submitting its report on such study to the Interim Committee.
3. It is recalled that PCT Rule 34 ("Minimum Documentation") indicates the documentation which the International Searching Authorities have to consult in effecting PCT international search on an international application under the PCT, in accordance with PCT Article 15(4).
4. Following the program recommended by the Interim Committee during its first session, in Geneva, in February 1971, the International Bureau has:
 - (i) prepared a detailed inventory of the patent documents referred to in PCT Rule 34.1(c)(i) to (v);
 - (ii) taken steps to prepare, in cooperation with the national Offices of the interested countries, an indication of those English, French and German language documents which, under PCT Rule 34.1(c)(vi), may be expected to be placed at the disposal of each International Searching Authority.
5. The results achieved so far have been reported in the following documents, as to (i) of the preceding paragraph:

document PCT/TCO/SS/I/2 - Session of December 1971
document PCT/TCO/SS/III/4 and 4 Corr. - Session of October 1972;

as to (ii) of the preceding paragraph:

document PCT/TCO/SS/I/9 - Session of December 1971
document PCT/TCO/III/3 - Session of October 1973.

6. At its third session, held at Geneva, in October 1972, the Standing Subcommittee had agreed that for the time being the cut-off date of the inventory referred to in the two preceding paragraphs would remain July 1, 1971, and that a general revision and updating of the inventory should take place only shortly before the expected entry into force of the Patent Cooperation Treaty.

7. The further developments related to the patent documents referred to in PCT Rule 34.1(c)(vi) are the subject of another report (see document PCT/TCO/IV/6).

8. As the inventory of the patent documents to be included in the minimum documentation in accordance with PCT Rule 34.1(i) to (v) was established two years ago, it would seem to be of interest to the members of the Interim Committee to know what steps the prospective International Searching Authorities have taken or expect to take in future in order to fill existing gaps in their search files or other documentation arranged for search purposes.

9. It is proposed to ascertain the state of completeness of search files by a circular to all prospective International Searching Authorities, containing questions as to the following points:

- (i) identification of significant gaps in their patent documentation which would be within the PCT minimum documentation;
- (ii) what steps are being taken or are expected to be taken to fill these gaps;
- (iii) what is the most advisable way to obtain missing patent documents.

10. A draft questionnaire (No. 1) covering these three points is attached in the Annex to this document.

11. As the acquisition of backlog patent documents has become more and more difficult with time, it seemed warranted to propose also a questionnaire, (No. 2) to be submitted to all countries whose patent documents are, or are likely to become, part of the PCT minimum documentation, on the availability of such patent documents. The Annex to this document contains also a draft for the proposed questionnaire No.2.

12. The Interim Committee is invited to express its views on the two questionnaires contained in the Annex.

13. If an agreement is reached on the above matter during the fourth session of the Interim Committee, the questionnaires could be distributed before December 15, 1974, and a report on the responses to the questionnaires could be prepared for distribution in 1975.

14. The Interim Committee is invited to comment on the above report and express its views on the continuation of the study.

[Annex follows]

ANNEX

DRAFT QUESTIONNAIRES

ON THE ACQUISITION OF MISSING PCT MINIMUM DOCUMENTATION PATENT DOCUMENTS

Draft Questionnaire No. 1

(to be submitted to all prospective PCT International Searching Authorities)

1. With reference to PCT Rule 34.1(c) (i) to (v), please indicate the present gaps (only significant gaps need be indicated, unless more exact information is presently or readily available) of the documentation in your Office's documentation collection (see inventories in reports PCT/TCO/SS/I/2 and PCT/TCO/SS/III/4 and 4 Corr.), preferably using the model below:

Country of issue of the missing documents	Kind(s) of the missing documents	Range of numbers (or range of dates) of the missing documents

2. If there are any gaps in your documentation (see above), what steps, if any, has your Office already taken or does it expect to take to fill these gaps?

3. What general proposals might your Office suggest as a means by which prospective Authorities might obtain any such missing patent documents?

Draft Questionnaire No. 2

(to be submitted to all countries whose patent documents are, or are likely to become, part of the PCT minimum documentation)

Which of your patent documents could your Office provide to prospective International Searching Authorities, for the purposes of the PCT?

- (i) specify range (by numbers or dates; backlog and current);
- (ii) specify form (paper copy, roll microfilm, aperture cards);
- (iii) specify cost (per document, per film, etc.);
- (iv) specify delivery time.

[End of document]