

5/306

# WIPO



PCT/TCO/SS/III /13

ENGLISH ONLY

DATE: July 3, 1972

**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
**UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY**  
**GENEVA**

## **PATENT COOPERATION TREATY**

### **INTERIM COMMITTEE FOR TECHNICAL COOPERATION**

#### **STANDING SUBCOMMITTEE**

**Third Session, Geneva, October 2 to 5, 1972**

**REPORT ON STUDY OF EXPERIENCES OBTAINED  
FROM BILATERAL EXAMINER EXCHANGE PROGRAMS**

Prepared by the International Bureau

1. The Standing Subcommittee of the PCT Interim Committee for Technical Cooperation in its meeting of December 1971 "...invited the International Bureau to collect information concerning the experience obtained from bilateral exchange programs carried out by certain national Offices in recent years" (PCT/TCO/SS/17, paragraph 55).

2. The International Bureau issued Circular Letter No. 1449 (see Annex A) to the members of the Standing Subcommittee, inviting them to submit such information.

3. To date, responses to the circular letter have been received from the Patent Offices of Austria and the Netherlands and from the International Patent Institute (IIB) (see Annexes B, C and D).

4. A supplement to this document containing any additional replies by other members of the Standing Subcommittee and a summary of all responses received will be issued before the October, 1972 session of the Standing Subcommittee.

5. The Standing Subcommittee is invited to study this document and the Annexes.

[Annexes A, B, C and D follow]

ORGANISATION MONDIALE DE LA  
PROPRIÉTÉ INTELLECTUELLE

Bureaux internationaux réunis  
pour la protection de la  
propriété intellectuelle (BIRPI)



WORLD INTELLECTUAL  
PROPERTY ORGANIZATION

United International Bureaux  
for the Protection of Intellectual  
Property (BIRPI)

Circular No. 1449

May 24, 1972

PCT 081.5

Dear Sir,

The December 1971 meeting of the Standing Subcommittee of the PCT Interim Committee for Technical Cooperation invited the International Bureau to collect information concerning the experience gained from examiner-exchange programs carried out by certain national Offices in recent years (document PCT/TCO/SS/I/17, paragraph 55).

Consequently, we would appreciate it if your Office could communicate to us any reports, analyses, or commentaries which bear on any experience your Office has gained from examiner-exchange programs.

In order to permit the evaluation and dissemination of the collected information before the October 1972 meeting of the PCT Interim Committee for Technical Cooperation, you are kindly requested to reply by July 31, 1972.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'K. Pfanner', is written over a light-colored background.

K. Pfanner  
Senior Counsellor  
Head of the  
Industrial Property Division

/Annex B follows/



# INSTITUT INTERNATIONAL DES BREVETS

P.O. BOX 5021 - THE HAGUE (NETHERLANDS)

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Mr. K. PFANNER,  
Head of the Industrial Property Division,  
World Intellectual Property Organization,  
32, Chemin des Colombettes

1211 GENEVE 20 - Suisse

Ref: VW/31/vn

Your ref: Circular no 1449  
PCT 081.5

THE HAGUE, June 6, 1972.  
97, Nieuwe Parklaan

Dear Mr. Pfanner,

In reply to your circular of May 24, 1972 we have to inform you that unfortunately the Institute does not dispose of any information concerning the experience gained from examiner-exchange programs as requested by said letter.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'P. van Waasbergen', is written over a circular stamp or mark.

P. van Waasbergen  
Technical Director

/Annex C follows/



PRÄSIDIUM DES  
ÖSTERREICHISCHEN PATENTAMTES  
WIEN I, KOHLMARKT 8-10


Wien, am 8. Juni 1972

Zahl 2009/Präs.72

Mr. K. P f a n n e r  
Head of the Industrial  
Property Division  
World Intellectual  
Property Organization  
32, chemin des Colombettes  
CH-1211 G e n è v e 20

Dear Mr. Pfanner,

Thank you for WIPO's Circular No.1449 of 24th May,1972.  
The Austrian Patent Office is not in the position to give any  
reports, analyses or commentaries on experiences from examiner-  
exchange programs as no such programs have been carried out  
by this office.

  
(Dr. Thaler)

/Annex D follows/

| uw brief van | uw nummer               | ons nummer | bijlagen |
|--------------|-------------------------|------------|----------|
| May 24, 1972 | Circ. 1449<br>PCT 081.5 | S 72/253   |          |

datum June 13, 1972

onderwerp

Mr. K. Pfanner,  
Senior Counsellor  
Head of the Industrial Property Division,  
WIPO,  
32, chemin des Colombettes,  
1211 Geneva 20

Dear Sir,

1. In reply to your Circular No. 1449 I first note that your request for information on our experience with examiner-exchange programs is slightly broader than was indicated in PCT/TCO/SS/I/17, paragraph 55, which is restricted to bilateral programs.
2. Although like many Patent Offices we fairly regularly receive visitors from the Patent Offices for the purpose of studying or discussing the operation of our Office or specific aspects thereof, very few of these qualify as examiner-exchange, even with the broadest interpretation of the term.
3. It appears that only the following deserve mention in the context of your enquiry:
  - (i) From September 1967 to September 1968 miss Woerjati Martosewojo, an Indonesian jurist, was in our Office for the purpose of orientation with respect to industrial property law, especially patent law. This was organized by BIRPI in its program of aid to developing countries, and the cost was born by the Netherlands Government.
  - (ii) In September 1967 Mr. A.A. de Haan, vice director of our Office, spent three weeks with the US Patent Office. In return, in October and November 1967 Mr. Winston A. Douglas, supervisory patent examiner in the US Patent Office, was in the Netherlands Patent Office under the Foreign Professional Training Program of the US Patent Office.
  - (iii) In June 1970 a committee to review procedures and organization (so far as non technical work is concerned) in the GB office, consisting of Messrs. M.F. Vivian and J.R. Perrett and miss C.F. Crawford, spent one week with our Office studying various administrative procedures.
4. It appears that only 3(ii) above approaches examiner-exchange, although both persons concerned really were rather above examiner level. In a true exchange at examiner level, the examiner should preferably be involved in true operational examination in the other Office. This indeed took place to some extent in the exchange of 3(ii) above,

and is very helpful to an understanding of the practices of the other offices, as I know from personal experience obtained in a six weeks stay with the US Office in 1952 and a two years stay in 1962-1964.

5. However, one must realize that these visits are very time consuming both for visitor and host, and therefore in our opinion would be impossible on any but a very small scale. In our Office we have the additional difficulty that the NL applications, the correspondence relating thereto, and the instruction material for examiners are all written in the Netherlands language which is nearly always not understood by examiners from other Offices. The problem of translation then forms an additional burden which appears prohibitive for this kind of exchange in our Office; for this reason recently a short term of probation of French examiners was cancelled from a proposed training program of the French Patent Office.

Sincerely Yours,



J. Dekker  
Vice President