

WIPO



PCT/TCO/V/14

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WORLD INTELLECTUAL PROPERTY ORGANIZATION GENEVA

PATENT COOPERATION TREATY

INTERIM COMMITTEE FOR TECHNICAL COOPERATION

Fifth Session

Geneva, October 29 to November 3, 1975

OBSERVATIONS ON THE DRAFT GUIDELINES FOR SEARCHES UNDER THE PCT

prepared by the International Bureau

1. The Interim Committee will find attached hereto a cover letter and observations on the Draft EPO Guidelines for Search submitted by the United States Patent and Trademark Office.

2. The Interim Committee is invited to consider and give its comments on these observations in conjunction with the discussion of the Guidelines for Searches under the PCT (document PCT/TCO/V/12).

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ANNEXE/ANNEX



**U.S. DEPARTMENT OF COMMERCE
Patent Office**

Address Only: COMMISSIONER OF PATENTS
Washington, D.C. 20231

September 29, 1975

Mr. K. Pfanner
Deputy Director General
World Intellectual Property Organization
32, chemin des Colombettes
1211 Geneva 20, Switzerland

Dear Mr. Pfanner:

Attached is a marked-up copy of the annex to document PCT/TCO/V/12, submitted in response to the request that observations be forwarded to the International Bureau (WIPO) by October 15, 1975.

In each situation where the search under the Treaty would appear to be different from the search under the European Patent Convention, a solution has been proposed for consideration by the Interim Committee for Technical Cooperation. There are some areas such as unity of invention which will probably need additional clarification, either in the search guidelines or in the Administrative Instructions.

The comments noted are not intended to be modifications to the search or search report made in an application filed under the European Patent Convention. However, it is presumed that the European Patent Office will follow the Patent Cooperation Treaty searching guidelines when making a search of an international application as an International Searching Authority.

It is suggested that this marked-up copy, or a similar copy including comments from other member states as well, be used as the first draft of searching guidelines under the Patent Cooperation Treaty.

Such searching guidelines are viewed as being very useful for developing uniform procedures among the various International Searching Authorities.

Sincerely,

A handwritten signature in cursive script, reading "C. Marshall Dann".

C. Marshall Dann
Commissioner of Patents
and Trademarks

Enclosure