

# WIPO



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## WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

### PATENT COOPERATION TREATY

#### WORKING GROUP ON GUIDELINES FOR PUBLICATION AND FOR DRAWINGS

First Session

Geneva, February 21 to 25, 1977

#### REPORT

##### INTRODUCTION

1. At its seventh session, in November 1976, the PCT Interim Advisory Committee for Administrative Questions (hereinafter referred to as "the Interim Committee") decided to establish a Working Group on Guidelines for Publication and for Drawings (hereinafter referred to as "the Working Group") for the purpose of assisting in the establishment of the PCT Guidelines for Publication and for Drawings.
2. Pursuant to the decision of the Interim Committee, the Working Group held its first session in Geneva from February 21 to 25, 1977.
3. The following States, members of the Interim Committee, having expressed the wish to participate, were members of the Working Group: Austria, France, Germany (Federal Republic of), Japan, Netherlands, Soviet Union, Spain, Switzerland, United Kingdom, United States of America. Two intergovernmental organizations--the Interim Committee of the European Patent Organisation (EPO) and the International Patent Institute (IIB)--as well as four non-governmental organizations--the Council of European Industrial Federations (CEIF), the European Federation of Industrial Property Representatives of Industry (FEMIP), the International Federation of Industrial Property Attorneys (FICPI) and the Union of Industries of the European Community (UNICE)--also participated in the first session of the Working Group, having expressed a similar wish. The International Patent Documentation Center (INPADOC) was also represented in accordance with the decision of the Interim Committee in that respect. The list of participants is annexed to this report.

##### ADOPTION OF THE AGENDA

4. The Working Group unanimously adopted its agenda, as contained in document PCT/WG/GPD/I/1.Rev.

##### OPENING OF THE SESSION

5. The session was opened by Mr. Klaus Pfanner, Deputy Director General of WIPO, who welcomed the participants on behalf of the Director General of WIPO.

## ELECTION OF OFFICERS

6. The Working Group unanimously elected Mr. J. Dekker (Netherlands) as Chairman and Mr. U.C. Hallmann (Federal Republic of Germany) and Mr. M. Leuthold (Switzerland) as Vice-Chairmen. Mr. D. Bouchez, Technical Counsellor, PCT Division, WIPO, acted as Secretary to the Working Group.

## GUIDELINES FOR PUBLICATION UNDER THE PATENT COOPERATION TREATY

7. Discussions were based on the following documents:

- (i) Draft Guidelines prepared by the International Bureau (PCT/AAQ/VII/4);
- (ii) report of the seventh session of the Interim Committee (PCT/AAQ/VII/19, paragraphs 137 to 150);
- (iii) comparative analysis of printing methods prepared by the International Bureau (PCT/WG/GPD/I/2);
- (iv) compilation of the comments on the Draft Guidelines received by the International Bureau (PCT/WG/GPD/I/3).

General Discussion

8. The Working Group recognized at the outset that publication under the PCT was closely linked with budgetary questions and that consideration of the contents, layout, quality and volume of PCT publications could not be isolated from their financial aspects.

9. The general discussion continued with a consideration of the question whether the publication of the Gazette and the corresponding international applications (which, according to the decision taken by the Interim Advisory Committee for Administrative Questions at its seventh session, should be published at the same time) should be organized centrally or in a decentralized manner by simultaneous publication in all of the Contracting States of the PCT.

10. It was noted that the central publication of the international application by the International Bureau according to Article 21(1) of the PCT was an inherent element of the PCT system and that therefore no argument could be drawn from the PCT for the said system of decentralized simultaneous publication in the Contracting States. It was agreed that a decentralized system of publication would result in a delay in publication likely to create difficulties in meeting the requirement of publication promptly after the expiration of 18 months from the priority date of the international application. It was therefore agreed that the publication of the international application should take place centrally in Geneva promptly after the expiration of 18 months from the priority date and that a rapid system of distribution of that publication to Contracting States should be instituted in order to reduce to a minimum the time between publication in Geneva and availability of the publication in the Contracting States.

Comparative Analysis of Printing Methods

11. The Working Group thereafter reviewed the comparative analysis of printing methods and costs contained in document PCT/WG/GPD/I/2 with a view to preparing recommendations on the most economical and practical methods for the printing of the pamphlets and the Gazette.

12. For reasons of economy, it was unanimously agreed to recommend that for the printing of the pamphlet and the Gazette the method of computerized photocomposition of the totality of the pamphlet and Gazette should not be used (see the second variant in document PCT/WG/GPD/I/2, paragraph 36, page 8, for the pamphlet, and paragraph 56, pages 11 and 12, for the Gazette).

13. It was also agreed to suggest that the first variant proposed in document PCT/WG/GPD/I/2, namely manual processing of master images and offset reproduction within the International Bureau, should not be retained, since it appeared to be costlier than the third variant, namely the preparation of the master images by way of manual processing by the International Bureau and offset reproduction and binding by a commercial printer. Taking into account the need for a rapid decision on the method of printing for the pamphlet and the Gazette, in order to allow the preparation of budgetary estimates for the initial period of operation of the PCT, the Working Group agreed that among the variants outlined in the said document, the third variant provided a printing method acceptable for the expected low volume of the printing work in the initial period, subject to the considerations in paragraph 14.

14. It was understood that the practicability and economic viability of a further variant outlined in the discussion, namely production of the master image of the front page by computer-assisted photocomposition and offset reproduction of that photocomposed front page as well as of the other typewritten parts of the international application by a commercial printer, would be further studied. It was suggested in this context that it could be possible, if the front page of the pamphlet were to be produced by computerized photocomposition, to use the machine-readable data carrier, which would include bibliographic data appearing on the front page and the abstract, for generating the Gazette entries as well as the indexes (and eventually also classified abstracts) and that the additional cost incurred in producing the front page by photocomposition might be offset by the savings derived from automatic production of Gazette entries and indexes from the same data base. It was also suggested that, by the time the International Bureau was in a position to use computer facilities for administrative purposes in relation to its other functions under the PCT and it had, in a machine-readable form, the necessary data for the preparation of the front page, computerized photocomposition could be envisaged. In this regard, the representative of the United States of America supplied to the Working Group information in relation to the cost of using in-house computer-assisted photocomposition.

15. The Working Group proposed the following procedure for the selection of the commercial printer who should be entrusted with the printing work in connection with the PCT publications (pamphlet, Gazette and annual indexes):

(i) Those of the countries represented in the Working Group willing to do so would nominate to the International Bureau, from among the commercial printers in such countries, one or more printers who seemed to be qualified for printing PCT publications and might be interested in tendering for the work. These printers should, in general, be selected from among those having successfully demonstrated experience in the actual printing of patent documents or other appropriate experience rendering them competent to perform the work. In preparation for the selection and nomination process, the countries would, if necessary, provide interested printers with a general description of the PCT publications and printing methods thereof based on existing working documents as well as on the conclusions reached by the Working Group. Any nomination of printers should reach the International Bureau by May 1, 1977, at the latest.

(ii) In the meantime, the International Bureau would, in cooperation with the United Kingdom and Switzerland, whose offers to assist the International Bureau in this matter were accepted with gratitude by the Working Group and the International Bureau, prepare detailed and precise specifications with respect to PCT publications as a basis for a call for tenders. The information mentioned in paragraph 46 of this report would be included in the specifications.

(iii) Since it was found desirable to conclude, for the initial operational period and to the extent feasible, only one contract for publication in all languages, the specification to be submitted to commercial printers should not provide for an offer limited to one or some of the languages. The specification should also call for offers relating to the distribution of the publication in order to enable a cost comparison between a system of distribution to regular subscribers to PCT publications by the International Bureau or by the commercial printer entrusted with the printing work.

(iv) The specification should also contain information permitting printers to include in their tender an offer for computer-assisted photocomposition of the front page of the pamphlet combined with the first section of the Gazette and the indexes. This could be on the basis of keyboarding by the printer.

(v) The specifications should be available by May 1, 1977, at the latest. On the basis of the nominations made by the countries, the International Bureau would, before June 1, call for tenders by using the above-mentioned detailed specification. The deadline for tenders from the commercial printers would be August 1, 1977.

(vi) Thereafter, the Director General of WIPO would select the printer to be retained and would, once agreement with the printer had been reached, start detailed preparations for the PCT publication in cooperation with that printer.

#### Draft Guidelines for Publication under the PCT

16. This part of the report reflects conclusions reached by the Working Group in relation to matters specified in the draft Guidelines, document PCT/AAQ/VII/4. No reference is made to paragraphs of the Guidelines which the Working Group found acceptable and on which no significant comment was considered necessary by the Working Group. Conversely, where the Working Group adopted a view on a point of substance or proposed a change, such view or change is specifically mentioned. The following paragraphs reflecting the conclusions of the Working Group are set out under the headings and paragraph numbers of the draft Guidelines for Publication.

#### Table of Contents

17. The Table of Contents, Annex, page 2, line 11, should read as follows:  
"Publication of the Amended Claims under Article 19 and Rule 48.2(f) of the PCT."

#### PART II--Form and Content of the International Publication of the International Application

18. Paragraph 40: Subparagraph (iii) should read as follows:  
"(iii) the claims, and the amended claims, if any;".

19. Paragraphs 46 and 47: When discussing the sequence of the elements of the pamphlet for the purpose of international publication under PCT Rule 48.2(a)(i) to (v), the Working Group agreed that whenever the international application was published in a language other than English and the international search report, or the declaration referred to in Article 17(2)(a), was therefore also published in English, the translation of the said international search report should immediately follow the report itself.

20. Paragraphs 50 and 51: Paragraph 51 should express the idea that technical preparation for publication of the pamphlet should end two (2) weeks before the expiration of the time limit of 18 months from the priority date at which international publication would occur. In view of the doubts raised as to the justification of a period of four (4) weeks for technical preparations, no indication as to the beginning of the period for technical preparations should be given.

#### Bibliographic Data

21. Paragraph 59: The INID Code "(23)" indicated in relation to the priority application(s) number(s) in subparagraph (i) should be replaced by "(31)". The Working Group agreed, in relation to the subject matter dealt with in subparagraph (iii), that a need existed to indicate whether the abstract appearing on the front page of the pamphlet was the abstract as originally filed by the applicant or as established by the International Searching Authority and asked the International Bureau to consider whether an indication to that effect should be included on the front page. With reference to the footnote to that paragraph, it was agreed that the different letter codes A1 to A5 concerning the identification of the kind of document to which the pamphlet related should be reduced so that letter code A1 (new) covered the subject matter of letter codes A1 and A2, letter code A2 (new) replaced letter code A3 and letter code A3 (new) included the subject matter of letter codes A4 and A5.



#### Abstract

22. Paragraphs 60 to 62: The Working Group agreed with the conclusion reached by the Working Group on Guidelines for International Search and for International Preliminary Examination, as set forth in paragraph 43 of the report of its first session (document PCT/WG/GSE/I/7), concerning the procedure to be followed in relation to establishment of the final text of the abstract for international publication. The Working Group agreed, furthermore, that in cases where no meaningful search was possible under Article 17(2)(a) and the applicant had not provided an abstract, the search examiner was not required to establish an abstract by virtue of PCT Rule 48.2(c). The Working Group also agreed that the procedure of continuing the abstract on the reverse side, set forth in paragraph 62, was compatible with PCT Rule 48.2(e).

#### Special Arrangement concerning Elements of the Front Page

23. Paragraph 63: The indication of which figure or figures should be published with the abstract should be included among the elements of the front page which were provided or verified by the International Searching Authorities.

#### Preparation of the Master Image of the Front Page for Offset Printing

24. Paragraphs 65 to 69: Of the three variants as to the methods of printing, Variant 1 (computerized photocomposition) should not be retained having regard to the conclusions reached in the earlier discussion on the question (see paragraphs 11 to 14 above). Of the other two variants, Variant 3 (manual processing using front page with pre-printed entries) should be adopted subject to the use of Variant 2 (complete manual processing) in the exceptional cases where the space provided for entries was inadequate for the inclusion of the particulars that had to be entered.

#### Preparation of the Master Image for Offset Printing of the Description and Claims

25. Paragraphs 70 to 77: Having regard to the conclusions reached in paragraphs 11 to 14 of this report, the means of preparing the master image suggested in Variant 1 (use of the original document drawn up by the applicant) should be followed.

#### Publication of Amended Claims under Article 19 and Rule 48.2(f) of the PCT

26. Paragraphs 78 to 81: The International Bureau should exercise the choice offered by PCT Rule 48.2(f) to publish either the full text of the original and amended claims or the full text of the original version with the amendments specified only in exceptional situations in a way deviating from the presentation chosen by the applicant, where such deviation was justified by reasons of economy and easier comprehension.

#### The Drawings

27. Paragraph 84: It was agreed that the use of blue lines might not always be susceptible to satisfactory reproduction. Since, however, the use of blue lines was expressly provided by PCT Rule 11.13, the Working Group recommended to the Interim Committee that it make a proposal for the amendment of that Rule to the Assembly of the PCT Union in order to remove the possibility of drawings with blue lines. Furthermore, drawings should be printed recto only in the pamphlets.

Microfilming

28. Paragraph 94: A reference to 8-up aperture cards should be included.

Part III--The Gazette

Numbering of Successive Issues of the Gazette

29. Paragraphs 103 to 106: The Working Group agreed that the numbering of successive issues of the Gazette should be made by using yearly numbering series similar to the proposal formulated in paragraph 104 of the Draft Guidelines, on the understanding that the various different versions of the same weekly issue of the Gazette would be assigned the same edition number. It was also agreed that the cover page of each weekly issue of the Gazette should indicate the actual range of publication numbers of the international applications referred to in the main entries of the Gazette. This indication should not, however, interfere with the serial number identifying the issue of the Gazette.

First Section of the Gazette: Entries Containing Data Specified by the Administrative Instructions Taken from the Front Page of the Pamphlet, Drawings (if any) and Abstract (PCT Rule 86.1(i))

30. Paragraphs 112 to 124: Having regard to the conclusions reached in the consideration of the document containing a Comparative Analysis of Printing Methods (see paragraphs 11 to 14 above), discussion was concentrated on the method whereby the front pages of the pamphlets, whenever in English or French, would be used to produce master images for this section of the English or French edition of the Gazette, English or French equivalents to front pages being produced whenever pamphlets were not in the language required for the publication of the respective edition of the Gazette.

31. The Working Group established an ad hoc Working Party to give detailed consideration to the layout that might be adopted for the first section of the Gazette. In the light of the proposals of the ad hoc Working Party, which had centered its discussion on three possible layouts utilizing the front pages of pamphlets which had been suggested by members of the Working Group, it was agreed that it would be acceptable if the International Bureau adopted, at least on an interim basis, a method of producing the master image for each page of this section whereby the front pages of two pamphlets (or their equivalents in English or French, as the respective edition of the Gazette required) were reproduced side by side in A5 size, on each A4 page of the Gazette, their lines of print running parallel to the long edge of the page. The pages of the Gazette would be assembled so that, when opened out, two pages could be read without changing the position of the Gazette. The entries should be arranged in ascending numerical order of the publication numbers of the corresponding published international applications and the Gazette should contain an index showing the international publication numbers grouped according to the International Patent Classification symbols. International applications having been assigned several classifications according to the IPC should be referred to under each relevant IPC symbol of the index, it being understood, however, that this principle should not apply to the "supplementary" and "complementary" classification according to the IPC.

32. The following possible uses of this section of the Gazette were noted:

(i) use for general information purposes of the technical and bibliographical information content of the entries;

(ii) use for the building up of temporary abstract files;

(iii) use for the building up of classified abstract card files for the carrying out of searches.

33. Owing to the fact that the layout approved by the Working Group satisfied the primary objective of the Gazette, which corresponded to the first use but might not be well adapted to the other two uses, the Working Party suggested that further consideration might be given by the International Bureau to other layouts which, while taking into account budgetary implications, could better meet the needs of the three kinds of uses. Furthermore, the Working Group expressed the view that, to the extent that the said uses were not met by the Gazette, the International Bureau should investigate the provision of a classified abstract service meeting such needs. In this regard, consideration should be given to two possible layouts suggested to the Working Group and considered by the ad hoc Working Party which could be compatible with the classified abstract service envisaged for the European Patent Office, as well as to other possibilities. If those investigations showed that for enabling an integrated production of front pages, Gazette and/or classified abstracts, a modified layout of the first section of the Gazette would be desirable, the layout of this part of the Gazette and its method of production should be modified accordingly.

34. In the first of the layouts suggested by a member of the Working Group, this section of the Gazette would be subdivided into two parts, the first comprising entries containing the bibliographic data and the second comprising the abstracts and drawings accompanied by a limited amount of bibliographic data for identification purposes. Each page of the first part would comprise the entries obtained by reproducing the upper parts of the front pages of three pamphlets without reduction in size, while each page of the second part would comprise two A5 entries obtained by the reproduction of the abstract and the drawing appearing in the lower part of the front pages of two pamphlets without reduction.

35. In the second of the suggested layouts, each sheet of this section of the Gazette would have, on its front side, two A5 size entries reproducing the bibliographic data of two pamphlets and, on its reverse side, also two A5 size entries containing the abstracts and the drawings of the same pamphlets, so that each half of a sheet could be used as an A5 card with corresponding bibliographic data. The corresponding entries could be obtained by reproduction of each half of the front page of the pamphlet.

36. The Working Group took note of the interest of the Interim Committee of the European Patent Organisation in the envisaged further consideration of the layout of this section of the Gazette from the viewpoint of the achievement of a solution compatible with the envisaged classified abstract service of the European Patent Office.

#### Other Sections of the Gazette

37. Paragraph 126: Subparagraphs (iii) and (v) should read as follows:

"(iii) publication of any notification issued by a designated Office under PCT Rules 29.2 (finding by designated Office) or 51.4 (notification to the International Bureau with respect to unjustified refusal, declaration or finding referred to in Article 25(1) (PCT Rule 48.6(b));"

"(v) publication of corrigenda;"

and the following subparagraph (vii) should be added at the end of subparagraph (vi):

"(vii) announcement of the later publication of the international search report which was not available at the time of publication of the international application."

38. Paragraph 128: subparagraphs (i) and (ii) should read as follows:

"(i) Index of concordance of international application numbers and international publication numbers, grouped according to international application numbers;"

"(ii) international publication numbers grouped according to designated States, including an indication of those States for which a "regional patent" is sought;"

Having regard to the conclusion reached in relation to subparagraph (ii), the Working Group agreed that an asterisk should be utilized in the index corresponding to Appendix I to signal designations where a regional patent was sought.

Subparagraph (iii) should read as follows:

"(iii) applicants' name index giving, for each name, the corresponding international publication number(s)."

Having regard to this conclusion, the Working Group agreed that whenever co-applicants of an international application appeared in the index corresponding to Appendix J, each applicant should be listed in alphabetical order. Moreover, the offer of the Interim Committee of the European Patent Organisation (EPO) and the International Patent Documentation Center (INPADOC) to cooperate in a further study of the various systems available for arranging indexes of applicants in alphabetical order was accepted with gratitude by the International Bureau.

39. Paragraph 133: The Working Group asked the International Bureau to study whether the Gazette should properly include information relating to notices under PCT Rule 35.1 and Article 45(2).

40. Paragraph 135: The International Bureau was invited to consider the inclusion of information as to States which had newly ratified or acceded to the Patent Cooperation Treaty (together with any reservations made by the said States under Article 64).

#### General Organization of the Gazette

41. Paragraph 136: It was agreed that the contents of the cover page referred to in subparagraph (i) should also include the range of corresponding international publication numbers contained therein (see paragraph 29 above).

#### Part IV--Cumulative Indexes

42. Paragraphs 137 to 139: With regard to cumulative indexes appearing in the Gazette, it was proposed, at least for the early operational period of the PCT and until a break-even point could be reached, that such indexes should be produced only annually. The Working Group further proposed that during the aforementioned early operational period, the cumulative indexes should consist of (1) applicants' name indexes and corresponding international publication numbers, and (2) indexes of international publication numbers grouped according to the International Patent Classification symbols. In view of the approach adopted by the Working Group concerning the cumulative indexes to be published, it was further proposed to publish the cumulative indexes separately from the Gazette for the convenience of the user.

#### Part V--Abstract Service and Information Brochures

43. Paragraphs 140 to 146: Reference is made to paragraphs 30 to 36 of this report.

#### Appendices

44. Appendix D: The layout and presentation of the front page of the pamphlet illustrated in Appendix D as a possible alternative was not considered appropriate by the Working Group.

45. Appendix E: The Working Group suggested the following improvements to the layout and presentation of the sample front page illustrated in Appendix E:

(i) Heading: The heading should indicate that the document was an international application published under the PCT. The space used for the identification of the issuing Organization and for the heading should be substantially reduced.

(ii) Bibliographic data appearing in the upper frame: These bibliographic data should, as far as possible, be moved to the upper corners of the upper frame in order to increase the space available for the other data appearing in the next frames. The international publication number and the International Patent Classification symbol(s) should appear in bold type, with larger characters.



(iii) Bibliographic data appearing in the left-hand middle frame: Additional space should be provided for the identification of the applicant(s) and inventor(s) resulting possibly from the reduction in size of the headings. It was, however, understood in this context that the problems raised by the variable length of this bibliographic information should be solved by using different types of pre-printed front pages designed to meet various situations.

(iv) Drawing and Abstract: The possibility should be given of adopting a flexible layout of the lower frame in order to accommodate drawings elongated in one direction, e.g. drawings elongated in the vertical direction should be presented on the left or right side of the abstract. It was understood that, wherever the abstract appeared in two languages, this principle would apply to the English version of the abstract, which appeared first.

(v) If there was not enough room for the totality of the abstract on the front page (this situation would occur in particular when the abstract appeared in two languages) the part of the abstract which continued on the reverse side of the front page should appear at the bottom part of that side.

(vi) If, in exceptional cases, the reproduction of the whole of certain bibliographic information (e.g., numerous applicants) on the front page would lead to the elimination, on that page, of the drawing and the abstract, part of that bibliographic information should appear on the reverse side of the front page and the items of bibliographic information continued on the reverse side should be signalled by an asterisk on the front page. However, this practice should be avoided as far as possible, in view of its undesirable consequences for the information value of the front page.

46. Appendix F: When discussing the sample published pamphlet contained in this Appendix, the Working Group decided that the detailed and precise specifications with respect to PCT publications as a basis for a call for tenders from commercial printers should include the printing of the international publication numbers on all pages of the pamphlet obtained by reproduction of documents submitted by the applicant or the International Authorities. The Working Group agreed with the interpretation of PCT Rules 44.2(a) and 48.2(a)(v) mentioned in item (2) of the corrigenda to document PCT/AAQ/VII/4, contained in Annex E to document PCT/WG/GPD/I/3, in accordance with which page 11 of Appendix F would be omitted. The Working Group also suggested that an example of publication of an international application in a language other than English be added to this Appendix.

47. The Working Group agreed that the drawings, if any, should always be published recto only and should appear on a right-hand page.

48. The Working Group agreed that, although the extra-wide margins appearing in this Appendix were a requirement of PCT Rules 11.6(a) and (b), such margins were uneconomical and should be reduced. The Working Group proposed therefore to the Interim Committee that it should make a recommendation to the Assembly of the PCT Union for the amendment of PCT Rule 11.6(a) and (b) to the effect that in both paragraphs the third line and the words "of other sheets" in the fourth line should be deleted.

#### FORM OF PUBLICATION OF THE INTERNATIONAL SEARCH REPORT

49. Discussions were based on the following documents:

(i) Draft Forms under the Administrative Instructions (Part III) (PCT/AAQ/VII/9)--International Search Report Form (Form PCT/ISA/210);

(ii) Proposal received from the Secretariat of the Interim Committee of the European Patent Organisation (PCT/AAQ/VII/16);

(iii) Report of the seventh session of the Interim Committee (PCT/AAQ/VII/19, paragraphs 151 to 156).

50. The Working Group, in analyzing the advantages and disadvantages of the two kinds of search report form under consideration, recognized that the use of Form PCT/ISA/210 for publication purposes would lead to a duplication of the bibliographic data appearing on the front page of the pamphlet. It furthermore was of the opinion that the abstract which also appeared on the front page of the pamphlet should not appear again in the pamphlet in connection with the search report. The elimination of duplicative material would lead not only to economies but also to a more acceptable presentation of the material for the user. Since the proposed form contained in document PCT/AAQ/VII/16 was an attempt to meet those objectives, the Working Group felt that a presentation of the international search report along the general lines of that proposal, leading to a single-page international search report, would, for the reasons stated above, be a more acceptable solution. At the same time, the Working Group recognized, however, that the proposed approach was not compatible with the requirements of the Regulations under the PCT and could therefore only be implemented after the necessary amendments to the Regulations had been made.

51. On the other hand, the Working Group was of the opinion that the International Search Report Form (PCT/ISA/210), while not fully meeting the objectives stated above, was compatible with the Regulations. It was consequently felt that, since Form PCT/ISA/210 fully reflected the requirements of the Regulations, it was not useful to consider any modification of it without, at the same time, considering amendment of the Regulations.

52. In view of the foregoing considerations, the Working Group suggested that the International Bureau undertake a study with the objective of presenting to the Interim Committee at its autumn 1977 session an alternative version of the International Search Report Form, meeting the objectives of the proposal contained in document PCT/AAQ/VII/16, submitting, at the same time, proposals with respect to any amendments to the Regulations which would seem to be a necessary prerequisite for the adoption of that alternative version.

53. Pending any decision of the Interim Committee taken as a result of the study to be undertaken by the International Bureau, the present Form PCT/ISA/210 should be maintained as the International Search Report Form annexed to the Administrative Instructions.

#### DRAFT GUIDELINES ON THE PRESENTATION OF DRAWINGS UNDER THE PATENT COOPERATION TREATY

54. Discussions were based on document PCT/AAQ/VII/11, containing draft Guidelines on the Presentation and Execution of Drawings under the Patent Cooperation Treaty, and on document PCT/WG/GPD/I/5, containing Guidelines for Drawings (Chapter X of Guidelines for Formalities Examination in the European Patent Office), adopted by the Interim Committee of the EPO.

55. The Working Group, having noted that a final version of Guidelines for Drawings had recently been adopted by the Interim Committee of the EPO (hereinafter referred to as "the final EPO Guidelines"), decided to base its work in relation to Guidelines on the Presentation and Execution of Drawings under the Patent Cooperation Treaty (hereinafter referred to as "the PCT Guidelines") on the final EPO Guidelines contained in document PCT/WG/GPD/I/5, in view of the fact that the draft Guidelines contained in document PCT/AAQ/VII/11 were based on an earlier draft of Guidelines for Drawings prepared for consideration in the framework of the Interim Committee of the EPO, from which a significant amount of material had been deleted in the course of the elaboration of the final EPO Guidelines.

56. The Working Group decided, nevertheless, that material of an informative nature relating to the manner of execution of drawings could be useful, since the framework of the PCT was broader than that of the regional system established under the European Patent Convention, and should therefore be retained in an Annex to the PCT Guidelines. The main body of the PCT Guidelines would be elaborated with a similar objective to that of the final EPO Guidelines, that is, having a primary purpose of serving Authorities rather than applicants and draftsmen.

57. Since some members of the Working Group pointed to the impossibility of discussing in detail a draft which had been distributed only during the session, the Working Group decided to abstain from a detailed discussion of the new draft. Nevertheless, the Working Group undertook a brief review of the final EPO Guidelines with a view to assisting the International Bureau in preparing draft PCT Guidelines on the basis of the final EPO Guidelines, while reserving to any member of the Working Group the possibility of presenting to the International Bureau, by May 1, 1977, comments on the final EPO Guidelines. The representative of the United States of America offered to review the final EPO Guidelines in detail and to return to the International Bureau within the same time limit a copy showing the amendments and references necessary for PCT Guidelines. This offer was accepted with gratitude.

58. During the brief survey of the final EPO Guidelines, the Working Group noted the following specific items which deserved particular attention:

(i) it was questioned whether the possibility of deletion of parts of drawings by white masking fluids should be maintained;

(ii) the methods for the fastening of sheets of drawings of the international application should be further investigated;

(iii) the question should be examined whether amendments to drawings always required the submission of replacement sheets in order to retain the original version of the drawings.

59. In addition to the elaboration of the PCT Guidelines on the basis of the discussion of the final EPO Guidelines, the International Bureau was entrusted with the task of preparing an annex to the said Guidelines containing information relating to the manner of execution of drawings. The said information would be based on material contained in document PCT/AAQ/VII/11 and would take into account such suggestions by members of the Working Group as were submitted to the International Bureau by May 1, 1977.

60. In view of the results achieved during this session of the Working Group, no present need was felt for the Working Group to have a further session before the autumn 1977 session of the Interim Advisory Committee for Administrative Questions.

61. This report was unanimously adopted by the Working Group at its closing meeting on February 25, 1977.

[Annex follows]

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. STATES/ETATS

AUSTRIA/AUTRICHE

Mr. G. GALL, Ratssekretär, Federal Ministry of Trade and Industry, Austrian Patent Office Vienna

FRANCE

M. P. GUERIN, Attaché de direction, Institut national de la propriété industrielle, Paris

GERMANY (FEDERAL REPUBLIC OF)/ALLEMAGNE (REPUBLIQUE FEDERALE D')

Mr. U. C. HALLMANN, Regierungsdirektor, German Patent Office, Munich

Mr. N. HAUGG, Oberregierungsrat, German Patent Office, Munich

JAPAN/JAPON

Mr. I. SHAMOTO, Appeal Examiner-in-Chief, Department of Appeal, Patent Office, Ministry of International Trade and Industry, Tokyo

NETHERLANDS/PAYS-BAS

Mr. J. DEKKER, Vice-President, Netherlands Patent Office, Rijswijk (Z.H.)

SOVIET UNION/UNION SOVIETIQUE

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