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WORLD INTELLECTUAL PROPERTY ORGANIZATION
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**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)**

COMMITTEE OF EXPERTS

Thirty-First Session
Geneva, February 25 to March 1, 2002

**RULES OF PROCEDURE AND WORKING METHODS OF THE
COMMITTEE OF EXPERTS**

Document prepared by the International Bureau

1. According to Article 5(4) of the Strasbourg Agreement Concerning the International Patent Classification, the Committee of Experts shall adopt its own Rules of Procedure. The latest version of Rules of Procedure was adopted by the Committee of Experts at its twenty-sixth session held in March 1998 (see Annex VI to document IPC/CE/26/8).
2. Rule 5 of the Rules of Procedure specifies the status of special observers in sessions of the Committee of Experts, namely of State members of the Paris Union which are not members of the IPC Union but which have pledged special contributions to defray the expenses of the IPC Union in a given year. This Rule is no longer valid since the introduction of the unitary contribution system at WIPO, as the budget of the IPC Union is now part of the budget of the contribution-financed Unions in the Program and Budget of the Organization and the Unions administrated by WIPO. It is proposed, therefore, to delete this Rule.
3. The International Bureau proposes to include in the Rules of Procedure a new Rule 5 specifying that Member States of WIPO which are not members of the IPC Union, as well as interested organizations, may be given observer status in the sessions of the Committee of Experts. In view of the abolition of certain WIPO publications, the International Bureau also proposes some changes to Rule 8 of the Rules of Procedure.

4. The Rules of Procedure modified as proposed are included as the Annex to this document. The text proposed for deletion is indicated by square brackets, the new text is underlined.
5. The International Bureau also proposes to specify in greater detail the working methods of the Committee of Experts as disclosed below.
6. The working methods of the Committee of Experts and its working groups should be of sufficient flexibility to manage a project or a task in a dynamic manner and to provide for increased use of electronic working which would allow for issues to be considered by a maximum number of experts. The overall mandate of the Committee of Experts should be to provide policy guidance with regard to the development of the IPC, to consider the reports of the working groups as to whether their activities are in line with overall objectives of the development of the IPC and to establish work programs of the working groups.
7. The working groups should have authority to further specify their work programs. In respect of the IPC revision requests, a simplified procedure has already been authorized by the Committee allowing submissions of the revision request directly to the IPC Revision Working Group.
8. The Committee should also authorize the IPC Revision Working Group to carry out the work on the introduction in the electronic layer of the IPC of the electronic data, such as classification definitions, illustrating chemical formulae and informative references, and to approve this data, when appropriate, without submitting them for adoption to the Committee which will carry out monitoring of this work.
9. With regard to the tasks of IPC reform, the ad hoc IPC Reform Working Group should be authorized to modify the title and scope of the task, as needed, and accept new tasks to the reform program proposed by its members, if appropriate. Decisions of the ad hoc IPC Reform Working Group regarding new tasks and changes to existing tasks should be based on the overall policy laid down by the Committee and should be reported to the Committee for its adoption.
10. The Working Groups are empowered to create Task Forces to carry out short-term, focused activities. Emphasis will be placed on working by electronic means but physical meetings may be held, as necessary.
11. Discussion of IPC revision projects and of other tasks of the IPC Revision Working Group is carried out electronically, through submission of proposals and comments to the IPC electronic forum which is structured with regard to major activities of the Working Group, such as revision projects, definition projects, translation projects. Alternatively, the IPC revision list server may be used for other submissions.

12. Discussion of IPC reform tasks is carried out electronically through submission of proposals and comments to the IPC reform list server. In the future, activities of the ad hoc IPC Reform Working Group and certain tasks which could be carried out by the Committee of Experts itself will also be incorporated in a structured form in the IPC electronic forum. The forum will become a central place for discussion of all activities concerned with the development of the IPC.

13. Meeting documentation will be handled electronically with the exception of the letter of invitation and the agenda. The agenda will indicate the meeting documents available on the WIPO IPC Web site and an address to contact should paper copies be required. A limited number of paper copies will be available for delegates at the meeting.

14. The Committee of Experts is invited to adopt its modified Rules of Procedure and its working methods.

[Annex follows]

ANNEX

RULES OF PROCEDURE
OF THE COMMITTEE OF EXPERTS OF THE IPC UNION

(Article 5(4) of the Strasbourg Agreement Concerning the
International Patent Classification (of 1971), as amended in 1979)

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Committee of Experts of the IPC Union (hereinafter called “the Committee of Experts”) and of the subcommittees and the working groups established by it, in accordance with Article 5(3)(v) of the Strasbourg Agreement Concerning the International Patent Classification (of 1971), as amended in 1979 (hereinafter referred to as “the Agreement”), shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions of the Agreement, by the resolution of the Assembly of the IPC Union of October 7, 1975, and by the provisions set forth hereinafter.

Rule 2: Representation and Expenses of Delegations of Member States and Organizations

- (1) Each delegate may represent one State only.
- (2) The expenses of each delegation shall be borne by the Government or the Organization which has appointed it.

Rule 3: Sessions

- (1) The Committee of Experts shall meet in ordinary session at least once every two years on convocation by the Director General.
- (2) The Committee of Experts shall meet in extraordinary session on convocation by the Director General at the request of one-fourth of the States members of the Committee.
- (3) Subcommittees and working groups established by the Committee of Experts shall meet at such times and at such places as may be determined by the Director General in consultation with the Chairman of the subcommittee or working group concerned.

Rule 4: Subcommittees and Working Groups

(1) When establishing any subcommittee or working group, the Committee of Experts shall determine its terms of reference and the frequency of its sessions, and shall designate

(i) its members from among the States members of the IPC Union, and

(ii) such States from among the States not members of the IPC Union [and from among States having special observer status according to Rule 5] as shall be invited to be represented by observers.

(2) The African Intellectual Property Organisation (OAPI), the African Regional Industrial Property Organization (ARIPO), the Eurasian Patent Organization (EAPO) and the European Patent Organisation (EPO) shall be invited to participate in the sessions of any subcommittee or working group established by the Committee of Experts.

Rule 5: [Special Observers] Observers

[(1) Any State member of the Paris Union which is not a member of the IPC Union but which has pledged special contributions to defray the expenses of the IPC Union in a given year shall, during that year, have the status of special observer in all sessions of the Committee of Experts and of any subcommittee or working group established by the Committee of Experts with respect to which the said State declares that it wishes to have the status of special observer.

(2) Any special observer shall have the right to make proposals in any of the sessions referred to in paragraph (1).

(3) Any special observer shall have the right to make proposals for amendments to the IPC.]

(1) Member States of WIPO which are not members of the IPC Union may participate as observers in sessions of the Committee of Experts and of any subcommittee or working group established by the Committee of Experts.

(2) The Committee of Experts may invite to participate as observers in its sessions and of any subcommittee or working group established by the Committee of Experts interested intergovernmental organizations and international non-governmental organizations, as well as organizations providing information services in the field of patent information.

Rule 6: Status of Intergovernmental Organizations Referred to in Articles 5(2) and 5(4) of the Agreement

(1) Article 5(2)(a) of the Agreement shall apply to the African Intellectual Property Organisation (OAPI), the African Regional Industrial Property Organization (ARIPO), the Council of Europe (CE), the Eurasian Patent Organization (EAPO) and the European Patent Organisation (EPO).

(2) As far as the African Intellectual Property Organisation (OAPI), the African Regional Industrial Property Organization (ARIPO), the Eurasian Patent Organization (EAPO) and the European Patent Organisation (EPO) are concerned, Article 5(4) of the Agreement shall also apply.

Rule 7: Officers

(1) In the first meeting of a calendar year, the Committee of Experts shall elect a Chairman and two Vice-Chairmen. They shall remain in office until the election of new officers.

(2) Any subcommittee established by the Committee of Experts shall have a Chairman and two Vice-Chairmen. They shall be elected by the subcommittee in the first meeting of a calendar year. They shall remain in office until the election of new officers.

(3) Any working group established by the Committee of Experts shall have a Chairman and one Vice-Chairman. They shall be elected by the working group in the first meeting of a calendar year. They shall remain in office until the election of new officers.

(4) Any outgoing Chairman or Vice-Chairman may be immediately re-elected to the office which he has held.

(5) Where the Chairman or Acting Chairman is the only member of the delegation of the State of which he is a national, he may vote in his capacity of delegate.

(6) Representatives of the intergovernmental organizations referred to in Rule 6(2) may be elected as officers of the Committee of Experts or of any subcommittee or working group established by the Committee of Experts.

Rule 8: Publication of the Report

The report on the work of each session of the Committee of Experts, or a summary drawn up by the International Bureau, shall be published in the review [*Industrial Property and Copyright*] WIPO Magazine or on the WIPO Web site on the Internet.