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ORIGINAL: Spanish

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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

DIPLOMATIC CONFERENCE FOR THE ADOPTION OF THE PATENT LAW TREATY

Geneva, May 11 to June 2, 2000

ARTICLES 5 AND 22

Proposal by the Latin American and Caribbean Group (GRULAC)

The Latin American and Caribbean Group (GRULAC) has submitted the following proposals:

Article 5

Filing Date

(1) [*Elements of Application*] (a) Subject to paragraphs (2) to (8), a Contracting Party shall provide that the filing date of an application shall be [no later than] the date on which its Office has received all of the following elements, filed, at the option of the applicant, on paper or by other means permitted by the Office.

(i) an express or implicit indication to the effect that the elements are intended to be an application;

(ii) indications allowing the identity of the applicant to be established or allowing the applicant to be contacted by the Office;

(iii) a part which on the face of it appears to be a description.

(b) A Contracting Party may, for the purposes of the filing date, accept a drawing as the element referred to in subparagraph (a)(iii).

(c) For the purposes of the filing date, a Contracting Party may require both information allowing the identity of the applicant to be established and information allowing the applicant to be contacted by the Office, or it may accept evidence allowing the identity of the applicant to be established or allowing the applicant to be contacted by the Office, as the element referred to in subparagraph (a)(ii).

(d) A Contracting Party may, for the purposes of the filing date, require payment of a fee within a month following receipt of the elements referred to in subparagraph (a).

Article 22

Reservations

(1) [*Reservation*] Any State or intergovernmental organization may declare through a reservation that the provisions of Article 6(1) shall not apply to any requirement relating to unity of invention applicable under the Patent Cooperation Treaty to an international application.

(2) [*Modalities*] Any reservation under paragraph (1) shall be made in a declaration accompanying the instrument of ratification of, or accession to, this Treaty of the State or intergovernmental organization making the reservation.

(3) [*Withdrawal*] Any reservation under paragraph (1) may be withdrawn at any time.

(4) [*Prohibition of Other Reservations*] No reservation to this Treaty other than the reservation allowed under paragraph (1) shall be permitted.

[End of document]