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PLT/A/1/4

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WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

**PATENT LAW TREATY
(PLT)**

ASSEMBLY

**First (1st Ordinary) Session
Geneva, September 26 to October 5, 2005**

REPORT

adopted by the Assembly

1. The Assembly was concerned with the following items of the Consolidated Agenda (document A/41/1): 1, 2, 3, 4, 5, 6, 18, 26, 28 and 29.
2. The report on the said items, with the exception of item 18, is contained in the General Report (document A/41/17).
3. The report on item 18 is contained in the present document.
4. Mrs. Darina Kyliánová (Slovakia) was elected Chair of the Patent Law Treaty Assembly; Mrs. Biserka Strel (Slovenia) and Mr. Usman Sarki (Nigeria) were elected Vice-Chairs. The Secretariat welcomed the participants to the inaugural session of the Assembly.

ITEM 18 OF THE CONSOLIDATED AGENDA
MATTERS CONCERNING THE PLT ASSEMBLY

Rules of Procedure

5. Discussions were based on document PLT/A/1/1.
6. The Delegation of Denmark suggested that the words “his delegation” in Rule 7(4) be replaced by the words “the delegation” and that the words “from the Ministry of Foreign Affairs, or” in Rule 7(5) be replaced by the words “from either the Ministry of Foreign Affairs or”. The Secretariat acknowledged the improvement of the draft.
 7. The Assembly unanimously adopted its Rules of Procedure contained in document PLT/A/1/1, as amended in paragraph 6 above.

Applicability of Certain Amendments and Modifications of the Patent Cooperation Treaty (PCT) to the Patent Law Treaty (PLT)

8. Discussions were based on document PLT/A/1/2.
9. The Assembly unanimously:
 - (i) decided that the amendments and modifications of the PCT, its Regulations and the Administrative Instructions Under the PCT indicated in document PLT/A/1/2 as applicable applied for the purposes of the PLT and its Regulations;
 - (ii) adopted the amendments of the Regulations under the PLT contained in the Annexes to document PLT/A/1/2; and
 - (iii) decided that the amendments referred to in item (ii) above shall enter into force on January 1, 2006.

Future Work

10. Discussions were based on document PLT/A/1/3.
11. The Delegation of Denmark welcomed any initiative which would make pre-Assembly consultations easier and pave the way for a smooth decision on agenda items of future PLT Assemblies.
12. The Delegation suggested that the Assembly decide how many ratifications of the PLT would be sufficient in order for the Secretariat to start work on the Model International Forms and the request Form. Acknowledging that it might be difficult to suggest a specific number of ratifications, because the number of applications filed in Member States could also play a role, the Delegation suggested that, in order to speed up the process, the preparation of the Model International Forms and the request Form could start immediately, so that those Forms

would be available when more ratifications were received. In the Delegation's view, the relevant number of countries should be as low as possible.

13. The Delegation of Croatia supported the proposal made by the Delegation of Denmark.

14. The Assembly unanimously:

(i) approved the establishment of consultation processes prior to each PLT Assembly for the preparation of the Model International Forms and the request Form as well as for reviewing the applicability of revisions, amendments and modifications of the PCT to the PLT, as set out in paragraphs 3 and 7 of document PLT/A/1/3; and

(ii) decided that the preparation of the Model International Forms and the request Form should start immediately.

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