

# WIPO



PCT/CAL/III/5

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WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

INTERNATIONAL PATENT COOPERATION UNION  
(PCT UNION)

PCT COMMITTEE  
FOR ADMINISTRATIVE AND LEGAL MATTERS

Third Session, First Part  
Geneva, July 2 to 6, 1990

REPORT  
OF THE FIRST PART OF THE THIRD SESSION

*adopted by the Committee*

## INTRODUCTION

1. The third session of the PCT Committee for Administrative and Legal Matters (hereinafter referred to as "the Committee") was convened in Geneva From July 2 to 6, 1990. The Committee decided to adjourn the session since it could not complete its agenda because of lack of time, and to hold the second part of its session from September 17 to 21, 1990. Consequently, the present document contains the report on the first part of the session. The report on the second part of the session will appear in a separate document.

2. The following members of the Committee were represented at the session: (i) the following 21 States, members of the International Patent Cooperation Union (PCT Union): Australia, Austria, Canada, Democratic People's Republic of Korea, Denmark, Finland, France, Germany (Federal Republic of), Hungary, Italy, Japan, Netherlands, Norway, Republic of Korea, Romania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America; (ii) the European Patent Office (EPO), in its capacity as International Searching and International Preliminary Examining Authority.

3. The following eight non-governmental organizations were represented by observers: American Bar Association (ABA), Committee of National Institutes of Patent Agents

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(CNIPA), Federal Chamber of Patent Attorneys (FCPA), Federation of German Industry (BDI), International Association for the Protection of Industrial Property (AIPPI), International Federation of Industrial Property Attorneys (FICPI), Japanese Patent Attorneys Association (JPAA), Union of Industrial and Employers' Confederations of Europe (UNICE).

4. The list of participants is contained in Annex I to this report.

#### OPENING OF THE SESSION

5. Mr. A. Schäfers (Deputy Director General, WIPO) opened the session and welcomed the participants.

#### ELECTION OF CHAIRMAN

6. The session unanimously elected Mr. L. Maassel (United States of America) as Chairman and Mr. S. de Vries (Netherlands) and Mr. E. M. Buryak (Soviet Union) as Vice-Chairmen. Mr. B. Bartels (WIPO) acted as Secretary of the Committee.

#### ADOPTION OF THE AGENDA

7. The Committee adopted for its session the agenda appearing in Annex II to this report.

#### CONSIDERATION OF PROPOSED AMENDMENTS TO THE REGULATIONS UNDER THE PCT

8. The Committee considered proposed amendments as appearing in documents PCT/CAL/III/2, 3 and 4 and also several informal proposals made by delegations. It approved unanimously the proposed amendments to the following Rules\* as appearing in document PCT/CAL/III/2: Rules 3.1, 3.4, 11.6(a) and (e), 11.7(b), 15.4(d), 20.3*bis*, 33.1(c), 38.2(a), 42.1, 43.1, 43.7, 43.8, 44.2, 44.3(c) and (d), 46.2, 49.5(e) and (k), and 51*bis*.2(c).

9. Concerning the proposed amendments to the Rules referred to below, the Secretariat noted various clarifications or drafting changes proposed by members of the Committee. The International Bureau was requested to prepare revised proposals with due regard to the suggestions made. The following paragraphs reflect only selected important points made in interventions. Other details were noted by the Secretariat.

10. Rule 2.2. It was generally agreed that an amendment to Rule 2.2 would be necessary and that such amendment should also refer to agents appointed for the procedure before the International Searching Authority for the purpose of international search and possibly also for the procedure before the International Bureau. It was stressed that the relationship between Article 49 and Rule 2.2 should be clarified.

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\* References in this report to "Articles" are to those of the Patent Cooperation Treaty (PCT) and to "Rules" to those of the Regulations under the PCT or to the proposed Rules contained in documents PCT/CAL/III/2 to 4, as the case requires.

11. Rule 3.3(a). It was agreed that proposed Rule 3.3(a)(ii) should be redrafted by the International Bureau along the lines of explanatory note 2 (page 10 of document PCT/CAL/III/2) and that the introductory sentence of Rule 3.3(a) should be reworded.
12. Proposed Rule 3.3(a)(iii) was accepted subject to deletion of the words “on the front page of the pamphlet”. The Delegation of Japan reserved its position.
13. Rules 4.1(b)(iv) and 4.9(a). There was general support for the aim of the amendments to these provisions so far as they sought to provide a simplified mechanism for designating States party to a regional patent treaty, subject to resolving a number of matters outlined in the following paragraphs. A revised draft should be proposed by the International Bureau.
14. The Delegation of the EPO pointed out, in connection with proposed Rule 4.9(a), that a designation of a State or States party to the European Patent Convention (EPC) cannot be made by simply designating the EPO States themselves must be designated, whether individually or collectively. It would be sufficient, however, to simply designate all States party to a specified regional patent treaty or indicate the name and/or two letter code of one State with the indication “et al.”
15. The representatives of several non-governmental organizations emphasized the need for applicants to be able, if desired, to designate in the request only some of the States party to the EPC.
16. It was suggested that the revision of the Rules relating to designation of States party to a regional patent treaty should have due regard to the future implementation of the Community Patent Convention.
17. In connection with the proposed use under Rule 4.9(a) of two-letter codes as an abbreviated method of indicating countries, it was agreed that the use of such codes alone should be permissible, but that the printed forms should show both the country names in full and the codes in order to minimize mistakes which might otherwise occur.
18. It was observed that the use of two-letter codes was already authorized by Section 201 of the Administrative Instructions. The International Bureau would therefore study the question whether such an authorization was required in the Regulations themselves.
19. The reference in proposed Rule 4.9(a) to a “regional Office”, a term which does not appear elsewhere in the Treaty or Regulations, should be avoided and should be replaced by a reference to the Office which grants a regional patent.
20. Rule 4.4(c). Noting that the word “telecopier” was a registered trademark in Japan, it was agreed that another expression would be used. The proposal should be revised and refer, in general terms, to modern communication means, perhaps listing some examples, so as to permit, in future, the inclusion in the request of an indication relating to a new means of communication without the need for a Rule change.
21. Rule 4.9(b) and (c). It was agreed that the International Bureau should review its proposal. The practice of the EPO with regard to “precautionary designations” should be studied to assess whether a similar practice would be compatible with the PCT and could be

used under the PCT. The representatives of the non-governmental organizations stressed the importance of provisions which would allow more flexibility in correcting errors in designations. Such a possibility could be subject to the payment of a surcharge.

22. The review of the proposal concerning Rule 4.9(b) should include a study of whether it was necessary to make at least one designation according to proposed Rule 4.9(a) at the time of filing and whether a general designation of all States was compatible with Articles 4(1) and 11.

23. The revised proposal should, furthermore, provide that the confirmation notice, if any, and payments of any fees for designations under the new Rule 4.9(c) should be made to the receiving Office instead of to the International Bureau. The time limit for payment should be 15 months from the priority date, rather than 16 months, to ensure that designations made under that Rule would be included in the publication of the international application.

24. Rule 4.10(b). The amendment of Rule 4.10(b) was approved, as proposed. However, the Delegation of the Netherlands reserved its position and considered that Rule 4.10 should remain unchanged as, in its opinion, the said Rule was dealing with missing rather than with erroneous indications.

25. Rule 5.2. There was general agreement that the Regulations be amended to include specific provisions for descriptions of nucleotide and/or amino acid sequences.

26. It was suggested by several delegations that proposed Rule 5.2(a)(i) should indicate more clearly that the sequence listing using symbols be part of the description.

27. It was also suggested by several delegations that the provision of a sequence listing in computer-readable form under proposed Rule 5.2(a)(ii) should not be mandatory for the applicant. It was agreed that the International Searching Authority should be entitled, however, as a condition of searching, to require that a sequence listing over a certain length be provided in computer-readable form. This may need to be addressed in the Agreements between WIPO and the International Searching Authorities.

28. It was suggested, in connection with Rule 5.2(b), that the standards for symbols and the format of sequence listings developed by the EPO, the Japanese Patent Office and the United States Patent and Trademark Office in the framework of their trilateral cooperation should be used as the basis for the future procedure under the PCT and that the necessary provisions should be included in the Administrative Instructions.

29. It was agreed that the International Bureau should study the possibility of relocating the provisions of proposed Rule 5.2, wholly or partly, in other Rules (such as Rule 10) or in a separate-Rule (e.g. new Rule 13<sup>ter</sup>).

30. Rule 11.6(f). It was agreed that the possibility of allowing indications of applicants file references with more than ten characters should be studied.

31. Rule 11.8(b), as proposed to be amended, was approved subject to minor modifications.

32. Rule 13. The Delegation of the United States of America introduced, in addition to the amendments to other Rules proposed by the International Bureau, a proposal to amend

Rule 13 which was supported by the Delegations of the EPO and the Soviet Union. The amendment was intended to contribute to a more uniform interpretation of the Rule by International Searching Authorities when making decisions about unity of invention. The text of proposed Rule 13 corresponded to the provision on unity of invention in the draft treaty on the harmonization of patent laws. Several delegations, however, were of the opinion that it was premature to consider those amendments.

33. Rules 15.1 and 15.5. It was agreed that these Rules should be revised in the context of the new proposal for amendment of Rule 4.9(b) (see paragraphs 21 to 23 above). There was general agreement that the fee, and the surcharge referred to in Rule 15.5, should be paid to the receiving Office and in national currency instead of to the International Bureau in Swiss francs. It was further generally agreed that the fee and surcharge of 50% would be due for each additional designation, no matter how many.

34. Rule 15.6(b). The proposed amendment was supported subject to the addition, after the word “refunded”, of the words “by the receiving Office”, and of an express provision enabling the International Bureau to refund the international fee after transmittal of the record copy where such refund was justified in the circumstances.

35. The proposed Rule should also apply where the international application was “considered to have been withdrawn” and language to that effect should be included in the Rule.

36. Rule 16.2. The proposed amendment was supported subject to revision to ensure that it would also apply where the international application was “considered to have been withdrawn”. Language to that effect should be included in the Rule.

37. The Delegation of Japan pointed out that the Japanese Patent Office would face a legal problem in refunding search fees in the circumstances provided in proposed Rule 16.2, and believed that the question of such refunds should be left to the International Searching Authority to decide.

38. After discussion about including a possible limitation on the time within which the receiving Office must transmit the search fee to the International Searching Authority, it was felt that the question was adequately covered by the recently revised PCT Receiving Office Guidelines which dealt with the point.

39. Rule 16bis.1. It was generally agreed that the proposal was acceptable subject to some drafting changes in paragraphs (a) and (b), the deletion of paragraph (c), and a study of the possibility of combining paragraphs (d) and (e) into one paragraph. The remaining paragraphs should be renumbered. It was further decided that the International Bureau should clarify, in the explanation of the proposed amendment, that it was compatible with the provisions of Article 14(3)(a), the Delegation of Japan having raised doubts in that respect.

40. Rule 16bis.2. The discussion revealed considerable problems for several delegations to accept such a Rule. Therefore the proposal was withdrawn by the International Bureau. The Delegation of the United States of America expressed the desire that some solution be found to the problem of repeated payment by cheques which were subsequently not honored.

41. Rule 17.2(b). The proposed amendment was accepted with the understanding that the International Bureau would not make available to third parties copies of the priority document if the priority claim had been withdrawn before international publication and that this should be stated in the Rule. The Delegation of Sweden did not agree with the proposal.
42. Rules 18.3, 18.4(a) and (b). There was a majority in favor of the proposed amendment. The Delegations of Japan and the Netherlands questioned whether the proposed amendment would be in accordance with the spirit of Article 9. The explanation of the proposed amendment should clarify this issue.
43. Rule 19.4. While the proposed Rule as drafted raised serious difficulties for many delegations, there was strong support from both delegations and representatives of non-governmental organizations for the concept that a remedy should be available where an application was filed with a “non-competent” receiving Office. The Delegation of the EPO indicated a reservation.
44. It was agreed that the International Bureau should prepare a revised proposal drawing on the possibilities presented by Articles 10 and 11 and Rule 19.1(b). For example, the Regulations could establish some kind of automatic agency arrangement among all receiving Offices. The revised proposal should also include provision for an additional transmittal fee where such a procedure was involved, so as to guard against possible abuse and to ensure that the “non-competent” receiving Office concerned received adequate payment for processing.
45. Rule 20.1(a). The amended Rule was approved subject to the deletion of the words “in the space provided for that purpose” and replacement of the word “in” by the word “on”.
46. Rule 20.4(c). The Committee agreed that it would be desirable to find a way of solving the problem addressed by the proposal. Some delegations believed that the wording of the proposal gave rise to a conflict with Article 11 in relation to the “prescribed language” and the consequences of non-compliance with that requirement. It was agreed that the International Bureau should revise the proposal, exploring different drafting approaches, with a view to avoiding any such conflict (e.g. by an amendment of Rule 12).
47. Rule 23.1. The proposed amendment was generally supported. The Delegation of Japan made a reservation. It was agreed that the International Bureau should study what actions and notifications would be required for smooth processing and where the appropriate provision should be located (e.g., PCT Receiving Office Guidelines, PCT Search Guidelines, Administrative Instructions).
48. Rule 24.2(a). The Committee agreed with the omission of the indication of the name of the receiving Office as well as the omission from the notification to applicants of information about any extended time limit applicable in the designated Offices. Delegations differed as to the need to notify designated Offices. It was agreed that the International Bureau should prepare a revised proposal meeting the needs of those Offices which, under national law, were obliged to publish bibliographic data at an early stage. The International Bureau should explore the possibilities for provision of information in statistical or list form so as to meet the needs of such Offices and of Offices which require figures relating to designations for planning purposes. The Delegation of the EPO suggested that there should be provision for an International Searching Authority to elect not to receive notifications from the International Bureau concerning the receipt of record copies.

49. The revised proposal should be drafted bearing in mind its relationship to the proposal to revise Rule 4.9(a) (see paragraphs 13 to 19, above).
50. Rule 26.5(b). A majority of delegations agreed that the principle of declaring the international application withdrawn as a whole was too severe and that it would be desirable to allow the international application to be declared withdrawn only with respect to certain States. However, some drafting changes were required and the International Bureau should revise the proposal accordingly.
51. Rule 26.5(c). The Committee considered two alternative proposals by the Delegations of Australia and the United States of America, each suggesting that the subject matter of proposed Rule 26.5(c) be dealt with in Rule 4.15. Both of the alternative texts were felt to be too complex and a majority of the Committee was basically in favor of the proposal by the International Bureau. That proposal, however, should be reviewed in the light of the discussion and a suitable location for the provisions should be sought (e.g. in Rule 4.15 or in Rule 26.5). It was agreed that a corresponding proposal should also be prepared in relation to signatures on the demand.
52. Rule 29.1(a)(ii) and (b). It was agreed that the proposal to amend these provisions should be reviewed in the light of the revised proposal to amend Rule 24.2(a) (see paragraphs 48 and 49, above).
53. Rules 32 and 32bis. Discussion on the proposed amendments of these Rules was deferred until discussion of the proposed Rule 90bis.
54. Rule 33.1(c). The proposal to revise this provision was approved. In addition, it was agreed that the International Bureau should study the need for any related amendment of Rules 33.1(b), 64.2 and 64.3.
55. Rule 36.1(ii). In addition to the proposal prepared by the International Bureau, an alternative proposal by the Delegation of Australia was discussed. The Committee agreed to the Australian proposal, subject to examination by the International Bureau for consistency with Article 15.4, as follows:
- “(ii) that Office or organization must have available to it adequate means to identify and access those documents of at least the minimum documentation referred to in Rule 34 which are relevant for the purposes of international search.”
56. Rule 38.2(b). Subject to deletion of the second sentence and clarification that the time limit would start from the date of mailing of the international search report, the Committee agreed with the proposal.
57. Rule 39.1(vii). The Committee generally agreed with the Concept of the proposed amendment., The International Bureau should revise the wording so as to be consistent with the related proposal to amend Rule 5.2 (see paragraphs 25 to 29, above).
58. Rule 42.1. This proposal was approved. The International Bureau should, however, redraft the text suggested for inclusion in the Administrative Instructions and remove from that text the indication of a specific time limit.

59. Rule 43.5(e). The Committee agreed to the proposed amendment subject to drafting changes which should allow for a certain flexibility for the case in which the identification of passages of particular relevance would be difficult or inappropriate.
60. Rule 43.6(c). The Committee agreed that the international search report should indicate the name of any electronic data base to which the search extended or on which it was based, but some delegations believed that it would be impracticable, at least in every case, to also require an indication of the search terms used in accessing the data base. Delegations agreed that their Offices would seek expert and user views on the matter and inform the International Bureau with a view to the preparation of a revised proposal for reconsideration by the Committee. Some changes in wording were suggested.
61. Rule 43.8. This proposal was adopted. It was noted that the name might be indicated by a seal.
62. Rule 43.9. The proposed amendment was approved subject to deletion of the reference to Rule 44.2(b), should that Rule be deleted as proposed, and some drafting changes were suggested.
63. Rule 47.1(a). Since this proposed Rule was linked to the proposal relating to Rule 24.2, it was agreed that it would be advisable to review it in the light of the comments made with regard to the latter Rule (see paragraphs 48 and 49, above). The International Bureau should redraft Rule 47.1 and distinguish between the communication under Article 20 and its contents, and documents and notifications which accompany or are sent together with such communication. The Committee suggested that consideration should be given to the possibility of sending the notices referred to in Rule 47.1 by electronic means.
64. Rule 47.4. There was general agreement with the amended wording as proposed. At the same time it was agreed that an equivalent Rule would be needed for the cases of early commencement of the national phase before the elected Offices provided for under Article 40(2).
65. Rule 48.2(viii). The amendment proposed by the International Bureau and an additional proposal by the Delegation of the EPO were discussed. The Delegation of the EPO proposed to allow for the possibility that a part of a reference to a deposited microorganism may be contained in both the description and on a separate sheet furnished under Rule 13bis. Consequently, it was suggested that the words “or not only” be inserted after the word “not”.
66. Rule 48.6. It was decided that discussion on this matter be postponed until the discussion of Rule 90bis.
67. Rule 49.5(c-bis). Views on the desirability of proposed Rule 49.5(c-bis) differed greatly. The representatives of the users of the PCT urged the adoption of such a Rule. The Delegation of the EPO believed that the possibility of disregarding amendments of claims without giving an opportunity to furnish a translation was too severe a sanction. The Delegations of Japan, the United Kingdom and the United States of America opposed the proposal because it was not compatible with their national law. It was also observed that the designated Offices should inform applicants about the applicable requirements and that time limits for furnishing the translation of the international application could only be extended by



the national law, for which reason the Delegation of the Netherlands could not accept the proposal.

68. Rule 49.5(h). The Delegations of Japan, the Netherlands, the United Kingdom and the United States of America stated that this matter should be left to the national law, whereas the Delegations of Australia and of the EPO supported the proposal, the latter, however, with the proviso that the proposed amendment should only be made if Rule 49.5(c-bis) was also amended. It was agreed to retain the proposal subject to a reconsideration of the matter at the next session of the Committee for ultimate conclusion.

69. Rule 53.1. The amended Rule as proposed was accepted. The International Bureau should also review the provisions on formal requirements in the Regulations and the corresponding Administrative Instructions for clarity and consistency with Rule 53.1.

70. Rule 53.2(a)(v). The Committee accepted the proposal in principle. The wording of the Rule should be changed to be consistent with the title of Rule 53.9.

71. Rule 53.9. The Committee decided that the International Bureau should redraft this Rule in view of various comments offered by several delegations. It was stated, in particular, that a declaration, as provided for by the proposed amendment, should not be binding for the applicant. The Delegation of the EPO suggested that the declaration should be binding only in relation to the commencement of the international preliminary examination by the International Preliminary Examining Authority. The Delegation of the Netherlands reserved its position, since it felt that the applicant, when defining the subject matter of interest to him to be examined, might have a legitimate need to use any time still available to him under the provisions of Chapter I.

72. Other provisions of Rule 53 and subsequent proposed Rule changes in document PCT/CAL/III/3 were not discussed during the first part of the third session.

73. Rule 86. A general discussion took place with respect to the two following basic questions:

(i) should, irrespective of the language question, the abstracts and the drawings (if any) continue to be published in the PCT Gazette, and

(ii) should, if the publication of the abstracts and drawings in the PCT Gazette were to continue, the Gazette be published in English and French.

74. With respect to the question referred to in paragraph 73(1), above, the Delegation of Switzerland, supported by the Delegations of the Federal Republic of Germany, Japan, Italy and Canada, stated that no answer could be given until the interested circles of their respective countries could be given the opportunity to voice their opinions on the question. Therefore, more time was needed to investigate this question, and the suggested implementation of the proposed changes on January 1, 1991, was considered premature. The above-mentioned delegations suggested that the question be further debated by the Committee at its next session, after further reflection by the Offices concerned in the light of the opinions expressed by interested circles.

75. Concerning the same question, the Delegations of France and Japan stressed the importance of the abstracts and drawings as sources of patent information and searching tools, and emphasized the need to publish abstracts and drawings in the PCT Gazette. The Delegation of Japan stated that the abstracts and the drawings, if any, should in any case be published in the PCT Gazette in the English language. The Delegation of France underlined the fact that the use of CD-ROMs, while being an extremely useful and-powerful way of disseminating patent information, could not, at least for the time being, substitute for the publication in paper form of the information contained in abstracts and drawings. The representatives of several non-governmental organizations also stressed the importance of abstracts and drawings published in official gazettes as indispensable carriers of information, especially for screening purposes.

76. With respect to the question referred to in paragraph 73(ii), above, the Delegations of France and Canada underlined the fact that the proposed changes in the PCT Gazette would lead, in a vast majority of cases, to a situation where the French versions of the abstracts of the PCT international applications would no longer be published and declared that they could not accept such a situation. The Delegation of France stressed the importance of the publication of patent information in the French language for the international community, not only for French-speaking countries, but also for countries where French was a widely used language and constituted a tool for communicating with other countries.

77. Referring to the same question, the Delegation of the United States of America expressed its concern about the fact that the cost of translating the abstracts into French for the purpose of producing the PCT Gazette was supported by the applicants through the payment of the basic fee and that a majority of those applicants did not use the French language.

78. The Delegation of the Soviet Union stated that it could support the changes proposed by the International Bureau. However, the Delegation suggested that PCT pamphlets, as well as PCT front pages, be distributed to PCT Authorities and national Offices in CD-ROM format.

79. The Chairman closed the general discussion on the above-mentioned questions by stating that, in the absence of any clear conclusion, the various points of view expressed would be included in the report of the present meeting so that the Director General could bring them to the attention of the Assembly of the PCT Union, should he decide to put the matter on the agenda of the latter's next session.

80. Notwithstanding the views expressed during the general discussion, the Committee reviewed the proposed amendments to Rule 86. The following interventions were made with respect to those amendments.

81. Rule 86.2. The Delegation of the Netherlands suggested, with respect to the data to be published in the PCT Gazette, to add an indication of the language of publication of the international application under INID Number (26). The Delegation of the EPO supported the proposal to publish the title of the invention in other languages than English and French.

82. Rules 86.3 and 86.4. It was agreed that the frequency of publication of the PCT Gazette as well as the subscription and other sales prices of the Gazette should be fixed by the Director General. The Delegation of Japan, however, suggested that Rule 86.3 provide for a minimum frequency of publication of the Gazette.

83. Rule 86.5. The Delegation of the Netherlands expressed the opinion that there was no need to provide, in the Regulations, for a specific title of the PCT Gazette, and that such a title should be left to the discretion of the Director General.

84. Rule 86.6. It was agreed that this Rule should be kept in its present wording.

#### OTHER MATTERS

85. The Delegation of the EPO informed the Committee of the high costs for the Office resulting from protests under Rule 40.2(c). The EPO was at present studying what measures could be taken to remedy the situation, and, in particular, the possible charging of a fee to the applicant. The Delegation was considering the need for an appropriate amendment, which the Delegation would then put to the Committee in due course.

86. This report was unanimously adopted by the Committee on July 6, 1990.

[Annexes I and II follow]

ANNEXE I/ANNEX I

LISTE DES PARTICIPANTS/LIST OF PARTICIPANTS

I. MEMBRES DU COMITE/MEMBERS OF THE COMMITTEE

(dans l'ordre alphabétique français des noms des États)  
(in the French alphabetical order of the names of the States)

ALLEMAGNE (RÉPUBLIQUE FÉDÉRALE D')/GERMANY (FEDERAL REPUBLIC OF)

Detlef SCHEN M , Deputy Head, Patent Law Division, Federal Ministry of Justice, Bonn

AUSTRALIE/AUSTRALIA

Bruce MURRAY, Director, Operational Policy, Patent, Trade Marks and Designs Offices, Canberra

AUTRICHE/AUSTRIA

Eckehardt ENDLER, Deputy Head, Technical Department XVII, Austrian Patent Office, Vienna

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DANEMARK/DENMARK

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Sonja Clara BJERREGAARD CHRISTIANSEN (Mrs.), Head of Section, Industrial Property Department, Danish Patent Office, Copenhagen

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Miguel HIDALGO LLAMAS, Jefe del Servicio de Relaciones Internacionales, Registro de la Propiedad Industrial, Madrid

Juan IBAÑEZ BALLANO, Jefe de la Sección de Patente Europea y del PCT, Registro de la Propiedad Industrial, Madrid

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Vincent TURNER, Administrator, International Division, Patent and Trademark Office, Department of Commerce, Washington, D.C.

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Maarit Helena LÖYTÖMÄKI (Mrs.) Head of Section, National Board of Patents and Registration, Helsinki

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Jacques VERONE, Responsable de la section administrative du PCT et des demandes européennes, Institut national de la propriété industrielle, Paris

Alice de PASTORS (Mme), Ingénieur en chef, Institut national de la propriété industrielle, Paris

HONGRIE/HUNGARY

Margit SÜMEGHY (Mrs.), Head, Legal Section, National Office of Inventions, Budapest

ITALIE/ITALY

Bruno GRADI, Chef de Division, Ministère de l'industrie, du commerce et de l'artisanat, Rome

JAPON/JAPAN

Kunishige SATO, Director, PCT Affairs Office, Japanese Patent Office, Tokyo

Shigeo TAKAKURA, First Secretary, Permanent Mission, Geneva

NORVÈGE/NORWAY

Ingolf LILLEVIK, Head of Division, Patent Department, Norwegian Patent Office, Oslo

PAYS-BAS/NETHERLANDS

Siep de VRIES, Member of the Patents Council, Netherlands Patent Office, Rijswijk

REPUBLIQUE DE CORÉE/REPUBLIC OF KOREA

Joon-Kyu KIM, Attaché (Intellectual Property), Permanent Mission, Geneva

RÉPUBLIQUE POPULAIRE DEMOCRATIQUE DE CORÉE/DEMOCRATIC PEOPLE'S  
REPUBLIC OF KOREA

Chang Rim PAK, Counsellor, Permanent Mission, Geneva

ROUMANIE/ROMANIA

Ion CONSTANTIN, Examiner, State Office for-Inventions and Trademarks, Bucharest

Carola-Anca ANGELESCU (Mrs.), Legal Adviser, State Office for Inventions and Trademarks, Bucharest

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Hugh J. EDWARDS, Senior Examiner, Patent Practice Unit, The Patent Office, London

SUÈDE/SWEDEN

Jan-Eric BODIN, Deputy Head, Patents, Royal Patent and Registration Office, Stockholm

Marie ERIKSSON (Ms.), Lawyer, Royal Patent, and Registration Office, Stockholm

SUISSE/SWITZERLAND

Peter MESSERLI, Chef du Service juridique I, Office fédéral de la propriété intellectuelle, Berne

Karl GRÜNIG, Chef de la Section administrative des brevets, Office fédéral de la propriété intellectuelle, Berne

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Evgueny M. BURYAK, Deputy Head of Division, All-Union Scientific Research Institute of State Patent Examination (VNIIGPE), State Committee for Inventions and Discoveries, Moscow

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Larissa GRUSZOW (Mme), Administrateur principal, Affaires juridiques internationales, Munich

Brigitte M. GÜNZEL (Mme), Juriste, Direction “Droit des brevets”, Munich

Bertil WELM, Examineur, Direction Générale 2, Munich

Jacques VAN AUBEL, Chef de groupe. Section de dépôt, Rijswijk

II. ORGANISATIONS NON GOUVERNEMENTALES/  
NON-GOVERNMENTAL ORGANIZATIONS

American Bar Association (ABA): Michael N. MELLER (International Activities Coordinator, PTC Section)

Association internationale pour la protection de la propriété industrielle (AIPPI)/International Association for the Protection of Industrial Property (AIPPI): Gaylord E. KIRKER (Vice-président du groupe suisse de l'AIPPI)

Chambre fédérale des conseils en brevets (FCPA)/Federal Chamber of Patent Attorneys (FCPA)/Patentanwaltskammer (PAK), Federal Republic of Germany: Eugen POPP (Patent Attorney)

Comité des instituts nationaux d'agents de brevets (CNIPA)/Committee of National Institutes of Patent Agents (CNIPA): Eugen POPP (Patent Attorney)

Fédération de l'industrie allemande (BDI)/Federation of German Industry (BDI): Reinhard KOCKLAUNER (Representative, c/o Hoechst AG, Frankfurt am Main)

Fédération internationale des conseils en propriété industrielle (FICPI)/International Federation of Industrial Property Attorneys (FICPI): Heinz BARDEHLE (President of Honor); Peter ROSTOVANYI (PCT Reporter)

Japanese Patent Attorneys Association (JPAA): Kaichi SHISHIDO (Member of International Activities Committee); Teruyuki YAMAGUCHI (Member of Patents Committee)

Union des confédérations de l'industrie et des employeurs d'Europe (UNICE)/Union of Industrial and Employers Confederations of Europe (UNICE): Alain DECAMPS (Solvay & Cie, Bruxelles); Reinhard KOCKLAUNER (Representative, c/o Hoechst AG, Frankfurt am Main)

### III. BUREAU/OFFICERS

Président/Chairman: Louis MAASSEL (Etats-Unis d'Amérique/United States of America)

Vice-Présidents/Vice-Chairmen: Siep de VRIES (Pays-Bas/Netherlands)  
Evgueny M. BURYAK  
(Union soviétique/Soviet Union)

Secrétaire/Secretary: Busso BARTELS (OMPI/WIPO)

### IV. BUREAU INTERNATIONAL DE L'ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE (OMPI)/INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Alfons SCHÄFERS, Vice-directeur général/Deputy Director General

Division de l'administration du PCT/PCT Administration Division: Daniel BOUCHEZ (Directeur/Director); Teruhisa SHIMOMICHI

Division juridique du PCT/PCT Legal Division: Busso BARTELS, Chef/Head; Vitaly TROUSSOV; Philip M. THOMAS; Isabelle BOUTILLON (Mlle)

[L'annexe II suit/Annex II follows]



ANNEX II

**AGENDA**

**adopted by the Committee**

1. Opening of the session
2. Election of a Chairman and two Vice-Chairmen
3. Adoption of the agenda (this document)
4. Consideration of proposed amendments to the Regulations under the PCT  
(see documents PCT/CAL/III/2, 3 and 4)
5. Other matters
6. Adoption of the report of the session
7. Closing of the session

[End of Annex II and of document]