

# WIPO



WORLD INTELLECTUAL PROPERTY ORGANIZATION  
UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY

## PATENT COOPERATION TREATY

PCT FINANCING WORKING GROUP

Second Session: Geneva, February 11 and 12, 1971

REPORT

prepared by the International Bureau

### Introduction

1. The Patent Cooperation Treaty (PCT) Financing Working Group (hereinafter referred to as "the Working Group") held its second session at Geneva on February 11 and 12, 1971, pursuant to an invitation addressed to its members by the Director General of WIPO.
2. The Working Group was set up by the Executive Committee of the Paris Union for the Protection of Industrial Property ("Paris Union") in its fourth session. Its membership was enlarged by the fifth session of the said Committee. Its present members are Canada, France, Germany (Federal Republic), Italy, Japan, the Netherlands, the Soviet Union, Sweden, Switzerland, the United Kingdom, and the United States of America (11).
3. All the members were represented except Italy. The list of participants is attached to this Report (Annex II).
4. Mr. G. Borggård (Sweden), Chairman of the Working Group, presided. Dr. Arpad Bogsch, First Deputy Director General of WIPO, acted as Secretary of the Working Group.
5. The discussions were based on document PCT/FWG/II/2.

Program for 1972

6. The Delegation of the United States of America said that program activities should be deferred to the extent possible, that non-urgent matters should not be dealt with, and that the maximum possible economy should be achieved.

7. The Working Group noted without comment the program suggested by the three PCT Interim Committees which met from February 8 to 11, 1971, and the fact that the final program would be established by the Executive Committee of the Paris Union in September 1971.

Total of Special Contributions for 1972

8. The Delegation of France said that its Government could not take a final position until it saw the details of the budget. The level of the proposed total was not contested provided the said details justified it.

9. The Delegation of Germany (Federal Republic) agreed with the previous speaker. It asked that the document to be submitted to the Executive Committee of the Paris Union show also how actual expenditure compared with the budget in previous years.

10. The Delegation of the United Kingdom said that the suggested total seemed to be reasonable but the final view of its Government was reserved until more details were available. It wished to know how much of the budget would be earmarked for the program recommended by the Interim Committee for Technical Assistance.

11. The Delegation of the United States said that it did not object to the proposed target amount. However, irrespective of the amount of the budget, non-urgent matters should be deferred to save as much money as possible, and no unnecessarily large staff should be built up until it was known when the PCT would enter into force.

12. The Delegation of Canada said that, under the proposal considered, its country's contribution would be higher than expected and this might cause some difficulties. However, such difficulties might be overcome. The proposed total seemed to be acceptable.

13. The Delegation of the Soviet Union said that it had no objections to the proposed total but that its Government would need more details on the budget before being able to take a final position.

14. The Secretary said:

(i) that the details of the budget for 1972 would be very similar to those which were contained in the budget for 1971 (the difference between the two budgets was only 10%) and would be included in a document to be prepared for the Executive Committee of the Paris Union; it was expected that the document would be prepared and transmitted to the member States in the course of March 1971;

(ii) that comparisons between budgeted and actual expenditures would be furnished to the extent possible but warned that such comparisons would not be very meaningful since only the 1971 budget was comparable in size to the 1972 budget and the actual expenditure figures for 1971 would not be available when the budget document for 1972 was being prepared,

(iii) that, as far as the program suggested by the Interim Committee for Technical Assistance was concerned, very little, if any, expenditure would be charged to the 1972 PCT budget since any technical assistance project of the kind envisaged in the PCT should be covered from UNDP and other non-PCT and non-WIPO funds, and since much of the manpower problem in the preparatory stages (where no UNDP funds were yet available) would be solved if, as hoped, a person were to be loaned by the German Patent Office,

(iv) that the program for the most urgent matters was, in itself, of such dimensions that it was not probable that expenditures would be less than income, but that the International Bureau would, as in the past, do its best to economize wherever possible.

15. The Working Group approved the amount of \$220,000 as the total of the special contributions on which the detailed budget for 1972 should be based.

#### Specifying the Amount of Special Contributions

16. The Delegation of the United Kingdom suggested that the 12 countries which had not signed the PCT but which, for 1971, were on the list of countries for which specific amounts

were suggested (hereinafter referred to as "the list") should be among the countries on the list for 1972 since lack of signature did not necessarily mean lack of interest. Furthermore, it considered that those 8 signatory countries which were not included in the list for 1972 because of the smallness of the amounts which would be suggested for them should also be included in the said list since the amount of the expected contributions was not a sufficient reason for distinguishing between signatories.

17. The Delegation of France, agreeing with the opinion of the International Bureau, felt that it was doubtful whether the 12 States which had not signed the PCT would agree to contribute since they had no direct influence on the PCT program. That program was shaped by the Interim Committees, of which only signatories were members. Those of the non-signatories which were on the list for 1971 could, without being included in the list, nevertheless be approached in order to find out whether they might possibly agree to pay contributions for 1972. For the time being, the list for 1972 should be limited to the States named on page 8 of document PCT/FWG/II/2.

18. The Delegation of Germany (Federal Republic) expressed the same view as the Delegation of the United Kingdom. It added that the 12 States which were on the list for 1971 but not on the list proposed for 1972 because they had not signed the PCT could and should be associated with the work of the three PCT Interim Committees, and might possibly be accorded the right to vote in those Committees or be admitted as observers.

19. The said Delegation also asked that the payments made by each State for 1971 should be shown in the detailed budget document for 1972.

20. The Secretary said that a list of actual payments made for 1971 would not be very meaningful since most States were expected to pay only after the budget document for 1972 had been prepared. However, a list of the pledges made for 1971 would be included in the said document. In the experience of the International Bureau, pledges made were always honored.

21. The Working Group decided that the list for 1972 should consist of the States named on page 8 of document PCT/FWG/II/2. The Working Group also approved the proposal contained in the said document that all Paris Union countries not included in the list should be invited as well to pay special contributions.

Basis for Calculating the Special Contributions for 1972

22. Without discussion, the Working Group accepted the basis for calculating the special contributions for 1972 as proposed in document PCT/FWG/II/2.

Long-Range Estimates

23. On a question from the Delegation of the United Kingdom, the Secretary said that, barring unforeseen circumstances, it was expected that the carrying out of the program suggested by the Interim Committees would last from four to five years and would cost US \$220,000 in 1972, approximately 10% above that sum (i.e., US \$242,000) in 1973, and so on for each succeeding year, that is, approximately 10% more each year than in the previous year. If the principles for computing the percentages concerning the various States are, as expected, maintained, the participation of each State in the said yearly amount would, subject to any variations in the applicable statistics, be proportionately the same as that shown in the table appearing in PCT/FWG/II/2. (That table is attached to this report as Annex I.)

24. This Report was unanimously adopted by the Working Group in its closing meeting on February 12, 1971.

/Annexes follow/

PCT/FWG/II/5  
ANNEX I

Country (Statistics for 1969)	A Number of national applications	B Number of outgoing applications	C Number of incoming applications	Total of the numbers under A, B, and C	Percentage (100% = 1,393,948)	Share for 1972 Expressed in	
						US \$ (100% = \$220,000)	Swiss francs (100% = Sfr. 950,400)
United States	101,515	134,157	30,507	266,179	19.12	42,064	181,720
Germany (Fed. Rep.)	66,626	72,634	33,532	172,792	12.41	27,302	117,945
Japan	105,586	24,087	28,454	158,127	11.35	24,970	107,870
United Kingdom	63,614	37,696	37,710	139,020	9.98	21,956	94,850
Soviet Union	118,998	4,633	4,546	128,177	9.19	20,218	87,342
France	45,393	27,756	32,419	105,564	7.57	16,654	71,945
Canada	31,360	5,286	29,546	66,192	4.75	10,450	45,144
Italy	33,129	10,399	25,870/2	56,463	4.05	8,910	38,491
Switzerland	19,524	26,456	13,674/2	52,817	3.79	8,338	36,020
Netherlands	19,700	13,526	17,269	50,495	3.62	7,964	34,404
Sweden	18,158	10,777	13,825	42,760	3.07	6,754	29,177
Belgium	17,614	4,489	16,158/2	30,182	2.16	4,752	20,528
Austria	12,150	3,834	9,728	25,712	1.84	4,048	17,487
Brazil	10,493	140	6,564	17,197	1.23	2,706	11,690
Denmark	6,932	2,689	6,025	15,646	1.12	2,464	10,644
Argentina	7,330	441	5,500	13,271	0.95	2,090	9,029
Norway	5,189	1,057	4,313	10,559	0.76	1,672	7,223
Finland	3,803	1,152	2,915	7,870	0.56	1,232	5,322
Hungary	3,440	1,661	1,924	7,025	0.50	1,100	4,752
Yugoslavia	3,305	177	2,291	5,773	0.41	902	3,897
Romania	3,342	481	1,366	5,189	0.37	814	3,516
Israel	2,291	463	2,060	4,814	0.34	748	3,231
Luxembourg	2,391	447	2,307/2	3,991	0.29	638	2,756
Ireland	1,735	295	1,540	3,570	0.25	550	2,376
Philippines	1,149	40	1,109	2,298	0.16	352	1,521
Iran	843	23	761/2	1,246	0.09	198	855
United Arab Rep.	697	6	632/2	1,019	0.07	154	665
TOTAL	706,307	384,798	302,843	1,393,948	100.00	220,000	950,400

[End of Annex I]



ANNEXE II/ANNEX II

LISTE DES PARTICIPANTS  
LIST OF PARTICIPANTS

ETATS MEMBRES DU GROUPE DE TRAVAIL  
STATES MEMBERS OF THE WORKING GROUP

ALLEMAGNE (REPUBLIQUE FEDERALE)/GERMANY (FEDERAL REPUBLIC)

- Mr. R. SINGER  
Abteilungspräsident  
German Patent Office  
Munich
- Mr. K.-H. HOFMANN  
Abteilungspräsident  
German Patent Office  
Munich
- Mr. D. BERNECKER  
Oberregierungsrat  
Federal Ministry of Justice  
Bonn
- Mr. P.P. WRANY  
Regierungsrat  
Federal Ministry of Finance  
Bonn
- Mr. S. SCHUMM  
Counsellor  
Permanent Mission of the  
Federal Republic of Germany  
Geneva

CANADA

- Mr. G.A. ASHER  
Director  
Planning and Special Duties Division  
Patent and Copyright Office  
Ottawa

ETATS-UNIS D'AMERIQUE/UNITED STATES OF AMERICA

- Mr. R.D. TEGTMEYER  
Acting Assistant Commissioner for Appeals,  
Legislation and Trademarks  
U.S. Patent Office  
Washington, D.C.
- Mr. H.J. WINTER  
Chief, Business Practices Division  
Department of State  
Washington, D.C.
- Mr. R.A. SPENCER  
Acting Assistant Commissioner for Research  
and Development  
U.S. Patent Office  
Washington, D.C.
- Mr. H.D. HOINKES  
International Patent Specialist  
Office of Legislation and International  
Affairs  
U.S. Patent Office  
Washington, D.C.

FRANCE

- M. R. LABRY  
Conseiller d'Ambassade  
Ministère des Affaires étrangères  
Paris
- M. P. FRESSONNET  
Directeur Adjoint de l'Institut National de  
la Propriété Industrielle  
Paris
- M. P. GUERIN  
Attaché de Direction  
Institut National de la  
Propriété Industrielle  
Paris

JAPON/JAPAN

- Mr. I. SHAMOTO  
Chief Examiner  
Fourth Examination Division  
Patent Office  
Tokyo



PAYS-BAS/NETHERLANDS

Mr. J. DEKKER  
Vice President  
Netherlands Patent Office  
The Hague

ROYAUME-UNI/UNITED KINGDOM

Mr. I.J.G. DAVIS  
Principal Examiner  
Patent Office  
London

SUEDE/SWEDEN

Mr. G. BORGGÅRD  
Director General  
Royal Patent and Registration Office  
Stockholm

Mr. B. HANSSON  
Primary Examiner  
Royal Patent and Registration Office  
Stockholm

SUISSE/SWITZERLAND

M. W. STAMM  
Directeur  
Bureau fédéral de la propriété  
intellectuelle  
Berne

M. M. LEUTHOLD  
Chef de Section  
Bureau fédéral de la  
propriété intellectuelle  
Berne

UNION DES REPUBLIQUES SOCIALISTES SOVIETIQUES  
UNION OF SOVIET SOCIALIST REPUBLICS

Mr. Y. MAKSAREV  
Chairman of the Committee for Inventions and  
Discoveries attached to the Council of  
Ministers of the U.S.S.R.  
Moscow

Mr. V. KALININE  
Second Secretary  
Permanent Mission of the U.S.S.R.  
Geneva

ORGANISATION MONDIALE DE LA PROPRIETE INTELLECTUELLE (OMPI)  
WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Professor G.H.C. BODENHAUSEN, Directeur général/Director  
General

Dr. Arpad BOGSCH, Premier Vice-Directeur général/First  
Deputy Director General

Mr. K. PFANNER, Conseiller supérieur/Senior Counsellor,  
Chef de la Division de la propriété indus-  
trielle/Head of the Industrial Property  
Division

Mr. B.A. ARMSTRONG, Conseiller supérieur/Senior Counsellor,  
Chef de la Division administrative/Head  
of the Administrative Division

Mr. I. MOROZOV, Conseiller/Counsellor, Division de la Pro-  
priété industrielle/Industrial Property  
Division

BUREAU DE LA SESSION/OFFICERS OF THE SESSION

Président/Chairman : Mr. G. BORGGÅRD (Suède/Sweden)

Secrétaire/Secretary : Dr. Arpad BOGSCH (OMPI/WIPO)

/Fin de l'Annexe II et du document  
End of Annex II and of Document/