

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION

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**INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)**

**WORKING GROUP ON REFORM
OF THE PATENT COOPERATION TREATY (PCT)**

**Ninth Session
Geneva, April 23 to 27, 2007**

**PUBLICATION OF INTERNATIONAL APPLICATIONS
IN MULTIPLE LANGUAGES**

Document prepared by the Secretariat

SUMMARY

1. Following an objection by one delegation, proposals for amendment of the Regulations concerning publication of international applications in multiple languages were not submitted to the PCT Union Assembly in 2006. The Working Group is invited to discuss how it may wish to proceed with regard to those proposals.

BACKGROUND

2. Proposals for amendment of the PCT Regulations concerning publication of international applications in multiple languages (see document PCT/R/WG/8/3) were considered by the Working Group during its eighth session, held in May 2006. Noting the importance of the proposals for Offices and users of the PCT system but also the divergence of opinion among its members as outlined in document PCT/R/WG/8/9, paragraphs 22 to 28, the Working Group (see document PCT/R/WG/8/9, paragraph 29):

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“(a) approved the proposed amendments of the Regulations set out in the Annex to document PCT/R/WG/8/3, subject to the omission of certain proposed amendments, and to other changes, comments and clarifications, and to possible further drafting changes to be made by the Secretariat (document PCT/R/WG/8/9, paragraphs 29(a) and 32);

“(b) agreed that the proposed amendments should, provided that no delegation sends to the Secretariat a communication expressing the contrary view within two months from the date of adoption of the report of the eighth session of the Working Group, be submitted to the Assembly for consideration at its next session, in September-October 2006;

“(c) agreed to recommend to the Assembly that, in adopting the amendments, it adopt decisions to the following effect concerning entry into force and transitional arrangements:

“(i) any designated Office may, within three months from the adoption of the amendments, notify the International Bureau of the incompatibility of any of the Rules concerned with the national law applied by that Office;

“(ii) the amendments should enter into force allowing a sufficient interval after their adoption to enable convenient implementation, except if there are any notifications referred to in item (i), in which case the amendments should enter into force only after all such notifications have been withdrawn;

“(iii) if the amendments have not entered into force within five years from the date on which they are adopted, the Secretariat should resubmit the matter to the Assembly for review and further consideration.”

3. The Working Group (see document PCT/R/WG/8/9, paragraph 31) also agreed:

“that, if any delegation sends the Secretariat a communication referred to in paragraph 29(b) [of document PCT/R/WG/8/9], above [reproduced in paragraph 1(b), above], the matter should not be submitted to the Assembly in 2006 but rather that revised proposals should be prepared by the Secretariat, subject to further discussion via the PCT reform electronic forum, and submitted to the Working Group for consideration at its next session.”

4. In the event, the Secretariat received such a communication from one delegation. Consequently, the proposed amendments of the Regulations relating to publication of international applications in multiple languages, as referred to in paragraph 2, above, were not submitted to the Assembly in 2006.

RECENT DEVELOPMENTS

5. Following the 2006 session of the PCT Union Assembly, the Secretariat has had informal discussions with certain members of the Working Group with a view to addressing the divergence of opinion outlined in document PCT/R/WG/8/9, paragraphs 22 to 28. To date, however, those discussions have not been fruitful, and it appears that the divergence of opinion continues to exist.

6. *The Working Group is invited to discuss how it may wish to proceed with regard to the proposed amendments of the PCT Regulations relating to publication of international applications in multiple languages.*