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PATENT COOPERATION TREATY INTERIM COMMITTEE FOR TECHNICAL ASSISTANCE

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BRAZILIAN PROJECT

Progress Report prepared by the International Bureau

BACKGROUND TO THIS DOCUMENT

1. The PCT Interim Committee for Technical Assistance (hereinafter referred to as "the Interim Committee"), at its fifth session, held in Geneva from October 28 to November 3, 1975, discussed a progress report (see document PCT/TAS/V/3) on the Project for the Modernization of the Brazilian Patent System (Brazilian Project) and noted with appreciation the progress achieved. The Interim Committee expressed the strong desire that the work on this Project should continue with the same high priority as previously. This document contains a further progress report on the Brazilian Project.

2. It is recalled that:

(a) The long-range objective of the Brazilian Project is to assist the Government of Brazil in carrying out a complete and basic modernization of its patent system within the framework of the Brazilian National Institute of Industrial Property (INPI). The Project includes the creation of a bank of technical information consisting of patent and non-patent literature (including adequate retrieval systems), the introduction of modern searching and examining techniques, and the creation of systems for the effective dissemination of technological information to industry, in terms of materially improving the capability of the staff needed (including the training thereof).

(b) The duration of the Project is five years, consisting of a preparatory Phase I of two years' duration, and a final Phase II of three year's duration.

(c) Implementation of the Project by WIPO, under contract with the United Nations Development Programme (UNDP) (signed June 1973), started in October 1973.

PROVISION OF EXPERTS

3. Up to the end of June 1976, the services of 37 experts under contracts of varying duration from the following Offices had been utilized in order to assist WIPO in the implementation of this Project: Australian Patent Office, German Patent Office, International Patent Institute, Israel Patent Office, Japanese Patent Office, Netherlands Patent Office, Norwegian Patent Office, Swedish Patent Office, United Kingdom Patent Office and the United States Patent and Trademark Office. The availability of qualified experts from other patent Offices is known to the International Bureau and it can be expected that, in the future, other patent Offices will contribute to the implementation of the Project.

4. Experts' services provided through the Project up to the end of June 1976 have amounted to approximately 270 man-months. Training input and equipment furnished have a value totalling over US\$ 1.6 million.

5. What do these figures represent? Eleven full training courses (five in the chemical field, four in the mechanical field and two in the electrical field) in the classification of patent documents according to the International Patent Classification and in the searching and examination of patent applications, as well as the corresponding on-the-job training, have been provided (the fifth course in the chemical field is still in progress) for INPI's patent examiners. Advanced examination assistance, that is, advice in particularly difficult examination or appeal cases, has been provided since early 1976 in the chemical field and is, at present, being provided also in the two other fields--the electrical and mechanical fields.

ORGANIZATIONAL IMPROVEMENTS

6. In the organizational area, a new streamlined procedure for handling patent applications has been fully implemented with the help of word-processing equipment provided under the Project. Among other administrative measures introduced, a new system of numbering patent applications has been adopted; the handling of formal examination matters is now being carried out on an up-to-date basis. In preparation for the implementation of EDP in the near future, a feasibility study was carried out in 1975, which showed that improvement in the operation of INPI would result. Modern printing equipment has also been provided through the Project, and INPI staff has been trained by an official of WIPO to operate it for the in-house printing of the 18-month publication of patent applications, for the issuing of patent documents, and for other assorted tasks formerly handled by outside printers.

DOCUMENTATION

7. The build-up of the patent documentation bank has progressed. The search file now contains over 1.2 million patent documents classified according to the International Patent Classification, from Australia, Brazil, France, Germany (Federal Republic of), Switzerland, United Kingdom and United States of America. It contains, as well, abstracts of technical articles of non-patent literature provided by INSPEC, the information service of the Institution of Electrical Engineers, of London. Furthermore, the complete numerical collections of patents from France, Switzerland and the United Kingdom, which had been received earlier, were recently enlarged by additional collections of patent documents from Australia, the German Democratic Republic and the United States of America, by abridgements of the United Kingdom patent specifications, and by abstracts of Japanese patent documents. These additions, offered through the PCT Interim Committee for Technical Assistance, have already been shipped to Brazil (see document PCT/TAS/VI/4 for details). Preparations are in progress, at the present time, for the shipment of a collection of patent documents covering the field of semi-conductors, as well as a numerical part collection of patents of the United States of America and a full collection of German patent documents (up to 1965), classified according to the patent classification formerly used by the German Patent Office. The total number of patent documents available to the National Institute of Industrial Property (INPI) in paper form by the end of 1976 will be approximately six million.

8. A numerical file for production of copies of patent documents in the form of microfilm and aperture cards is being established. It contains already more than one million documents of France, Germany (Federal Republic of) and the United States of America. This file will soon be enlarged by the receipt, from the Soviet Union, of microfilm of Soviet Union and United Kingdom patent documents. WIPO continues with the build-up of the microform file; dehumidifiers and control instruments for temperature and humidity for the conservation of the file have also been provided through the Project. The microform storage room provided by INPI is air-conditioned.

9. Finally, the Project is also providing technical reference books for INPI's technical and scientific library.

UTILIZATION OF INPI'S FACILITIES

10. Advantage is being taken, by private and government users, of the existence of an easily accessible patent documentation bank; an average of 150 searches covering about 10,000 documents is being effected monthly. The present documentation has been able to satisfy 90% of the requests, about 1,500 copies of patent documents being furnished per month.

THE PRESENT STATUS OF THE PROJECT

11. At present, the Project is under the direction of a project manager, who is assisted by six international experts. Five of them are experts in industrial property matters, and the sixth is an organizational expert. Project activities, accordingly, are concentrated on training and organizational matters.

12. Previous space limitations at INPI have recently been eased by the Government through the allocation of additional floors in the building where INPI's offices are located, thus maintaining in a centralized unit the examination corps of approximately 50 examiners and the growing patent search documentation, as well as the numerical collections and the library.

13. Project implementation is proceeding towards meeting its long-range objectives. However, two major constraints hamper the full development of planned Project activities at this time:

(a) a persistent need for improvement of salary conditions for INPI's examining staff, which is continuously being attracted to industry;

(b) financial restrictions at UNDP.

14. These two questions were reviewed at the annual tripartite meeting of representatives from the Government, UNDP and WIPO this year. As regards INPI staff salary conditions, it was recognized that special measures were called for. The UNDP Resident Representative indicated that possibly 1977 also would be a year of continued limited availability of funds. All participants agreed that Project implementation should, nevertheless, continue as best possible under the prevailing limitations. All efforts would be undertaken to improve the conditions for full implementation of the Project.

FUTURE IMPLEMENTATION OF THE PROJECT

15. For 1977, the training program will continue in all fields, including special courses in appeal cases, in metallurgy, as well as continued advanced examination assistance in all technical fields. In order to classify all collections of backlog patent documents in paper form, it is contemplated that INPI avail itself of the assistance offered under the CAPRI (Computerized Administration of Patent Documents Reclassified According to the IPC) system for the provision of reclassification lists. Implementation of EDP in administrative procedures for handling patent applications should start in order to ensure a smooth operational stage by the end of the Project.

CONCLUDING REMARKS

16. Cooperation with the Brazilian Government and UNDP is excellent. Thanks to the continuous efforts of cooperating offices and UNDP, WIPO has been able to provide, in time, all the international experts required by the project. It is expected that, before the end of 1976, a satisfactory solution will be found for questions related to INPI's staff, thus guaranteeing continuity of the trained staff and facilitating the recruitment of qualified engineers, chemists, and other university graduates.

17. The Interim Committee is requested to take note of this report and to provide its advice, if any, on the continuation of the Project.

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