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Ms Helen Frary,
Head, IT Business Management Section
World Intellectual Property Organisation
34 Chemin des Colombettes
1211 Geneva 20
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2 October 2000

Dear Ms Frary,

Re: C.SCIT/RES 1 - Restructuring of the SCIT

The United Kingdom Patent Office has reviewed the detailed and helpful proposal made by the IB for restructuring the SCIT.

We believe that as a first step it is useful to reflect on why we are considering restructuring of the SCIT and whether the problems we are addressing are fundamental structural problems or the "teething troubles" of a relatively new body. There is no doubt that there have been some difficulties, namely;

1. The relationship between the SCIT and its Working Groups is unclear. This appears to be due to the fact that working groups are large with a membership almost identical to the SCIT Plenary.
2. The relationship between the SCIT and other WIPO bodies is not entirely clear and there appear to be some overlapping areas of responsibility.

With regard to 1. above, it is difficult to convene meetings of such large working groups and this has led to complex arrangements where the SCIT and its working groups have had meetings during the same week. In such case, the SCIT Plenary can easily be sidetracked into discussing at length issues which should be resolved by the Working Groups.

The use of fixed working groups means that new projects must be assigned to one of these even though there may be occasions when it is not clear which working group is best placed to deal with it. In addition, some projects may be of interest to more than one WG.

The difficulty referred to at 2. above came to light recently with respect to PCT electronic filing.

We are not convinced that these difficulties are sufficient to justify the abandonment of the

SCIT in favour of two new bodies. Many of the problems experienced by the SCIT are due to its relative newness. Delegates and the IB are still coming to terms with new responsibilities and issues. It should not be forgotten that the SCIT has already made progress in a number of areas and a major change of structure at this stage will inevitably lead to a slowing of this progress while all concerned consider their roles in the proposed new bodies, the newness of which will result in similar "learning" problems to those experienced by the SCIT.

Accordingly we feel that the SCIT should not be split into two new bodies but that we should concentrate on dealing with our difficulties within the SCIT. We do however feel that the IB's proposals on working groups set out in paragraphs 14 and 15 should be given further consideration. This could result in smaller and more focussed working groups addressing specific issues.

In addition to the IB proposals regarding working groups, we feel that we should also revisit the Working Methods of the SCIT Plenary and its Working Groups. It may be that if these are followed more rigorously, some of our problems could be avoided.

It is likely that this approach to restructuring would lead to a structure similar to that outlined by the Unites States Patent and Trade Mark Office in its response to the IB dated September 29, 2000.

In summary we believe that the SCIT should not be abandoned in favour of two new bodies which may themselves experience teething troubles before becoming fully productive. We should look carefully at the Working Group structure and its relationship to the Plenary with a view to moving towards smaller and more focussed working groups with clearly defined targets and objectives. We should review the working methods to ensure that we are making best use of them.

Yours sincerely,

Peter Back