

**EXTRACT OF THE FIRST SCIT PLENARY SESSION REPORT (SCIT/1/7),
HELD JUNE 22-25, 1998, RELATING TO WORKING METHODS**

“SPECIAL RULES OF PROCEDURE AND WORKING METHODS
(Document SCIT/1/2)

11. The Plenary discussed Special Rules of Procedure and Working Methods of the SCIT on the basis of documents A/32/3 and SCIT/1/2, and, with certain amendments, adopted them as contained in Annex III to this report and further agreed to the following:

(a) in the light of limited resources available to small intellectual property offices, particularly in developing countries, the Plenary considered it important to avoid the proliferation of working groups and Task Forces; in view of this, the number of working groups should be kept to a minimum and the present structure of the three Working Groups should be reviewed after their first session, taking into account the result of the first session, and the possibility of integrating the Information Security Working Group into the Information Infrastructure Working Group that the Delegation from the European Patent Office proposed. The Plenary also agreed to review the duration of the Working Groups (one week) in the future, taking into account their workload and financial considerations;

(b) to assist the participation of delegations from developing countries and certain countries in Europe and Asia, subject to the availability of financial resources of WIPO, WIPO should invite at the expense of WIPO those delegations to participate in both the Plenary and Working Groups;

(c) the SCIT should not only deal with matters concerning the global information network, but also with other matters concerning information technologies useful to intellectual property offices;

(d) that the adoption of the draft report by electronic communication after the meeting be tested for the first meeting of the Working Groups in November 1998; the Plenary requested the Secretariat to install the necessary facilities to achieve this and report the result of the trial to the second session of the Plenary to assess it for further action (this draft report will be adopted at the second session of the Plenary);

(e) taking note of the request from many delegations that the services for all the six languages should be provided in interpretation and documentation, the question of languages would be revisited at a future meeting of the Plenary in the light of any decision taken by the Assemblies of the Member States of WIPO on that issue;

(f) decisions by the SCIT meetings should be taken on a consensus basis to the extent possible;

(g) the report about the activities undertaken by the SCIT should be presented to the WIPO General Assembly and Assemblies of the Unions concerned in order to ensure coordination with other WIPO bodies and to enable the Assemblies to effectively supervise the activities undertaken by the SCIT.

OBSERVERS

12. The Plenary agreed to grant observer status to the Regional Information Technology & Software Engineering Center (RITSEC) and further confirmed that, in line with the General Rules of Procedure, any State which, while not a Member of WIPO, is a member of the United Nations or of any of the United Nations specialized agencies, may be represented by observers.

POLICIES OF THE SCIT AND INSTRUCTIONS TO THE WORKING GROUPS
(Document SCIT/1/3)

13. The Plenary agreed with the following policy of the SCIT:

(a) to discuss issues, facilitate coordination and provide guidance concerning the implementation of the WIPO global information network (hereinafter referred to as the "WIPONET"), the provision of intellectual property information services on this network through Intellectual Property Digital Libraries (hereinafter referred to as the "IPDL") and other projects using the WIPONET;

(b) to address issues pertinent to the provision of intellectual property information (including secured data) services through the IPDLs and other projects using the WIPONET, and, where necessary, coordinate policies (such as information dissemination policy) to facilitate such services, in particular, through WIPONET;

(c) to deal with problems arising in transition to the full operation and use of the WIPONET, including the use of various on-line systems as well as other data carriers;

(d) to provide intellectual property offices, particularly in developing countries, with technical assistance to facilitate the generation of intellectual property data and the effective use of information technology in their computerization projects and efficient use of the WIPONET;

(e) to formulate recommendations and policies regarding the proposed network and related matters and, where appropriate, submit them for approval to the WIPO General Assembly and Assemblies of the Unions concerned.

14. The Plenary considered the proposed instructions to the SCIT Working Groups as contained in document SCIT/1/3 and agreed on their main mandates as follows:

Information Infrastructure Working Group (IIWG)

(a) The IIWG should review the progress made concerning the deployment of the WIPONET, formulate policies related to the network, make relevant recommendations, and propose projects concerning information systems useful to intellectual property offices. The IIWG should pay particular attention to the needs of developing countries, especially in matters concerning the transition from non-networked data carriers and human resources development. The IIWG should also deal with technical requirements of the WIPONET for undertaking activities regarding the WIPO Worldwide Academy.

Standards and Documentation Working Group (SDWG)

(b) The SDWG should address matters regarding the generation of intellectual property data suitable for inclusion in IPDLs, as well as access to and dissemination of intellectual property information. To this end, the IPDL concept should be used as a vehicle to coordinate, as much as possible, information dissemination policies of Member States and the International Bureau. The SDWG should elaborate new standards, where necessary, and promote the use of existing standards regarding intellectual property data and documentation. Recent developments in information technology, in particular Internet-based technology, are supported by open systems and non-proprietary technology and standards so as to stimulate more competition-driven growth and innovation. In establishing new and revising existing standards the following principles should be applied:

(i) Any standards to be elaborated within the scope of the SDWG should, to the greatest extent possible, apply provisions of existing industry standards (*de facto* standards) supported by open systems and the so-called Commercial Off-The-Shelf (COTS) products. This means that when drafting recommendations and standards, specific provisions and amendments for use of such standards in the field of intellectual property should be limited to those that are essential to ensuring effective use;

(ii) WIPO Standards covering provisions relevant to documentation aspects of intellectual property should be dealt with by the SDWG whenever a need arises for their updating or maintenance.

Information Security Working Group (ISWG)

(c) The ISWG should discuss technical issues in relation to the exchange of data, and to undertake pilot projects, associated with the IPDL program and using the WIPONET, in the areas of electronic filing, the exchange of priority documents for the examination of patent applications, and other planned activities of electronic commerce. In particular, the potential of electronic commerce is so high that Member States should take advantage of the availability of suitable state-of-the-art information technology through WIPONET and the IPDL program.

The ISWG should also provide an opportunity to intellectual property offices to share the experience of offices advanced in this area and work on the following points of technical cooperation:

(i) technical cooperation to Member States to assist them in their use of network infrastructure and tools for electronic commerce;

(ii) coordination between the electronic commerce activities of WIPO and the Member States from technical viewpoints (e.g., adoption of the necessary tools, possible adoption of general technical guidelines for electronic commerce in the intellectual property area);

(iii) pilot projects using electronic commerce tools for the provision of intellectual property information.

15. The International Bureau was requested to ensure the coordination of the activities among all three Working Groups. The Plenary noted that the Standing Committee on the Law of Patents agreed to discuss the Patent Law Treaty (PLT) issues concerning electronic filing and the use of information technology in close coordination with the SCIT.

(...)

[Annex III follows]

ANNEX III

APPENDIX 1

SPECIAL RULES OF PROCEDURE OF
THE STANDING COMMITTEE ON INFORMATION TECHNOLOGIES (SCIT)

approved by the Standing Committee on Information Technologies

1. Subject to the following Special Rules of Procedure contained in this Annex, the General Rules of Procedure of WIPO shall apply to the Standing Committee on Information Technologies (SCIT).
2. The SCIT shall consist of a plenary session of the SCIT itself (hereinafter referred to as the “SCIT Plenary”) and certain working groups. The SCIT Plenary may establish or dissolve working groups, as appropriate, keeping the number of the working groups to a minimum.
3. All WIPO Member States shall be members of the SCIT (i.e., the SCIT Plenary and its Working Groups) as well as member States of the Paris Union or Berne Union that are not Member States of WIPO. In addition, the African Intellectual Property Organization (OAPI), the African Regional Industrial Property Organization (ARIPO), the European Patent Organisation (EPO), the Benelux Trademark Office (BBM) and the Benelux Designs Office (BBDM), the Eurasian Patent Organization (EAPO), and the European Communities (on account of its responsibilities in respect of the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM)) shall be members of the SCIT, provided that they shall not have the right to vote.
4. The Director General of WIPO may, and, if so requested by the SCIT Plenary, shall invite, as observers, interested intergovernmental organizations (other than member organizations mentioned above) and interested international and national non-governmental organizations, as well as organizations providing information services in the field of intellectual property information, which are not accredited with observer status at WIPO meetings.
5. The SCIT Plenary shall be convened in ordinary sessions twice each year and the Working Groups shall meet twice yearly, or as otherwise determined by the SCIT Plenary. The meetings of all the Working Groups shall be held consecutively in the same week. The meeting of the PCT Committee for Technical Cooperation shall, as a rule, be held in conjunction with the appropriate Working Group.
6. The SCIT Plenary shall have a Chair and two Vice-Chairs and shall elect them for a term of one year. Each Working Group shall have a Chair and two Vice-Chairs and shall elect them for a term of one year.
7. The SCIT Plenary shall recommend policies regarding the WIPO Global Information Network and related matters to the WIPO General Assembly and the Assembly of any concerned Union administered by WIPO.

[Appendix 2 follows]

APPENDIX 2

WORKING METHODS FOR THE STANDING COMMITTEE
ON INFORMATION TECHNOLOGIES (SCIT) PLENARY SESSION
AND ITS WORKING GROUPS

approved by the Standing Committee on Information Technologies

Introduction

The present Working Methods aim at the completion of tasks by the Standing Committee on Information Technologies (hereinafter referred to as the “SCIT”) in the shortest time possible. The Working Methods are also designed to accomplish as much work as possible by correspondence (including the use of the Internet and other electronic communication means).

Task Initiation

- (1) The first step in presenting matters to the SCIT Plenary or one of its Working Groups (hereinafter referred to as the “SCIT meeting”) for determination and action is to initiate consideration of the subject by submission of a proposal to the members of the SCIT through the Secretariat (the International Bureau of WIPO). Any member or observer of the SCIT and its Working Groups, or the Secretariat may make such a proposal.
- (2) A proposal is an identification of a task or a problem to be addressed by the SCIT. It should include a clear indication of the problem or specific need, how the need was determined, the objectives of the task and, whenever possible, a proposed solution with the indication of possible risks, estimated costs and expected benefits.
- (3) The Secretariat will include the proposal in the draft agenda of the first available session of the SCIT Plenary or, if the matter is considered urgent by the Secretariat, of the most appropriate Working Group. In order to facilitate its consideration by the members of the SCIT, the Secretariat may undertake preliminary studies on the subject prior to the discussion at the SCIT meeting. The proposals should be circulated by the Secretariat, in principle, at least one month before the session of the SCIT meeting to which the proposal has been referred.
- (4) The SCIT meeting to which the proposal has been referred will consider all proposals and determine how to proceed with the proposals. If a proposal is accepted, a task will be included in the SCIT work program and assigned to the appropriate Working Group, the International Bureau or a Task Force.

- (5) The SCIT Plenary or any Working Group may set up a Task Force and should oversee its activities. A Task Force will consist of individual technical representatives of contributors from members or observers of the SCIT. Task Forces will be responsible for providing drafts on issues requiring technical expertise and drafting work in order to facilitate discussions at the SCIT meeting. Any interested member may be nominated as a “reporter” who will take a lead in the discussions and report the result to the SCIT meeting. The work by the Task Forces will be conducted largely via e-mail exchanges rather than through formal meetings.

Task Progression

- (1) The Secretariat (in consultation with the Task Force concerned, as the case may be) will send the proposal to, and solicit comments from, interested members and observers, and issue a “project file” for each task which is a compilation of replies, comments and other submissions sent by interested members or observers to the Secretariat.
- (2) At the SCIT meeting, the various positions on each proposal will be discussed on the basis of the project file and, where available, the drafting work undertaken by the Task Force, with the objective of finally disposing of the pending tasks by either approval or disapproval of the proposed solution. Working Groups shall, where appropriate, make recommendations to the SCIT Plenary in order for the latter to formulate policies, adopt new standards and take appropriate decisions on the recommendations.

SCIT Plenary

- (1) The SCIT Plenary will oversee and review activities undertaken by the Working Groups and take decisions on technical matters on the basis of recommendations made by the Working Groups.
- (2) The SCIT Plenary will formulate the SCIT work program and determine the priority to be given to the task.
- (3) The SCIT Plenary will also discuss policy matters, including those arising from the work undertaken by the Working Groups, facilitate coordination between, in particular, Member States, and make recommendations to the WIPO General Assembly and the Assembly of any Union concerned.”

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