

WIPO



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

GENEVA

BIRPI

**ADMINISTRATIVE BODIES
OF WIPO AND OF THE UNIONS ADMINISTERED BY WIPO AND BIRPI**

**First Series of Meetings
Geneva, September 21 to 29, 1970**

**IMPLEMENTATION OF THE RESOLUTION OF
THE WASHINGTON DIPLOMATIC CONFERENCE
ON THE PATENT COOPERATION TREATY, 1970**

Report by the Director of BIRPI

SUMMARY

This document suggests organizational measures to be taken by the competent organs of the Paris Union for implementing the Resolution of the Washington Diplomatic Conference on the Patent Cooperation Treaty, 1970. The measures include the establishment of three Interim Committees.

Background

1. The Washington Diplomatic Conference on the Patent Cooperation Treaty, 1970, unanimously adopted a Resolution on June 17, 1970, which invites the Assembly and the Executive Committee of the Paris Union and the Director General of WIPO to adopt, direct and supervise the measures necessary for the preparation of the entry into force of the Patent Cooperation Treaty (hereinafter referred to as "the PCT"), and which recommends that such measures include the setting up of three Interim Committees: one for Technical Assistance, one for Technical Cooperation, and one for Administrative Questions. The text of the said Resolution (hereinafter referred to as "the Resolution") is attached to this report.

Suggestions and Observations of the Director of BIRPI

2. The Director of BIRPI accepts, as far as matters within his competence are concerned, the invitation contained in the Resolution.

3. It is in this spirit that he proposes, in document AB/I/11.Rev., a work program for the International Bureau for the year 1971, and, in document P/EC/VI/5, the confirmation and continuation of the Patent Cooperation Treaty Working Group by the Executive Committee of the Paris Union.

4. He suggests that the invitation of the Diplomatic Conference be accepted also by the Assembly and the Executive Committee of the Paris Union, and that the Conference of Representatives of the Paris Union associate itself with whatever decision the Assembly will take.

5. It is further suggested that the Assembly and the Conference of Representatives of the Paris Union:

(i) establish the three Interim Committees and elect the first members of each,

(ii) delegate to the Executive Committee of the Paris Union the task of appointing additional members to any of the three Interim Committees should the Executive Committee find this desirable before the 1973 ordinary sessions of the Assembly and the Conference of Representatives,

(iii) ask the Executive Committee to direct and supervise the work of the three Interim Committees and establish, in its 1971 ordinary session, the rules of procedure of each of them,

(iv) ask the Executive Committee to report to the 1973 ordinary sessions of the Assembly and the Conference of Representatives on the work accomplished by, and the possible future plans of, the three Interim Committees.

6. As far as the Executive Committee of the Paris Union is concerned, it is suggested that it adopt the following measures:

(i) invite each Interim Committee to meet at least once before the 1971 ordinary session of the Executive Committee,

(ii) invite each Interim Committee to suggest, to

the 1971 ordinary session of the Executive Committee, rules of procedure and a draft program of its activities for the year 1972 and possibly beyond,

(iii) invite each Interim Committee to report to the 1971 ordinary session of the Executive Committee of the Paris Union on the work accomplished by each of them.

7. It is to be noted that the funds necessary for implementing the above suggestions in 1971, particularly the holding of meetings of the three Interim Committees and the providing of their secretariat by the International Bureau, are provided for in the budget proposed in document AB/I/11.Rev.

8. The Assembly, the Conference of Representatives and the Executive Committee of the Paris Union are invited to make the appropriate decisions on the Resolution of the Washington Diplomatic Conference and on the suggestions contained in the present report.

[Follows the Annex]

The 1971 ordinary session of the Executive Committee, under the provisions of a draft program of its activities for the year 1972 and possibly beyond.

(iii) In view of the fact that the Executive Committee is to report to the 1972 ordinary session of the Executive Committee of the United Nations on the work accomplished by each of them.

It is to be noted that the funds necessary for the meeting of the above-mentioned 1972, particularly the holding of meetings of the Executive Committee and the provision of their services by the International Bureau, are provided for in the budget proposed in document AM/118.

6. The Assembly, the Commission of Representatives and the Executive Committee of the United Nations are invited to make the appropriate decision on the basis of the information contained in the present report.

Follow the text

Annex

RESOLUTION

concerning Preparatory Measures for the Entry Into Force
of the Patent Cooperation Treaty

The Washington Diplomatic Conference on the Patent Cooperation Treaty, 1970,

Considering the desirability of preparing the application of the Patent Cooperation Treaty pending the entry into force of the Treaty,

1. Invites the Assembly and the Executive Committee of the International (Paris) Union for the Protection of Industrial Property and the Director General of the World Intellectual Property Organization to adopt, direct and supervise the measures necessary for the preparation of the entry into force of the Treaty.

2. Recommends that such measures include:

(a) the setting up of an Interim Committee for Technical Assistance, which should prepare the establishment of the Committee for Technical Assistance referred to in Article 51 of the Treaty;

(b) the setting up of an Interim Committee for Technical Cooperation, which should prepare the establishment of the Committee for Technical Cooperation referred to in Article 56 of the Treaty and advise the prospective International Searching and Preliminary Examining Authorities on questions which will require solution when the Treaty enters into force;

(c) the setting up of an Interim Advisory Committee for Administrative Questions, which should study and recommend measures on the questions which will require solutions by the national Offices and the International Bureau when the Treaty enters into force.

3. Expresses the desire that the organizations of inventors, industries, and the patent profession be associated, as in the preparation of the Treaty, in the preparatory work referred to in the present Resolution.

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NOTE: This Resolution was unanimously adopted by the Plenary of the Diplomatic Conference on June 17, 1970.

[End of the Annex and of the Document]

ANNEX

RESOLUTION

concerning the Secretary-General for the Energy and Power
of the Patent Cooperation Treaty

The Washington Diplomatic Conference on the Patent Co-
operation Treaty, 1970,

Considering the desirability of preparing the applica-
tion of the Patent Cooperation Treaty pending the entry into
force of the Treaty,

1. Invites the Assembly and the Executive Committee of the
International Patent Union for the Protection of Industrial
Property and the Director General of the World Intellectual
Property Organization to study, direct and supervise the
work necessary for the preparation of the entry into
force of the Treaty.

2. Recommends that the measures include:

(a) the setting up of an interim Committee for Tech-
nical Assistance, which should prepare the establishment of
the Committee for Technical Assistance referred to in
Article 21 of the Treaty;

(b) the setting up of an interim Committee for Tech-
nical Cooperation, which should prepare the establishment
of the Committee for Technical Cooperation referred to in
Article 22 of the Treaty and advise the prospective inter-
national searching and preliminary examination authorities of
questions which will require solution when the Treaty enters
into force;

(c) the setting up of an interim Advisory Committee
for Administrative Questions, which should study and recommend
measures on the questions which will require solution by the
national offices and the International Bureau when the Treaty
enters into force.

3. Expresses the desire that the organizations of inventors,
industries and the patent profession be associated, as in
the preparation of the Treaty, in the preparation of
measures referred to in the present Resolution.

NOTE: This resolution was unanimously adopted by the Patent
of the Diplomatic Conference on June 12, 1970.