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UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY

GENEVA

BIRPI

**INTERNATIONAL UNION FOR THE PROTECTION
OF INDUSTRIAL PROPERTY (PARIS UNION)**

EXECUTIVE COMMITTEE

**Sixth Ordinary Session
Geneva, September 21 to 29, 1970**

CONFIRMATION OF THE ORGANIZATIONAL RULES OF ICIREPAT

Report by the Director of BIRPI

SUMMARY

This document contains the suggestion that the Executive Committee of the Paris Union confirm the Organizational Rules of ICIREPAT.

1. The former Executive Committee of the Paris Union, in its fourth ordinary session held in September 1968, adopted the Organizational Rules of the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT).

2. In view of the administrative reorganization of the Paris Union under the Stockholm Act of the Paris Convention, it would seem appropriate that the new Executive Committee of the Paris Union should confirm the Organizational Rules of ICIREPAT.

3. The text of those Rules is annexed to the present document.

4. The Executive Committee of the Paris Union is invited to confirm the Organizational Rules of ICIREPAT.

/Annex follows/



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WORLD INTELLECTUAL PROPERTY ORGANIZATION

BIRPI

INTERNATIONAL UNION FOR THE PROTECTION
OF INDUSTRIAL PROPERTY (PARIS UNION)
EXECUTIVE COMMITTEE

Geneva, Switzerland, 12 to 15 June 1978

CONSTITUTION OF THE ORGANISATIONAL RULES OF ICIRPAT

Adopted by the Director of BIRPI

SUMMARY

This document contains the suggestion that the Executive Committee of the Paris Union should constitute the Organizational Rules of ICIRPAT.

1. The former Executive Committee of the Paris Union, in its fourth ordinary session held in September 1977, adopted the Organizational Rules of the Paris Union Committee for International Cooperation in Industrial Patent Law (ICIRPAT) Patent Office (ICIRPAT).

2. In view of the administrative reorganization of the Paris Union under the Stockholm Act of the Paris Convention, it would seem appropriate that the new Executive Committee of the Paris Union should constitute the Organizational Rules of ICIRPAT.

3. The text of these Rules is appended to the present document.

4. The Executive Committee of the Paris Union is invited to approve the Organizational Rules of ICIRPAT.

Annex

ORGANIZATIONAL RULES OF ICIREPAT

(Reproduced from document
CEP/IV/18, Annex II, of September 27, 1968)

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PREAMBLE

The Executive Committee of the International Union for the Protection of Industrial Property (hereinafter referred to as "the Paris Union"),

Considering the decision of the second ordinary session of the Conference of Representatives of the Paris Union concerning the transformation of the Committee for International Cooperation in Information Retrieval Among Examining Patent Offices (hereinafter referred to as "the former ICIREPAT") into a Committee of Experts of the Paris Union,

Considering the results of the consultations of the Director of the United International Bureaux for the Protection of Intellectual Property (BIRPI) with the Enlarged Transitional Steering Committee, the International Patent Institute, and the interested government authorities in charge of the grant of patents,

Hereby establishes the following Organizational Rules of ICIREPAT:

ARTICLE 1: NAME AND ABBREVIATION

(1) The name of the Committee shall be "Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices."

(2) The abbreviation of the name of the Committee shall be "ICIREPAT."

ARTICLE 2: MEMBERSHIP

(1)(a) Any member country of the Paris Union desiring to participate in the work of ICIREPAT, and pledging:

(i) to perform work in its own national Industrial Property (Patent) Office or, if it is a member of the International Patent Institute, by and through that Institute, or in both manners, and

(ii) to contribute to the work to be carried out in connection with ICIREPAT by the International Bureau,

(Article 2(1)(a), continued)

may, at any time, declare that it wishes to be considered a participating country of ICIREPAT.

(b) The contribution to the International Bureau shall consist of money or services (particularly loaning specialists to the International Bureau), or both. The contribution of a participating country which is a member of the International Patent Institute may be furnished directly or through that Institute, or in both manners. The amount of the money and the volume of the services shall be at the discretion of each participating country and shall be specified and announced by each of them in the ordinary session of the Executive Committee of the Paris Union for the subsequent year. The announcement may also be made in a notification addressed to the International Bureau prior to the said session. The Executive Committee will list and incorporate these contributions in a recommendation.

(2) Any participating country may, at any time, declare that it no longer considers itself a participating country.

(3) Declarations under paragraphs (1)(a) or (2) shall be made in writing and shall be addressed to the Director (General) of the International Bureau.

(4) Declarations shall take effect upon their receipt by the Director (General) of the International Bureau.

(5) The Director (General) of the International Bureau shall notify the participating countries accordingly.

ARTICLE 3: OBJECTIVE

(1) The objective of ICIREPAT is to promote international cooperation in the field of the storage and retrieval of technical information needed in connection with the searching or examination of applications for patents, inventors' certificates, or other similar documents.

(Article 3, continued)

(2) "Storage and retrieval of technical information" are understood in their widest sense and include all supporting operations and all activities facilitating them, including in particular: abstracting, indexing, classification, translation, standardization of the form of documents and of search tools, processing of documents, communication and exchange of documents.

ARTICLE 4: MEANS OF ACTION

(1) ICIREPAT's means of action consist in conducting or promoting cooperative research, organizing actual cooperation, and making recommendations.

(2) Actual cooperation shall include, in particular, the exchange of searching tools and the mutual communication of the results of the practical application of the recommended procedures or exchanged material.

ARTICLE 5: CREATION OF WORKING GROUPS

(1) Certain of ICIREPAT's tasks shall be carried out in working groups called "Technical Committees."

(2) Other working groups with special tasks may also be established.

(3) The work of the Technical Committees and other special working groups shall be organized, supervised, and coordinated, by the "Technical Coordination Committee."

(4) The creation or abolition of Technical Committees and other special working groups shall be decided, according to needs, by the Technical Coordination Committee.

ARTICLE 6: COMPOSITION OF WORKING GROUPS

(1)(a) Membership in each Technical Committee shall be limited to those participating countries whose Patent Offices perform tasks with which the Technical Committee is concerned. Any participating country which is a member of the International Patent Institute may be represented by that Institute without the right to vote.

(b) The rules of procedure of each Technical Committee shall outline the field of activity thereof and the criteria for membership therein.

(c) Each country shall be its own judge of the question whether it satisfies the criteria. If the said country decides that it does not satisfy such criteria, it may attend the meetings of the Technical Committees as an observer.

(2) Membership in special working groups shall be decided by the Technical Coordination Committee.

(3) The Technical Coordination Committee shall be composed of eight participating countries. Six of them shall be the six whose national Offices have received, according to the latest available statistics, the greatest number of applications for patents or inventors' certificates per year. The other two shall be co-opted from among the other participating countries by the said six. Co-optation would be effective for approximately two years and could be renewed.

ARTICLE 7: VOTING

(1) Each participating country shall have one vote.

(2) In matters not of direct concern to participating countries having a certain patent system, such countries shall abstain from voting.

ARTICLE 8: PROGRAM AND BUDGET

(1) The draft program of ICIREPAT shall, on the basis of the proposals of the Technical Coordination Committee-- which shall take account of the wishes of ICIREPAT--be drawn up by the Director (General) of the International Bureau.

(2) The program shall be established by the competent organs of the Paris Union.

(3) Expenses of the International Bureau connected with ICIREPAT shall be covered from the voluntary contributions of the participating countries and, to the extent and under the conditions authorized by the competent organs of the Paris Union, from the budget of the Paris Union.

ARTICLE 9: OFFICERS

(1) ICIREPAT and each working group shall have a chairman and a vice-chairman.

(2) The chairman and vice-chairman of ICIREPAT and the chairman and vice-chairman of the Technical Coordination Committee shall be elected by ICIREPAT and the Technical Coordination Committee respectively.

(3) The chairmen and vice-chairmen of the Technical Committees and of special working groups shall be appointed by the Technical Coordination Committee.

(4) Technical Committees and special working groups may elect rapporteurs.

(5) Officers must be representatives of participating countries or of the International Patent Institute. In the latter case, the representative must be the national of a member country of the Paris Union.

(6) Officers shall be in office for approximately three years. They may be re-elected or reappointed for successive terms. The details shall be provided for in the rules of procedure of the competent bodies.

ARTICLE 10: SECRETARIAT

(1) The Director (General) of the International Bureau or any staff member designated by him shall be ex officio secretary of ICIREPAT or any of its working groups.

(2) The Director (General) of the International Bureau shall, in execution of the approved program and within the limits of the approved budget, be responsible for the execution of those aspects of the ICIREPAT program which are within the competence of the International Bureau.

ARTICLE 11: MEETINGS

(1) In principle, ICIREPAT shall hold an ordinary session each year, preferably at the same place as, and immediately before, the ordinary annual session of the Executive Committee of the Paris Union.

(2) Meetings of ICIREPAT or any of its working groups shall be convened by the Director (General) of the International Bureau after consultation with the chairman in office of the interested body.

(3) The same shall apply to the establishment of the agenda of each meeting.

(4) The competent chairman may himself take the initiative of consulting with the Director (General) of the International Bureau on the matters referred to in the preceding paragraphs.

ARTICLE 12: REPORTING ON ACTIVITIES

The Director (General) of the International Bureau shall report each year to the competent organs of the Paris Union on the accomplishments and proposed plans of ICIREPAT.

ARTICLE 13: INTERGOVERNMENTAL
AND NON-GOVERNMENTAL ORGANIZATIONS

(1) Interested intergovernmental and non-governmental organizations may be invited as observers to meetings dealing with matters of concern to them.

(2) The working agreement between the International Bureau and the International Patent Institute shall provide for the role which that Institute may wish to assume in the work of ICIREPAT. The relevant portions of any changes in such agreement shall be communicated for advice to ICIREPAT before the competent organs of the Paris Union take action on them.

ARTICLE 14: RULES OF PROCEDURE

(1) ICIREPAT shall establish its own rules of procedure, subject to these Organizational Rules.

(2) Each working group shall establish its own rules of procedure, following, wherever applicable, the rules of procedure of ICIREPAT, subject to approval by the Technical Coordination Committee.

ARTICLE 15: AMENDMENT OF THE ORGANIZATIONAL RULES

These Organizational Rules may be amended by the Executive Committee of the Paris Union according to the rules governing the amendment of the rules of procedure of that Committee.

ARTICLE 16: TRANSITIONAL PROVISIONS

(1)(a) Countries whose Patent Offices were members of the former ICIREPAT shall be considered participating countries until December 31, 1968.

(Article 16(1), continued)

(b) Beyond that date, they will be considered participating countries only after they have made the pledge referred to in Article 2(1)(a).

(2) Until the entry into force of the Convention establishing the World Intellectual Property Organization, the term "International Bureau" refers to BIRPI and the term "Director (General)" refers to the Director of BIRPI. After such entry into force, these terms shall, respectively, also refer to the International Bureau established by the said Convention and to the Director General of the said Organization.

/End of Annex/