



Date: 30th August 2018

REPORT

Standing Committee on

Patent Cooperation Treaty - PCT

Chair: Noel COURAGE
Responsible Reporter: John Osha

1)
Report on the activities of your Standing Committee during the reporting period
Please provide a general overview of the activities of your Standing Committee over the last 12 months, including at least:

a)
internal meetings of the Standing Committee during the reporting period (whether by telephone, video conference or in person);

Our Committee met in person at the AIPPI annual meeting in September 2017. Monthly Committee calls were held October to December 2017, and January to July 2018. We have arranged to meet in person at the at the AIPPI annual meeting in September 2018.

b)
were proposals for panel sessions and study questions submitted and/or did your Standing Committee further contribute in this respect (e.g. by providing input to the draft Study Guidelines)?

not responded

c)
any external representation and participation in working groups on behalf of AIPPI by any member of your Standing Committee (e.g. at WIPO, EUIPO);

Committee member Robin Keulertz and AIPPI Bureau Member John Osha attended the WIPO PCT Working Group meeting in Geneva in June 2018.

d)
any contribution by your Standing Committee to any external consultations; and

The PCT Working Group held a Workshop on remediating missing parts of patent applications (ie. incorporating text/figures from priority application to replace obviously incorrect or missing parts of PCT applicaiton). AIPPI was invited to participate. John Osha from the AIPPI Bureau made a presentation and participated in the Workshop. We believe that this is the first time at a PCT Working Group meeting that user groups were invited to present at a workshop. Our Committee helped by brainstorm issues to support preparation of John's presentation.

e)

any studies or analyses undertaken or position papers prepared by your Standing Committee, with a brief summary of the outcome(s).

a) Information Circulars from the WIPO PCT Working Group (WG) were considered by the Committee during the last year. Comments were submitted on the following Circulars:

PCT fee reductions for universities in developing nations. (Circular 1515)

WIPO guidance provided to applicants and ISA examiners for the drafting and revising of abstracts. (Circular 1517)

Proposed modification of PCT Administrative Instructions, ISPE Guidelines re abstracts, titles and figures (Circular 1535).

Draft amendments of PCT Receiving Office Guidelines, ISPE Guidelines re abstracts, titles and figures (Circular 1543)

b) Other WIPO Circulars considered by the Committee Executive or full Committee (no comments submitted):

ISA Quality Management Systems (Circular 1523)

Use of xml in filing PCT applications, Article 19 amendments etc. (Circular 1526)

PCT process for filing third party observations re prior art (Circular 1527)

Coordinating patent examiner training (Circular 1529)

Use of national patent classification in international applications (Circular 1536)

2)

Key issues/developments during the reporting period

Please include any significant case law, legislative or regulatory developments, or policy initiatives, including their relevance and/or any implications for the work of your Standing Committee or for AIPPI more generally.

Collaborative Search and Examination (CS&E) PCT pilot launched, permitting PCT

examination to occur with input from multiple patent offices. We will be considering user experiences with the program. We will write an article for the AIPPI e-news to raise awareness.

3)

Any recommendations for AIPPI involvement/action for the next 12 months

This need not be limited to recommendations for your Standing Committee but can be recommendations for AIPPI more broadly. For example, please include:

In each case, please explain why such involvement/action is recommended, by whom it should be undertaken and any relevant time frames.

a)

any recommendations for involvement/action in relation to any upcoming or foreshadowed case law, legislative or regulatory developments, or policy initiatives;

not responded

b)

any other recommendations for AIPPI involvement/action;

not responded

c)

any recommendations for the work programme of your Standing Committee.

not responded

4)

Outline of the work programme of your Standing Committee for the next 12 months

Please set out specific activities and priorities having regard to the matters in 1) - 3) above, including any relevant time frames.

Work for the Upcoming Year

Continuing to analyze and respond, as appropriate, to WIPO information circulars.

The Committee researched WIPO and other patent office resources for topics that could be interesting for our Committee work. Issues noted for potential upcoming topics include:

- Usefulness of Collaborative Search and Examination (CS&E) PCT pilot
- lack of harmony between countries upon entry into national/regional phase
- Review status/adoption of Patent Law Treaty (PLT) to harmonize formalities
- Computer implemented processes and efficiencies: ePCT, PCT online services, esearchcopy, WIPO case, docx/xml
- PCT Office providing provisional opinion on patentability at time of ISR
- minimum prior art collections that PCT ISA should review in patent search

The Committee will also publish articles on topics of interest to AIPPI members.

Names and Functions of Committee Members

Chair	Noel COURAGE	Canada
Vice Chair(s)	Rafael BELTRAN RIVERA	Mexico
	Gastón RICHELET	Argentina
Members	Guler AYYILDIZ DALMA	Turkey
	Catherine BONNER	United Kingdom
	Gianfranco DRAGOTTI	Italy
	Dietmar HAUG	Germany
	Aurelio Ricardo HERNÁNDEZ LEHMANN	Spain
	Loren R. HULSE	United States of America
	Robin KEULERTZ	Germany
	Ae-ra KIM	Republic of Korea
	Takashi KOIKE	Japan
	Kiyoshi KUZUWA	Japan
	Yi LU	China
	Elisabetta PAPA	Italy
	Ana Paula SANTOS CELIDÔNIO	Brazil
Christopher M. SCHERER	United States of America	
Jakub SIELEWIESIUK	Poland	