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DRAFT REPORT

prepared by the Secretariat

AGENDA ITEM 1: OPENING OF THE SESSION

1. Mr. John Sandage, Deputy Director General, opened the session and welcomed the participants on behalf of the Director General of WIPO. Mr. Michael Richardson (WIPO) acted as Secretary to the Committee.

2. The session was held during the same period as the tenth session of the PCT Working Group. The list of participants can be found in the Report of the tenth session of the Working Group (document PCT/WG/10/25).

AGENDA ITEM 2: ELECTION OF A CHAIR AND TWO VICE-CHAIRS

3. The Committee unanimously elected Mr. Maximiliano Santa Cruz (Chile) as Chair and Mr. Victor Portelli (Australia) as Vice-Chair for the session. There were no nominations for a second Vice Chair.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

4. The Committee adopted the agenda as proposed in document PCT/CTC/30/1 Prov. 2.

AGENDA ITEM 4: ADVICE TO THE ASSEMBLY OF THE PCT UNION ON THE PROPOSED APPOINTMENT OF THE INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

5. Discussions were based on document PCT/CTC/30/2 Rev.

6. The Delegation of the Philippines introduced the request for appointment of the Intellectual Property Office of the Philippines (IPOPHL) as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the PCT, which would be considered by the PCT Union Assembly at its forty-ninth session, to be held from October 2 to 11, 2017. The Delegation highlighted two main aspects, namely, the economic and innovation environment in the Asian region, and the role of IPOPHL in the PCT System.

7. The Delegation continued by stating that, as the global economy was undergoing a transformational phase brought about by technological and scientific advancements, Asia was quickly becoming the center of economic activity. In terms of usage of the PCT System, 43.5 per cent of the total PCT applications originated from Asia in 2015. The international and regional PCT fillings revealed that applications from Asia and the south-east Asian region had continued to grow, representing significant demand for international work in the English language. The Philippines, together with other Member States of the Association of South East Asian Nations (ASEAN) remained committed to achieving and pursuing economic integration through implementation of the ASEAN Economic Community (AEC) and recognized the need to be well prepared and be able to maximize the opportunities from the “4th Industrial Revolution”, so as to foster the region’s economic growth and promote inclusive and equitable economic development. As ASEAN celebrated its fiftieth anniversary while under the chairmanship of the Philippines, the overall thematic priority was “inclusive, innovation-led growth” for the AEC. And IPOPHL was privileged to manifest its willingness to contribute in bringing to fruition this goal through the PCT system as an ISA/IPEA. The Delegation was pleased to note that, according to the latest World Investment Report 2016 of the United Nations Conference on Trade and Development (UNCTAD), the Philippines was ranked among the top 15 preferred investment destinations of multinational enterprises.

8. The Delegation presented further information on the Philippines by underlining that the Philippines was strategically located at the gateway of Asia with a population of 104 million, with 72 per cent being proficient in English and 92 per cent being conversant in the language. The population was relatively young, with 57 per cent between the ages of 15 and 54. The Philippines was home to many universities and colleges with robust research and development activities and had a highly literate population, many of whom were part of the global workforce. The Philippines had manifested its commitment to create conditions that attracted foreign investments. The opening of industries previously restricted like the telecommunications industry, transportation, banking, retail trade, energy and post–extractive petroleum processing and distribution industry, for the participation of foreign investors, showed a foreign-investor friendly posture of the government. Moreover, the availability and accessibility of special economic zones and free ports in various parts of the country with adequate infrastructure support, fiscal and non-fiscal incentives, and competitive information and communications technology (ICT) and business process outsource industries, contributed to the conducive business environment in the country. In recent years, venture capitalists had shown great interest in the Philippine technology startups, and considered the country as one of the top destinations for investments. In the field of intellectual property support services, the Philippines had one of the most successful Innovation and Technology Support Offices (ITSOs), also known as WIPO Technology and Innovation Support Centers (TISCs), and was identified by WIPO as the IP Hub for creation and commercialization. In the words of one expert, Karina Fernandez-Stark, senior research analyst at the Duke University Center on Globalization, Governance and Competitiveness (Duke CGGC) in the United States of America, “The future looks bright for the Philippines. It is in the middle of the factory of Asia and has the market size

as well as the cultural affinity with the Western world. The Philippines can be a very good location for being a hub of innovation and human capital development." With this backdrop and momentum, there was a need to ensure that a dynamic and accessible IP system was optimized in the region. With a second ISA/IPEA in South East Asia, IPOPHL would help build a robust environment for research and development, innovation, and IP protection. The Philippines could therefore be a strategic partner in establishing a strong IP culture in the region.

9. The Delegation further elaborated on the role of IPOPHL in the PCT System. The patent system of the Philippines dated back to the Spanish regime with extension of the Spanish patent law in the country. In 1947, an independent Philippine patent system was established. Since then the Philippines had accumulated 70 years of extensive experience in search of substantive examination. This experience could be made available to the increasing number of users, particularly individual applicants, startup companies and the new breed of inventors and innovators. The Philippines had a strong legal, institutional and operational infrastructure on intellectual property and remained fully committed to improving its national competitiveness and bringing the country into the fourth industrial revolution.

10. The Delegation explained that IPOPHL had started preparations for its application to be designated as an ISA/IPEA four years ago. The preparations covered four areas: administrative, operational, innovation agenda, and institutional partnerships. Administratively, in terms of human resource development, particularly its patent examiners, IPOPHL had adopted a four-level recruitment and selection process for its patent examiners. It had institutionalized a capacity building program for patent examiners to include the implementation of a New Patent Examiners Training Program (NPET) consisting of three phases: Continuous Training Program (CTP), an in-house Masters Degree Program in partnership with Mapua Institute of Technology (MIT), and a strategic training program with institutional partners. Since the submission of the application to become an ISA/IPEA on March 8, 2017, IPOPHL now had 110 full-time patent examiners and the last batch of examiners would have completed the fundamental training stages on search and substantive examination by the end of September of this year, before the General Assemblies. In relation to operation and infrastructure, to ensure quality search and examination, IPOPHL had access to credible and reliable databases, both proprietary and publicly available: Thomson Innovation, WIPS Global, EPOQUENet, STN, Open Parser for Systematic IUAPAC Nomenclature (OPSIN), National Centre for Biotechnology Information (NCBI), European Molecular Biology Laboratory – European Bioinformatics Institute (EMBL-EBI), 3GPP Telecommunication Technologies, WIPO CASE, and PATENTSCOPE, among others, and would have access to the IEEE database the following week. IPOPHL was an ISO 9001:2008 certified organization with a Quality Management System (QMS) in place for its core processes of patent search and examination and trademark registration. IPOPHL secured the ISO 9001:2008 certification pursuant to the national government's policy to ensure that all agencies conformed to continuous improvement of the delivery of public services, increased organizational productivity and effectiveness, and promoted professionalism and stronger work commitment of employees. The IPOPHL was presently preparing the transition from ISO 9001:2008 to ISO 9001:2015 Standards in order to further strengthen leadership capacity across the organization, sustain business efficiency and formulate effective risk management strategies. In addition to its ISO Certification, the Bureau of Patents (BOP) within IPOPHL had adopted and implemented the following measures to ensure quality of work products as part of its in-process quality management system: (a) quality check within the examining divisions; (b) adoption of search strategy based on a standard search template; (c) three person team (3-PT) for search report and written opinion; (d) adoption of a patent quality manual; and, (e) issuance of guidelines on patent examination covering pharmaceutical applications and working on specific technologies for biotechnology and ICT. As part of monitoring and maintenance, it had also implemented the Patent Quality Review System (PQRS) wherein the Quality Management Division (QMD) randomly reviewed and checked work products of examiners. As regards the operational aspect, IPOPHL had relocated its premises to McKinley Hill, Fort Bonifacio Global City, the new business district in the Philippines, and had

invested in the necessary office facilities and equipment, including a reliable and secure IT infrastructure that could adequately support national as well as international operations. To make IPOPHL services more accessible, convenient and efficient to clients and stakeholders, an electronic filing system for inventions, utility models, industrial designs and trademark applications had been put in place.

11. The Delegation underlined that, with respect to the innovation agenda, IPOPHL had several initiatives to support IP creation. Foremost was the IPOPHL-led ITSO program that fitted well with the Philippine Development Plan (PDP). To complement this, IPOPHL had implemented the Patent Protection Incentive Program (PPIP) which sought to develop a culture of innovation in the country. It provided an incentive scheme with the condition that the invention would be filed with the PCT System. It aimed to increase filings from the Philippines in the PCT System in the coming years. The Philippines was also among the pilot countries of the Inventor Assistance Program (IAP), a joint WIPO–World Economic Forum (WEF) Program, which sought to assist "under resourced" inventors to secure IP protection in other jurisdictions. For institutional partnerships, IPOPHL had established strategic cooperation, among others, with United States Patent and Trademark Office, the European Patent Office, the Korean Intellectual Property Office, the Japan Patent Office, the Mexican Institute of Industrial Property, the National Institute of Industrial Property (INPI) of France, the United Kingdom Intellectual Property Office, the European Union Intellectual Property Office, and of course, the ASEAN IP Offices.

12. The Delegation added that, pursuant to the procedure for the appointment for International Authorities as agreed at the forty-sixth session of the PCT Assembly, IPOPHL had sought the assistance of the established International Authorities – the Japan Patent Office (JPO) and IP Australia, to assess the extent to which IPOPHL satisfied the minimum requirements for appointment as an International Authority. Both had given positive findings and recommendations to IPOPHL. On this note, the Philippines extended its utmost gratitude to IP Australia and JPO for their support, guidance, and inspiration in our efforts to be designated as an ISA/IPEA. Both the JPO and IP Australia had expressed their willingness and interest to continue cooperation with IPOPHL in the years ahead. It is this spirit, cooperation and partnership within the PCT system continued to benefit not only the 152 Contracting States, but more importantly to the global community. The Delegation also acknowledged the support and assistance of the International Bureau for its assistance since it started the preparations to appointment as an ISA/IPEA four years ago.

13. The Delegation concluded by stating that, in summary, if designated, IPOPHL strongly believed that: (a) it could greatly help in addressing the demand of the PCT work, particularly the increasing volume of applications, by providing quality and timely services; (b) it could be the strategic partner of other ISAs and IPEAs in the region, particularly of Singapore in South East Asia; (c) it could be the tactical link of the PCT System in the growing Asian market, by promoting the system in Asia, particularly to the individual applicants, startup companies, and the new breed of innovators in the region; and (d) it could lay down the necessary institutional infrastructure in the region to pave the way for an increased usage of the IP system by developing and emerging economies. With this in mind, the Delegation sought a positive recommendation that the IPOPHL be appointed as an ISA/IPEA by the PCT Assembly at its forty-ninth session in October 2017.

14. The Delegation of Australia stated that IP Australia had a longstanding, fruitful relationship with the Intellectual Property Office of the Philippines (IPOPHL), which had been reinforced in recent years in the Regional Patent Examiner Training program. In relation to the application to be appointed as an ISA/IPEA under the PCT, the Philippines had been a PCT Contracting State since 2001 and had considerable knowledge of the PCT System and its processes. Moreover, IPOPHL had almost 70 years of experience in substantive search and examination in its national capacity. In 2015, IPOPHL had sought IP Australia's assistance in fulfilling the desire to become an ISA/IPEA under the PCT. Subsequently, IP Australia had agreed to become one

of the existing International Authorities along with the Japan Patent Office to assist their capacity to become an International Authority under the PCT. The Delegation underlined that this was another initiative at a practical level of partnering for change in the Asia and Pacific region. To begin that process, in December 2016, a delegation from IPOPHL had visited IP Australia for a workshop on operations as an ISA/IPEA, where process training, IT systems and quality processes required to conduct international search and preliminary examination in the modern age were discussed. Following on from this, two officials from IP Australia visited IPOPHL in February 2017 to conduct a more in-depth fact finding exercise of the operations and the existing capacity. The report from the fact-finding visit was attached in Appendix 2 of the Annex to document PCT/CTC/30/2 Rev. At the time of the visit, there were 87 examiners at IPOPHL and the officials noted that recruitment activities were underway to bring examining capacity to the current level of 110 examination staff by the end of the following month. The officials were also advised that IPOPHL had significant training and development activities in house, both in terms of the technical patent aspects and those of a more scientific nature. Notwithstanding that, the examiners at IPOPHL had a minimum of a bachelor's degree in engineering or sciences in the relevant technology and had passed the career examination for professionals conducted within the Philippine civil service, and were very proficient in English as well as Filipino. In terms of their ability to conduct searching, the examiners used a combination of searching tools, many of which were cited by the Delegation of the Philippines in its introduction to the document. Chief among them was EPOQUENet, the very valuable tool provided by the EPO, which IP Australia also uses, as well as proprietary databases such as those covering non-patent information sources. The Delegation believed that these search tools would provide IPOPHL with access to the most up-to-date structured searching system and databases to assist in the search capacity and quality. Moreover, like IP Australia, IPOPHL was using the three person team to devise structure and implement the searching strategy at the beginning of a search task, which not only ensured comprehensive and quality searching, also facilitated ongoing learning on patent searching by examiners. The officials from IP Australia were also able to review the quality management system at IPOPHL, which was a key tenet of any operational ISA/IPEA and concluded that IPOPHL had a well-developed set of quality standards against which search and examination of products were assessed. All work generated by examiners was reviewed by supervisors for quality and an additional external review was undertaken. As had been pointed out by the Delegation of the Philippines, in-process review occurred so the final product issued had the opportunity to be reviewed to allow any product defects to be remedied before the product was put out to the customer. Key features at IPOPHL included independent quality review based on random sampling where a sample of work was assessed by an independent quality reviewer. More particularly, IPOPHL had the ISO9001:2008 certification covering the process of granting patents, utility models and industrial designs, which was a key part of the quality approach at IPOPHL.

15. The Delegation concluded that the quality system at IPOPHL was consistent with the common rules of international search and preliminary examination, as set out in Chapter 21 of the PCT International Search and Preliminary Examination Guidelines. The Delegation also believed that IPOPHL met the requirements of Rules 36 and 63 in relation to the ability to conduct searches in the minimum documentation, and its staff had the technical language skills to understand this documentation. IPOPHL also had a management system and the recruitment and training ability to develop the human resources required to undertake the job of an ISA/IPEA. The Delegation further noted that the application was a cornerstone to the innovation agenda in the Philippines. This in turn, would lead to increased usage of the international patent system within the Asia and Pacific region and potentially add value to the network of existing Authorities. As part of a longstanding, cooperative relationship with IPOPHL, if successful in its application to be appointed as an ISA/IPEA, IP Australia would be able to provide further ongoing assistance to develop the full capacity of the ISA/IPEA over the coming years, noting that appointment as an ISA/IPEA was only the beginning of a continual journey of learning, development, and of redevelopment in order to meet the customer's needs and dutifully act in the role of ISA/IPEA. The Delegation expressed pleasure to have been involved in the application of IPOPHL as ISA/IPEA and wished it the best in its endeavor.

16. The Delegation of Japan stated that the close cooperation between the Japan Patent Office (JPO) and IPOPHL in the field of intellectual property had been underway for a long time and involved a wide range of activities such as development of human resources and automation. As part of the 2016 annual work program on bilateral cooperation under the Memorandum of Cooperation (MOC) in the field of intellectual property between under the JPO and IPOPHL, the JPO had conducted an assessment on IPOPHL's readiness to be appointed as an ISA/IPEA. The assessment had been conducted in an objective manner to assess the needs of IPOPHL and determine whether the minimum requirements in line with the PCT Rules 36.1 and 63.1 had been met. The result of the assessment was attached in Appendix 3 in the Annex to document PCT/CTC/30/2 Rev. The assessment concluded that IPOPHL would meet the minimum requirements under the relevant PCT rules on the assumption that the additional examiners appointed in March 2017 would have the capability to conduct searches and examination, and IPOPHL would have access to certain non-patent document databases by the time of PCT Assembly in October, 2017. The Delegation concluded by stating its support for the appointment of IPOPHL as an ISA/IPEA based on the information made available by the Delegation of the Philippines and hoped that the appointment of IPOPHL as an ISA/IPEA would contribute to the further development of the PCT System.

17. The Delegation of the European Patent Office (EPO) confirmed that the EPO had engaged in discussions with IPOPHL for that Office to obtain access to EPOQUENet. Access to EPOQUENet had been given on May 3, 2017 and training would take place in the coming months. The Delegation also clarified that it had agreed to implement a bilateral Patent Prosecution Highway (PPH) agreement in the coming months

> 18. The Committee unanimously agreed to recommend to the Assembly of the PCT Union that the Intellectual Property Office of the Philippines be appointed as an International Searching and Preliminary Examining Authority under the PCT.

19. The Delegation of the Philippines thanked the Committee for favorably endorsing the application of the Intellectual Property Office of the Philippines to be appointed as an International Searching and Preliminary Examining Authority under the PCT and especially thanked the Delegations of Australia and Japan for their support in the process. The four years to prepare the application had been a long, challenging and fulfilling journey. IPOPHL had taken gradual steps to become an ISA/IPEA and take on a greater role in the PCT System, and it was aware of the hard work ahead, but it was ready to face the challenge as an ISA/IPEA against the backdrop of increasing volumes of international work. This was important to the Philippines as the country built up a culture of innovation and creation, as well as within the bigger context of promoting the patent system in Southeast Asia. The Delegation expressed its sincere gratitude to IP Australia and the Japan Patent Office for their invaluable assistance, guidance, support and willingness to share their experiences, practices, policies and operations, which greatly helped IPOPHL in preparing its application for appointment; it was truly inspired by the spirit of this partnership and collaboration and looked forward to continuing cooperation with these IP Offices in the future. Likewise, the Delegation thanked the United States Patent and Trademark Office for its assistance, support and invaluable insights over the years. The Delegation also acknowledged the assistance of the European Patent Office and thanked the Delegation of the European Patent Office for confirming its cooperation and access agreement. The Delegation concluded by expressing appreciation to the PCT Divisions and the Asia and Pacific Bureau at the International Bureau, and in particular, acknowledged the programs and activities that IPOPHL had participated in, which had enabled it to improve its capacity and organizational readiness throughout the appointment process.

AGENDA ITEM 5: ADVICE TO THE ASSEMBLY OF THE PCT UNION ON THE PROPOSED EXTENSIONS OF APPOINTMENT OF INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITIES UNDER THE PCT

(a) Austrian Patent Office

20. Discussions were based on document PCT/CTC/30/3.

21. The Delegation of Austria stated that Austria was a federal republic state in Central Europe, with a parliamentary democracy, a member of the European Union, of the United Nations, as well as of most UN organizations. Of the approximately 8 million inhabitants, 98 per cent spoke German. However, like international applications filed at the Austrian Patent Office, national patent applications could also be filed in English or French. In that case, the applicant would receive a first written opinion with search results and would be invited to file a translation in German to continue the prosecution. For more than 100 years, Austria had had a well-functioning IP system with modern legislation, administrative body, institutionalized attorney system and other stakeholders. The Austrian Patent Office (APO) was established in 1899 as the government body responsible for examining, granting and administrating industrial property rights. As of 1978, so from the beginning of PCT, the APO had acted as an ISA/IPEA under the PCT, and currently acted for 37 different receiving Offices. The APO was able to act for Offices from developing countries only, and sometimes this limitation resulted in the APO being obliged to refuse agreements to act with new receiving Offices. As an International Authority, the APO was happy to share its long-term experience in granting national patents, as well as providing search and examination, with offices and applicants from other countries, with the focus on the developing states. Most of the applicants could benefit from a special discount on the standard search fee for natural persons. For applicants not eligible for this discount, the search fee could be partially refunded, provided that the APO could benefit from an earlier search. Together with the International Bureau, the APO organized a yearly training course for examiners of the other Offices. Following the special request of the participants, the APO put a special emphasis on database search. The APO also actively participated in the Global Patent Prosecution Highway (PPH), which included PCT-PPH. This enabled applicants using APO as ISA or as Office of First Filing to request accelerated examination for subsequent filings in more than 20 other Offices. The APO benefitted from its status as an International Authority as it was in regular contact and exchanged knowledge with other patent Offices. Being an International Authority meant being strongly committed to the highest international search and examination standards and to keeping services and processes constantly up to the state of the art. This not only raised the self-esteem of staff members at the APO but was also the Office's "calling card" for the national and international innovation community. Altogether, the APO had been a reliable and a flexible partner in the PCT System for more than thirty years. The APO had also proven its flexibility in the course of implementing and testing new systems. In cooperation with the International Bureau, the APO had been willing to contribute to the development of new systems such as ePCT or eSearchCopy, where the APO was one of the early Offices using these systems and among the more intensive users. The APO currently received search copies through eSearchCopy from 10 receiving Offices, and it was proud to be one of the Offices with the most active use of ePCT for communication with applicants, with the International Bureau and with the other offices – in its capacity as a receiving Office (RO), as ISA/IPEA, as well as designated or elected Office. Moreover, the APO was in the course of replacing its old database by ePCT. The APO was looking forward to sharing its respective experience widely, since it believed that the ePCT and eSearchCopy systems were a better alternative for applicants, for Offices and therefore, for the PCT System as a whole. The Delegation concluded by stating that the APO would be honored to continue its contribution to the essential work of the PCT as one of the International Authorities.

(b) Australian Patent Office

22. Discussions were based on document PCT/CTC/30/4.

23. The Delegation of Australia underlined that its commitment as a signatory to the PCT was unwavering and aligned with its commitment to strengthen the IP system, both domestically and internationally. IP Australia was committed to ensuring that the IP rights system was efficient and accessible to all by driving IP policy domestically and engaging with IP issues globally. This ongoing theme of global collaboration and information-sharing also encompassed the participation of IP Australia in various WIPO technical and policy meetings and committees, which assisted Australian applicants through streamlined international IP systems and improved quality and enhanced usability of the PCT. As a result of successive agreements between the Australian Government and the International Bureau, the Australian Patent Office had been an ISA/IPEA since March 31, 1980 and had built a strong reputation within the PCT community. IP Australia's services as an International Authority were highly valued and sought after by Australian innovators, as well as applicants from other jurisdictions. IP Australia currently had approximately 400 examiners, all with a recognized degree, or a diploma and over half with post-graduate degrees. Many examiners also had appropriate industry experience.
IP Australia searched and examined applications in English, one of the primary languages of the PCT System. Through access to various search tools and search engines such as EPOQUE and STN, IP Australia had full access to the PCT minimum documentation. Additional support tools for examiners included ready access to internal and external databases, technical books, journals and legal resources. This included IEEE, MEDLINE, PubMed, and WIPO CASE.
IP Australia also had a well-established and maintained quality management system (QMS) certified under ISO 9001:2008, with recent re-certification gained in April 2015. The Office continued to meet or exceed the requirements set out in Chapter 21 of the International Search and Preliminary Examination Guidelines and remained committed to the continual improvement of its core business functions and corresponding QMS. This included participation in a pilot of a Paired Review of our Chapter 21 QMS requirements at the 2017 Quality Subgroup meeting of the PCT Meeting of International Authorities. The desire for continuing improvement had also been shown through the Vancouver Group (the Canadian Intellectual Property Office, IP Australia and the United Kingdom Intellectual Property Office) and other initiatives, including collaboration on this application for extension of appointment as ISA/IPEA. IP Australia was engaged with many Offices, such as the European Patent Office, the United States Patent and Trademark Office, the Japan Patent Office and the National Institute of Industrial Property of Chile, on a range of topics under the PCT, such as examiner training, search techniques and quality mechanisms. As an International Authority, IP Australia continued to influence development of the international IP system, supporting other IP Offices and systems in the Asia-Pacific region, through various cooperation activities and leading by best example. The Regional Patent Examination Training Program (RPET), for example, had been an ongoing award-winning success with positive feedback from participants and the wider global IP community, and IP Australia looked forward to progressing this program into RPET Mentoring as a further means to improve the IP system in the region and to strengthen the relationships with participating Offices and program partners. Most recently, IP Australia had assisted the Intellectual Property Office of the Philippines (IPOPHL) in its bid to become an ISA/IPEA.
IP Australia was committed to continuing ongoing efforts to support IPOPHL, as well as the Offices and IP systems of the Asia-Pacific region more broadly. In summary, the Delegation believed that the Australian Patent Office met all the minimum requirements and thus was suitable for re-appointment as an International Authority.

24. The Delegation of the Philippines expressed its full support to the extension of appointment of IP Australia as an ISA/IPEA under the PCT. The Intellectual Property Office of the Philippines (IPOPHL) had a longstanding strong bilateral relationship with IP Australia that had greatly assisted IPOPHL in enhancing its capacity to fulfill not only its obligations under the PCT, but more importantly in enhancing the ability of IPOPHL to administer a robust patent system effectively. The Delegation highly appreciated IP Australia's utmost generosity in

sharing its wealth of knowledge and experience in its operation as an International Authority. Moreover, the participation of IPOPHL in IP Australia's Regional Patent Examiner Training program greatly enhanced its capacity, which paved the way for a healthy, beneficial exchange of information and enhanced operational efficiency, capacity building, quality management, search and examination of practices and other matters in patent administration. The efficiency of IP Australia and its operation as an International Authority was well recognized and its willingness to assist small and medium-sized IP offices like IPOPHL truly made it a strong partner in further improving the global patent system. The Delegation hoped to continue the excellent cooperation and partnership with IP Australia in the years ahead.

(c) National Institute of Industrial Property of Brazil

25. Discussions were based on document PCT/CTC/30/5.

26. The Delegation of Brazil informed the Committee that it had been 10 years since the National Institute of Industrial Property of Brazil (INPI-Br) had been appointed by the PCT Assembly in 2017 as an ISA/IPEA under the PCT, the first in Latin America. At the same session, Portuguese had been added to as a language of publication to Rule 48.3(a). Portuguese had a quarter of a billion speakers in four continents, and as a consequence of this change, applications filed in Portuguese had increased almost 20 fold from less than 30 to around 500 per year. Most of these international applications were searched by INPI-Br, with numbers of applications processed as an ISA and IPEA growing since the beginning of activities in 2009 to almost seven times the original figures. The Delegation expected these numbers to increase in the coming years. Brazil not only recognized the importance of a well-functioning industrial property system for social and economic development but also the relevance of strengthening the PCT System. The implementation of a quality management system was based on the most advanced standards available and in compliance with Chapter 21 of the PCT International Search and Preliminary Examination Guidelines. INPI-Br had also reached a good level of timely delivery of reports, with 92 per cent of written opinions as ISA being delivered around 15 months from the priority date, well under the expected 16 months, and 96.8 per cent of international applications being published with the international search report. The importance of international cooperation went well beyond the exchange of experiences. INPI-Br had been moving forward in efforts to collaborate with other patent Offices through training programs for patent examiners, through to the tools for patent searches and work sharing agreements. INPI-Br had also carried out several actions to mitigate the impact of its patent backlogs in streamlining the submission and examination of patent applications. For example, the creation of simplified electronic filing, had resulted in 93 per cent coverage of documentation delivered in digital format, including the use of ePCT. Additionally the monthly goal of 35 final decisions for an examiner in 2015 had risen to 43 in 2016, with 55 being expected by the end of 2017. INPI-Br had also implemented a program to enable patent examiners to work directly from home. In addition, another project was making wider use of regional offices, allocating patent examiners in different regions of Brazil. This policy had raised examiner productivity by at least 30 per cent. Furthermore, INPI-Br fully complied with the minimum requirements for appointment in PCT Rules 36.1 and 63.1. For instance, INPI-Br had 348 patent examiners working on a full time basis, and as recently as the previous week, 43 were hired whom were expected to be in full production by the end of 2018. Senior examiners had an average of 10 years' experience. Examiners undertook a thorough training program for both newcomers and longstanding examiners. Once trained, newcomers went through a tutoring system and were only assigned full duties after one and a half years of experience. Only after examiners reached a high level of quality in production could they become specialists in certain technological fields. Directly linked to the commitment to a quality patent system for examination was that examiners participated in continuing training to keep them updated. Furthermore, examiners received specific training for ISA and IPEA functions, covering the International Search and Preliminary Examination Guidelines, as well as the correct use of the ISA and IPEA forms in contrast to national search and examination processes. With regard to language skills, INPI-Br also had Spanish and English as official languages in relation to its activities as ISA, in addition to

Portuguese. Examiners at INPI-Br had full access to patent and non-patent literature thanks to search tools to access databases such as the World Patent Index and an agreement with the European Patent Office to access EPOQUE, complemented with subscriptions to comprehensive scientific databases. In conclusion, INPI-Br was ready to operate as an ISA/IPEA for a further 10 years, with its presence among the International Authorities demonstrating the continued relevance of developing countries like Brazil and contributing to a more equitable IP system. The Delegation would therefore be honored for INPI-Br to be reassigned these important responsibilities.

(d) Canadian Intellectual Property Office

27. Discussions were based on document PCT/CTC/30/6.

28. The Delegation of Canada stated that the work products of International Authorities had a dual function. On the one hand they were used by applicants in making decisions regarding the protection of their inventions. On the other hand, they were used by the designated and elected Offices to make their own assessment based on their national laws as to a claimed invention's novelty, inventive step and industrial applicability, preferably without having to resort to re-examining the application in its entirety. For both purposes, it was essential that the work products contained useful, detailed, accurate, dependable and timely information of the highest quality. Like many Offices, the Canadian Intellectual Property Office (CIPO) had traditionally been an Office of second filing. CIPO encountered first hand, and to a great extent what other designated and elected offices experienced. As a mid-sized IP Office, CIPO understood and appreciated how national and regional Offices used the work of an international application, and the importance placed on the quality of the work products of International Authorities. Designated and elected offices placed a great deal of trust in these work products. Cognizant of this, CIPO was well placed to ensure that knowledge was used when working with other IP Offices, especially the International Authorities, to ensure the concerns of smaller and mid-sized Offices were addressed. At the same time, CIPO endeavored to take positions on improvements to the PCT that would balance the needs between two sets of extremes, those of larger and smaller Offices and those of national interests versus complying to the fullest extent with the PCT Articles and Regulations. CIPO did this with the presumption that the usability, accuracy, dependability, timeliness of the international IP system as a whole would improve for everyone's benefit. The efforts and commitment of CIPO to continually improve and build on its quality management system, as outlined in the report submitted under Chapter 21 of the International Search and Preliminary Examination Guidelines, were highlighted by the recent certification of its patent branch under the ISO 9001:2015 Standard. In addition as noted an article in the WIPO magazine in 2015, CIPO had embraced Lean methodology. CIPO constantly sought means for furthering its strategy of continuous improvement and transferred these experiences to entrench continued excellence in the PCT System. Driven by the need to increase timeliness in the delivery of IP rights and to decrease costs, the status of ISA/IPEA had allowed CIPO to focus on practical efforts to enhance the value and transparency of the international search and examination under the PCT. CIPO had been operating since 1869 and thus possessed a notable breadth and depth of IP expertise. CIPO could draw upon this as well as other Canadian attributes to provide targeted assistance. This was demonstrated by being the sole provider of a French WIPO-CIPO Training Workshop and of French search and examination services for applications filed under the International Cooperation for the Search and Examination of Inventions (ICE) program. These were but a few ways in which CIPO provided technical assistance and training to developing and least developed countries. The Delegation believed that CIPO had demonstrated by way of its submission that it met the criteria required to function as an International Authority under the PCT, and hoped that its commitment to improving PCT System was evident not only from this intervention but from the concrete examples in the document. The Delegation concluded that it would truly be honored if Committee were to recommend the extension of the appointment of CIPO to the PCT Union Assembly.

(e) National Institute of Industrial Property of Chile

29. Discussions were based on document PCT/CTC/30/7.

30. The Delegation of Chile stated that the National Institute of Industrial Property of Chile (INAPI) had been working as an ISA/IPEA very satisfactorily for several years and was in a position to make its skills available to the international patent system, in particular, to countries in the Latin America region. So far, 11 countries in the region had nominated INAPI as a competent ISA/IPEA for applications filed at their receiving Offices, and over 450 international applications had been entrusted to INAPI as ISA since it began operations on October 22, 2014. The firm political will of the Chilean government to promote the use of industrial property as a tool had, as one of the results, the creation of a decentralized, technical, legal agency entrusted with the task of looking after industrial property services in Chile. INAPI began to function in 2009, replacing the former Department of Industrial Property of the Ministry of Economy and also taking on new responsibilities concerning the promotion and protection provided for industrial property and the dissemination of technological know-how. The creation of INAPI was a clear sign from the Government of Chile of the importance granted to industrial property in Chile. The development of the functions had brought a group of professionals and technicians together that were highly specialized and had ongoing training programs, which had made it possible to guarantee that these officials were constantly updated with the necessary knowledge for carrying out their tasks. As far as patents were concerned, INAPI had 129 examiners covering all fields of technology, carrying out searches and in-depth substantive examination into the patentability of every application submitted in Chile. One of the priorities in Chile was promoting and encouraging the use of industrial property and the transfer of knowledge, which had been shown by the submission of a Bill to the national Congress to replace the original Act on industrial property with cheaper, simpler, quicker procedures. Furthermore, in 2016, the Chilean government had launched a national strategy for industrial property which was prepared and drafted by INAPI and took account of issues such as the use of the PCT and participation of Chilean innovators in the patent systems abroad. Today, Chile had a robust IP system, and INAPI was a sophisticated Office not only able to provide top quality services, but also able to cooperate officially with the international IP system as a whole. In this context, the PCT played an essential role for stimulating patenting and promoting innovation. The Government of Chile saw a real specific possibility for member countries to interact at the international level, making the system more widespread and making it more attractive to users, thus serving to lend greater strength to the system and region and to promote the use of the PCT in Latin America. Furthermore, since INAPI worked as an ISA/IPEA in Spanish, this had been beneficial for Spanish-speaking countries in Latin America seeking high quality searches to be carried out, with increases in PCT filings not only from Chilean applicants, but also from applicants in Mexico, Colombia, Ecuador, Peru and El Salvador. As a receiving Office, INAPI had received 136 applications in 2015 and 163 applications in 2016. INAPI had frequently been chosen for these applications, showing the importance attached to the institution and the trust laid in it by applicants. Users had been extremely satisfied pursuant to surveys concerning search activities at INAPI, and in 2016, the prize of institutional excellence had been awarded to INAPI as one of the three best institutions in the country. This act of recognition had enabled INAPI to make considerable progress and provide services to its users, for instance, for submission of patents abroad. Moreover, since INAPI had been acting as an International Authority, the rate of submission of applications had increased considerably. INAPI remained committed to continuing to improve processes and be an Office known for its excellence and recognized for its work by the Latin American region and Offices in other countries.

(f) State Intellectual Property Office of the People's Republic of China

31. Discussions were based on document PCT/CTC/30/8.

32. The Delegation of China introduced the State Intellectual Property Office of the People's Republic of China (SIPO) application by first stating that SIPO satisfied the minimum requirements for appointment as an ISA/IPEA. SIPO had more than 10,000 full-time examiners, all of which were capable of searching and examining patents in Chinese and English and were equipped with machine translation functions and dictionaries to help them in search and understand prior art in other languages. Examiners used SIPO's "S system" and EPOQUE for patent searching, and an internet resources search platform for non-patent literature searching, giving access to 500 patent documentation and 140 non-patent literature databases. This made SIPO one of the patent institutions with the richest patent information resources in the world. SIPO also had a well-developed quality management system and tried to achieve the quality objective by quality assurance and examination guidance. SIPO also provided multiple-level training for examiners including junior and senior level, mainly relating to classifications of international applications, international search etc. Second, examiners had extensive experience; from 2010 to 2015, SIPO had produced more than 119,000 international search reports and international preliminary examination reports which complied with the relevant PCT legal provisions. Third, SIPO had taken a series of measures to improve PCT examination quality. For example, SIPO had issued a practical work manual to further specify the search and examination standards, and had built an electronic examination system, CEPCT, for PCT applications, which greatly improved workflow efficiency. SIPO also carried out annual user surveys on the implementation of the PCT system in China, and had made some special actions on PCT quality improvement this year. Finally, the Delegation underlined some benefits to the PCT System if the extension of appointment of SIPO were approved. First, SIPO could make further contributions to the PCT System in China, especially helping users to understand PCT System better through roving seminars in cooperation with the International Bureau, and providing a PCT consulting service. SIPO's appointment would be able to complement the PCT System by contributing its expertise in searching Chinese documents. Furthermore, SIPO provided services as an ISA/IPEA to 10 countries in total, including China, India, Iran (Islamic Republic of) and Thailand. Finally, SIPO was able to promote the development of the PCT System by providing PCT-related technical assistance and capacity building and by cooperation through the IP5 Offices, the Meeting of International Authorities under the PCT and the International Bureau.

(g) Egyptian Patent Office

33. Discussions were based on document PCT/CTC/30/9.

34. The Delegation of Egypt stated that it was important the PCT system was accessible to applicants from all regions. With the Egyptian Patent Office acting as an ISA/IPEA, 30 million people in Arab countries were able to file and process applications in Arabic, thereby enriching the global patent system. The Egyptian Patent Office prepared international search reports for receiving Offices of several countries other than Egypt, including Saudi Arabia, Sudan and Oman. Prior to its appointment in 2009, there were no ISA/IPEAs in the Arab region or in Africa, and none offering international search and preliminary examination in Arabic. While Arabic was added as a PCT language of publication in 2006, before the Egyptian Patent Office began operations, applicants filing in this language were disadvantaged as they were required to provide a translation for the purposes of international search. Furthermore, applicants from Africa and the Arab region were required to nominate an ISA more geographically distant from them, potentially with higher fees than the Egyptian Patent Office, and not being able to communicate in the applicant's preferred language. Since the Egyptian Patent Office had commenced operations as an ISA/IPEA, filings in Arabic have increased. While numbers were still not large, the extension of appointment of the Egyptian Patent Office playing an important part in the promotion and relevance of the PCT System to Arabic-speaking world. Furthermore, acting as an ISA/IPEA allowed the Egyptian Patent Office to provide more effectively other activities to improve the system within the region, including: (a) provision of a focal point network in association with WIPO Technology and Innovation Support Centers (TISCs) and similar programs to connect universities and research centers to industrial entities; (b) helping

to train examiners from other national offices into the region; and (c) helping to improve the quality of machine translation from Arabic into other languages. Finally, extension of the appointment of the Egyptian Patent Office as an ISA/IPEA would help the Office play its part in the national Egypt 2030 Sustainable Development Strategy. This strategy aimed to develop a creative and innovative society advancing science, technology and knowledge within a comprehensive system to ensure the development of value of knowledge and innovation, using the outputs to face challenges and meet national objectives.

(h) European Patent Office

35. Discussions were based on document PCT/CTC/30/10.

36. The Delegation of the European Patent Office (EPO) stated that the document provided detailed information on its request for extension of appointment, in particular concerning the minimum requirements to act as an ISA/IPEA. The EPO had been active as an ISA/IPEA since operations began in the PCT System in 1978, and served the PCT user community and the general public in its three official languages, German, English and French, both in its 38 Member States, as well as in the rest of the world. In this regard, the EPO offered a reduction of 75 per cent in fees for international search and preliminary examination for certain applicants from developing countries. The European Patent Office was also active in its cooperation with the International Bureau, IP Offices and stakeholders such as consumer organizations to make the PCT System more effective for Offices and more attractive to users. In particular, the EPO applied the same quality requirements for international searches under the PCT as it did for searches on applications under the European Patent Convention, noting the benefits of a high quality search for applicants entering the national phase. In 2016, the EPO produced about 80,000 international search reports, about 36 per cent of the total number issued, and more than 9,100 international preliminary examination reports, or 63 per cent of the total. The EPO was a competent ISA/IPEA for more than 100 receiving Offices, and the Delegation thanked them all, as well as their applicants for placing their confidence in the international work of the EPO. Furthermore, the EPO provided optional services for applicants, such as supplementary international search since 2010, and its own PCT Direct service since 2015.

37. The Delegation of the Philippines expressed strong support for the extension of the appointment of the EPO as an ISA/IPEA. Indeed, the contribution of the EPO in the PCT system was beyond reproach. The wealth of experience and skills at the EPO continued to enhance the system of international patent protection in the Philippines, and it was a privilege to be a partner and, at the same time, a beneficiary in capacity building and sharing of best practices in this area.

(i) Spanish Patent and Trademark Office

38. Discussions were based on document PCT/CTC/30/11.

39. The Delegation of Spain stated that the Spanish Patent and Trademark Office (SPTO) had been performing the functions of ISA/IPEA since 1993, when it became the first International Authority working in Spanish. This had enabled applicants communicating in Spanish to follow all the procedures of an international patent application in their own language, saving costs and reducing formalities. From the outset, the SPTO had met all the substantive requirements of Rules 36 and 63. In addition, subsequent requirements had been continuously updated, such as the implementation of a quality management system which had ISO 9001 accreditation. Traditionally, the relationship with Latin America had been one of the priorities of Spain, since Latin American countries were considered as partners with whom Spain was linked by strategic ties and language. Thus, a Memorandum of Understanding had been signed with WIPO which had led to the creation of the Spanish Funds-in-Trust (FIT/ES) in 2004. Since then, many projects have been funded through FIT/ES in the area of patents and the PCT, notably the following: the LATIPAT project, a free database in Spanish and Portuguese

containing more than 2.5 million patent documents, produced in cooperation with WIPO and the EPO, and thanks to the cooperation of 19 Latin American IP Offices; organization of inter-regional seminars for Latin American judges and prosecutors and PCT regional seminars; and the Patent Manual for the countries of Central America and the Dominican Republic. In addition to FIT/ES, the SPTO had other cooperation projects, where cooperation between the SPTO and other IP Offices and organizations had proven essential in order to strengthen relations, homogenize practices and, through training activities, share experience for mutual benefit. The SPTO had also established bilateral cooperation programs with more than 30 countries and organizations through Memoranda of Understanding. Within this framework, the following programs were worth noting: the Ibero-American Initiative for Qualification in Research and Technological Information (CIBIT) for Ibero-American patent examiners, with a six-month stay at SPTO headquarters with tutored and 100 per cent funded training; a Memorandum of Understanding with WIPO for the dissemination of IP, under which experts from the SPTO had participated in different events in the Republic of Moldova, Uzbekistan, Slovenia and Ukraine; fruitful international cooperation between the SPTO and European IP institutions (European Union Intellectual Property Office and the European Patent Office) allowed the SPTO to harmonize practices and keep the Office up to date with the latest tools and databases; several bilateral Patent Prosecution Highway (PPH) agreements with the SPTO, most involving the PCT, in addition to the Global PPH project started in 2014 where SPTO was one of the 22 participating Offices; and acting within the framework of a bilateral Memorandum of Understanding as an adviser to the Turkish Patent and Trademark Office in its appointment as a new ISA/IPEA in 2016. Furthermore, SPTO was closely involved in all WIPO Committees and Working Groups related to the PCT, with Spanish experts actively participating and making proposals to improve the international system for the benefit of users. As an example of activities with other international administrations, the SPTO, together with the European Patent Office and the other European ISA/IPEAs, participated in activities to harmonize PCT searches, within the framework of the European Patent Convention and through the Permanent Committee on Harmonisation of Search Activities (PCHSA), which met annually. The SPTO also endeavored to respond to the needs of its applicants through customer-oriented training programs and services. In 2016, more than 200 workshops and conferences had been held in different universities, institutions and research centers. In addition, two new services had been established in the SPTO to serve the public: the "duty patent examiner" who provides free assistance to applicants (face-to-face, by telephone or by e-mail) on PCT and patents, and "SME service", which offers free information to SMEs and entrepreneurs. With regard to electronic processing, the OEPM was firmly committed to the development of tailor-made tools that make for the efficient management of the files. All applications for the different services could be submitted electronically to the OEPM and the examiners had electronic management tools, which had made the SPTO a paperless office. In the field of technical cooperation, Spain was one of the participating countries with the European Patent Office in both the "PCT Paperless" pilot project and the Utilization Implementation Project. Likewise, electronic reception of copies for searching from other receiving Offices would be initiated using eSearchCopy. In conclusion, the SPTO requested its renewal as ISA/IPEA to continue to meet its national and international commitments, to promote and disseminate the PCT System and to contribute, as far as possible, to the PCT remaining accessible to users who wished to use the Spanish language as a technological language and thus promote innovation, technology and knowledge, a key factor for the development and economic growth of society.

(j) Finnish Patent and Registration Office

40. Discussions were based on document PCT/CTC/30/12.

41. The Delegation of Finland stated that Finland was one of the leading knowledge-based economies in the world, and both private and public sectors invested strongly in research and development. Currently Finland’s expenditure as percentage of Gross Domestic Product (GDP) was among the highest in Europe. Innovations generated new businesses, recently especially in the fields of electronics, gaming, clean technology and health technologies. In Finland, IP

rights were well recognized in the economy and in business life. In international comparisons, Finland had over the years been ranked high in the statistics on the number of patent applications filed annually in relation to the population. In the Global Innovation Index of 2016, Finland was the fifth among the top-ranked innovation nations. The Finnish Patent and Registration Office had a long history as an examining patent authority. The first patent was granted in 1842. The Finnish Patent and Registration Office had acted as an independent governmental central office since 1942. The Finnish Patent and Registration Office had been acting as an ISA/IPEA for international applications since 2005 and was highly motivated in continuing this work, with one of the governmental priorities being to ensure the status as an ISA/IPEA in the future. The Finnish Patent and Registration Office wanted to guarantee a good service, with local contact and in the local languages to its clients, including the inventors, small and medium-sized enterprises and the large scale industry. Finnish industry and clients of the Finnish Patent and Registration Office as a whole had been satisfied with the quality of the examination work and had expressed their wish to ensure that the Office continued its work as an ISA/IPEA. According to the recent statistics, in more than half of the PCT applications filed with the Finnish Patent and Registration Office, the applicant selected the Office as the ISA from among the three alternatives available. In 2017, the total number of applications in which the Finnish Patent and Registration Office acted as an ISA had also been significantly increasing. This showed a great trust in the work of the Finnish Patent and Registration Office. The applicants evidently appreciated the fact that the search and examination of the PCT applications could be carried out by another examiner than the one who had handled the priority application. Applicants also appreciated the quality of the search and examination. The Office had constantly invested in developing the quality of its processes and products, fulfilling the requirements of the ISO 9001 Standard and having all of the necessary equipment, hardware, software for performing efficient search and examination. The Finnish Patent and Registration Office also had full access to the minimum documentation for search purposes. In order to maintain the high quality of services, new examiners were extensively trained, and all examiners constantly participated in order to improve their expertise. Worldwide, the number of PCT applications had been growing steadily. The Finnish Patent and Registration Office had highly educated qualified and experienced staff and all of the necessary resources. Based on these facts, the Finnish Patent and Registration Office was ready to share the burden of the PCT System, not only for international applications from Finnish applicants, but also from other sources, always subject to the international agreements and obligations that Finland was a member of and remained committed to.

(k) Israel Patent Office

42. Discussions were based on document PCT/CTC/30/13.

43. The Delegation of Israel reported that Israel had one of the highest rates of use of the PCT System in the world. The Israel Patent Office (ILPO) was one of the top 15 Offices in the world in terms of the number of international applications received under the PCT. The ILPO had been fully operating as an ISA/IPEA since June 1, 2012 following its appointment in October 2009, and was highly motivated in continuing this work. The operation of the ILPO as an ISA/IPEA since June 1, 2012 had contributed to the development of the PCT System as a whole by way of encouraging its use – this was evident by the increased number of fillings in Israel. This could be attributable to the PCT activities and major awareness raising programs. The constant rise in the number of filings indicated the high degree of trust in the IPLO as an ISA/IPEA. According to the recent statistics, in 65 per cent of applications filed at the ILPO, applicants selected the IPLO as the ISA from the three available alternatives. The ILPO also shared the knowledge that it had obtained from successful operation as an ISA/IPEA with other Member States. In order to improve work quality and efficiency and provide extended and advanced functionalities to meet the modern needs of IP users, the ILPO was continuously upgrading internal automation systems and the electronic resources available to users. An electronic filing system had been established for all the departments of the ILPO, supporting all incoming and outgoing communications with applicants in electronic form. The PCT electronic

filing system had been highly favored by applicants and approximately 99 per cent of PCT applications in 2016 were filed online. The ILPO had invested a great deal in the search databases made available to its patent examiners to provide the comprehensive coverage far beyond the minimum documentation requirement of the PCT. The high quality services provided by the ILPO in its capacity as an ISA/IPEA had allowed the expansion of the list of countries from which applicants could select the ILPO as an ISA/IPEA. At present, the ILPO acted as an ISA/IPEA for applicants from Israel, the United States of America and Georgia. Subject to agreement with other Patent offices, the Israel Patent Office expected to be able to handle applications for other foreign applicants. The ILPO invested in many efforts to improve and streamline the international patent system. Some such examples were the implementation of the Cooperative Patent Classification (CPC) system as part of Israel's national classification system. Another significant step was the introduction of the PCT Direct service in April 2015 as the second International Authority to provide this option after the European Patent Office. Furthermore, in April 2013, the ILPO became one of the first ISAs to provide search strategy reports together with international search reports. Israel played an active role in patent-related cooperation aimed at work-sharing and harmonization of search and examination. The Patent Prosecution Highway (PPH) and Global PPH systems were one such example. In terms of advantages to the PCT System as a whole, reappointment of the ILPO as an ISA/IPEA would serve to alleviate the increased international PCT workload most International Authorities were facing. This workload had created backlogs both in number and application pending time. In turn, this had caused a degree of legal uncertainty, resulting in difficulties for stakeholders in making business, investment or technological decisions. The ILPO was constant contributor to the international professional meetings. In conclusions, the Delegation believed that by the extension of the appointment of the ILPO as an ISA/IPEA, Israel would be able to further promote wider use of the PCT System globally.

(l) Indian Patent Office

44. Discussions were based on document PCT/CTC/30/14.

45. The Delegation of India stated that India was a member of many organizations like the Association of South East Asian Nations Regional Forum (ARF), the Asia–Europe Meeting (ASEM), the Conference on Interaction and Confidence Building Measures in Asia (CICA), the East Asia Summit, the Group of Twenty (G20), the BRICS, the Commonwealth, the Indian Ocean Rim Association for Regional Cooperation (IORARC) and the Mekong-Ganga Cooperation (MGC). India also worked closely with many other organizations and extended support even though it was not a member. India had a population of 1.2 billion and the national Intellectual Property Rights (IPR) Policy was a giant leap by the Government of India to spur creativity and stimulate innovation. "Creative India, Innovative India" was the clarion call of the national IPR policy launched in 2016, which envisaged the creation of specialized units to assist all classes of IP owners in commercializing IP assets. The document laid the roadmap for the future of IPRs in India with the vision, "An India where creativity and innovation are stimulated by Intellectual Property for the benefit of all; an India where intellectual property promotes advancement in science and technology, arts and culture, traditional knowledge and biodiversity resources; an India where knowledge is the main driver of development, and knowledge owned is transformed into knowledge shared". The Indian Patent Office had been recognized as ISA/IPEA in 2007 and had started operations on October 15, 2013. Since then, the Indian Patent Office had received 2,305 search copies to March 31, 2017 and established 2,130 international search reports. As IPEA, the Indian Patent Office had received 59 demands during the same period and established international preliminary reports on patentability under Chapter II for 39 applications. In 2016-17, the Indian Patent Office had received 940 search copies, which amounted to more than 60 per cent of all international patent applications filed by Indian applicants at the Indian Patent Office or at the International Bureau in its capacity as a receiving Office, therefore registering nearly 32 per cent growth. Besides Indian applicants, applicants from Islamic Republic of Iran were also utilizing the services of Indian Patent Office as an ISA/IPEA to a great extent. The Indian Patent Office had developed its own electronic

processing software for ISA/IPEA operations and had also established secure connection through PCT-EDI for exchange of documents with the International Bureau. The Indian Patent Office also used ePCT in its capacity as a receiving Office, International Searching Authority and International Preliminary Examining Authority. Applicants who were nationals or residents of India could avail themselves of the e-filing facility at Indian Patent Office using the facility of a server hosted by the International Bureau through ePCT. eSearchCopy was also already used by the Indian Patent Office for transmitting search copies to IP Australia, the Austrian Patent Office and the Swedish Patent and Trademark Office. The Indian Patent Office provided a free patent search facility named inPASS on its official website which facilitated search on all published applications and granted patents. There were several innovations and IPR support centers operating in the country. Examples of organizations set up by the Government of India to facilitate innovation and IPR protection included the Biotechnology Industry Research Assistance Council (BIRAC), the Technology Information, Forecasting and Assessment Council (TIFAC), the National Research Development Corporation (NRDC) and the National Innovation Foundation (NIF). The initiatives of the Government of India such as Start-up India and the Atal Innovation Mission (AIM) with tinkering labs in schools and incubation centers had created an environment conducive for original innovation and entrepreneurship. India had also entered into bilateral cooperation with the Japan Patent Office, the European Patent Office, the United Kingdom Intellectual Property Office and the Intellectual Property Office of Singapore for sharing best practices, and cooperation with other offices was under active consideration. The Indian Patent Office had about 528 examiners in about 14 broadly specialized fields of technology, in addition to about 280 highly skilled and trained senior technical officials having experience from 15 to 25 years to further strengthen its technical manpower. With such a huge talented pool of scientists and engineers having proficiency in English, India was committed to provide affordable and reliable prior art search services to applicants, enabling them to take timely and correct decisions regarding potential to commercialize their inventions. As regards training, all the examiners after selection underwent initial training for three months at the Rajiv Gandhi National Institute of Intellectual Property Management (RGNIIPM) in Nagpur. This initial training was followed by on the-job training for eight months and refresher training course for another month at RGNIIPM. Advanced training was also conducted for one month at the place of posting during the second year. Special training sessions were conducted for ISA/IPEA work that included quality aspects as per the International Search and Preliminary Examination Guidelines. For these training programs, the faculty members included both in-house trainers and those from other patent Offices, academia, patent attorneys, etc. in order to promote improved understanding of international procedures and to help identify best practices from elsewhere. Ongoing training activities included training programs by WIPO and other patent Offices that were conducted from time to time within India and outside the country. Apart from training sessions, the Indian Patent Office also conducted examiner exchange programs with other patent Offices. Examiners were also given exposure to latest developments in their technological area in cooperation with industry associations, especially by industrial visits. Patent examiners had access to databases consisting of patent and non-patent literature as required under PCT minimum documentation for conducting the international searches and preliminary examination. The Indian Patent Office had also established a quality management system fully in line with the requirements set out in Chapter 21 of the PCT International Search and Preliminary Examination Guidelines. To update the QMS Report of 2016 regarding the Quality Assurance Portal (QAP) which was reported as being developed in paragraph 21.12 under the topic “Quality Assurance”, this development was complete and the portal was accessible through the intranet in the Indian Patent Office, which acted as an effective medium for communication of the quality policy and objectives as well as for sharing the best practices. The Delegation concluded by stating that it believed that the extension of appointment of the Indian Patent Office as ISA/IPEA under the PCT would fulfill the aspirations of the people of India and also the applicants who actively used its services to protect their inventions under international patent system.

(m) Japan Patent Office

46. Discussions were based on document PCT/CTC/30/15.

47. The Delegation of Japan stated that since the appointment of the Japan Patent Office (JPO) as an ISA/IPEA in 1978, the same year that Japan had acceded to the PCT, the JPO had been the only ISA/IPEA capable of conducting international search and the international preliminary examination in Japanese. In addition, since 2001, the JPO had conducted international search and the international preliminary examination in English. Details on compliance of the JPO with the requirements in Rule 36.1 and 63.1 were detailed in the document. Meanwhile, the JPO was maintaining the timeliness of its international searches and international preliminary examinations despite processing many PCT applications. As for the overall quality of the international searches, the JPO had received high evaluation in user satisfaction surveys. Furthermore, in light of the fact that maintaining and enhancing the work products in the international phase had been one of the most important issues under the PCT, the JPO had actively been working on improving the system and its processes for that purpose. For instance, the JPO had developed and published a “Handbook for PCT International Search and Preliminary Examination” for its examiners in 2015 to further enhance the transparency and predictability of the work of examiners. As stated in item 2.3 of the document, the JPO was actively cooperating with the other International Authorities and IP Offices enhancing information and the sharing of experiences. The JPO was also trying out a new method to improve the quality of work products and was continuing various cooperation projects not only with WIPO, but also in bilateral and other frameworks and by providing operational support to new ISAs. As for IP Offices that had requested application of appointment as an ISA/IPEA, the JPO had conducted an assessment of the Visegrad Patent Institute in 2015 in addition to the assessment of the Intellectual Property Office of the Philippines at this session of the Committee. The application for the extension of the appointment of the JPO as an ISA/IPEA was made against a background of contributing further to the PCT System in the future, as had done to date.

48. The Delegation of the Philippines expressed its full support of the extension of the Japan Patent Office as an ISA/IPEA under the PCT. The JPO and the Intellectual Property Office of the Philippines (IPOPHL) shared a background of good sharing of capacity building, quality management, and IP promotion among other activities. The JPO also greatly assisted in enhancing the organizational and administrative efficiency at IPOPHL. The willingness of the JPO to work and assist small and medium-sized Offices like IPOPHL spoke well of its commitment and positive contribution to the PCT System. The JPO also had a good reputation for efficiency as an International Authority, and was a crucial element in ensuring a robust, well-functioning regional Asian and international patent ecosystems.

(n) Korean Intellectual Property Office

49. The Delegation of the Republic of Korea stated that the Korean Intellectual Property Office (KIPO) had been appointed as an ISA/IPEA in 1997. The Republic of Korean joined the PCT in 1984, with KIPO beginning operations as a receiving Office in August that year. After appointment as an ISA/IPEA, KIPO started conducting international search and preliminary examination in 1999. In 2007, Korean became a PCT publication language, and the following year, the PCT Assembly accepted the Korean Journal of Traditional Knowledge as part of the PCT minimum documentation. Since 2007, the number of applications filed in Korean had increased, as had the public awareness in the Republic of Korea of PCT publications. Around 13,000 international applications were filed annually at KIPO. Moreover, KIPO hosted the Meeting of International Authorities in 2009, and assisted, together with the Spanish Patent and Trademark Office in the appointment process of the Turkish Patent and Trademark Office in 2016 by reviewing whether it met the requirements to become an ISA/IPEA under the PCT. The Delegation underscored that KIPO satisfied the requirements to become an ISA/IPEA. KIPO had around 822 patent examiners who were experts in their technical domain such as

chemistry, biology, telecommunication etc. Examiners at KIPO were also highly qualified having passed the service examinations of the patent authority agency and 44.4 per cent having doctorates. The overall average experience of patent examination was 7.2 years. The International Intellectual Property Training Institute, a sub-organization of KIPO, provided various training programs to improve the expertise and examination capacity of examiners. Annually, examiners followed a training program of over 90 hours, covering Korean patent law and emerging technologies. Through such training programs, patent examiners had improved their ability to understand the distinguishing feature of the claims or an invention over the prior art. Patent examiners at KIPO were fluent in English as well as in Korean and were able to search and utilize Japanese and Chinese patent documents. KIPO had continuously employed excellent examiners and provided instructive training programs for examiners. In terms of coverage of the PCT minimum documentation, the document provided further detail, with examiners being able to access around 63 million patent document and 137 non-patent literature journals through an internal search system known as the “Korean Multifunctional Patent Search System (KOMPASS)”, which also held unpublished patent documents in a secure manner. The search system could be searched by keywords in Korean, English, Japanese and Chinese, and there was also a machine-based translation service in English, Japanese, German and Russian. Annually, KIPO searched close to 30,000 international applications from about 16 receiving Offices, including the United States of America, Saudi Arabia, Mexico, as well as the Republic of Korea. In order to perform high quality international search KIPO had a quality management system in accordance with Chapter 21 of the International Search and the Preliminary Examination Guidelines, and it annually reported on its quality management system to Member States. Furthermore, KIPO had set up a helpdesk which tried to reflect the customer needs in quality management. In summary, KIPO satisfied the requirements in the PCT Regulations to be appointed as an ISA/IPEA. KIPO had performed international search and preliminary examination for around 18 years in accordance with the PCT Treaty and Regulations, International Search and Preliminary Examination Guidelines and Administrative Instructions. Furthermore, even though subject matter that was not examined under the national law in the Republic of Korea was excluded from international search and preliminary examination, KIPO did however perform some searches on certain claims on this subject matter, which it had communicated on its website and to applicants. KIPO had collected opinions to improve the PCT System and proposed them at meetings and cooperated with many PCT Member States towards the development of the PCT. Furthermore, the Government of the Republic of Korea was continuously increasing its capacity in the protection of IP rights and stressing the importance of the IP system to protect innovations and promote the development of technology. In the future, KIPO would continuously help to advance the PCT System as an International Authority.

(o) Russian Federal Service for Intellectual Property

50. Discussions were based on document PCT/CTC/30/17.

51. The Delegation of the Russian Federation stated the Russian Federal Service for Intellectual Property (Rospatent) was highly motivated to continue its functions as a ISA/IPEA for the following reasons: Rospatent had been acting as an ISA/IPEA since 1978; Rospatent had been selected as a competent ISA/IPEA by 31 receiving Offices; Rospatent offered services as a Supplementary International Searching Authority since 2009; and as an ISA/IPEA, Rospatent provided its clients with better access to the international patent system. Rospatent complied with the requirements of Chapter 21, as shown in its annual report of its quality management system. Besides, the following measures had been implemented at Rospatent to contribute to high quality: supervisors and senior examiners exercised a continuous control of search and examination results; a classification division checked the correctness of assigned classification symbols in the PCT applications and search reports; and there was a specialized internal automated system which enabled control of the timeliness of different working stages. In future, Rospatent was ready to act as ISA/IPEA for any receiving Office which selected it, and it offered its services in Russian and English. Rospatent did not

impose any limitations in respect of the number of applications that could be received from any given receiving Office for international search, or in respect of certain search subject matter. Moreover, methods for treatment of the human or animal body by surgery or therapy, as well as diagnostic methods were covered by international searches. Rospatent had a sufficient number of qualified examiners, with about 500 in total, half of which had more than 15 or 20 years of experience. The number of examiners with fewer than three years of experience did not exceed 70. Rospatent had two types of training programs, one for newly recruited examiners, and the other for experienced examiners. All new examiners started with initial mandatory training courses lasting for two months, which included the basics of IP, legal and procedural aspects, classification, searching and examination. The second component of mandatory training was on-the-job, under the supervision of a senior examiner for at least one year. Another important element of further training was training on search system, databases, computerized procedures for processing and handling of applications, and PCT-specific training covering procedure of filing, search and examination. Experienced examiners also periodically undertook training relating to amendments and changes in legislations, best practices and procedures, and if required, were trained in the use of new databases, in particular, searching specific external databases. If required, they were additionally trained in the use of new databases. Examiners involved in international searches and preliminary examination were informed of best practices in the PCT common errors in filing forms. Besides, for enhancing the examiner's proficiency, Rospatent facilitated examiner exchanges and external seminars and courses. Rospatent had full access to the PCT minimum documentation. The main searching tool was Rospatent's internal proprietary search system PatSearch, which, in additional to full text searching of patent documents of the USSR and Russia since 1924, also provided access to the Derwent World Patents Index database. For searching in chemistry and biotechnology, examiners used the STN commercial database. Additionally, external search databases of other patent Offices with free access were used like the European Patent Office Espacenet database, PATENTSCOPE and the Eurasian Patent Information System, EAPATIS. For non-patent literature searching, the examiners used internal technical libraries, inter-library subscriptions and the Russian-language abstract database, RZ VINITY, covering practically all important technical journals and publications in the world. Most examiners involved in international search had a good knowledge of English. The examiners also had access to the machine translation system, PROMT Professional 11.0. Rospatent also had a group of translators from European languages to assist examiners in understanding the documents retrieved. In conclusion, the Delegation provided some statistics. The average number of national applications filed per year was about 45,000, including 12,000 to 13,000 filed by the PCT national phase entry route. Approximately 1,000 international applications were received at Rospatent as a receiving Office, and 3,000 international searches were performed annually by Rospatent as an International Searching Authority.

52. The Delegation of the Eurasian Patent Office (EAPO) stated that the EAPO made use of the patent services from Rospatent, which acted as an ISA/IPEA for applicants from the Member States of EAPO. Rospatent also performed international-type services at the request of the EAPO in the framework of a bilateral agreement. The EAPO and regional applicants were satisfied with the searches and examinations performed by Rospatent in respect of quality and timeliness, and EAPO was intending to continue to use these services offered. The EAPO therefore stressed its support for the extension of appointment of Rospatent as an ISA/IPEA for the next ten years.

(p) Swedish Patent and Registration Office

53. Discussions were based on document PCT/CTC/30/18.

54. The Delegation of Sweden highlighted that the Swedish Patent and Registration Office (PRV) had been an Office for national patent filings since 1885 and an active ISA/IPEA since 1978 and had continued to fulfill the criteria of acting as an ISA/IPEA. Sweden was one of the most innovative countries in the world and had achieved a number 2 ranking in the Global

Innovation Index in 2016. There was also a significant demand for locally-based services in the Nordic area delivered in local languages; Swedish, Danish, Finnish, Norwegian were all among the most used languages of filing other than the PCT languages of publication. PRV continued to be an ISA chosen by a significant number of applicants from the region. The Office's position an ISA/IPEA was also mutually supportive with the activities undertaken in relation to patent information and training. PRV worked with dissemination of information on patents and intellectual property in a number of ways. The strategy for providing information support to entrepreneurs and SMEs was to combine access to valuable information on digital platforms with personal meetings, and also via intermediaries as different public advisor organizations. PRV also frequently organized trainings and seminars for these intermediaries. PRV continuously visited regional and local innovation days all over Sweden in order to contribute with information on intellectual property. The innovation supporting agencies network also had tours with start-up days, attracting many participants with information on intellectual property being an integral part. In 2016, as part of the Swedish Government Strategy on export, six regional export centers were established. As a national agency, PRV was a part of these centers for information and support concerning intellectual property. Examiners and formalities staff in PRV took part in effective training and development programs. They were approved through different level examination tests to ensure they had acquired and maintained the necessary competence requirements. During the training program to become an examiner, which took at least 18 months and comprised about 150 lesson hours, the examiner was under the guidance of several tutors which were responsible for the results of the examiner. Detailed written training material and online training programs supported the in-house training. Every examiner attended a comprehensive refresher course every five years. Additionally, seminars were given as a result of annual quality checks or in response to new situations or guidelines because of new practices. Directors provided individual educational programs concerning both intellectual property law and technical aspects. The education and programs included: workshops in-house, examiner exchange, in-house/external seminars and courses. An extensive cross search/examining program had been developed to ensure continuity and quality. Furthermore, patent experts were trained within a special expert program attended by highly qualified examiners. The program was extensive and ran over several years combined with normal search and examination duties. The program ended with an examination and oral presentation of an examination thesis. The Delegation concluded by stating that PRV looked forward to continuing its work as an ISA/IPEA and the cooperation of all the PCT membership.

(g) Intellectual Property Office of Singapore

55. Discussions were based on document PCT/CTC/30/19.

56. The Delegation of Singapore stated that the journey of the Intellectual Property Office of Singapore (IPOS) in the PCT System began in 1995 when Singapore became a PCT Contacting State. Since then, IPOS had maintained an active role as a receiving Office, contributing to the international patent system and cooperating with the International Bureau and other offices to service the domestic PCT filings. The journey took on an exciting trajectory on September 1, 2015 when IPOS commenced operations as an ISA/IPEA. As an ISA/IPEA, IPOS had established a strong track record on timeliness. With the team of over 100 full time examiners which had undergone structured, vigorous training, IPOS was fully committed to continuing to offer high quality search and examination services. More than 90 per cent of examiners possessed a PhD degree from top universities. Examiners were also well-equipped with access to a comprehensive group of platforms covering patent and non-patent literature. These subscription based platforms and databases were regularly reviewed for their adequacy, relevance and efficiency. In 2015, the PCT Yearly Review ranked IPOS first among all ISAs with 100 per cent of international search reports turned around within the prescribed 90 day timeline. Further, while IPOS had originally accepted filings only in English, on October 1, 2016, IPOS progressed to accept Chinese as an official language, with an aim of servicing PCT fillings in the Asia and the Pacific region. IPOS believed that its roles as an ISA and IEPA were synergistic with its regional responsibilities in the development of IP within the framework of the

ASEAN (Association of Southeast Asian Nations) Working Group on Intellectual Property Cooperation (AWGIPC). For example, IPOS was looking to increasing the quality and efficiency of patent search and examination in the ASEAN region by promoting work-sharing arrangements via the ASEAN Patent Examination Cooperation program, known also as ASPEC, and the Community of Practice for patent examiners. Singapore was committed to building an enabling and facilitating environment to support and complement its provision of effective services. Singapore had invested heavily in research and development, which had created high value jobs in Singapore with the number growing to 42,000 in 2014 – a steady increase of 8 per cent from 2012. Likewise, growth in national filings mirrored a similar trend, and breached the 10,000 mark in the same year. Singapore was also committed to building skilled IP expertise to support innovation as Singapore's next engine of growth, which would, in turn, bolster the value and impact of its operations. Taken as a whole, the familiarity of IPOS with the PCT system, the enabling environment it was committed to maintaining, the strategic location in the heart of Southeast Asia, and its strong patent examination capability would help IPOS continue its active role in the PCT System and effectively carry out its responsibilities as an ISA and IPEA. The Delegation therefore formally requested for the extension of the appointment of IPOS as an ISA/IPEA under the PCT and be placed before the PCT Assembly for consideration and approval in October 2017.

(r) Turkish Patent and Trademark Office

57. Discussions were based on document PCT/CTC/30/20.

58. The Delegation of Turkey stated that the Turkish Patent and Trademark Office (TURKPATENT) had been transforming itself as an IP knowledge and information dissemination hub for the region. As an ISA/IPEA, TURKPATENT was not only beneficial for local users but also for the users in its region and the PCT System as a whole. With its unique location at the intersection of continents, TURKPATENT could take on the role as a bridge to convey the IP knowledge and information between Europe and Asia. TURKPATENT, with its experienced and well trained human resources and technical infrastructure, could play a part in enhancing the awareness and wider use of the PCT in its neighboring countries, particularly in the Middle East, Turkic-speaking states, as well as Asia and also in the Balkans. Extension of appointment of TURKPATENT as an International Authority would help to meet the continuous growth in local demand for PCT search and examination work, and also result in a further increase in the awareness of the PCT System in Turkey and more PCT applications filed by Turkish applicants, as well as the users in the region. The users of the Turkish patent system and the public in general were giving extremely positive feedback regarding the appointment of TURKPATENT as an ISA/IPEA. In relation to the economic performance and policies established to foster innovation and R&D activities, the IP system in Turkey had shown significant development. According to the IP indicators published by WIPO, resident patent applications of Turkey had grown around 20 times in the last 15 years, and Turkey had improved its ranking from 45th to 13th in this period. The number of PCT applications originating from Turkey had increased around 13 times over the last 15 years, reaching 1,068 applications for 2016. In addition, as a receiving Office, TURKPATENT had shown strong growth in 2016, receiving 806 PCT applications. Furthermore, the number of international applications filed in the Turkish language had shown a drastic increase of 20 times in the last decade. Communication in their native language provided a benefit for the work of TURKPATENT as an ISA/IPEA, and for its users as well. TURKPATENT had been operational as an International Authority since early March, and had been indicated as a competent ISA/IPEA for eight PCT applications up to now, and had already prepared its first international search report. In terms of continuing to meet the criteria as an ISA/IPEA, TURKPATENT employed 112 full-time examiners who had sufficient technical qualifications to carry out search and examination work. Additionally, TURKPATENT planned to recruit 50 more examiners, who would complete their training by the end of 2018. The average experience of patent examiners at TURKPATENT was seven years, with almost half of the examiners having a Masters or PhD degree. Patent examiners were selected through an exhaustive recruitment process, which was then followed by an intensive training program

related to the skills, knowledge, and strategies concerning patent search and examination. TURKPATENT therefore continued to meet the minimum requirement of employees with sufficient technical qualifications to carry out search and examination. Meanwhile, as regards the minimum documentation accessible for search and examination, TURKPATENT enjoyed full access to EPOQUENet due to Turkey being a Contracting State of the European Patent Convention. Furthermore, as explained in the document, commercial databases and the library of Turkish Scientific and Technological Research Council including periodicals, journals and books on various fields of science and technology were available to TURKPATENT, giving it access to the patent and non-patent literature databases as required minimum documentation. Regarding the requirement for a quality management system (QMS), TURKPATENT had recently obtained the ISO 9001 certification as a normative reference to increase the effectiveness of the QMS. TURKPATENT was committed to providing high quality search and examination products and services. The pillars of search and examination quality policy were based on reliability, consistency, transparency, legal compliance, timeliness, and continual improvement. In this regard, TURKPATENT had adopted the PDCA (Plan, Do, Check, Act) cycle methodology as the basic principle for the implementation of the QMS. Moreover, the QMS according to Chapter 21 of the PCT International Search and Preliminary Examination Guidelines was now fully implemented for all the international search reports prepared by TURKPATENT. Within this framework, the Delegation believed that TURKPATENT continued to meet the requirements for extension of appointment as an ISA/IPEA, and its situation had improved since consideration by the Committee at its twenty-ninth session in 2016. To conclude, the Delegation highlighted some recent developments in the Turkish IP system. Since the WIPO General Assembly back in October 2016, a new industrial property law had entered into force which brought merits over the previous patent legislation and could strengthen commitment to bring benefit to the PCT System by giving TURKPATENT the opportunity to recruit 50 more patent examiners to further increase its institutional capacity. TURKPATENT therefore desired to continue contributing to the PCT System in its continuing functioning as an ISA/IPEA.

59. The Delegation of the Republic of Korea stated that it had been pleased to cooperate with the Turkish Patent and Trademark Office during the process for appointment as an ISA/IPEA and supported for the extension of its appointment.

(s) State Enterprise “Ukrainian Intellectual Property Institute”

60. Discussions were based on document PCT/CTC/30/21.

61. The Delegation of Ukraine stated that the Ukrainian Patent Office had started operating in 1991 in the independent State of Ukraine. From February 5, 2016, the State Enterprise “Ukrainian Intellectual Property Institute” (Ukrpatent) had started operating as an ISA/IPEA. The functioning of Ukrpatent provided an efficient and comprehensive examination and searches of national and international applications in all technical fields. Ukrpatent provided for the ongoing improvement of technical qualifications of examiners, including not only their proper education but also participation in EPOQUENet and STN training courses as well as other courses arranged by the European Patent Office, along with participation in seminars and events provided by the European Patent Office and the International Bureau by way of distance learning of search and examination methods. Ukrpatent had a well-established system of internal trainings for newly-hired and senior examiners, with particular attention given to training for functioning as an ISA/IPEA. Particular attention was paid to the system of quality control and observance of terms in search and examination. Ukrpatent had also continuously upgraded the internal automation system and the electronic information resources available to the users. Significant efforts had also been made to create a modern, paperless work environment by implementation of an e-filing system. As an ISA/IPEA, Ukrpatent endeavored to reach the highest examination requirements and maintain a high level of quality for its services and processes, with access by examiners to databases and searching systems to cover the minimum documentation in patent and non-patent literature. According to the document,

Ukrpatent met the technical requirements for the extension of its appointment as an ISA/IPEA. This would allow the Office to offer search and examination services to both Ukrainian nationals and applicants in other PCT Contracting States, particularly those in eastern Europe, thereby promoting an increase in the use of the PCT in this region. Moreover Ukrpatent was involved, on a regular basis, in the various WIPO Committees and Working Groups related to the PCT, maintaining contacts and sharing experiences with leading patent Offices to participate in improvement and harmonization of search and examination processes. As an ISA/IPEA, Ukrpatent had the opportunity to participate in the development of processes in the PCT System, such as ePCT and eSearchCopy. The extension of appointment as an ISA/IPEA would also facilitate Ukrpatent contributing to the implementation of the "Strategy of Sustainable Development 'Ukraine – 2020'". One of the priorities of this strategy was the popularization of Ukraine in the world as a state of high technology and innovation, as a state undergoing reform notwithstanding the challenges, as a state which enabled the contribution of knowledge and innovation in the development process, and as a state which used the results of development for achieving its national aims. The Delegation concluded that Ukrpatent was highly motivated and looked forward to the extension of its appointment as an ISA/IPEA.

(t) United States Patent and Trademark Office

62. Discussions were based on document PCT/CTC/30/22.

63. The Delegation of the United States of America stated that the United States Patent and Trademark Office (USPTO) had been originally appointed as an ISA in 1978, and as an IPEA in 1987, and had been continuously operating as an ISA/IPEA ever since. Since appointment, the USPTO had been among the five most selected ISA/IPEAs selected by applicants, issuing thousands of international search reports annually. For example, in 2015, the USPTO had prepared around 21,000 international search reports. Most of these reports were from applications filed at the USPTO as a receiving Office by nationals of the United States of America, but over 1,600 were filed at other receiving Offices. The large volume of search reports showed the trust placed by users in the quality of work performed and the significant role played by the USPTO in the functioning of the PCT System. As an ISA, the USPTO conducted international searches and prepared international search reports and written opinions for applicants in 23 jurisdictions. The USPTO also served one of the largest communities of innovators in the world, with universities, research centers, industry and individual inventors having access to its headquarters in Alexandria, Virginia in the Washington D.C. area and the satellite offices in Detroit, Denver, Dallas and San Jose. In the United States of America, as of 2014, there were over 4700-degree granting institutions of which over 3,000 provided courses of four years or longer. A large number of these institutions worked together with world-renowned research centers and technology transfer offices. Furthermore, a significant percentage of American industry relied on patents for their operations. The ability to secure intellectual property rights internationally was therefore fundamental to the success of these endeavors, with the role of the USPTO being important to help innovators secure their global patent rights. The many international search reports, written opinions and international preliminary reports of patentability generated by the USPTO were helpful to Offices examining the related applications. These documents were available to all after publication and could be used by examiners to aid their search under formal work sharing arrangements such as the Patent Prosecution Highway, or more informally. The USPTO had also been continuously refining its quality management systems and quality processes and strived for every patent to be correctly issued in compliance with all the requirements of national patent statutes, as interpreted by the judiciary at the time of issuance. Moreover, the USPTO had mechanisms in place to ensure that the legal requirements were properly applied in a manner that resulted in high-quality patents being issued. The recent initiative on quality, the Enhanced Patent Quality Initiative (EPQI) focused on improving the mechanisms by institutionalizing best practices and strengthening the work products, processes and services of the USPTO at all stages. Specifically, the EPQI was structured around three core pillars, namely, excellence in work products, excellence in measuring patent quality and excellence in customer service. Over the

years, the USPTO had been an active member of the PCT community at the forefront of efforts to streamline and improve the PCT System to provide benefits in cost, quality, and efficacy for patent Offices of Contracting States and for users of the system. To achieve these goals, the USPTO had presented various proposals for improvements such as those originally referred to as PCT 2020. The USPTO also continued to work on ways to improve the PCT System, for example, by taking part in multilateral projects such as the Phase 3 of the IP5 Collaborative Search and Examination Pilot, and by expanding and refining the Patent Prosecution Highway (PPH), with the aspiration of including the PPH in the PCT System. The Delegation therefore believed that the USPTO was well-positioned to continue to bring valuable contributions as ISA/IPEA to applicants, Offices and to the overall system.

(u) Nordic Patent Institute

64. Discussions were based on document PCT/CTC/30/23.

65. The Delegation of the Nordic Patent Institute (NPI) stated that the NPI had been established in 2006 as an intergovernmental organization by the governments of Denmark, Iceland and Norway, and acted as a formal instrument of cooperation in the patent field between these States. The NPI was appointed as ISA/IPEA by the PCT Assembly in 2006 and started operating as such on January 1, 2008. By establishing the NPI, a concept for cooperation had been created which had enabled the exploitation of synergy, drawing upon the consolidated resources of the participating Offices. More simply put, the operation of the NPI was based on using the examiners of the national patent offices of the Member States to perform the searching and examining of international applications. The purpose of the NPI was to maintain and enhance the patent competencies and services of the national patent offices of the Member States in order to stimulate innovation in these States. This cooperation had provided applicants in the region with an alternative regarding international search and examination without sacrificing the benefits of close contact, enabling the NPI to provide its users with the benefit of communicating in their own languages with personal contact with the examiner. Since the start of operations, the NPI had undertaken extensive international cooperation with other offices and international organizations, with the aim of improving the PCT System and to increase the quality and efficiency of the patent system as a whole. The NPI was a member of the Global Patent Prosecution Highway, played an active role in various international fora such as the PCT Working Group, the Meeting of International Authorities under the PCT (MIA) and the MIA Quality Subgroup. The NPI also cooperated extensively with the other ISA/IPEAs in Europe, engaging in several benchmarking and harmonization activities. From the outset, the NPI had had excellent cooperation with the International Bureau of WIPO, the most important of which was currently the use of PCT online services. The NPI looked forward to continuing to cooperate with the International Bureau in developing these services for the benefit of its users. The experience and competences gained from operating as ISA/IPEA under the PCT had contributed to increasing the capabilities of staff. The NPI was one of the existing ISA/IPEAs to assess the extent to which the Visegrad Patent Institute satisfied the minimum requirements for appointment as an ISA/IPEA prior to its appointment. It had also made the NPI better equipped to provide technical assistance to other PCT Contracting States, in particular developing countries, which the NPI and its Member States were focused on continuing for the coming years. Finally, the NPI was highly motivated to continue its operations as an ISA/IPEA and sincerely hoped that the Committee would be able to support its request for the extension of appointment and advise the PCT Assembly accordingly.

(v) Visegrad Patent Institute

66. Discussions were based on document PCT/CTC/30/24.

67. The Delegation of the Visegrad Patent Institute (VPI) stated that the VPI had been established by the governments of the Czech Republic, Hungary, Poland and Slovakia – the so called Visegrad countries. The VPI filled a territorial gap within the global system of the PCT

through acting as an ISA/IPEA for Central and Eastern Europe. The working model of VPI was built on the already existing resources and experiences of the patent offices of the participating countries. All search and examination related activities were insourced from these national offices. The pooling of the resources made it possible for the VPI to provide good quality searches in all technical fields in five languages: in Czech, Hungarian, Polish, Slovak and English. The VPI had 185 full-time and 10 part-time examiners. The examiners had access to the EPOQUENet system and various commercial search platforms covering the PCT minimum documentation as well as national patent and non-patent documentations of the Visegrad countries. The quality management system (QMS) of the VPI fully conformed to Chapter 21 of the PCT International Search and Preliminary Examination Guidelines, and annual reports on its QMS from 2015, before the start of operation, and from 2016, were available on the WIPO website. All the participating national offices were ISO 9001 certified and were being recertified this year under the ISO 9001:2015 version of the standard covering the VPI's PCT search and examination activities. The VPI itself was planning an ISO 9001 certification audit in the autumn of 2017. The VPI started its operation as an ISA/IPEA on July 1, 2016. In the first nine months of operations there were 109 international applications filed where the VPI was chosen as the ISA. About two-thirds of these applications were filed in a national language (Czech, Hungarian, Polish or Slovak) and approximately one-third of them were in English. This language distribution of the applications underlined the need for an ISA/IPEA in the Central and Eastern European region. The VPI had issued 35 international search reports in the first nine months, all within the prescribed time limit and complying with all relevant PCT regulations. The first demand for international preliminary examination had been received at the VPI in January 2017. The aim of the Visegrad Patent Institute was to bring the PCT System closer to applicants in the Central and Eastern European region and to improve the accessibility of the PCT System, in particular, for small enterprises and individual inventors of the region. The Delegation believed that it was on the right track to achieve this mission and therefore asked for support from the Committee for the extension of the appointment of the VPI as an ISA/IPEA under the PCT to be able to continue its work.

CONCLUSION

68. The Chair summarized that all 22 International Authorities seeking an extension of their appointment had demonstrated that they made a positive contribution to the services provided by the PCT System and continued to meet the minimum requirements, as set out in Rules 36 and 63. The Chair therefore proposed that the Committee could advise the Assembly to recommend the extension of the appointments of all current International Searching and Preliminary Examining Authorities.

> 69. The Committee unanimously agreed to recommend to the Assembly of the PCT Union the extension of the appointment of all national Offices and intergovernmental organizations currently acting as International Searching and Preliminary Examining Authorities under the PCT.

AGENDA ITEM 6: MODEL AGREEMENT BETWEEN AN OFFICE AND THE INTERNATIONAL BUREAU IN RELATION TO ITS FUNCTIONING AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY

70. Discussions were based on document PCT/CTC/30/25.

71. The Secretariat introduced the document by explaining that, at the time of appointment or extension of appointment of Offices and organizations, the Assembly would need to approve new agreements with the International Bureau in relation to their functioning as an International Searching and Preliminary Examining Authority (ISA/IPEA). The document proposed that the new agreements should follow the existing agreements in substance, but should be more consistent with one another and, by moving differences to the Annexes, it would be more straightforward to make amendments if needed. This was intended to serve two purposes.

First, readers who wanted to compare the differences between two Authorities would be able to find those differences more easily by comparing the relevant Annexes of the respective agreements. And second, for the Offices themselves, this should be more convenient because if they decided to begin a new service or indeed to end a service such as supplementary international search, the process of making that change would be easier. The model agreement to be used for drawing up the new agreements was set out in the Annex to the document. The Secretariat invited any comments on whether this would meet their requirements, noting that there may be some minor differences in the Articles of particular agreements to meet certain national laws.

72. The Committee approved the revised draft model Agreement set out in the Annex to document PCT/CTC/30/25 to be used as the basis for preparing the individual agreements under Articles 16(3) and 32(3) in relation to the functioning of an Office or organization as an International Searching Authority and International Preliminary Examining Authority with effect from January 1, 2018.

AGENDA ITEM 7: SUMMARY BY THE CHAIR

73. The Committee noted the contents of the Summary by the Chair in document PCT/CTC/30/26, established under the responsibility by the Chair, and agreed that it should be made available to the PCT Assembly, as a record of the advice given under agenda items 4 and 5.

AGENDA ITEM 8: CLOSING OF THE SESSION

74. The Chair closed the session on May 11, 2017.

75. *The Committee is invited to comment on the contents of the draft report*.

[End of document]