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INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)

MEETING OF INTERNATIONAL AUTHORITIES UNDER THE PATENT COOPERATION TREATY (PCT)

Eleventh Session
Geneva, February 21 to 25, 2005

PCT MINIMUM DOCUMENTATION:
TRADITIONAL KNOWLEDGE

Document prepared by the International Bureau

SUMMARY

1. This document summarizes the activities undertaken to date by the Meeting of International Authorities in the selection of Traditional Knowledge (TK)-related documentation and proposes some further additions to the list of the non-patent literature (NPL).

BACKGROUND

2. The Meeting at its seventh session undertook, at the request of the PCT Committee for Technical Cooperation (PCT/CTC), to initiate and conduct a study of the composition of the PCT minimum documentation and make recommendations concerning the NPL part of the PCT minimum documentation, particularly with regard to its possible extension to TK documentation (see document PCT/MIA/7/5, paragraphs 8 to 17).

3. By way of Circular C. PCT 996, the International Bureau gave notice of the addition of five periodicals to the NPL part of the PCT minimum documentation, with effect from July 1, 2004. The five periodicals were:

- *Journal of Ethnopharmacology;*
- *Journal of Chinese Medicine;*
- *Economic Botany, Journal of the Society of Economic Botany;*
- *Pharmaceutical Biology; and*
- *Acta Pharmaceutica*.

4. At its tenth session, the Meeting noted the five periodicals that had been selected for inclusion in the non-patent literature list under Rule 34 and supported the inclusion of six additional TK-related periodicals, as proposed by the European Patent Office (see document PCT/MIA/10/11, paragraph 40). The six periodicals were:

- *Planta Medica;*
- *Phytochemistry;*
- *Journal of Nutrition;*
- *Journal of Natural Products;*
- *Fitoterapia; and*
- *Phytotherapy Research.*

5. The activities detailed above were the first steps towards the inclusion of TK documentation in searchable prior art. It was proposed that the work continue both to review the possible further extension of the NPL list where appropriate and to promulgate an agreed list of recommended TK-related databases for use in the search process. However, at its tenth session, the Meeting agreed that it would be better to address the question of selection of traditional knowledge related databases within the wider spectrum of the proposed comprehensive review of PCT minimum documentation (see document PCT/MIA/10/11, paragraph 43).

ACTION TAKEN

6. In adding the new periodicals to the NPL list under Rule 34, the opportunity was taken to review and update information changes to periodicals already existing in the list. Additional information items were proposed to enhance the quality of the format and usability of the list (see document PCT/MIA/10/4, paragraph 7 and Annexes III and IV). The updated list of NPL, which includes the 11 new periodicals relating to TK, has been prepared according to the new format.

7. The updated NPL list and appendices will be made available in January 2005 on the WIPO website (see http://www.wipo.int/scit/en/standards/). The NPL list and appendices will also be published in the first Special Issue of 2005 of Section IV of the PCT Gazette. This Special Issue is scheduled for publication on March 17, 2005. Furthermore, the Minimum Documentation part of the MIA forum site has been updated to link to the NPL list and appendices (see http://www.wipo.int/pct/mia/en/min_doc/) and a PCT Circular will be issued to inform the Contracting States of the revised NPL list.

8. The Meeting is invited to take note that January 1, 2005 is the effective date of the additional six periodicals (numbered 240 to 245) in the field of TK. To comply with Article 15(4) of the PCT, International Searching Authorities should consult the additional six periodicals in the course of their international search work.

SUBSEQUENT DEVELOPMENTS

9. Upon further review of the periodical *Indian Journal of Traditional Knowledge* (IJTK) and the abstracting journal *Medicinal and Aromatic Plants Abstracts* (MAPA), the International Bureau proposes that the Meeting reconsider these for inclusion into the NPL list under Rule 34.

10. Reasons to support inclusion of IJTK into the NPL list include the following:

(i) Online accessibility to the IJTK website address has improved since the periodical was last reviewed in June 2004. The lack of access was a reason for rejecting IJTK in the recent selection exercise.

(ii) The publisher of IJTK has recently allowed online full text availability and searchability of IJTK. In brief, IJTK full text articles (from January 2004) can be searched and viewed, at no cost, using the Full Text and Advanced search modes on the Internet.

(iii) The geographical coverage of IJTK relates to India which is one of the major contributors and holders of TK. No other listed PCT minimum documentation periodical has the dedicated focus on India that IJTK provides.

(iv) IJTK is a leader in the field of periodicals to include IPC class codes for all articles. IPC classifications add value to the Search and Examination process.

11. Reasons to support inclusion of MAPA into the NPL list include that the publisher of MAPA has recently provided access to search abstracts, titles, and authors included in MAPA abstracting journal issues. In brief, abstracts included in MAPA abstracting journal issues (from February 2004) can be searched and viewed, at no cost, using the Full Text search mode on the Internet.

12. The improvements detailed above mean that IJTK and MAPA now appear to comply with the six selection criteria used in the recent selection process of TK periodicals (see document PCT/MIA/10/4, Annex I). More information about IJTK and MAPA can be found on the MIA forum at http://www.wipo.int/pct/mia/en/min_doc/tklinks.htm.

13. The Meeting is invited to take note of the contents of this document and to consider the addition of IJTK and MAPA to the PCT minimum documentation, as proposed in paragraphs 9 to 12, above.

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