

PCT 2005 ONE MILLION AND COUNTING

"In my opinion, the PCT is the greatest advance in foreign patent practice and patent portfolio management since the Paris Convention came into force in 1883." – Mr. T. David Reed, Senior Patent Advisor, The Procter and Gamble Company, United States of America

WIPO paid tribute to the world's innovators at a celebration in Geneva on January 14 to mark one million Patent Cooperation Treaty (PCT) applications. Representatives from major PCT user companies – Philips Electronics, Nokia, Samsung Electronics, Procter and Gamble, Huawei Technologies and Matsushita Electric – gathered to talk about why they use WIPO's international patent filing system, as well as the challenges faced in its further development.

WIPO Deputy Director General Francis Gurry described the founders of the PCT as visionaries. "The patent system is the best system that is available to encourage innovation which leads to improvement in the quality of life," he said. "Without the patent system, companies would seek to retain their competitive advantage through secrecy and the public domain would be the poorer."

One million applications speak for the PCT's success. Set up to offer inventors a *user-friendly, cost-effective* and *efficient* system for filing international patent applications, membership has snowballed since the PCT began operating in 1978. The system now counts 125 member countries. Expansion has been accompanied by regular updating of PCT Regulations to meet the needs of applicants and patent offices.

Creators great and small

From the biggest corporations, to universities, to small businesses and individuals, the PCT serves innovators from all walks of life. Complex advances in digital technology, life-saving discoveries in biotechnology, new products using traditional knowledge, labor-saving devices, games – all are among the more than 10,000 applications now processed by the PCT Office each month. Here is a sample of the new ideas and new solutions, which continue to pour in from across the globe:

- ▶ Apple Computer Inc. used the PCT for its iTunes music store, now countering digital piracy with a legal solution for downloading music.



iTunes music store

- ▶ Ashok Gadgil's water disinfection device using ultraviolet (UV) light is delivering affordable, safe drinking water to rural communities in developing countries. He filed the PCT application in 1997. (See our interview with Dr. Gadgil on page 5.)
- ▶ In Kenya, a partnership between university scientists in Nairobi and Oxford, United Kingdom, funded by the International AIDS Vaccine Initiative, produced a potential new vaccine against HIV. Following their PCT application in 2000, the nonprofit partners pledged to use patent ownership in pursuit of their commitment to make a successful vaccine available at minimal cost in developing countries.
- ▶ U.S. inventor Dean Kamen has 56 published PCT applications. He is best known for his stair-climbing iBOT™ wheelchairs and the Segway® Human Transporter.



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“Companies are increasingly being judged on their... success in strategically leveraging their intellectual assets – the PCT system lays down an excellent path for achieving [this].” –

Mrs. Kiran Mazumdar-Shaw, Chairman and Managing Director, Biocon Group, India

- Chinese scientists from Tsinghua University filed a PCT application for their process for creating a more environmentally friendly, two-component wet cement.



Sony's robot, Qrio

- Japanese ground-breaker Sony used the PCT when developing sophisticated techniques to control the movements of the company's humanoid robots.
- One of the first published Egyptian applications after Egypt joined the PCT in September 2003 was filed by Osman Fathi Osman for a honey-based, wound-healing compound. Some 50 applications were filed from Egypt during the first year of PCT membership, most by individuals.

A web gallery of notable PCT Inventions and Inventors is now showing on the PCT website. Visit the gallery at www.wipo.int/pct/en/inventions/.

One application - 125 countries

A single, international PCT application enables an inventor to seek patent protection simultaneously in any or all of the 125 Contracting States. One application form, one

language and one set of fees provides the same legal effect as a national application in each State. The PCT route gives applicants up to 18 months longer to decide in which countries to pursue national patent protection: *more time* for testing and technical development of the invention, for researching marketability in different countries, and for arranging manufacturing licenses and financing. This also means *delayed costs* associated with subsequent national applications. During the international phase, applicants receive *high-value information* from the PCT international search and preliminary report on the likely patentability of the invention in different countries. By the time applicants come to make national applications, they have a wealth of information on which to base business decisions.

Top users

The US, Japan and Germany are currently the most prolific PCT user-countries, with major multinational companies dominating the top 20 list. But use by developing countries is growing fast. The Republic of Korea is now the seventh overall user worldwide, with China moving into 13th place.

Top 5 overall users

Philips Electronics (Netherlands)
Siemens (Germany)
Matsushita (Japan)
Bosch (German)
Sony (Japan)

Top 5 developing country users

LG Electronics (Republic of Korea)
Samsung Electronics (Republic of Korea)
Council of Scientific and Industrial Research (CSIR) (India)
Huawei Technologies (China)
Ranbaxy Laboratories (India)

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“The PCT system brings so many advantages to the applicants, with particular importance to enterprises and individuals of developing countries.” – Mr. Cheng Xuxin, IP Dept, Huawei

Technologies, Shenzhen, China

Towards the future

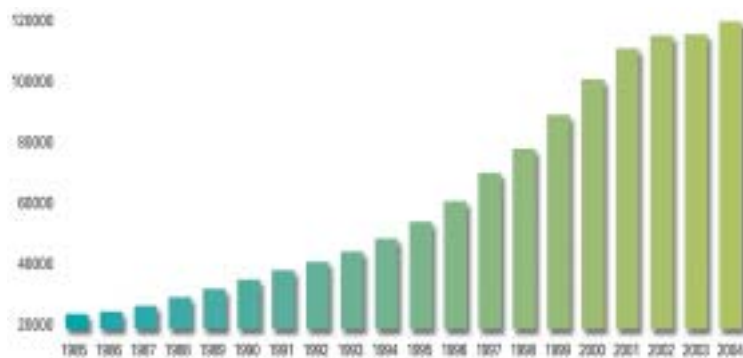
Electronic filing: faster, cheaper, safer. Now handling over 120,000 increasingly complex international applications per year, WIPO is progressively automating PCT procedures for greater efficiency and security. Online, electronic filing was introduced in August 2003 and is being rolled out to receiving offices. PCT-SAFE (Secure Applications Filed Electronically) cuts costs and saves time for applicants, for WIPO and for offices.

PCT mission. The PCT has found its place as an exceptional tool in patenting procedures worldwide. With applications already mounting towards the next million, WIPO is vigorously pursuing its PCT mission of assisting applicants and potential new users the world over in the realization of the most precious of natural resources, human creativity.

“Using the PCT system has allowed us to streamline our internal processes while maintaining maximum flexibility in obtaining patent protection. One of the most important [future challenges for the PCT] will be its ability to maintain the cost/benefit value to applicants while it reduces backlogs and increases functionality in electronic document exchange.” –

Mr. Gary L. Griswold, President and Chief Intellectual Property Counsel, 3M Innovative Properties Company, U.S.

PCT Applications from 1985 to 2004



PCT applications soared as businesses woke up to the strategic importance of intellectual property assets. It took 18 years to reach 250,000 applications but only 4 years to double that figure, and another 4 to double again. Global trends indicate a steadier rate of growth for the forthcoming period.

The very first PCT application to be published was filed on June 1, 1978 by U.S. resident Mrinmay Samanta, for a “method of making glass of high purity and in virtually unlimited shapes.”

