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UNION FOR THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE (BUDAPEST UNION)

ASSEMBLY

**Eighteenth (7th Extraordinary) Session
Geneva, September 23 to October 1, 2002**

AMENDMENT TO THE REGULATIONS UNDER THE BUDAPEST TREATY

Document prepared by the International Bureau

1. In June 2001, recipients of *Intellectual Property Laws and Treaties* were informed that the editorial part of this periodical would, with effect from the April/May 2001 issue—which was distributed in September 2001—no longer contain the notifications under the Budapest Treaty, which would be published on WIPO's website instead. In December 2001, recipients were informed that, as from January 2002, the periodical itself would no longer be published in paper form but that it would be available, free of charge, on the WIPO website under the heading "News and Information Resources."
2. Present Rule 13(1) of the Regulations under the Budapest Treaty specifies that "Any publication by the International Bureau referred to in the Treaty or these Regulations shall be made in the monthly periodical of the International Bureau referred to in the Paris Convention for the Protection of Industrial Property," whereas Article 15(3) of the Paris Convention for the Protection of Industrial Property (Paris Convention) specifies that "The International Bureau shall publish a monthly periodical."

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3. Having regard to the new practice described in paragraph 1, above, it is proposed to amend Rule 13 by deleting any reference to the periodical referred to in the Paris Convention.

4. The proposed new wording of Rule 13.1 gives the International Bureau the option of a publication in paper or in electronic form. In Rule 13.2, it is proposed to replace, in paragraph (a), the publication of an up-to-date list of the international depositary authorities in the first issue of the periodical of each year by the publication of that list at least once a year, preferably in the first quarter of the year and, in paragraph (b), the publication of certain facts in the first issue of the periodical by a prompt publication after the occurrence of the fact.

5. The Annex to this document contains a proposal to amend Rule 13¹ in order to bring it in line with the current practice of publishing the notifications under the Treaty on WIPO's website.

6. The Assembly is invited to adopt the amendments to the Regulations under the Budapest Treaty as set out in the Annex to this document.

[Annex follows]

¹ Proposed additions and deletions are indicated, respectively, by underlining and striking through the text concerned.

ANNEX

PROPOSED AMENDMENTS TO RULE 13

Rule 13

Publication by the International Bureau

13.1 *Form of Publication*

Any publication by the International Bureau referred to in the Treaty or these Regulations shall be made ~~in the monthly periodical of the International Bureau referred to in the Paris Convention for the Protection of Industrial Property~~ on paper or in electronic form.

13.2 *Contents*

(a) At least once a year, preferably in the first issue quarter of ~~each~~ ~~the year of the said~~ ~~periodical~~, an up-to-date list of the international depositary authorities shall be published, indicating in respect of each such authority the kinds of microorganisms that may be deposited with it and the amount of the fees charged by it.

(b) Full information on any of the following facts shall be published once, ~~in the first~~ ~~issue of the said periodical published~~ promptly after the occurrence of the fact:

(i) to (v) [No change]

[End of Annex and of document]