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ASSEMBLY

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AMENDMENT OF THE REGULATIONS UNDER THE
PATENT COOPERATION TREATY (PCT)
PROPOSAL BY THE DELEGATION OF SWEDEN
FOR AMENDMENT OF RULE 48.3(a)

The Delegation of Sweden has submitted by telex received on April 6, 1978, a proposal for the amendment of Rule 48.3(a) reading as follows (the proposed amendment appearing at the end):

“The history of this Rule is that the languages enumerated are those of the Patent Offices and institutions which during the preparatory work for the PCT were originally intended to become International Searching Authorities.

“These Offices could thus receive applications for search in their own languages, the majority of the applications for each Office being national ones. The Offices would therefore not be unduly burdened by supervising a translation in accordance with Rule 48.3(b) during the period of search (it being of paramount importance that the search will be concluded within the prescribed time limits).

* “*Editor’s Note:* This electronic document has been created from the paper original and may contain errors. Please bring any such errors to the attention of the PCT Legal Division by e-mail at pct.legal@wipo.int”

“However, for the same reasons as now explained for the authorities originally intended, all the Searching Authorities who will be operative should have the same benefit. With regard to the Swedish Patent Office this is reasonable also from the point of view that this Office should represent the Nordic language area. There is obviously no reason why this area should not have the same advantages as the others, which are represented by a Searching Authority. In our view the change made with respect to the possibility of becoming a Searching Authority was overlooked in the final draft of Rule 48.3, and should therefore be corrected at the earliest opportunity.

“If the international application is filed in English, French, German, Japanese, Russian or Nordic language, that application shall be published in the language in which it was filed.”

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