

WIPO



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INTERNATIONAL PATENT COOPERATION UNION (PCT UNION)

ASSEMBLY

Third Session (2nd Extraordinary)* Geneva, April 25 to May 1, 1979

FEES, PRICES AND CONTRIBUTIONS

Memorandum of the International Bureau

1. It is recalled that the amounts of the deficit-covering contributions of the PCT Union for the years 1978, 1979 and 1980 were established as follows (in thousands of Swiss francs):

Year	Basic Contributions	Supplementary Contributions	Total Contributions
1978	1,795	150	1,945
1979	1,935	150	2,085
1980	2,012	150	2,162

(see document PCT/WG/BUD/I/6, paragraph 49) and that it was assumed at that time that as from 1981 there would be no need for any deficit-covering contributions if the number of international applications reached at least 2,300 in 1981. The calculation of the deficits--and hence of the amounts of the deficit-covering contributions taken as a whole, for the period 1978 to 1980, were based on a number of assumptions, the most important of which were the following:

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the basic fee would be	500 francs
the designation fee would be	135 francs
the price of each pamphlet would be	10 francs
the yearly subscription fee for the Gazette would be	500 francs
the number of copies sold of each pamphlet would be	50 in 1979
	75 in 1980
the number of subscriptions to the Gazette would be	800 in 1979
	1,600 in 1980
the average number of designations would be	3

(see document PCT/WG/BUD/I/2, paragraph 20).

2. The September/October 1978 session of the Assembly of the PCT Union decided, as an interim measure until its next (April 1979) session, to lower the amount of the basic fee to 250 francs (instead of 500 francs) and the amount of the designation fee to 60 francs (instead of 135 francs) (see document PCT/A/II/5, paragraphs 21 and 26). It is to be noted also that the present price of the pamphlet is 6 francs (instead of 10 francs) and the subscription fee to the Gazette is 240 francs (instead of 500 francs). Actually, the average number of copies sold of each pamphlet is far below the estimate (9 instead of 50 in 1979 and 75 in 1980), probably mainly because of the fact that the Assembly decided not even to try to assert copyright in the pamphlets, which left them open to wide-spread copying and selling by those other than WIPO. Favorable factors are that the number of subscriptions to the Gazette is now around 1,300 (instead of 800 in 1979) and will probably increase, that the production of the pamphlets (done in-house because of the small number of copies needed) costs less than expected and that the average number of designations is higher than expected (4 instead of 3).

3. It is now estimated that the accumulated deficits of 1978, 1979 and 1980 will not require an increase in the total amount of the deficit-covering contributions referred to in paragraph 1, above, if the originally contemplated fees are introduced as from July 1, 1979, and on the assumption that the number of applications for the period from June 1, 1978 to December 31, 1980, will reach a total of 3,600 and that the average number of designations remains at 4, that the average number of pamphlets sold rises, by mid-1980, to 11 and that the average number of subscriptions to the Gazette rises, by mid-1980, to 2,000.

4. On the other hand, if the fees remain unchanged until the end of 1980, an amount of approximately 2,300,000 francs more will be needed, no later than in 1980, in addition to the deficit-covering contributions referred to in paragraph 1, above.

5. As far as the years 1981 and 1982 are concerned, it may be assumed that no deficit-covering contributions will be needed if, during those years, the fees and prices are fixed at the level originally contemplated (see paragraph 1, above) and if a gradual increase takes place in the number of international applications (minimum 3,200 in 1981, and 3,600 in 1982), in the average number of pamphlets sold (minimum 13 in 1981, and 14 in 1982), in the number of subscriptions to the Gazette (2,500 in 1981, and 3,000 in 1982) and in the average number of designations (5.5 in both 1981 and 1982). On the other hand, if the fees and prices remain at their present level, deficit-covering contributions would be needed approximately 2,900,000 francs for 1981 and 3,400,000 francs for 1982 even if the said gradual increases in sales, subscriptions and designations were to take place.

6. In other words, an increase in the deficit-covering contributions for the period 1978 to 1980, and deficit-covering contributions beyond 1980, may only be avoided if the fees are raised, as from July 1, 1979, to their originally contemplated level, that is:

basic fee	500 francs
supplement per sheet beyond 30 sheets	10 francs
designation fee	135 francs
handling fee	160 francs
supplement to the handling fee	160 francs

7. It is proposed that the Assembly fix the fees as indicated in the preceding paragraph and adopt the corresponding fee schedule as contained in the Annex. It is further proposed that, as from January 1, 1980, the price of the pamphlets be raised to 10 francs per copy and the subscription fee of the Gazette be raised to 500 francs per year.

8. Naturally, there is a danger that the proposed increases will result in a smaller number of applications, designations, sales and subscriptions than under the present fees and prices. Consequently, an alternative solution would be to have smaller increases than proposed in paragraph 7, above, on the understanding that the member States of the PCT Union would then have to pay additional deficit-covering contributions for the period 1978 to 1980, and would have to continue to pay deficit-covering contributions for at least the years 1981 and 1982. Should this latter course of action be decided upon, at least three measures would seem to be necessary:

(i) raising the fees with effect from July 1, 1979, and the prices in question with effect from January 1, 1980, to a level which would be higher than the present level but lower than the levels indicated in paragraphs 6 and 7, above,

(ii) tentatively indicating the dates and levels of further subsequent increases,

(iii) examining, in the light of the decisions which would be made under (i) and (ii), above, the amounts of deficit-covering contributions needed and establishing the rules according to which such contributions would be apportioned among the States.

9. The Assembly of the PCT Union is invited to adopt the proposals contained in paragraph 7, above, or to make the required decisions under paragraph 8, above.

[Annex follows]

ANNEX

SCHEDULE OF FEES

BASIC FEE:

If the international applications contains
not more than 30 sheets (Rule 15.2(a) (i)) 500 francs

If the international applications contains
more than 30 sheets (Rule 15.2(a) (ii)) 10 francs per sheet in excess of 30 sheets

DESIGNATION FEE:

(Rule 15.2(b)) 135 francs

HANDLING FEE:

(Rule 57.2(a)) 160 francs

SUPPLEMENT TO THE HANDLING FEE:

(Rule 57.2(b)) 160 francs

[End of Annex
and of document]