

WIPO



PCT/A/VIII/7

ORIGINAL: English

DATE: May 26, 1981

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

INTERNATIONAL PATENT COOPERATION UNION (PCT UNION)

ASSEMBLY

Seventh Session (5th Extraordinary)* Geneva, June 29 to July 3, 1981

COMPOSITION OF THE COMMITTEE FOR TECHNICAL COOPERATION (PCT/CTC)
AND THE COMMITTEE FOR TECHNICAL ASSISTANCE (PCT/CTA)

Memorandum prepared by the International Bureau

1. The Patent Cooperation Treaty provides, in effect, that the Assembly shall decide upon the composition, and, if necessary, elect or appoint the members of the Committees other than the Executive Committee, whose establishment is required by the Treaty itself, namely, the Committee for Technical Cooperation (PCT/CTC) and the Committee for Technical Assistance (PCT/CTA) (see PCT, Articles 51(2), 54(2) and 56(2)).
2. At its first session, the Assembly decided that, until the number of Contracting States should reach 30, all States members of the PCT Union would be members of the PCT/CTC and the PCT/CTA and that, once the number of Contracting States would reach 30, the Assembly would, in its session following that event, reconsider the question of the composition of these Committees (see the report of the first session, document PCT/A/I/14, paragraphs 103 and 106 and Annexes VI and VIII).
3. Upon the entry into force of the PCT for Finland on October 1, 1980, the number of Contracting States of the PCT reached 30. It is necessary, as a result, that the Assembly consider at the present session the composition of the PCT/CTC and the PCT/CTA.

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4. It is the opinion of the International Bureau that there is no reason, at the present time, to change the composition of the Committees since the only change which one could envisage would be a limitation on the number of members which would lead to elections and, as a consequence, some Contracting States ceasing to be members of the said Committees. Each of the Committees meets in joint sessions with another body (the PCT/CTC/ with the WIPO Permanent Committee on Patent Information and the PCT/CTA with the WIPO Permanent Committee for Development Cooperation Related to Industrial Property), in each case the sessions are presided over by the chairman of the other body, and in each case there is no limitation on the membership of the other body. It would make little sense to exclude States from membership of the PCT/CTC and the PCT/CTA when they would probably be participating in their (joint) sessions as members of other bodies.

5. So long as the Committees continue to meet in joint sessions with other bodies having unrestricted membership, it would seem sufficient for the Assembly to simply review their composition from time to time, it being understood that if either one or both should cease to meet in such joint sessions the question of its or their composition would be considered by the Assembly at its next session.

6. *The Assembly is invited to decide that, until its ordinary session in 1985, all Contracting States*

(i) shall be members of the PCT/CTC, provided that the PCT/CTC continues, until that time, to meet in joint sessions with the WIPO Permanent Committee on Patent Information and the membership of the latter remains unrestricted;

(ii) shall be members of the PCT/CTA, provided that the PCT/CTA continues, until that time, to meet in joint sessions with the WIPO Permanent Committee for Development Cooperation Related to Industrial Property and the membership of the latter remains unrestricted.

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