

WIPO



PCT/CAL/VI/3
ORIGINAL: English
DATE: March 29, 1996

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)**

**PCT COMMITTEE
FOR ADMINISTRATIVE AND LEGAL MATTERS**

Sixth Session*
Geneva, April 29 to May 3, 1996

**BILINGUAL PCT GAZETTE:
PROPOSED AMENDMENTS OF THE PCT REGULATIONS**

Document prepared by the International Bureau

* *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

SUMMARY

1. The Patent Cooperation Treaty (PCT) and the Regulations thereunder¹ provide for the publication of a Gazette (Article 55(4) and Rule 86), which is required to be published in separate English-language ("PCT Gazette") and French-language ("Gazette du PCT") editions (Rule 86.2(a)). For each published international application, the Gazette presently contains, in particular, the title of the invention, the abstract and the drawing (if any) appearing on the front page of the pamphlet in which the international application is published.
2. It is proposed to do away with the two separate English- and French-language editions and to publish a bilingual Gazette that would not contain abstracts and drawings. The Gazette would continue to contain the titles of the inventions--which would appear both in English and in French in the bilingual Gazette. For each published international application, the abstract would continue to appear on the front page of the pamphlet in English (in addition to the language--if different from English--in which the international application is published). A French version of all the abstracts of published international applications would continue to be prepared under the responsibility of the International Bureau and would, like the English version, be included in CD-ROMs (Compact Disc Read Only Memory) and on-line databases.
3. The implementation of the proposal outlined in the preceding paragraph would entail significant savings for the PCT budget. If the proposal were to be implemented with effect on January 1, 1997, it is estimated that the savings would be about 1.1 million francs for the year 1997, and it is expected that the savings would be even greater in later years.

PRESENT CONTENTS OF THE GAZETTE

4. The Gazette comprises four Sections.

(i) Section I, entitled "Published International Applications," contains, for each published international application, bibliographic data, the title of the invention, the drawing (if any) appearing on the front page of the pamphlet in which the international application is published, and the abstract (see Rule 86.1(i));

(ii) Section II, entitled "Notices and Information relating to Published International Applications and/or Entries in Section I," contains, in particular, announcements of the later publication of amended claims and of the withdrawal of international applications, as well as lists of international applications for which a demand for international preliminary examination has been filed prior to the expiration of the 19th month from the priority date;

(iii) Section III, entitled "Weekly Indexes," contains indexes giving international application numbers and corresponding international publication numbers, names of applicants and corresponding international publication numbers, and international publication numbers grouped according to international patent classification symbols;

¹ References in this document to "Articles" and "Rules" are, respectively, to those of the Patent Cooperation Treaty (PCT) and of the Regulations under the PCT ("the Regulations"), or to such provisions as proposed to be amended or added, as the case may be.

(iv) Section IV, entitled “Notices and Information of a General Character,” gives information on various requirements, such as official fees charged, of receiving, designated and elected Offices and International Searching and Preliminary Examining Authorities. Consolidated sets of such requirements, in the form of reproductions of sheets published in the PCT Applicant’s Guide, are published twice each year as special issues of the Gazette. Certain texts of general importance to PCT users, such as the Administrative Instructions under the Regulations, are also published in this Section in the form of special issues.

5. It is to be noted that the contents of Section I, which on average make up more than 85% of the volume of each issue of the Gazette, have constantly grown corresponding to the rapid increase in the number of international applications. The contents of the much smaller Sections II and III have also grown in volume, while the growth of the contents of the generally short Section IV reflects the increase in the number of PCT Contracting States.

SOURCES OF INFORMATION ABOUT PUBLISHED INTERNATIONAL APPLICATIONS

6. In the past, the Gazette provided--together with the pamphlets which include the entire contents of the published international applications--the only source from which interested parties could obtain information about published international applications. With the development of various CD-ROM products and on-line databases, this is no longer the case.

7. The following CD-ROM products containing bibliographic data and abstracts, and in some cases drawings, of published international applications have been developed by the International Bureau in cooperation with the European Patent Office (EPO):

(i) ESPACE WORLD is a complete collection of the pamphlets of all published international applications (including drawings) in facsimile form in the language of publication, and of their bibliographic data in coded searchable form. The ESPACE WORLD CD-ROM is made available to the public as soon as possible after the date of publication of the corresponding international applications;

(ii) ESPACE FIRST contains, as far as published international applications are concerned, the front page of the PCT pamphlet, which includes the title of the invention, the abstract and drawing (if any) in facsimile form in English and in the language (if different from English) in which the international application has been published, and bibliographic data in coded searchable form; it is published every two months;

(iii) ESPACE ACCESS contains, as far as published international applications are concerned, bibliographic data in coded searchable form, the title of the invention, and the searchable text of the abstract in both English and French; it is updated monthly.

8. The abstracts of published international applications can also be accessed via at least the following on-line databases:

(i) Questel Orbit is a database host service providing access to PCTPAT, which is a database produced by INPI (France) in cooperation with WIPO exclusively devoted to all international applications published since 1978; PCTPAT contains the bibliographic data in coded searchable form, the title of the invention, and the searchable text of the abstract in both English and French;

(ii) MicroPatent provides access via the Internet to the first page of published international applications, including bibliographic data, titles of inventions, abstracts (in English and in the language (if different from English) in which the international application has been published) and drawings (if any), free of charge; charges are only made for copies of documents downloaded or ordered from MicroPatent;

(iii) Bertelsmann PATOS (Patent On-line System) includes PATOSWO, which is a collection of all international applications published by WIPO since 1983; PATOSWO contains the full text of abstracts of those international applications in searchable form in English and, since 1992, where available, also in German.

9. Furthermore, certain private publishers have indicated their interest in providing paper publications of abstracts of international applications and intend to offer their publications for subscription according to the technical fields of interest. Users will thereby have the opportunity to receive information tailored to their specific requirements. It is intended that the International Bureau will provide those private publishers with the required information in machine-readable form.

10. It follows from the information given in paragraphs 7 and 8, above, that PCT abstracts and drawings are available from a variety of sources other than the Gazette. In contrast to the printed publication in the Gazette, abstracts (and drawings) and other data elements are now often available in a form which permits automated searching with powerful and user-friendly search tools. Searching for technical information contained in abstracts and drawings in the Gazette, on the other hand, must be based on international publication numbers and IPC symbols, or indirectly through the Gazette's printed indexes. The steady decline of the number of subscriptions to the Gazette despite the continuing rapid rise in the number of international applications (see Annex I to the present document) and the steadily increasing number of PCT Contracting States suggests that the importance to users of the Gazette for the retrieval of technical information about published international applications is now only marginal.

DELETION OF ABSTRACTS AND DRAWINGS FROM THE GAZETTE

11. It is therefore proposed that abstracts and drawings no longer be published in the Gazette. Abstracts would continue to be translated, under the responsibility of the International Bureau, into English when they are in a language other than English, and into French when they are in a language other than French. They would continue to be made available, both in English and in French, at least on the ESPACE-ACCESS CD-ROM published in cooperation with the EPO. They would continue to be put, in English, in French or in both English and French, at the disposal of any providers of information that wish to include them in their on-line databases.

PUBLICATION OF A BILINGUAL EDITION OF THE GAZETTE

12. No longer publishing abstracts and drawings (which make up about 70% of the volume of Section I) in the Gazette would reduce its overall volume by about two thirds, because each page in its proposed new format would cover about six international applications, instead of two as at present. This would allow the present separate editions of the Gazette in English (the "PCT Gazette") and in French (la "Gazette du PCT") to be replaced by a single, bilingual edition.

13. As regards Section I of the bilingual Gazette, textual matter that would be published in both English and French would basically be limited to the headings and explanatory texts, to the title of the invention, to the indication of months when given in letters, and to indications appearing at the end of each entry in order to give other information on matters such as the publication of the international search report and, where applicable, on amendments of claims. Items of bibliographic data, which are presently preceded by INID (Internationally agreed Numbers for the Identification of Data) codes and by their titles would, in the bilingual Gazette, be preceded by INID codes only.

14. As regards Sections II and III of the bilingual Gazette, the headings would be published in both English and French.

15. Examples of possible bilingual formats for Sections I and II appear in Annex II to the present document.

16. All information published in Section IV would be included in both English and French, on the understanding that certain special issues of the Gazette (see paragraph 4(iv), above) may continue to be published in separately bound English-language and French-language versions.

FINANCIAL ASPECTS

17. Publishing the Gazette in a single, bilingual, edition would reduce the expected total print volume for 1997 from an estimated 24 million printed pages to an estimated nine million printed pages. This reduction takes into account the reduction in the number of original pages to be printed and in the number of copies required as a result of the merger of the two editions into one, and the discontinuation of double subscriptions. This much smaller print volume could readily be handled in-house at WIPO, instead of having the Gazette printed, as now, by an outside printer, thus providing additional substantial cost savings.

18. The cost of producing the Gazette has risen considerably over the past years and is expected to continue to rise. Despite productivity gains, and consequent savings, due to the installation of the Document Imaging and Computer-Assisted Publication System (DICAPS), the cost in 1995 of paper, printing, binding, mailing, distribution and postage (but not including translation costs into English and French) was about 1.4 million francs (comprising 0.9 million francs for the English-language edition and 0.5 million francs for the French-language edition). Assuming that the number of international applications filed will continue to grow by about 10% in each of 1996 and 1997, and taking into account expected price

increases for paper and printing, the cost is estimated to grow to about 1.7 million francs in 1997. If the Gazette were to be published in a bilingual format as from January 1, 1997, it is estimated that the resulting savings would be about 1.1 million francs in 1997 and more than that in later years.

CONCLUSION

19. If the Assembly of the PCT Union were to decide at its forthcoming session, in September-October 1996, on the transformation of the Gazette into a bilingual edition, it is foreseen that the first bilingual Gazette would issue in 1997. It is difficult at this time, in view of the necessary technical preparations and changes to the DICAPS system, to give a precise date. It is suggested that it be left to the Director General to fix the date on which the first issue of the bilingual Gazette would be published, on the understanding that that date would be sometime in 1997.

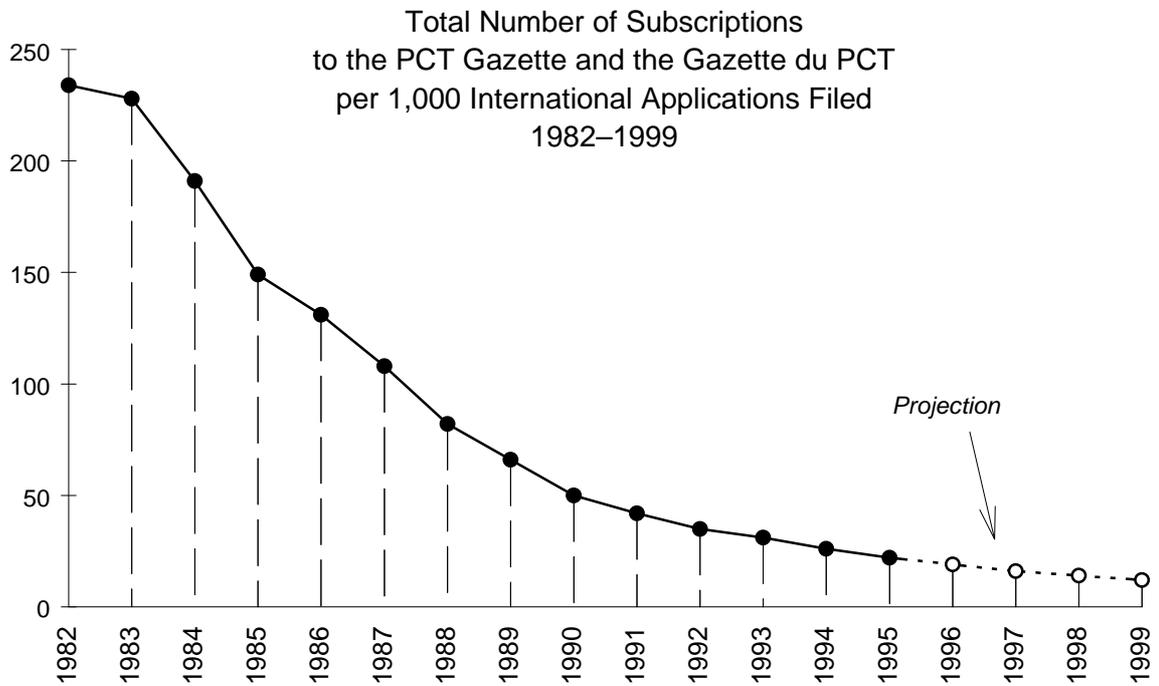
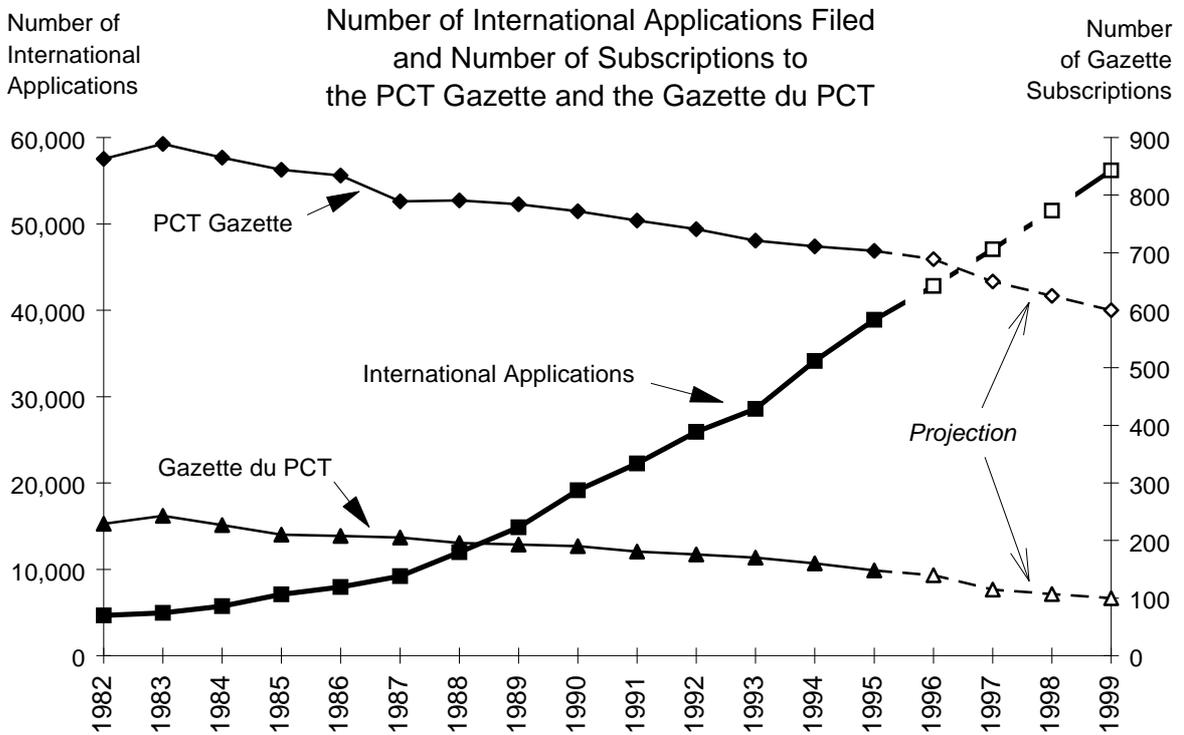
20. In conclusion, it is proposed that the International Bureau publish the Gazette in the form of a bilingual edition in English and French, excluding abstracts and drawings of international applications, with effect as soon as possible after January 1, 1997, on a date to be fixed by the Director General. To implement this change, it is proposed to amend Rule 86 as set out in Annex III to the present document. In the text of the Rule, what is new as compared to the present text is indicated by underlining and deleted text is struck through.

21. The Committee is invited to consider the information contained in this document and to express its advice on the proposal contained in paragraph 20, above, and the proposed amendments of the Regulations contained in Annex III to the present document.

[Annexes follow]

ANNEX I

SUBSCRIPTIONS TO PCT GAZETTE / GAZETTE DU PCT



[Annex II follows]

SECTION II

NOTICES AND INFORMATION RELATING TO PUBLISHED INTERNATIONAL APPLICATIONS AND/OR ENTRIES IN SECTION I

NOTIFICATIONS ET INFORMATIONS RELATIVES AUX DEMANDES INTERNATIONALES PUBLIÉES ET/OU AUX RUBRIQUES DE LA SECTION I

ANNOUNCEMENT OF THE LATER PUBLICATION OF AMENDED CLAIMS AND, WHERE APPLICABLE, STATEMENT UNDER ARTICLE 19

Amended claims and a statement under Article 19, relating to the already published international publications listed below, have been published on the same date as the present issue of the pct gazette, together with updated versions of the front pages of the pamphlets in which the said applications were published. The page numbering of the amended claims is in accordance with the page numbering of the said pamphlets.

ANNONCE DE LA PUBLICATION ULTÉRIEURE DES REVENDICATIONS MODIFIÉES ET, S'IL Y A LIEU, DE LA DÉCLARATION SELON L'ARTICLE 19

Les revendications modifiées en vertu de l'article 19, ainsi que la déclaration, relatives aux demandes internationales mentionnées ci-dessous, ont été publiées à la date de parution du présent numéro de la Gazette du PCT avec des versions mises à jour des pages de couverture des brochures dans lesquelles lesdites demandes internationales ont été publiées. La pagination des revendications modifiées correspond à la pagination desdites brochures.

International Application Numbers Numéros des demandes internationales	International Publication Numbers Numéros de publication internationale	First International Patent Classification Symbols Premiers symboles de la classification internationale des brevets
PCT/US95/01234	WO 96/01236	A61K 123/456
PCT/US95/01234	WO 96/01234	A61K 123/456
PCT/US95/01235	WO 96/01234	A61K 123/456
PCT/US95/01236	WO 96/01231	A61K 123/456
PCT/US95/01237	WO 96/01134	A61K 123/456
PCT/US95/01238	WO 96/01144	A61K 123/456

ANNOUNCEMENT OF THE WITHDRAWAL OF INTERNATIONAL APPLICATIONS AFTER INTERNATIONAL PUBLICATION

The international applications listed below have been considered withdrawn after international publication.

ANNONCE DU RETRAIT DE DEMANDES INTERNATIONALES APRÈS PUBLICATION INTERNATIONALE

Les demandes internationales mentionnées ci-dessous ont été considérées comme retirées après publication internationale.

International Application Numbers Numéros des demandes internationales	International Publication Numbers Numéros de publication internationale	First International Patent Classification Symbols Premiers symboles de la classification internationale des brevets
PCT/US95/01234	WO 96/01236	A61K 123/456
PCT/US95/01234	WO 96/01234	A61K 123/456
PCT/US95/01235	WO 96/01234	A61K 123/456
PCT/US95/01236	WO 96/01231	A61K 123/456
PCT/US95/01237	WO 96/01134	A61K 123/456
PCT/US95/01238	WO 96/01144	A61K 123/456

[Annex III follows]

ANNEX III

PROPOSED AMENDMENTS OF THE REGULATIONS UNDER THE PCT

Rule 86

The Gazette

86.1 *Contents*

The Gazette referred to in Article 55(4) shall contain:

(i) for each published international application, data specified by the Administrative Instructions taken from the front page of the pamphlet published under Rule 48, ~~the drawing (if any) appearing on the said front page, and the abstract,~~

(ii) to (v) [No change]

86.2 *Languages*

(a) The Gazette shall be published in a bilingual (English and French) edition. ~~be published in an English language edition and a French language edition. It shall also be published in editions in any other language, provided the cost of publication is assured through sales or subventions.~~ The Director General may authorize the publication of particular issues of the Gazette in separate English-language and French-language versions.

(b) [No change]

86.3 to 86.6 [No change]

[End of Annex and of document]