

Patent Cooperation Treaty (PCT) Committee for Technical Cooperation

**Twenty-Eighth Session
Geneva, May 26 to 29, 2015**

REPORT

adopted by the Committee

AGENDA ITEM 1: OPENING OF THE SESSION

1. Mr. Claus Matthes, Secretary of the Committee, opened the session on behalf of the Director General and welcomed the participants.
2. The Secretariat informed the Committee that this was the first time that the Committee had been convened since the PCT Assembly had adopted the Understanding on “Procedures for Appointment of International Authorities” at its forty-sixth session, held in Geneva from September 22 to 30, 2014 (see paragraph 25 of document PCT/A/46/6). The Secretariat drew the attention of the Committee to paragraph (b) of the Understanding, which stated that “the PCT Committee for Technical Cooperation should meet as a true expert body at least three months in advance of the PCT Assembly, if possible back-to-back with a session of the PCT Working Group (usually convened around May/June of any given year), with a view to giving its expert advice on the application to the PCT Assembly”.
3. In line with the Understanding adopted by the PCT Assembly, the session of the Committee was held during the same period as the eighth session of the PCT Working Group. The list of participants can be found in the report of the eighth session of the Working Group (document PCT/WG/8/26).

AGENDA ITEM 2: ELECTION OF A CHAIR AND TWO VICE-CHAIRS

4. The Committee unanimously elected Mr. Victor Portelli (Australia) as Chair for the session. There were no nominations for Vice-Chairs.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

5. The Committee adopted the draft agenda as proposed in document PCT/CTC/28/1.

AGENDA ITEM 4: ADVICE TO THE ASSEMBLY OF THE PCT UNION ON THE PROPOSED APPOINTMENT OF THE VISEGRAD PATENT INSTITUTE AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

6. Discussions were based on documents PCT/CTC/28/2 and 3.
7. The Delegation of Hungary, speaking on behalf of the Delegations of the Czech Republic, Hungary, Poland and Slovakia (Visegrad Group, or "V4"), introduced the application of the Visegrad Patent Institute (VPI) to be appointed as an International Searching and Preliminary Examining Authority under the PCT, as set out in document PCT/CTC/28/2. The VPI would fill a territorial gap within the PCT by acting as an International Authority for Central and Eastern Europe, it being noted that the Group of Central European and Baltic States was the only regional group of WIPO within which there was no functioning International Authority under the PCT. In addition, the VPI would make up for the missing link in the network of PCT International Searching and Preliminary Examining Authorities in Europe, adding further competent resources to those already available, especially in respect of a region currently not having its own International Authority. Through completing the global coverage of International Authorities, the appointment of the VPI would contribute to a better understanding and wider use of the PCT system within the Central and Eastern European region, as well as leading to an improvement in quality of international applications originating from this region.
8. The Delegation emphasized that the VPI was part of the cooperation of the Visegrad Group. Based on the long established traditions and expertise of the national offices participating in the Visegrad cooperation, as well as under good quality management, the VPI would seek to become a reliable, efficient and constructive partner in the efforts to improve further the quality and efficiency of the global patent system. The VPI intended to participate actively in other international initiatives and projects aimed at workload sharing, quality improvements, further harmonization and better tailor-made services, for the benefit of users. In addition, the establishment of the VPI would fit in with the concept of the European Patent Network within the European Patent Organisation, and would also ensure a smooth interaction with the newly emerging regime of the unitary patent protection within the European Union.
9. The Delegation added that the VPI would serve the goals of fostering innovation and creativity, as well as promoting economic growth and competitiveness in the Central and Eastern European region. To achieve these goals, the VPI intended to offer applicants a favorable and efficient option for entering the PCT system, through the possibility of using local languages and being in proximity to users, in particular small and medium-sized enterprises (SMEs), individual inventors and the like, and also maintaining and further developing the patent related expertise of the participating Offices at the service of their inventors and industries. Users in all the Visegrad Group Contracting States fully supported the establishment of the VPI and its appointment as an International Searching and Preliminary Examining Authority under the PCT.
10. The Delegation further highlighted the greater role that the Visegrad countries were well placed to play in the international patent system as emerging economies with growing economic output, intensifying participation in European global trade, improving competitiveness and sharpening the focus on innovation. This was clearly evidenced by the European Union Innovation Union Scoreboard 2014, the Global Innovation Index 2014 and by a joint study of the European Patent Office and the Office for Harmonization in the Internal Market (OHIM) on the economic contribution of intellectual property rights, details of which were explained in document PCT/CTC/28/2.

11. The Delegation continued by explaining the linkage between the establishment of the VPI and its request for appointment as an International Authority, and the overall political objectives of the V4 cooperation. The V4 cooperation could be described as the most clearly profiled initiative in Central Europe, with meetings between the four countries at all levels from heads of government to expert consultations. The cooperation also encompassed activities of non-governmental associations, think tanks, research bodies, cultural institutions and numerous networks of individuals. In terms of the intellectual property dimension, heads of the V4 industrial property offices had been holding annual meetings since 1992. These discussions had frequently resulted in common positions expressed at various global and European fora on issues of strategic importance. The V4 cooperation of national IP offices had also been extended to Austria, Croatia, Romania and Slovenia as the so-called "V4 and Friends" meetings.

12. The Delegation emphasized that the cooperation of the V4 countries in the field of intellectual property had been gradually crossing regional borders and taking on an increasing international dimension. Examples of this trend included the recently launched cooperation activities with the State Intellectual Property Office of the People's Republic of China (SIPO), the Japan Patent Office (JPO), and the Nordic Patent Institute (NPI). Cooperation with the JPO and NPI had a strong PCT dimension as well, since it aimed, among other things, at sharing the existing experience and knowledge of International Authorities with the V4 offices and subsequently with the VPI, with a particular stress on jointly ensuring timeliness in the establishment of international search reports and enhancing their quality. A strength and common feature of the V4 countries was the deeply rooted traditions of IP laws and institutions, as well as their intensive and wide-ranging participation in global cooperation under the aegis of WIPO. As a consequence, all of the VPI participating Offices were full-fledged industrial property Offices with responsibility for a wide range of IP functions, including patent search and examination. All of the States were members of a wide range of WIPO treaties, as well as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the European Patent Convention. Further details of the participation of the V4 Offices in the PCT and other international cooperation in the field of patents were described in document PCT/CTC/28/2.

13. The Delegation noted that the Agreement on the Visegrad Patent Institute had been signed in Bratislava on February 26, 2015 by the Heads of the V4 national IP Offices as the duly authorized representatives of their governments. The Agreement was subject to ratification, with parliamentary approval being required in all four countries. The internal procedures to this effect had already been launched in the four countries, and it was expected that this would be completed before the forty-seventh session of the Assembly of the PCT Union in October 2015. The Hungarian Parliament had, in fact, decided to ratify the Agreement on May 26, 2015. The VPI would be an intergovernmental organization within the meaning of Article 16 and Rule 36. It would have legal personality and an extensive legal capacity necessary for the fulfillment of its tasks, including the possibility of acting on its own through the Director as its representative in all the matters concerning its role as an International Authority. The VPI was intended to remain open in two directions. First, it would be open to accession by any European State, at the invitation of the VPI Administrative Board, subject to the international obligations of that State, including those under the European Patent Convention (EPC) and its Protocol on Centralisation. Second, it was envisaged that the VPI would act as an International Searching and Preliminary Examining Authority for international applications filed not only with the V4 offices, but also the receiving Offices of EPC Contracting States adjacent to the V4 countries, namely, Croatia, Lithuania, Romania, Serbia and Slovenia, provided these offices specified the VPI for that purpose. In fact, Lithuania and Romania had already indicated and confirmed their willingness to do so. When setting up the VPI, the Visegrad countries intended to act in full compliance with their obligations under the EPC and its Protocol on Centralisation, and would do so in concluding and implementing the Agreement with the International Bureau of WIPO in relation to the functioning of the VPI as an International Searching and Preliminary Examining Authority.

14. The Delegation explained the structure of the VPI, which followed the existing, successful model of the Nordic Patent Institute (NPI). The governance of the VPI would be ensured by its Administrative Board composed of representatives of the Contracting States, while the Secretariat, headed by the Director would be responsible for the organization, day-to-day management, and administrative support of the VPI's work. The Secretariat and the Director would act as the VPI's interface to all external parties, including the International Bureau, receiving Offices, and other international partners and users of the VPI's patent-related services. Under the umbrella of the intergovernmental layer, the national Offices of the Contracting States would perform international search and examination on behalf of the VPI. Through harmonization of search and examination tools and practices, as well as through rigorous quality management at all stages of the procedure, it would be ensured that applicants would always receive a uniform VPI service of consistently high quality. The main task of the VPI would be to act as an International Searching and Preliminary Examining Authority, and it is planned that the VPI would also offer international-type searches and supplementary international searches. Moreover, the Administrative Board would be able to decide to entrust the VPI with other similar tasks in the field of patents, and could also authorize the Director to conclude agreements to that effect.

15. The Delegation provided more details on the operation of the VPI, which would be based on cooperation between the national industrial property Offices, which would ensure the smooth performance of all its enhanced tasks. Through pooling their search and examination resources, under the aegis of the VPI, the participating Offices would expect to achieve significant synergies and a deepening specialization within the fields of technology to be searched and examined. Within this structure, search and examination activities of the VPI as an International Searching and Preliminary Examining Authority would be carried out by the national IP Offices on behalf of and under the full control of the VPI. The total workload of the VPI would consist of PCT applications coming from the Central European region. In accordance with the conservative estimates of the VPI's business plan, it was expected that, after a three year transitional period, approximately 200 international applications per year would be processed by the VPI. In the medium term, depending on further improvements in the innovation capacity of the region, this figure might even double, and rising to up to 400 applications per year. The Administrative Board would be responsible for laying down criteria for distributing the work to be carried out by the participating Offices. The main criteria in this respect would be technical expertise, language of the documents, and the free capacity available in a given technical field. To this end, the VPI would make an assessment of the technical fields covered by the patent examiners of each participating office by drawing up a competence map of examiners. The VPI would have interchangeable capacities in most of the technical fields, due to the number of examiners available and some examiners being qualified in more than one technical field. Moreover, the examiners' language skills would also permit interchanges regarding the linguistic aspect of the activities of the VPI. These inherent flexibilities would significantly facilitate an optimal distribution of the VPI's workload for which the Director and the Secretariat would be responsible.

16. The Delegation presented its assessment to assert that the VPI, through the joint resources of the participating Offices, was in full compliance with the minimum requirements set out in Rule 36.1. In detail, the documents submitted in support of the VPI's application contained a great deal of information on the VPI's search and examination resources and the qualifications of its examiners, on its access to documentation for search and examination purposes, and on the quality management system and internal review arrangements, including those applied at the participating national offices. All together, the VPI had 185 full time and 10 to 12 part time examiners at its disposal, capable of searching and examining all technical fields. All had sufficient technical qualifications and the necessary experience to carry out high quality search and examination in an efficient and timely manner. All were Master's degree or PhD holders who had undergone comprehensive, intensive, structured training programs and passed the relevant exams before their appointment as examiners. In addition, most of them had benefited from the training programs organized by WIPO, the European Patent Office, the

United States Patent and Trademark Office and other International Authorities and national offices, as well as by universities and other training institutions specializing in IP. Training of the VPI's examiners was also envisaged in the framework of the cooperation established with the Japan Patent Office and the Nordic Patent Institute. In order to constantly improve the skills and competencies of the VPI's examiners, and to keep their technical knowledge up to date, the Administrative Board would establish a training framework for them, in order to ensure appropriate planning and efficient use of the various training opportunities. In addition, the VPI would organize examiner exchanges and regular meetings with a view to enhancing further consistency in search and examination practices. The VPI's examiners had, in addition to their ability to use their own languages, namely Czech, Hungarian, Polish, and Slovak, excellent knowledge of English, and most of them also had a good knowledge of German and/or French. Other languages understood and used by them included Croatian, Italian, Japanese, Russian, Spanish and Swedish. Moreover, examiners at the VPI would be equipped with adequate resources to deliver quality work with guidelines, IT systems, and search and examination tools. In particular, each participating Office of the VPI had a wide range of accessible patent information and scientific literature, search platforms and links available to examiners. Since the V4 countries were Contracting States of the European Patent Convention, the four participating Offices of the VPI had access to EPOQUENet as well as several commercial search platforms; a full description of the documentation accessible to the participating Offices was included in document PCT/CTC/28/2. The four Offices of the VPI also continuously reviewed their access to patent and non-patent literature databases, and improved the search procedure by introducing new databases and information sources. This contributed to setting up and maintaining a high standard for the search procedure. Furthermore, examiners participated in training courses and seminars related to patent search, including those on the efficient use of patent and non-patent literature databases.

17. The Delegation also informed the Committee how the VPI would establish its own quality management system to cover all of its services offered to users, from the processing of PCT applications in the international phase, international-type searches requested for national applications, contract work and business services. The system would be fully planned at the time of appointment by the PCT Union Assembly in October this year. Nevertheless, Appendix I of Annex II to document PCT/CTC/28/2 already contained a detailed description of plans for the VPI's quality management system, which would be certified according to the ISO 9001 Standard. Furthermore, the participating Offices of the VPI already had well established quality management systems covering their national patent granting procedures, which were ISO certified and followed similar principles and objectives. The VPI quality management system would be based on the systems of the participating national Offices, and would be extended to cover the PCT procedures of the international phase, as well as to comply with the PCT International Search and Preliminary Examining Guidelines. Quality standards and practices would be harmonized with respect to all PCT work, and would be fully in line with the standards and practices under the PCT and those applied by the European Patent Office.

18. The Delegation informed the Committee that, in compliance with paragraph (a) of the Understanding of the PCT Assembly set out in paragraph 25 of document PCT/A/46/6¹, the VPI had requested the assistance of the Japan Patent Office (JPO) and the Nordic Patent Institute (NPI) in assessing the extent to which the VPI met the requirements for appointment as an International Searching and Preliminary Examining Authority. The JPO's involvement had been based on the Memorandum of Cooperation between the national industrial property offices of the V4 countries and the JPO, which had been signed in September 2014. The NPI's assistance had been sought in view of the similarities between its structure, organization, principles, objectives and those of the VPI, as well as of the well-established cooperation

¹ "(a) A national Office or an intergovernmental organization ("Office") seeking appointment is strongly recommended to obtain the assistance of one or more existing International Authorities to help in the assessment of the extent to which it meets the criteria, prior to making the application".

between the Nordic countries and the V4 countries. In order to provide the necessary assistance, representatives of the JPO and the NPI visited the participating Offices of the VPI in March this year. These visits had offered an opportunity for the V4 Offices to present the VPI project and their preparations for fulfilling the tasks of an International Searching and Preliminary Examining Authority. The experts of the JPO and the NPI had received a great deal of well-structured information in the way the VPI, through the involvement of its participating offices, would comply with all the requirements of appointment. In turn, the representatives of the JPO and the NPI had described in detail their operation as International Authorities. In particular, they had introduced and explained their IT systems, quality management systems, working methods, and processes. On the basis of these meetings, the experts of the JPO and the NPI had drawn up preliminary reports on the VPI's ability to meet the requirements of appointment (see Appendix II of Annex II to document PCT/CTC/28/2), which had revealed no particular issue in respect of which any serious doubt would arise about the VPI's compliance with the appointment criteria. Nevertheless, the experts of the JPO and the NPI had stressed the need to develop appropriate mechanisms at the level of the VPI itself for ensuring consistency in search and examination practices and products between the participating offices as well as for ensuring a smooth workflow between the VPI Secretariat and the participating offices. They had further noted that the VPI's quality management system should be planned as thoroughly as possible by the time of appointment, in addition to the already existing quality management systems at the participating offices. The Delegation confirmed that the VPI would work hard on these issues.

19. The Delegation concluded by stating that the V4 countries wished to express their firm view that the VPI would be able to meet all the applicable requirements of appointment as an International Searching and Preliminary Examining Authority. The VPI's operation as an International Authority would make an important contribution to economic growth, competitiveness and innovation in the region and beyond, as well as to the proper functioning of the global patent system established under the PCT.

20. The Delegation of Japan confirmed that, following the announcement by the Delegations of the V4 countries at the PCT Working Group in 2014 of their intention for the VPI to seek appointment as an International Searching and Preliminary Examining Authority, it had signed a Memorandum of Cooperation to share knowledge and experience. As part of this process, officials of the JPO had visited two participating Offices of the VPI (the Hungarian Intellectual Property Office and the Industrial Property Office of the Slovak Republic). The JPO officials had noted that the total number of examiners at the VPI was around 200, that the Offices were able to access all documents within the PCT minimum documentation, that the participating Offices of the VPI had already acquired ISO 9001 certification for patent examination procedures and that, with the establishment of the VPI, a common VPI quality management system would be established. In other words, examiners at the VPI would follow two types of quality policies, either the current policies of their respective national Offices for national patent applications, or the quality policy of the VPI for international patent applications. On the basis of these meetings, the JPO saw no particular issue which gave any serious doubt about the VPI's compliance with the appointment criteria. As such, the Delegation supported the application for appointment of the VPI as an International Searching and Preliminary Examining Authority, noting that further work would be required, as indicated by the Delegation of Hungary in paragraph 18, above.

21. The Delegation of Japan further noted that it had found the cooperation with the VPI beneficial also to Japan and would make use of the experience gained to contribute to future discussion in the PCT Working Group and the Quality Subgroup of the Meeting of International Authorities Under the PCT.

22. The Delegation of the Nordic Patent Institute (NPI) also confirmed that it had visited participating Offices of the VPI (the Industrial Property Office of the Czech Republic and the Patent Office of the Republic of Poland). The officials from the NPI had been presented with detailed information on the two participating Offices and on the VPI, its setup, organization, quality management and legal framework, in particular, information relevant in relation to VPI's compliance with all the requirements of appointment as an International Searching and Preliminary Examining Authority through the involvement of its participating Offices. The NPI had also been able to present to the VPI representatives the setup of the NPI and its operation as International Searching Authority, International Preliminary Examining Authority and Supplementary International Searching Authority under the PCT, including processes, its cooperation model, coordination working methods, IT systems and quality management systems. The NPI officials had also been able to meet some of the patent examiners and see their work environment. The Delegation noted that the cooperation model of VPI was closely based on the successful NPI model. Referring to the report of the visit (see Appendix II of Annex II to document PCT/CTC/28/2), the Delegation concluded that the VPI would meet the requirements of numbers of examiners and access to minimum documentation, and that the examiners appeared to have a high level of technical competence and training. The participating Offices of the VPI had established quality management systems for their national patent granting procedures based on ISO 9001 and the quality management system for the VPI itself should be achievable, with work in this area being in full progress. While work on implementing and harmonizing processes should not be underestimated, in the view of the NPI, all of the participating Offices were well prepared to take on the challenge. Consequently, the Delegation of the Nordic Patent Institute supported the application for appointment of the VPI as an International Searching and Preliminary Examining Authority.

23. The Delegation of Austria expressed support for the appointment of the VPI as an International Searching and Preliminary Examining Authority. As stated in document PCT/CTC/28/2, the Austrian Patent Office in its capacity as an International Searching and Preliminary Examining Authority had cooperated with the Hungarian Intellectual Property Office under a bilateral agreement, whereby the Austrian Patent Office had outsourced international searches to the Hungarian Intellectual Property Office. This cooperation had been a main pillar in the reduction of the backlog in international searches, significantly improving the timeliness of international search reports issued by the Austrian Patent Office. In light of the success of this cooperation, notably the experience concerning timeliness and quality of work products from the Hungarian Intellectual Property Office, the Delegation supported the appointment of the VPI as an International Searching and Preliminary Examining Authority.

24. The Delegation of Singapore expressed its support for the application of the VPI to be appointed as an International Searching and Preliminary Examining Authority, which it believed had strong merits. By pooling the existing resources of the four participating national offices, and the harmonization of search and examination tools and practices, the VPI was well placed to deliver a consistent and high quality service in the Central and Eastern European region. The diverse and technically qualified staff of the participating Offices of the VPI was an asset to the system, and the Delegation had no doubt that the examiners could ably handle the workload associated with being an International Searching and Preliminary Examining Authority. Moreover, the results of the fact finding visits by the Japan Patent Office and the Nordic Patent Institute had given further confidence that the VPI would comply with all the criteria for appointment as an International Authority. In the view of the Delegation, it was clear that the VPI had put in a huge amount of effort to ensure that its bid was credible and of high quality. The Delegation therefore expressed its unequivocal support for VPI's bid, and was confident that their appointment would greatly boost the value of the PCT.

25. The Delegation of Norway stated that it supported the application of the VPI for appointment as International Searching and Preliminary Examination Authority under the PCT, noting that the VPI was based on a similar model to the Nordic Patent Institute (NPI). As one of the partners in the NPI, the Norwegian Industrial Property Office (NIPO) utilized its resources to

deliver PCT international phase work products to the benefit of its local users. A representative of NIPO had been part of the NPI delegation that had visited the Industrial Property Office of the Czech Republic and the Patent Office of the Republic of Poland in March 2015. Based on this visit and the information in documents PCT/CTC/28/2 and 3, the Delegation supported the appointment of the VPI as an International Searching and Preliminary Examining Authority.

26. The Delegation of Sweden stated that the Swedish Patent and Registration Office had carefully considered the application of the VPI, as made available in document PCT/CTC/28/2, and the quality management systems of the respective national office forming the VPI, as presented in document PCT/CTC/28/3. The Delegation believed that VPI would fulfill requirements as set out in Rules 36.1 and 63.1 on its formation, and therefore the Delegation fully supported the appointment as an International Searching and Preliminary Examining Authority.

27. The Delegation of Denmark stated that, as a partner Office in the Nordic Patent Institute, it had examined the application concerning the appointment of the VPI as International Authority with great interest. In the opinion of the Delegation, all relevant procedures had been followed and the requirements in the Rules had been met. The Delegation therefore supported the appointment of the VPI as an International Searching and Preliminary Examining Authority.

28. The Delegation of China stated that, on the basis of application from the VPI and the reports of the two International Authorities who had visited the national Offices participating in the VPI, it believed that the VPI had fulfilled the requirements for appointment as an International Searching and Preliminary Examining Authority regarding the number of examiners, access to the minimum documentation, staff with searching and language capabilities and a quality management system. The Delegation therefore supported the appointment of the VPI as an International Searching and Preliminary Examining Authority, and by providing these services to users in Central and Eastern Europe, it would contribute to the development of the PCT system.

29. The Delegation of the United States of America stated that it had carefully reviewed the application of the VPI to become an International Searching and Preliminary Examining Authority. In acknowledging the interventions of the Delegations of the Japan and the Nordic Patent Institute, the Delegation of the United States of America expressed satisfaction that the VPI had followed the recommendations of obtaining the assistance of existing International Authorities to assess their readiness to meet the appointment criteria, according to the procedure adopted by the PCT Assembly at its forty-sixth session in 2014. In addition, the Delegation had conducted bilateral discussions with the VPI to clarify certain aspects of the application and was pleased to report that the VPI had satisfactorily responded to the questions it had raised. The Delegation therefore supported the appointment of the VPI as an International Searching and Preliminary Examining Authority.

30. The Delegation of Finland explained that it had carefully reviewed the application of the VPI to become an International Searching and Preliminary Examining Authority. After hearing the comprehensive presentation from the Delegation of Hungary and the accounts from the Delegations of Japan and the Nordic Patent Institute, the Delegation of Finland was convinced that the VPI would fulfill all requirements to act as a high quality International Searching and Preliminary Examining Authority and therefore supported the appointment.

31. The Delegation of Chile acknowledged the challenges of setting up an International Searching and Preliminary Examining Authority based on the recent experience of the National Institute for Industrial Property of Chile. The Delegation supported the application of the VPI to become an International Searching and Preliminary Examining Authority and was convinced that the VPI would be able to comply with the requirements of having a quality management system in place, as indicated in the reports from the Japan Patent Office and the Nordic Patent Institute.

32. The Delegation of Australia welcomed the application for appointment of the Visegrad Patent Institute as an International Searching and Preliminary Examining Authority, which provided strong evidence to demonstrate how the minimum requirements under Rules 36.1 and 63.1 would be satisfied. The Delegation supported the application for appointment, recognizing the long history of patent examination by each participating national Office in their own right, which would now be brought to bear fruit in the context of the VPI. The Delegation would therefore back any positive advice of the Committee to the PCT Assembly on the proposed appointment of the VPI as an International Searching and Preliminary Examining Authority.
33. The Delegation of Spain also supported the application of the VPI to become an International Searching and Preliminary Examining Authority and expressed satisfaction with the presentation from the Delegation of Hungary on the application.
34. The Delegation of Canada noted that most of the criteria for appointment of the VPI as an International Searching and Preliminary Examining Authority had been met. In view of the assessment from the Nordic Patent Institute that a quality management system could be successfully put in place, the Delegation of Canada was able to give its full support to the appointment.
35. The Delegation of Greece stated that, on the basis of the presentation from the Delegation of Hungary and the supporting documentation, it was clear that the application for the VPI to be appointed as an International Searching and Preliminary Examining Authority should be supported.
36. The Delegation of Mexico supported the appointment of the Visegrad Patent Institute as an International Searching and Preliminary Examining Authority, which would benefit the PCT system. Having reviewed the application, all the appointment criteria could be met.
37. The Delegation of Romania expressed support for the appointment of the VPI as an International Searching and Preliminary Examining Authority.
38. The Delegation of the Republic of Korea supported the appointment of the VPI as an International Searching and Preliminary Examining Authority and hoped this would lead to high quality in the PCT system.
39. The Chair concluded that there was resounding support for the application for appointment of VPI as an International Searching and Preliminary Examining Authority under the PCT. References had been made to the importance of developing appropriate mechanisms to ensure consistency of approach amongst the four offices, as well as procedures between the four offices, in order to ensure smooth work flow and smooth production of consistent work products. Hard work was required to plan and implement a VPI quality management system, which would be critical to delivering high quality products at the international search and preliminary examination stages, which were crucial to the success of the PCT. However, the Chair expressed his view that, if the VPI continued to work as hard as it had done so far, it would achieve an excellent result.
40. The Committee unanimously agreed to recommend to the Assembly of the PCT Union that the Visegrad Patent Institute be appointed as an International Searching and Preliminary Examining Authority under the PCT.
41. The Delegation of Hungary, speaking on behalf of the Delegations of the Czech Republic, Hungary, Poland and Slovakia, thanked all the Delegations which had given their support and offered special thanks to the Japan Patent Office and Nordic Patent Institute for their assistance. The Delegation considered that the process had shown the merit of the Understanding adopted by the Assembly of the PCT Union which had allowed an effective review and given time to act on the advice and recommendations.

AGENDA ITEM 5: SUMMARY BY THE CHAIR

42. The Committee noted the contents of the Summary by the Chair in document PCT/CTC/28/4, established under the responsibility of the Chair, and agreed that it should be made available to the PCT Assembly, as a record of the advice given under agenda item 4.

AGENDA ITEM 6: CLOSING OF THE SESSION

43. The Chair closed the session on May 29, 2015.

44. *The Committee adopted this report by correspondence.*

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