

2/200

# WIPO



PCT/CTC/XIV/2

ORIGINAL : English

DATE : November 2, 1992

## WORLD INTELLECTUAL PROPERTY ORGANIZATION GENEVA

### INTERNATIONAL PATENT COOPERATION UNION (PCT UNION)

### PCT COMMITTEE FOR TECHNICAL COOPERATION

#### Fourteenth Session

Geneva, December 7 to 11, 1992

#### PCT MINIMUM DOCUMENTATION--CONSIDERATION OF THE DESIRABILITY OF REVISING PCT RULE 34 (CUT-OFF DATE OF THE MINIMUM DOCUMENTATION)

Memorandum prepared by the International Bureau

1. At the twentieth session of the Assembly of the International Patent Cooperation Union (PCT Union) held in Geneva, September 21 to 29, 1992, the Delegation of Australia raised the question of whether the 1920 cut-off date for minimum documentation provided in PCT Rule 34 was, at the present time, still a reasonable date. It believed that one should examine whether it was necessary to include, in the PCT minimum documentation, documents older than 50 years. It proposed that the competent bodies under the PCT should study the matter.

2. The Assembly decided that the desirability of revising PCT Rule 34 would be studied and that such a study should start with the consideration of the question in the December 1992 session of the PCT Committee for Technical Cooperation.

3. The Annex to this document contains the part of the report of the session of the Assembly (document PCT/A/XX/5) which deals with that matter.

4. The Committee is invited to study this matter and to advise whether any changes in Rule 34 are desirable.

[Annex follows]

ANNEX

EXTRACT FROM DOCUMENT PCT/A/XX/5

Cut-Off Date of Minimum Documentation

15. The Delegation of Australia raised the question of whether the 1920 cut-off date for minimum documentation provided in PCT Rule 34 was, at the present time, still a reasonable date. It believed that one should examine whether it was necessary to include, in the PCT minimum documentation, documents older than 50 years. The Delegation of Australia proposed that the competent bodies under the PCT should study the matter.

16. The Delegations of Sweden, Belgium, the United Kingdom and Germany, and the Representative of the European Patent Organisation, supported the proposal made by the Delegation of Australia.

17. The Representative of FICPI, while agreeing that the matter should be studied with an open mind, was concerned about the possible effects a change might have on the reliability of the international search report, and stated that his Federation would also be studying the question.

18. The Assembly decided that the desirability of revising PCT Rule 34 would be studied and that such a study should start with the consideration of the question in the December 1992 session of the PCT Committee for Technical Cooperation.

[End of Annex and of document]