

Meeting of International Authorities under the Patent Cooperation Treaty (PCT)

Twenty-First Session
Tel Aviv, February 11 to 13, 2014

PCT MINIMUM DOCUMENTATION

Document prepared by the International Bureau

BACKGROUND

1. At the nineteenth session of the Meeting of International Authorities and the fifth session of the PCT Working Group, the International Bureau presented documents (PCT/MIA/19/13 and PCT/WG/5/16) suggesting the concept of amending Rule 34 to automatically include the national patent documentation of any PCT Contracting State as part of the PCT minimum documentation, provided that it was made available reliably in a suitable electronic format which would be easy for International Authorities to load into their databases. Certain technical limitations would continue to apply relating to avoiding duplicate documents and searching documents in languages which are inaccessible to the examiner.
2. The aim of this initiative was to improve the availability of technical information from patent documents, both in terms of the technical coverage and linguistic coverage and, as a result, to help improve the quality of international search.

STATUS

3. A timetable was proposed in document PCT/WG/6/9 for discussion of the technical specifications and general principles involved. The aim was to prepare a concrete proposal for amendment of PCT Rule 34 for discussion at the next session of the PCT Working Group and potential adoption by the PCT Assembly at its session September–October 2014.
4. The timetable noted that a process for documenting patent collections was under way in the context of the IP5 cooperation (the Offices of China, Japan, the Republic of Korea and the United States of America, and the European Patent Office). The first significant step was intended to be an evaluation of the pilot phase of that process, in order to determine whether

the same file formats would be suitable for use by (or on behalf of) all Offices which wished their patent documentation to be included in the PCT minimum documentation and, if so, what procedures would need to be put in place to ensure that Offices could reliably document their existing patent collections and notify new publications and correct any errors discovered in the future. As yet, the International Bureau has not yet received the files necessary to begin the evaluation.

5. The International Bureau remains interested in the aims indicated in paragraphs 1 and 2, above. It hopes to:

- (a) conduct an evaluation of the IP5 documentation process in the near future; and
- (b) hold informal discussions with some of the International Authorities which maintain their own databases of patent information from multiple sources to ensure that it is understood how, and in what formats, they currently receive patent documentation from other Offices to assist the development of proposals for formats and procedures for making new collections available in a way which allows them to be used easily.

6. A new timetable will be proposed once those exercises are complete.

7. International Authorities are invited:

(i) to confirm that they remain interested in reviewing the scope of the patents part of the PCT minimum documentation with a view to ensuring effective access for search to as wide a range of patent documents as possible; and

(ii) to comment on any matters which could assist the timely completion of an effective technical evaluation of requirements.

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