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Vienna, November 7, 2000
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Ms.

Helen **F R A R Y**

Head

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Re.: Proposal for the restructuring of SCIT - C.SCIT 2515

Dear Head,

The Austrian Patent Office appreciates the work done by the International Bureau when preparing the second paper on the restructuring of SCIT and would like to comment on it as follows:

Like some other Member States we are not quite convinced about the necessity to split SCIT into two new bodies. We believe that there is a need for one **main** committee on Information Technologies with policy coordinating and decision making functions for IT activities and strategies in the field of intellectual property on an overall basis. It could have responsibilities and a structure similar to that which was outlined by the USPTO in its response to the first draft paper and should report directly to the General Assembly. With regard to the concerns expressed in paragraphs 6 to 9 of the second draft we also would like to refer to document SCIT/1/7, where in paragraph 11 under the heading "Special rules of procedure and working methods" it is outlined that SCIT should not only deal with matters concerning the global

information network, but also with other matters concerning information technologies useful to intellectual property offices, and in addition, to paragraph 13 (b) of the same document.

Option II for a new structure (Annex to the draft paper) does not provide for an interrelation or link of competencies between the Advisory Group on IT and the Standing Committee on Standards and Documentation, both concerning IT matters, one body having the mandate to give technical advice and policy guidance and the other body having the mandate for adopting policies, inter alia, as stated in paragraphs 10 and 15 of the draft paper. It is not evident in which manner and to what extent the **adoption** procedures of WIPO Standards, recommendation etc. could be considered separately from activities concerning technical advice and policy guidance on an **overall IT strategy**. Policy issues relating, for instance, to the establishment of a revised IT working program or the creation and revision of WIPO standards which will have a strong impact on the Intellectual Property Community, would then be made by authorities not representing all or at least a majority of Member States. On the other hand we recognize the benefit that under Option II there would be a link for IT matters to the Program and Budget Committee through the Advisory Group.

Option IV provides for a main committee, reporting directly to the general Assembly, with an overall coordinating responsibility for IT issues in the field of intellectual property. This concept seems to come closest to the structure of the current SCIT. If well-defined responsibilities and structure would be given to the Ad hoc Technical Committee and if improved working method would be formulated for which the proposals given in Chapter IV of the draft paper could serve as a basic concept, the structure of Option IV might be appropriate to overcome the problems which led to the discussion for the need of restructuring SCIT. This also would save time since the creation of new bodies would face similar problems like SCIT did, until they become fully operative.

We generally support the proposals with regard to non-institutionalized working groups and task forces with a membership of specific target groups having the necessary professional/technical competencies, the suggested working methods and procedures for project task initiation and priority settings, as outlined in the draft paper.

Although we see a need for a revision of the current IT Work Program because a clear relation of the current SCIT Working Program to the Strategic Plan could hardly be identified, they should not be discontinued or replaced unless a detailed proposal for a "more dynamic working tool" has been worked out and agreed upon. This should then be carried out with priority.

We have no objections to the proposal concerning meeting documentation as set out in paragraphs 36 and 37.

On whatever option for restructuring SCIT decisions will be made, we hope that it will be to the benefit and will meet the requirements of the intellectual property community as a whole.

Yours sincerely,

i.A. HR Dr. E. Gronau

Head of Technical Departement XI

Austrian Patent Office