

Deutsches Patent- und Markenamt
Der Präsident

München, den November 6, 2000

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Geschäfts-Nr.: 543/2(9)-2.1.1.-L6 ,1a

Bitte in der Antwort stets die Geschäftsnummer angeben

Mrs. Helen Frary
Head, IT Business Management Section
WIPO
34, chemin des Colombettes
CH 1211 Genève 20

Re: Proposal for the restructuring of the Standing Committee on Information Technology
(SCIT)

Dear Mrs. Frary,

We are mainly sharing your opinion that the structure and, above all, the working and decision-making methods of SCIT have to be re-examined.

After thorough examination we think that it is not useful, considering the experience gained so far, to divide the tasks of IT strategy and policy guidance, on the one hand, and the development of standards and guidelines, on the other hand, and to allocate them to two largely independent committees. Insofar we cannot support Options II and III of the Annex to Document SCIT/RES/6.

Within the scope of SCIT work of the last two years, we found that fundamental decisions-making in IT technology cannot be separated from the adoption of standards. Separating these areas would create unnecessary interfaces between the respective bodies, causing additional costs (travel expenses) and delays of projects (treatment in different bodies, co-ordination between these bodies).

Therefore, the SCIT should maintain overall competence for technical, strategic and information policy issues. The current restrictions in the present SCIT mandate to issues regarding WIPOnet and the IPDL project should be abolished.

As the USPTO has also stated in its comment of 29 September 2000, an Advisory Group on IT could be established on the hierarchical level of a working group. It would be able to discuss initial strategies in the area of IT infrastructure and questions of information policy, at first outside the SCIT Plenary, and formulate recommendations. It would be necessary to clearly define its mandate and to distinguish it from the mandates of the other working groups.

Technically, SCIT is on the same hierarchical level as the former PCIPI, which it has replaced. Formerly, decisions on the individual projects were taken in the PCIPI/EXEC; the PCIPI proper met only biennially. Consequently, with regard to their hierarchical position, the working groups correspond to EXEC and task forces to PCIPI working groups.

In the light of the aforesaid, the SCIT Plenary should focus on issues of fundamental importance and on important major decisions, and should decide on new projects with far-reaching implications. The working groups should be in charge of minor decisions, eg the adoption of standards. The technical work would to a large extent be done by electronic means in the task forces, which was already intended when the SCIT was created.

Referring to the working methods of the working groups, compare item 22 to 23 of the Document SCIT/RES/6, we think that given the fact that competence of the working groups is to be extended, the working groups should be permanent institutions for topics of respective related technical fields. Effective work will more easily be achieved by means of permanent working groups. It will also be easier to ensure a certain continuity in the composition of the delegates attending so that they can get to know each other. This will increasingly lead to building confidence and thus to quickly reaching compromises. The working groups should meet on an as needed basis. The current practice of combining meetings of working groups is advantageous to patent offices wishing to send only one delegate to the meetings. A common committee instead of the three technically existing working groups seems to be possible as well.

Owing to these reasons, we could agree to a solution following Option IV, however, with the proviso that the technical committee must be a permanent body, not an ad hoc institution.

The German Patent and Trade Mark Office supports the proposals on the working methods in item 23 (iii) to (vii).

Furthermore, I would like to support most of the proposals on working methods of the task forces (item 24 to 27). Referring to item 26 (i), however, we think that the SCIT bodies, usually the working groups, should be in charge of deciding on the creation of task forces.

Yours sincerely,

By order of the President,

Dipl.-Ing. Bernd Tödte

Head of the Information Department
German Patent and Trade Mark Office