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Dear Mrs. Frary,

Russian Agency for Patents and Trademarks (Rospatent) has studied comments of the Offices as to the First Draft document on reformation of SCIT (SCIT/RES/1), materials SCIT/RES/2-SCIT/RES/5 and Second Draft document prepared by the International Bureau (SCIT/RES/6).

Our comments in respect of the presented documents are as follows:

1. In fact, a necessity to substitute two independent bodies for SCIT has not resulted from decisions of the fifth session of SCIT (document SCIT/RES/5). The point was basically to change the SCIT working methods, in particular mandates, composition and organization of work in its working groups.
2. In section **I. GUIDING PRINCIPLES**, one cannot agree with subparagraph (d), since separation of the working out of standards, guidelines, etc. from the formulation of a common policy for IT development is considered to be inexpedient.
3. With a new structure proposed by the International Bureau (Options II, III), a forum to discuss a general course of works on IT implementation will be absent, a «feedback» between offices and the International Bureau will be lost, that is, it will be impossible for offices to keep watch over realization of the Strategic Plan and Working Programs and submit proposals for adjusting plans proceeding from a real progress of works. Thus, there will be a partial narrowing of the original mandate of SCIT. Moreover, a phrase *«facilitate coordination and provide guidance concerning the implementation of the WIPO global information network and the provision of intellectual property information services on the network»* found in the original mandate of SCIT should be understood in a broader sense than simple *«reporting to the SCIT is restricted to the WIPONET and Intellectual Property Digital Library (IPDL) Projects»*.
4. It is not quite clear what is meant in Option III by **Standing Committee on Patents and Standing Committee on Trademarks**. As far as we know presently there are several bodies in WIPO dealing with the problems of patents and trademarks: **Standing Committee on the Law of Patents, Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications, PCT Union and Madrid Union**. Which of these bodies will drive an agenda for **Ad Hoc Technical Committee**? Which of these bodies would be responsible for determining priority of the tasks?

5. Option IV seems to be the most advisable.

SCIT should preserve a general coordination of works having an eye on a general course of their implementation, including final decision-taking in the policy of IT implementation and submitting recommendations as to further development of works to the Director General of WIPO and General Assembly.

All substantive work must be carried out in Working groups to be established on flexible basis to solve specific problems for a period determined for this problem. The formation of **Ad Hoc Technical Committee** in such a structure may be inexpedient, since the working out of particularly complex problems will require an additional formation of Ad Hoc WG or TF within the framework of Ad Hoc Technical Committee. It may lead to additional complicity of the general structure of the new SCIT.

6. In our opinion, the formation of **Advisory Group on Information Technology** within the framework of SCIT is advisable to study in detail issues of policy and strategy of IT development. Its mandate may correspond to that set forth in paragraphs 10, 11 of the Second Draft, but final decisions on proposals as prepared should be left for SCIT. Proposals found in USPTO comments to the First Draft document on reformation may be assumed as a basis for forming a composition of Advisory Group members.

7. We think the section **IV. WORKING METHODS** of the Second Draft may be accepted fully, except for small remarks to item (vii) of the section Working Groups and item (v) of the section Task Forces. While noting that «emphasis must be placed on working by electronic means» one should remember that the holding of meetings by electronic means may be troublesome because of time differences in Member States and that tête-à-tête meeting of WG and TF members may be required at final stages of the work fulfillment.

I hope our comments will be useful for the further work with the document.

Sincerely yours,

A. Gvinepadze
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Rospatent