



PCT

THE INTERNATIONAL PATENT SYSTEM >> YEARLY REVIEW

Developments and Performance in

2007



WORLD
INTELLECTUAL
PROPERTY
ORGANIZATION

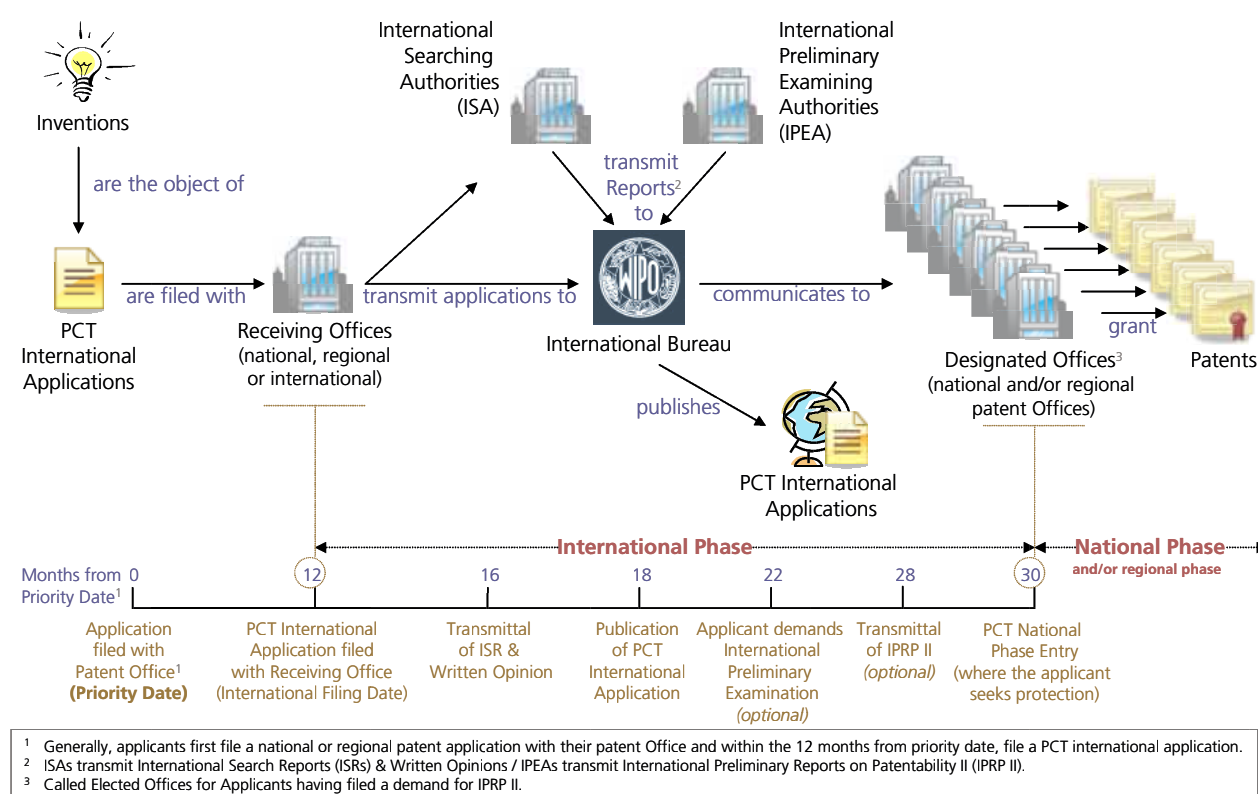
PREFACE

The Patent Cooperation Treaty

Since entering into force in 1978, the Patent Cooperation Treaty (PCT) offers inventors and industry an advantageous route for obtaining patent protection internationally. By filing one “international” patent application under the PCT, protection of an invention can be sought simultaneously in each of a large number of countries. Both applicants and patent Offices of the 138 PCT Member States benefit from the uniform formality requirements, the international search and preliminary examination reports and from the centralized international publication provided by the PCT system. The national patent granting procedure and the related expenses are postponed, in the majority of cases, by up to 30 months from priority date (or even longer in the case of some Offices) as compared with the traditional patent system. At the end of this period, the applicant should have received important value-added information concerning the likelihood of obtaining patent protection.

The graph below shows an overview of the main processing stages of patent applications within the international phase of the PCT system and their related timelines.

Overview of the PCT System



Source: World Intellectual Property Organization

- > An applicant using the PCT system must file a PCT international application at a receiving Office and choose an International Searching Authority that will provide him with a report and a written opinion on the patentability of his invention. The International Bureau of the World Intellectual Property Organization then publishes the application and communicates all necessary documents to patent Offices party to the PCT system. The applicant can choose to file a demand for a second evaluation of the patentability of his invention with an International Preliminary Examining Authority. The applicant has, in general, 30 months from the priority date to enter the PCT national phase in countries or regions in which he seeks protection.

■ PCT Filing

A patent applicant who wishes to protect his invention in more than one country using the PCT system should file an international application under the PCT with the competent receiving Office. Generally, applicants first file a patent application with their patent Office and within 12 months from priority date, file their international application under the PCT.

■ International Bureau

The receiving Office transmits a copy of the PCT international application to the International Bureau (IB) of WIPO. The IB is responsible for:

- receiving and storing all application documents;
- performing a second formalities examination;
- publishing the application and related documents on PATENTSCOPE® search service;
- translating the title and abstract of the PCT international application and certain associated documents into English and/or French, where necessary;
- communicating documents to Offices and third parties;
- providing legal advice on request to users; and
- providing PCT-related assistance to PCT member States.

The applicant must pay an international filing fee of approximately 1,400 Swiss Francs (CHF) and where the PCT international application contains more than 30 pages, an additional fee per sheet of approximately 15 CHF (a fixed rate applies in some cases). Up to approximately 300 CHF in fee reductions are available to applicants who file electronically. In addition, applicants from low-income countries are entitled, under specified conditions, to a 75% reduction of the international filing fee and handling fee.

■ International Search

The PCT international search is carried out by a patent Office appointed to act as an International Searching Authority (ISA) within the PCT minimum documentation prescribed in the Treaty. The International Search Report (ISR) contains a list of the documents with indications of relevance to the patentability, namely novelty and inventive step (non-obviousness). In addition, the ISA establishes a written opinion on patentability, which gives the applicant a detailed analysis of the invention.

The ISR and the written opinion are communicated by the ISA to the applicant normally by the fourth or fifth month after the PCT international application has been filed. Applicants must pay a search fee which varies from approximately 244 to 2,274 US dollars¹ (USD) according to the ISA chosen.

■ International Preliminary Examination

The international preliminary examination is an optional procedure where a second evaluation of the patentability of the invention can be sought from the International Preliminary Authority (IPEA).

The preliminary examination fees vary from approximately 200 to 2,420 USD depending on the IPEA chosen. A handling fee of approximately 171 USD also applies.

¹ See official PCT fee tables at: <http://www.wipo.int/pct/en/fees.pdf>. Amounts can fluctuate with exchange rates.

■ PCT National Phase

An applicant who has decided to proceed further with his PCT international application must, before the end of the 30th month from the priority date (or even longer in the case of some Offices), fulfill the requirements for entry into the PCT national phase at the patent Offices of or acting on behalf of States in which he seeks protection. The national or regional patent Offices concerned then begin the granting procedure under the national laws. In addition to paying the official fees, the applicant usually has to appoint local agents and have the application translated.

In addition to important value-added information concerning the likelihood of obtaining patent protection, a PCT applicant saves on time and costs, i.e. the work performed during the international processing is generally not repeated at each Office and legal and translation costs are postponed.

For further information, please refer to the WIPO publication: *Protecting Your Inventions Abroad*.²

Statistical Sources

The statistics in this annual review are based on two sources of data. For the international phase of the PCT system, data originate from the WIPO statistical database. Estimates have been made due to the fact that WIPO continues to receive PCT international applications filed at receiving Offices in 2007 after the publication of this review.

For the national phase of the PCT System, the statistics are based on data supplied to WIPO by national and regional patent Offices, often 6 months or more after the end of the year concerned, meaning that the latest available year to date is 2006. Data may be missing for some Offices or incomplete for some countries of origin. No estimates are made for the data concerning national phase.

The figures shown in this review are thus subject to change.³

² Available at: http://www.wipo.int/pct/en/basic_facts/faqs_about_the_pct.pdf

³ Regular updates are made at: <http://www.wipo.int/ipstats/en/>

Readers are welcome to use the information provided in this review,
but are requested to cite WIPO as the source.
Tables and graphs can be downloaded in image format at:
<http://www.wipo.int/ipstats/en/statistics/pct/>

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1. HIGHLIGHTS

In 2007, the international patent system saw several notable developments.

Increase in PCT Filings – In 2007, 158,400 PCT international applications were filed⁴, representing a 5.9% rate of growth over the previous year. For the fourth year running, the most notable growth rates came from countries in North East Asia which accounted for over a quarter (25.4%) of all PCT international applications.

North East Asian Countries Consolidate Positions – The Republic of Korea overtook France as the 4th biggest country of origin of PCT filings, with an 18.9% growth in filings compared to 2006, while China dislodged the Netherlands from its position as 7th biggest country of origin, with a 38.5% growth in filings. Maintaining their positions among the top 10 countries of origin were United States of America (1st), Japan (2nd), Germany (3rd), France (5th), United Kingdom (6th), the Netherlands (8th), Switzerland (9th) and Sweden (10th).

Changes in Top Applicants List – Matsushita of Japan moved into 1st place (2,100 applications published in 2007), overtaking the Dutch multinational Philips Electronics N.V. (2,041 applications published in 2007). Siemens (Germany) (1,644) retained 3rd place. Huawei Technologies of China moved up 9 places to become the 4th largest applicant with 1,365 applications published in 2007. These were followed by Bosch (Germany) (1,146), Toyota (Japan) (997), Qualcomm (USA) (974), Microsoft (USA) (845), which jumped 38 places to 8th place, Motorola (USA) (824) and Nokia (Finland) (822). Among the 20 top filing companies, six were from the USA, six from Japan and three from Germany.

Fields of Technology – The largest proportion of PCT international applications published in 2007 related to the telecommunications (10.5%), information technology (10.1%) and pharmaceuticals (9.3%) sectors. The fastest growing technology areas are nuclear engineering (+24.5%) and telecommunications (+15.5%), however, in the case of nuclear engineering, the total numbers are still relatively low compared to those of other fields of technology.

Full Text Search on PATENTSCOPE® search service – Since 2007, PATENTSCOPE® search service enables users to make full text search within the entire collection of PCT international applications published⁵ since the beginning of the PCT system in 1978, which represents over 1.3 million PCT international applications.

Utility Model Statistics – WIPO now publishes statistics on utility models filed, granted and in force – including PCT national phase entries – by country of origin and by patent Office.

⁴ Estimate – WIPO continues to receive PCT international applications filed with national Offices in 2007 throughout the first half of the year 2008.

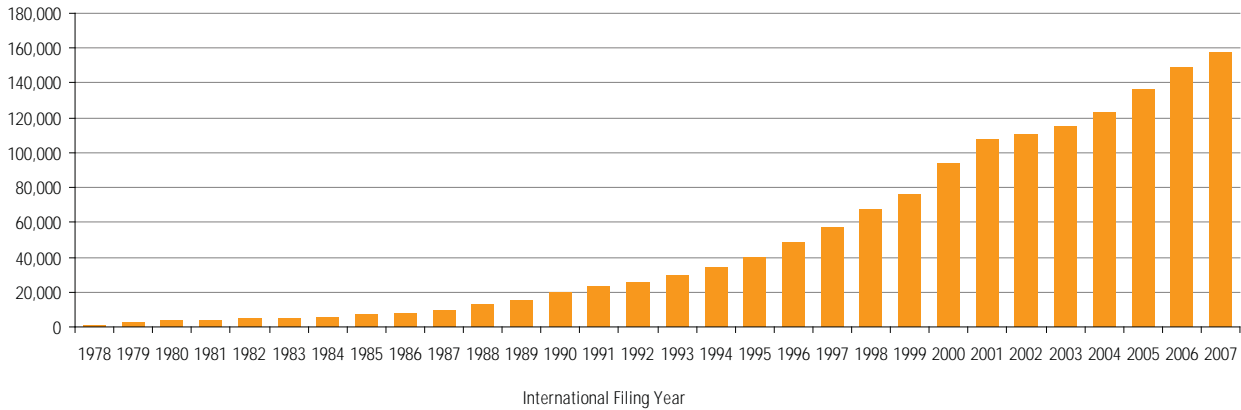
⁵ In the following publication languages: English, French, German and Spanish.

2. FILINGS OF PCT APPLICATIONS

2.1 PCT International Application Filing Trends

The graph below shows the number of PCT international applications filed since their inception in 1978. PCT international application filings are patent applications filed under the Patent Cooperation Treaty.

PCT International Application Filing Trends

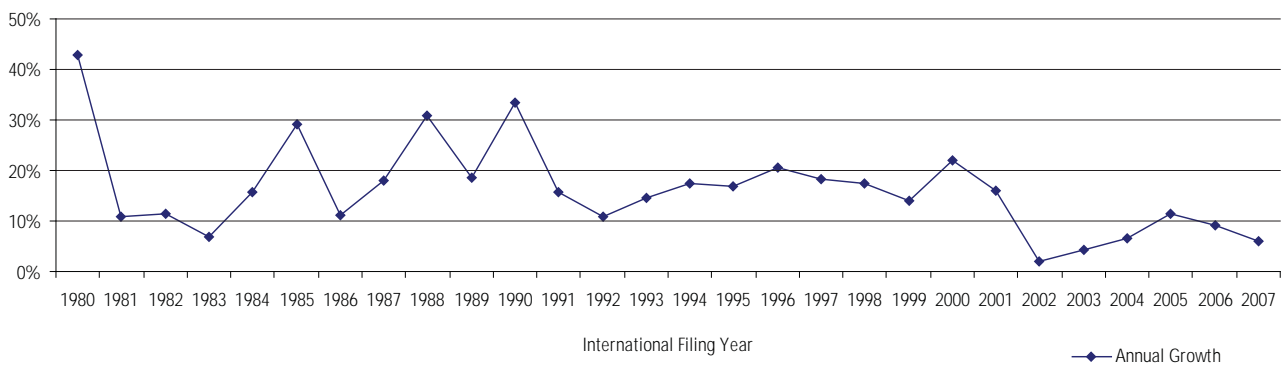


Source: WIPO Statistics Database

- > In 2007, 158,400 PCT international applications were filed⁶.
- > Since 1978, approximately 1.49 million PCT international applications have been filed.

The graph below shows the annual growth rate of PCT international applications filed since 1980.

PCT International Application Annual Growth Rates



Source: WIPO Statistics Database

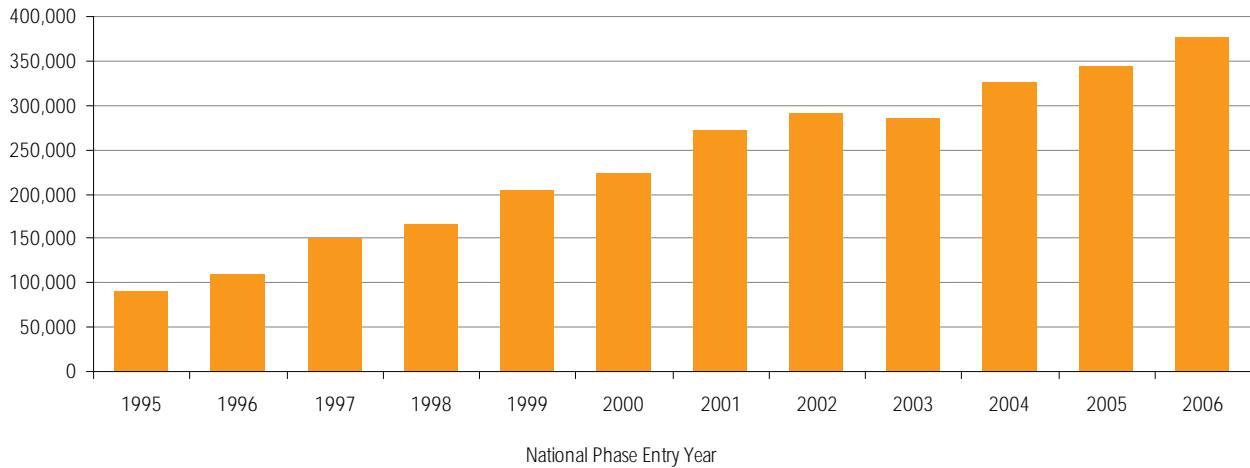
- > In 2007, the growth rate over the previous year's level was 5.9%.

⁶ Estimate – WIPO continues to receive PCT international applications filed with national Offices in 2007 throughout the first half of the year 2008.

2.2 PCT National Phase Entry Trends

The graph below shows the number of PCT national phase entries (including regional phase entries) since 1995. The PCT national phase statistics illustrate the number of PCT international applications where applicants actually seek protection for their inventions in other countries.

PCT National Phase Entry Trends

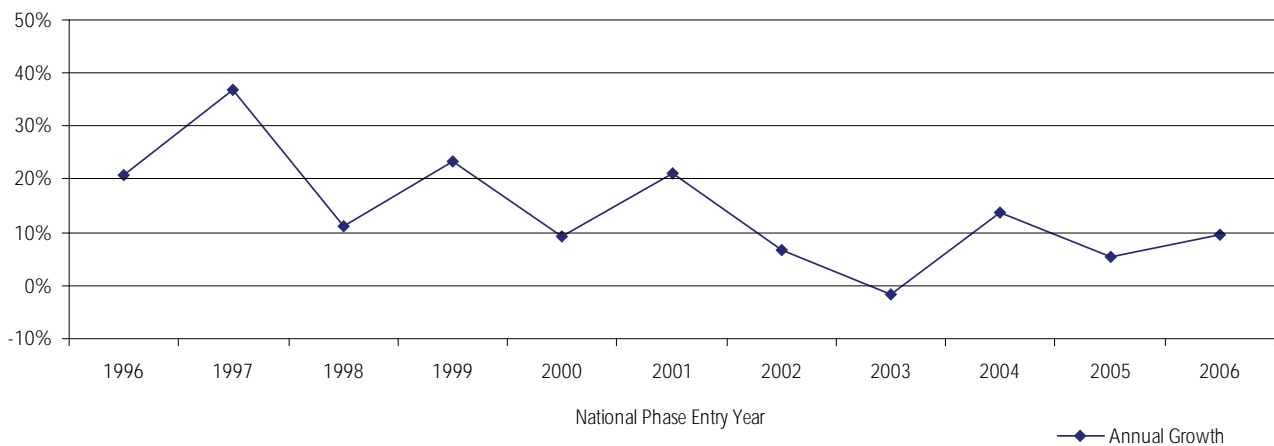


Source: WIPO Statistics Database

> In 2006, about 376,000 PCT international applications entered the national phase.

The graph below shows the annual growth rate of PCT national phase entries since 1996.

PCT National Phase Entries Annual Growth Rates



Source: WIPO Statistics Database

> In 2006, the number of PCT national phase entries increased by 9.5% over 2005.

3. ANALYSIS OF PCT APPLICATIONS

3.1 Top 15 Countries of Origin

The table below shows the top 15 countries where applicants filed most PCT international applications in 2007. See the statistical table in the annex for a complete list of countries. The country of origin is taken to be the country of residence of the first-named applicant in the PCT international application.

Countries of Origin	2003	2004	2005	2006	2007	Change Compared to 2006
United States of America	41,031	43,351	46,809	51,241	53,147	3.7%
Japan	17,414	20,264	24,869	27,022	27,732	2.6%
Germany	14,662	15,214	15,984	16,728	17,889	6.9%
Republic of Korea	2,949	3,558	4,688	5,945	7,066	18.9%
France	5,171	5,184	5,748	6,243	6,523	4.5%
United Kingdom	5,206	5,027	5,084	5,091	5,610	10.2%
China	1,295	1,706	2,503	3,949	5,470	38.5%
Netherlands	4,479	4,284	4,500	4,534	4,165	-8.1%
Switzerland	2,861	2,898	3,291	3,600	3,728	3.6%
Sweden	2,612	2,851	2,883	3,323	3,646	9.7%
Italy	2,163	2,189	2,349	2,708	2,911	7.5%
Canada	2,271	2,104	2,319	2,573	2,827	9.9%
Australia	1,680	1,837	1,996	2,002	2,071	3.5%
Finland	1,557	1,672	1,893	1,844	1,994	8.1%
Israel	1,129	1,227	1,454	1,594	1,719	7.9%
All Others	8,722	9,263	10,363	11,185	11,901	6.4%
Total	115,202	122,629	136,733	149,582	158,400	5.9%

Source: WIPO Statistics Database

- > The Republic of Korea (4th) and China (7th) both gained one place over the previous year, with a respective growth of 18.9% and 38.5%.
- > Together, the European Patent Convention Member States account for 52,931 PCT international applications, which is an increase of 5.7% over 2006.

3.2 PCT and Developing Countries

The table below shows the number of PCT international applications filed by applicants from a selection of developing countries.

Countries of Origin among Selected Developing Countries	2003	2004	2005	2006	2007
Republic of Korea	2,949	3,558	4,688	5,945	7,066
China	1,295	1,706	2,503	3,949	5,470
India	764	724	679	834	880
Singapore	282	431	443	472	533
South Africa	357	411	358	424	405
Brazil	219	278	271	333	394
Turkey	111	115	174	269	356
Mexico	131	118	141	167	182
Malaysia	31	45	38	60	105
Colombia	24	22	23	29	45
Egypt	22	53	51	41	40
Argentina	15	11	20	20	31
Cuba	20	18	11	21	22
Philippines	21	11	26	23	18
Morocco	7	7	9	10	18
Kazakhstan	7	7	8	17	14
Algeria	5	6	4	3	12
Indonesia	2	6	8	8	9
Viet Nam	7	2	0	11	6
Democratic People's Republic of Korea	3	3	2	4	2
Zimbabwe	2	3	1	0	0
Mongolia	0	0	0	6	0
Antigua and Barbuda	1	1	2	1	0
Uzbekistan	0	0	2	1	0
Total	6,275	7,536	9,462	12,648	15,608

Source: WIPO Statistics Database

- > As reflected in the statistical table in the annex, the number of PCT international applications filed by applicants from developing countries and least developed countries is low compared to the number of PCT national phase entries at their patent Offices.

3.3 Top 20 PCT Applicants

The table below shows the top 20 PCT applicants based on the number of PCT international applications published in 2007.

2007 Ranking	Change in Ranking Compared to 2006	Applicant's Name	Country of Origin	PCT International Applications Published in 2007	Increase in Number of Publications Compared to 2006
1	1	MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.	JP	2,100	-244
2	-1	KONINKLIJKE PHILIPS ELECTRONICS N.V.	NL	2,041	-454
3	0	SIEMENS AKTIENGESELLSCHAFT	DE	1,644	164
4	9	HUAWEI TECHNOLOGIES CO., LTD.	CN	1,365	790
5	0	ROBERT BOSCH GMBH	DE	1,146	184
6	2	TOYOTA JIDOSHA KABUSHIKI KAISHA	JP	997	293
7	5	QUALCOMM INCORPORATED	US	974	366
8	38	MICROSOFT CORPORATION	US	845	603
9	1	MOTOROLA, INC.	US	824	187
10	-6	NOKIA CORPORATION	FI	822	-214
11	-4	BASF AKTIENGESELLSCHAFT	DE	810	94
12	-6	3M INNOVATIVE PROPERTIES COMPANY	US	769	42
13	3	LG ELECTRONICS INC.	KR	719	152
14	1	FUJITSU LIMITED	JP	708	137
15	6	SHARP KABUSHIKI KAISHA	JP	702	206
16	12	NEC CORPORATION	JP	626	253
17	-8	INTEL CORPORATION	US	623	-67
18	4	PIONEER CORPORATION	JP	611	117
19	10	INTERNATIONAL BUSINESS MACHINES CORPORATION	US	606	241
20	0	SAMSUNG ELECTRONICS CO., LTD.	KR	598	93

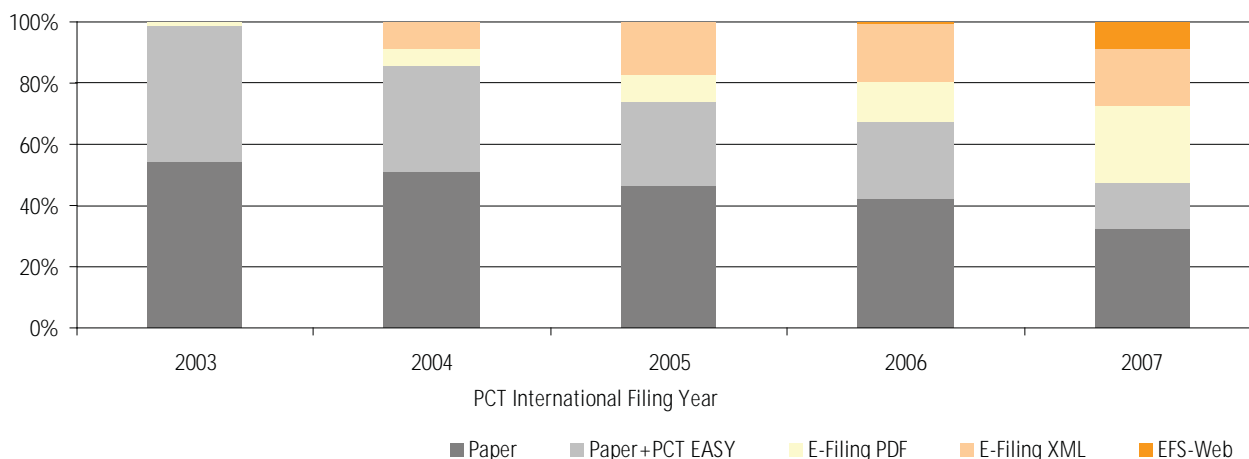
Source: WIPO Statistics Database

- > Matsushita Electric Industrial Co. of Japan moved into 1st place, overtaking the Dutch multinational Philips Electronics N.V., whereas the Chinese multinational Huawei Technologies gained 9 places up to 4th position.
- > The 3 main changes in ranking originate from the US-based multinational Microsoft Co. (+38), the Japanese NEC Co. (+12) and the US IBM Co. (+10).
- > In 2007, 143,000 applicants and 369,000 applicants/inventors are named in published PCT international applications.

3.4 Filings by Medium of Filing

The graph and table below show the changing distribution of filings on paper, on paper together with a diskette or other physical medium (CD-R, DVD-R) prepared electronically using the PCT-EASY functionality, and on fully electronic medium since 2003. The fully electronic filings comprise XML and PDF filings as well as web-based electronic filings (EFS-Web) at the United States Patent and Trademark Office (USPTO).

Share of PCT International Applications by Medium of Filing



Source: WIPO Statistics Database

Medium of Filing	2003	2004	2005	2006	2007
Paper	54.2%	51.1%	46.0%	42.5%	32.8%
Paper+PCT EASY	44.9%	34.7%	27.8%	25.2%	14.7%
E-Filing PDF	1.0%	5.5%	8.9%	13.2%	24.9%
E-Filing XML		8.7%	17.3%	18.3%	19.3%
EFS-Web				0.8%	8.3%

Source: WIPO Statistics Database

- > During 2007, the majority of PCT international application filings (52.5%) were made using a fully electronic medium. If PCT EASY, the combined paper and electronic filing media, is added to this sum, the share of filings by electronic means rises to 67.2%.
- > In 2007 the patent Office of China (from 1 May) announced that it accepts fully electronic filings thereby bringing the total number of offices allowing fully electronic filings to 20.
- > The increase of 69.7% in fully electronic filings over the previous year's total can be primarily accounted for by Chinese and US electronic filings, as the overall numbers of filings at these Offices represent respectively 3.4% and 33.4% of the total PCT international applications filed in 2007.

3.5 Filings by Language of Filing

The table below shows the number of PCT international applications according to their language of filing. A PCT international application may be filed in any language accepted by the relevant receiving Office.

Languages of Filing	2003	2004	2005	2006	2007	2007 Share
English	73,472	77,842	84,650	91,644	95,164	60.1%
Japanese	15,866	18,263	22,150	24,292	25,609	16.2%
German	14,487	14,603	15,867	16,730	17,965	11.3%
French	4,529	4,504	4,867	5,168	4,887	3.1%
Chinese	1,036	1,428	2,232	3,476	4,875	3.1%
Korean	1,750	2,093	2,668	3,543	4,650	2.9%
Italian	581	632	707	1,021	1,368	0.9%
Spanish	850	844	1,070	1,165	1,247	0.8%
Russian	601	582	689	750	695	0.4%
Finnish	404	354	429	415	510	0.3%
Swedish	706	640	547	439	489	0.3%
Dutch	513	501	485	501	489	0.3%
Norwegian	187	143	175	172	182	0.1%
Danish	134	126	111	138	122	0.1%
Hungarian	17	14	24	41	43	<0.1%
Turkish	17	23	12	17	19	<0.1%
Slovenian	13	13	14	22	19	<0.1%
Portuguese	9	6	9	17	18	<0.1%
Czech	8	2	10	11	18	<0.1%
Croatian	11	12	11	11	16	<0.1%
Slovak	8	4	5	8	11	<0.1%
All Others	1	0	1	0	2	<0.1%
Total	115,200	122,629	136,733	149,581	158,400	100%

Source: WIPO Statistics Database

- > Compared to 2006, the top five languages of filing changed with the move of Chinese into 5th place (+1 place) overtaking Korean (-1 place).

3.6 Publications by Language of Publication

The table below shows the number of PCT international applications according to their language of publication. PCT international applications must be published in one of the official publication languages (currently Arabic, Chinese, English, French, German, Japanese, Russian and Spanish).

Languages of Publication	2003	2004	2005	2006	2007	2007 Share
English	75,342	75,099	83,462	91,040	98,508	65.6%
Japanese	13,807	16,835	19,630	22,867	24,003	16.0%
German	14,086	13,998	15,008	15,723	16,842	11.2%
French	4,546	4,254	4,391	5,143	5,199	3.5%
Chinese	861	1,096	1,423	2,335	3,735	2.5%
Spanish	768	758	839	1,045	1,120	0.7%
Russian	585	510	557	587	668	0.4%
Total	109,995	112,550	125,310	138,740	150,075	100%

Source: WIPO Statistics Database

- > Chinese as a publication language has increased by 60% as compared to 2006, followed by Russian (+13.8%) and English (+8.2%).

3.7 Publications by Technical Field

The table below shows the technical fields of PCT international applications published and the annual growth in 2007. In this table, PCT international applications are classified according to 30 classifications⁷ based on the International Patent Classification (IPC) system. As a PCT international application can be assigned multiple IPC symbols that correspond to more than one technical field, the total count by technical field is greater than the total number of PCT international applications published.

Technical Fields	2003	2004	2005	2006	2007	Increase Compared to 2006
I Electricity - Electronics						
1 Electrical devices, electrical engineering, electrical energy	7,365	7,568	8,768	10,069	11,035	9.6%
2 Audio-visual technology	6,057	6,074	6,713	7,453	7,759	4.1%
3 Telecommunications	10,821	10,441	11,670	13,634	15,751	15.5%
4 Information technology	9,917	9,531	10,992	13,791	15,109	9.6%
II Instruments						
5 Semiconductors	4,051	4,109	4,719	6,111	6,587	7.8%
6 Optics	2,616	2,563	3,215	5,898	5,960	1.1%
7 Analysis, measurement, control technology	11,447	10,869	11,867	13,225	13,531	2.3%
8 Medical technology	8,600	8,877	9,554	11,249	11,890	5.7%
9 Nuclear engineering	517	496	499	572	712	24.5%
III Chemicals - Materials						
10 Organic fine chemistry	5,225	5,652	6,112	6,512	6,082	-6.6%
11 Macromolecular chemistry, polymers	3,984	4,002	4,532	5,904	5,946	0.7%
12 Chemical engineering	3,879	3,702	4,266	5,680	5,863	3.2%
13 Surface technology, coating	3,293	3,326	3,642	4,361	4,247	-2.6%
14 Materials, metallurgy	3,037	3,031	3,252	3,836	4,045	5.4%
IV Pharmaceuticals - Biotechnology						
15 Biotechnology	8,604	7,609	7,312	7,413	7,228	-2.5%
16 Pharmaceuticals, cosmetics	9,976	9,436	11,090	13,920	13,936	0.1%
17 Agriculture and food	1,660	1,840	1,949	2,336	2,309	-1.2%
V Process engineering						
18 Industrial processes	5,365	4,909	4,911	5,010	5,295	5.7%
19 Handling, printing	4,540	4,555	5,401	6,234	6,261	0.4%
20 Agricultural and food processing, machinery and apparatus	1,274	1,334	1,521	1,504	1,478	-1.7%
21 Materials processing, textiles, paper	4,780	4,285	4,763	5,484	5,312	-3.1%
22 Environmental technology	1,314	1,249	1,380	1,585	1,780	12.3%
VI Machinery - Mechanics - Transport						
23 Machine tools	2,485	2,323	2,773	3,009	3,132	4.1%
24 Engines, pumps, turbines	2,820	2,975	3,205	3,700	4,170	12.7%
25 Thermal processes and apparatus	1,580	1,542	1,825	2,062	2,297	11.4%
26 Mechanical Components	3,567	3,720	4,108	4,748	5,084	7.1%
27 Transport	4,597	4,883	5,542	6,078	6,696	10.2%
28 Space technology and weapons	494	436	536	513	507	-1.2%
VII Consumer goods - Civil engineering						
29 Consumer goods and equipment	5,757	6,040	7,228	8,310	8,629	3.8%
30 Civil engineering, building, mining	3,461	3,847	3,908	4,399	4,688	6.6%

Source: WIPO Statistics Database

- > The technical fields with the greatest number of PCT international applications published in 2007 were in the field of telecommunications, information technology and pharmaceuticals.
- > The fastest growing technical fields in 2007 were nuclear engineering (+24.5%) and telecommunications (+15.5%); however, in the case of nuclear engineering, the total numbers are still relatively low compared to those of other fields of technology.

⁷ Created by OST, INPI and FhG-ISI.

3.8 PCT National Phase Entries

The national phase follows the international phase of the PCT procedure and consists of the entry and processing of the PCT international application in the individual countries or regions in which the applicant seeks protection for his invention. The patent Offices where the applicant seeks protection are called designated Offices or (when the applicant has filed a demand for preliminary examination) elected Offices.⁸

3.8.1 PCT National Phase Entries by Country of Origin

The table below shows the number of PCT national phase entries worldwide according to the country of origin of the first named applicant in the PCT international application.

PCT National Phase Entries by Country of Origin	2002	2003	2004	2005	2006
United States of America	59,153	61,088	94,521	111,048	123,824
Japan	23,779	27,340	42,310	53,350	63,363
Germany	25,889	26,279	36,221	39,944	43,611
Netherlands	6,956	6,491	14,540	17,197	16,843
France	9,146	10,041	15,145	15,683	16,745
United Kingdom	10,340	10,214	13,654	14,812	14,981
Switzerland	5,575	6,142	9,980	12,064	12,415
Sweden	5,735	5,232	7,412	7,486	8,527
Republic of Korea	1,952	2,088	4,734	6,086	7,874
Australia	3,055	3,089	5,498	5,664	6,477
Italy	3,073	3,441	5,659	5,964	6,289
Canada	1,961	1,989	5,696	5,605	6,219
Finland	2,830	3,035	4,216	4,487	4,958
Denmark	1,699	1,705	2,940	3,253	3,537
Belgium	1,464	1,580	2,368	2,864	3,508
Israel	1,096	1,213	2,924	3,010	3,194
Austria	1,286	1,330	1,860	2,223	2,365
China	440	516	1,318	1,802	2,260
Spain	887	978	1,530	1,731	2,124
Norway	753	716	1,418	1,415	1,572

Source: WIPO Statistics Database

- > The highest growth rates in 2006 compared with the previous year's total are attributed to applicants originating from the Republic of Korea (+29.4%), followed by those from China (+25.4%) and Spain (+22.7%).

⁸ For further information on PCT national phase data, please refer to the Preface.

3.8.2 PCT National Phase Entries by Designated/Elected Office

The data in the table below shows the number of PCT national phase entries before designated and elected Offices.

PCT National Phase Entries by Designated/Elected Office	2002	2003	2004	2005	2006
European Patent Office	52,493	61,488	65,227	67,948	74,223
Japan	37,796	36,124	39,973	45,576	50,971
China	22,657	23,354	32,689	40,133	48,200
United States of America	34,142	31,497	36,739	38,296	44,842
Canada	27,348	25,786	26,056	28,369	30,536
Republic of Korea	17,868	16,972	21,660	24,761	27,212
Australia	16,784	15,833	16,784	17,971	20,185
Brazil	10,220	11,870	12,983	13,689	18,057
India	7,049	7,717	10,671		
Mexico	10,399	9,776	10,657	11,753	12,932
Russian Federation	4,083	4,219	5,288	6,415	7,571
Singapore	5,851		5,714	6,128	6,922
Israel	4,654	4,280	4,675	5,124	5,795
South Africa	4,452	4,894	5,221	5,554	5,781
New Zealand	4,440	4,097	4,272	4,477	4,494
Norway	4,343	3,968	3,644	4,137	4,264
Indonesia	2,976	2,620	2,989	3,536	3,805
Germany	1,278	1,543	1,450	2,471	3,008
Philippines		1,299	2,126	1,731	2,666
Ukraine	1,001	1,299	1,423	1,750	2,102
United Kingdom	1,620	1,789	1,731	1,796	2,011
Eurasian Patent Organization	1,122	1,130	1,320	1,502	1,867
Poland	3,443	3,177	4,961	4,356	443
Hungary	4,579	3,937	1,856	446	176
Czech Republic	4,480	2,745	524	145	109

Source: WIPO Statistics Database

- > The patent Offices, acting as designated or elected Offices, with the highest growth compared to 2005 are those of Brazil (32%), Germany (+22%) and China (+20%).
- > Czech Republic, Hungary and Poland became member States of the European Patent Convention (EPC) in 2002, 2003 and 2004 respectively. A PCT applicant seeking protection in any of the States member to the EPC can generally choose between entering the national phase at a national Office or the regional phase at the European Patent Office (EPO). As a result, the number of PCT national phase entries at some European national Offices is lower than would otherwise be expected.
- > It should be noted that the PCT national phase route is closed for France, Italy, the Netherlands and several other EPC member States. A PCT applicant seeking protection in those countries must therefore enter the PCT regional phase at the EPO.

4. PERFORMANCE OF THE INTERNATIONAL PATENT SYSTEM

4.1 Receiving Offices

PCT International applications are filed first with a receiving Office (RO), which may be a national or regional Office or the International Bureau. In 2007, 110 Offices were acting as ROs.

4.1.1 Top 15 Receiving Offices

The table below shows the Top 15 ROs according to the number of PCT international applications filed. The statistical table in the annex shows the number of PCT international applications filed in 2007 for each of the 110 ROs.

Receiving Offices	2003	2004	2005	2006	2007	2007 Share
United States of America	41,312	43,660	47,224	51,797	52,969	33.4%
Japan	17,096	19,850	24,290	26,421	27,230	17.2%
European Patent Office	15,867	18,548	21,254	23,383	26,332	16.6%
International Bureau	6,514	7,040	7,940	8,674	8,916	5.6%
Republic of Korea	2,942	3,565	4,690	5,918	7,138	4.5%
United Kingdom	5,532	5,341	5,171	5,187	5,605	3.5%
China	1,165	1,592	2,437	3,827	5,456	3.4%
France	3,868	3,741	3,923	3,861	3,363	2.1%
Canada	2,037	1,889	1,974	2,143	2,393	1.5%
Germany	4,282	2,816	2,325	2,329	2,329	1.5%
Sweden	2,097	2,053	2,050	2,123	2,272	1.4%
Australia	1,727	1,843	1,978	2,011	2,023	1.3%
Israel	1,122	1,191	1,401	1,512	1,649	1.0%
Netherlands	950	924	993	1,001	1,042	0.7%
Finland	997	1,007	1,056	1,014	1,039	0.7%
All Others	7,694	7,569	8,027	8,381	8,642	5.5%
Total	115,202	122,629	136,733	149,582	158,400	100%

Source: WIPO Statistics Database

- > PCT international applications filed at the top three ROs account for two-thirds of the total filings in 2007.
- > The ROs with the fastest growing numbers of PCT international applications filed in 2007 are the ROs of China (+42.6%), the Republic of Korea (+20.6%) and the European Patent Office (+12.6%).

4.1.2 Transmittal of International Applications to the International Bureau as Receiving Office

Where a PCT international application is filed with a receiving Office that cannot accept this application due to the nationality or the country of residence of the applicant, the language of filing or another reason, this application is forwarded to and considered as having been received by the International Bureau acting as the RO⁹. In 2007, 1,131 PCT international applications filed were transmitted to the International Bureau as RO, which represents 0.7% of all PCT international applications filed that year.

⁹ Transmittal under Rule 19.4 of the PCT Regulations.

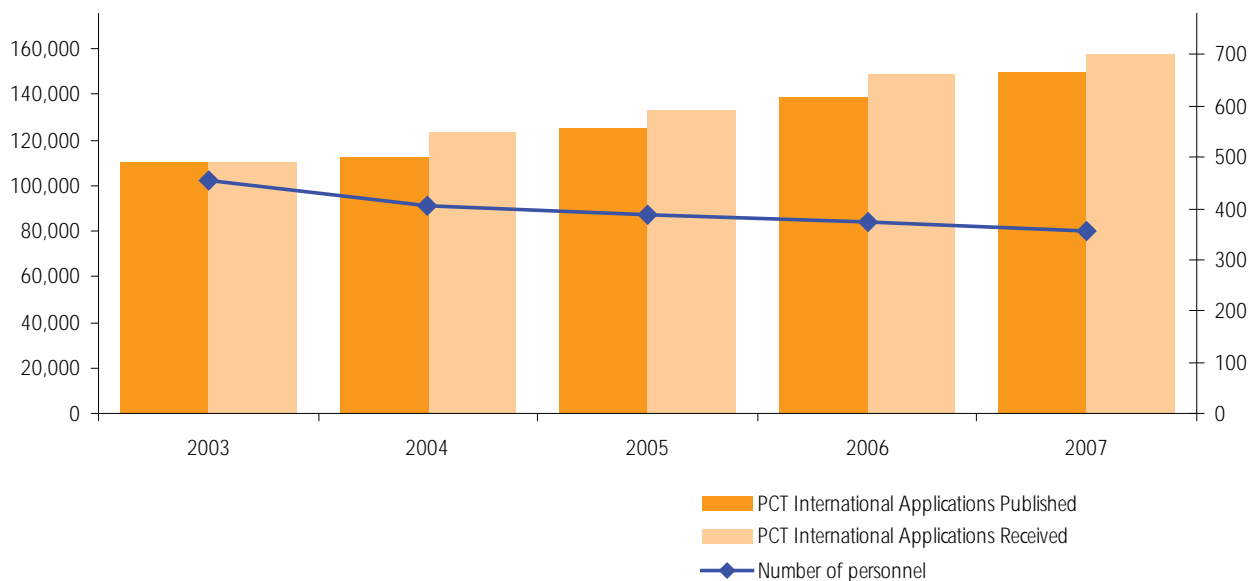
4.2 International Bureau

The International Bureau (IB) is responsible for the administration of the international phase of the PCT system.

4.2.1 PCT Operations Workload and Personnel

In addition to its task as RO for applications from all PCT Contracting States, WIPO, through its PCT Operations Division, manages certain processing tasks with respect to all PCT international applications filed with all ROs worldwide. Among others, these processing tasks consist of the following: formality examination, translation of abstracts and titles and publication of PCT international applications.

PCT Operations Workload and Personnel



Source: WIPO Statistics Database

	2003	2004	2005	2006	2007	Change Compared to 2003
PCT International Applications Received	110,282	123,415	133,545	148,772	157,740	43%
PCT International Applications Published	109,995	112,550	125,310	138,740	150,075	36%
Number of personnel	455	407	388	375	357	-22%

Source: WIPO Statistics Database

- > Over the past five years, the number of PCT international applications received by the IB increased by 43% while the number of personnel processing PCT international applications decreased by 22%.
- > The figure for PCT international applications received at the IB differs from that of applications published due to the fact that PCT international applications are usually published six months after their receipt by the IB.

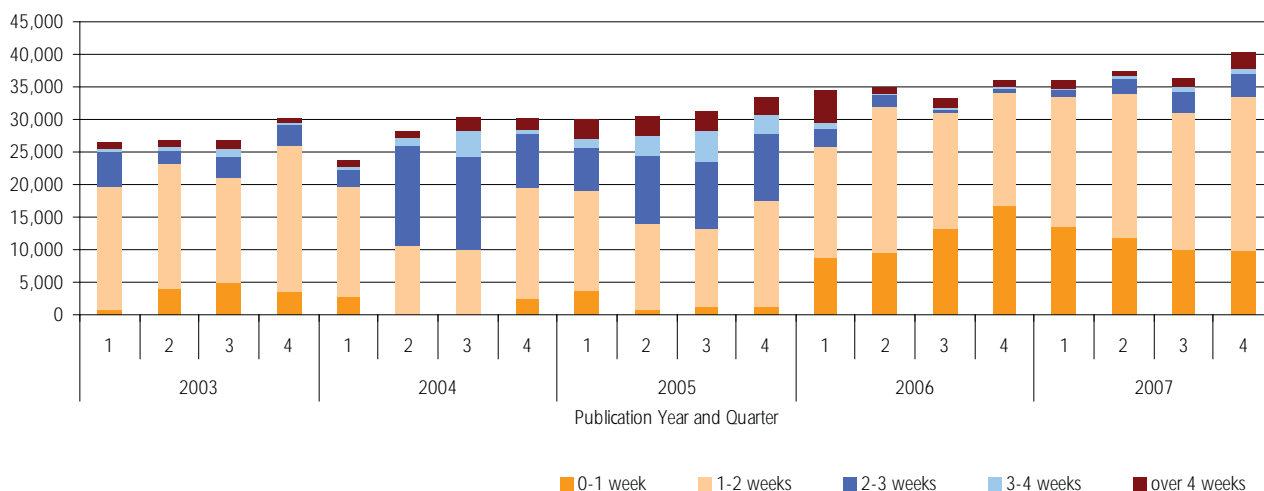
4.2.2 Publication and Republication Timeliness

The PCT international application and related documents are published after the expiration of 18 months from the priority date unless the applicant requests early publication of the PCT international application or unless the application is withdrawn or considered withdrawn. At the time of publication, the International Bureau proceeds to the publication of the PCT international application even in the absence of the International Search Report (ISR) and republishes part of the PCT international application together with the ISR after the latter arrives.

■ Publication

The graph below shows the timeliness of publication by the International Bureau of PCT international applications after the expiration of 18 months from the priority date.

Timeliness of the International Bureau to publish PCT international applications



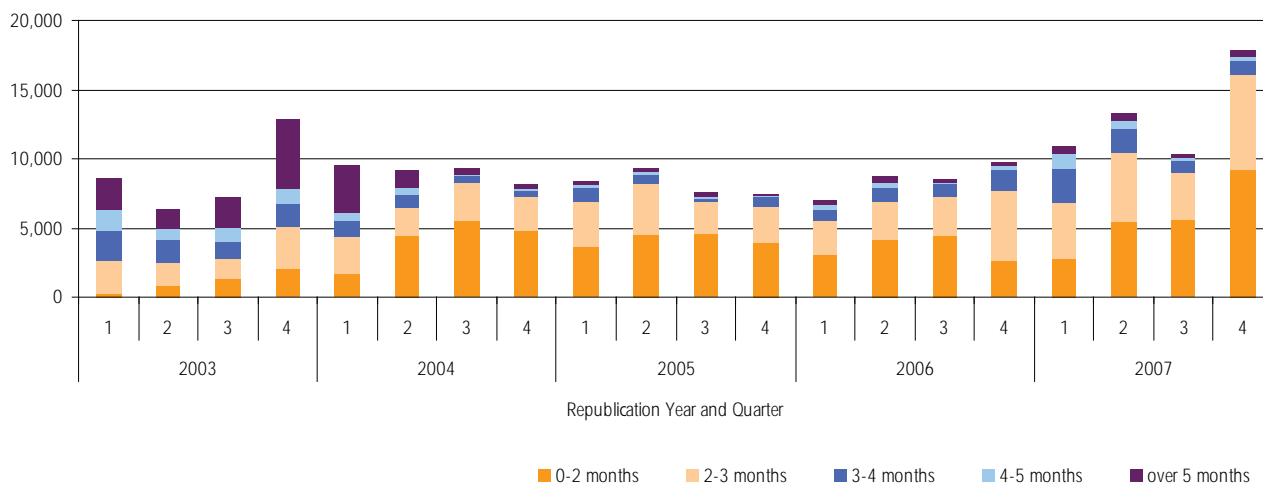
Source: WIPO Statistics Database

- > In 2007, 88% of PCT international applications were published within two weeks following the expiration of 18 months from the priority date, 95% were published within three weeks and 96% within four weeks.

■ Republication

The graph below shows the timeliness of republication by the International Bureau of PCT international applications with ISRs in the cases where the ISR was missing upon publication.

Timeliness of the International Bureau to republish PCT international applications with their ISR



Source: WIPO Statistics Database

- > In 2007, 44% of republications were published within two months of receipt of the ISR by the International Bureau, 80% within three months and 93% within four months.

4.2.3 Translation and Terminology

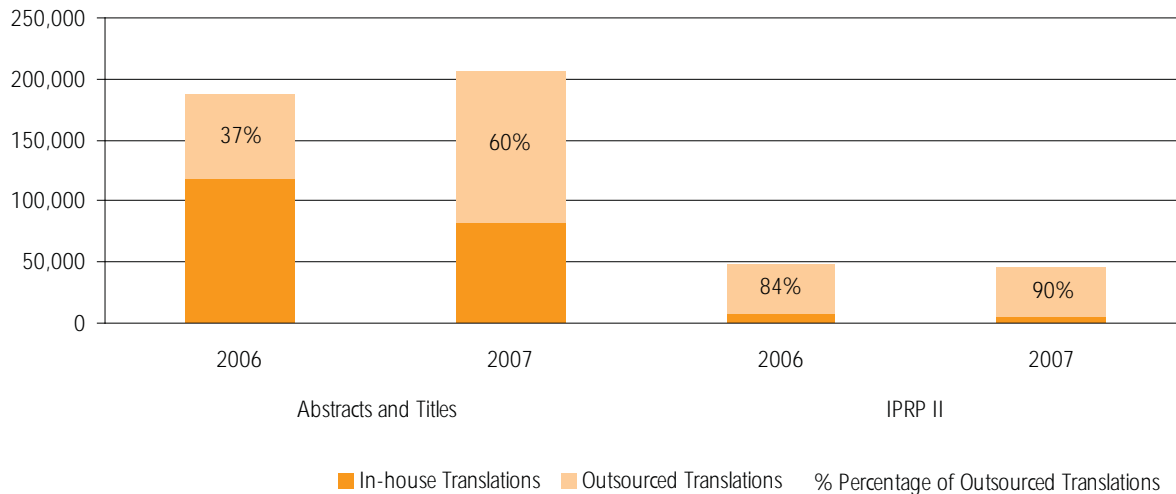
The main objective underlying the International Bureau's efforts in the area of translation is to enhance the patent system's disclosure function by making the technological information embodied in PCT international applications accessible in languages other than those in which the original documents were filed. In order to meet this policy objective, the International Bureau translates and publishes the abstracts, titles and text matter in the drawings of PCT international applications into English and French, and ISR and IPRP II into English. In 2007, the International Bureau produced approximately 206,000 abstract translations, 45,000 IPRP II and 2,000 ISR translations.

In view of the continuing growth trend in filings from North East Asian countries, the International Bureau has attached great importance to enhancing the necessary human and technical resources that will ensure access to information in languages from this region.

The International Bureau has relied heavily on outsourcing as a means of absorbing increasing translation commitments, which are being met by combining outsourcing activities with an appropriate level of translations produced internally at the International Bureau. A series of control and feedback measures to ensure the quality of externally produced translations were implemented in 2007 as new and more outsourcing agencies were engaged in the second half of that year. These quality management measures should have a decisive impact on other language-related products and services that the International Bureau is in the process of developing and making available to the patent system and the general public.

The graph below shows the distribution of translations done directly by the International Bureau or outsourced in 2007.

Distribution of Translation Work



Source: WIPO Statistics Database

The International Bureau has placed more emphasis on the introduction of information technology in the translation process and has reoriented its translation activities with a view to creating a multilingual search facility for integration into PATENTSCOPE® search service. There has been a renewed emphasis on terminology with the aim of creating a multilingual terminology database in all PCT publication languages, which will be enriched with the inclusion of Korean and Portuguese in 2009. The terminology database already containing thousands of terms is intended to be the backbone of the cross-language information retrieval system and machine translation service provided in PATENTSCOPE® search service.

4.3 International Search

International Searching Authorities (ISAs) are appointed by the PCT Assembly to carry out international searches. In 2007, 12 national Offices or intergovernmental organizations were acting as International Searching Authorities. These Offices produce International Search Reports (ISRs) and the written opinions of the ISA. The ISR contains citations of documents considered to be relevant to the claimed invention (i.e. prior art), the classification of the subject matter of the invention and an indication of the fields searched as well as which electronic databases have been consulted. The ISR and the written opinion are communicated by the ISAs to applicants normally by the fourth or fifth month after the PCT international application has been filed.

4.3.1 Distribution by International Searching Authorities

The chart below shows the number of PCT international applications filed according to their selected ISAs.

International Searching Authorities	2003	2004	2005	2006	2007	2007 Share
European Patent Office	60,856	63,229	67,114	71,521	74,629	47.1%
United States of America	26,478	26,887	28,608	30,497	29,627	18.7%
Japan	16,142	18,695	23,020	25,146	26,139	16.5%
Republic of Korea	2,595	3,211	4,230	6,669	10,175	6.4%
Sweden	3,518	3,400	3,381	3,190	3,155	2.0%
China	1,225	1,650	2,482	3,890	5,524	3.5%
Australia	2,249	2,503	2,737	2,750	2,821	1.8%
Canada		840	2,103	2,313	2,500	1.6%
Austria	748	824	915	1,097	1,179	0.7%
Spain	746	772	986	1,062	1,150	0.7%
Russian Federation	641	616	723	805	778	0.5%
Finland			426	642	723	0.5%
Total	115,198	122,627	136,725	149,582	158,400	100%

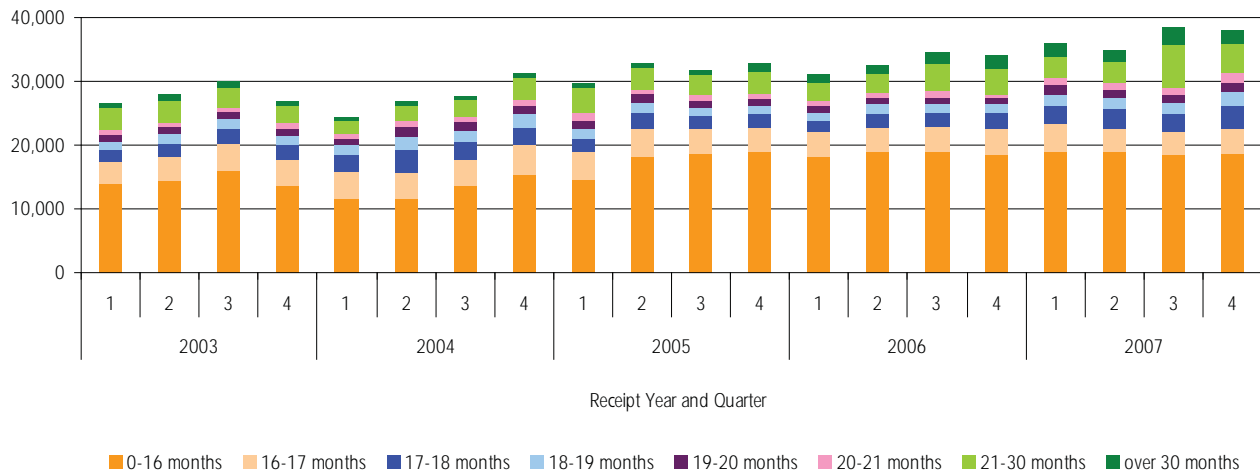
Source: WIPO Statistics Database

- > The patent Offices acting as ISAs that experienced the largest growth rates compared to 2006 were the Offices of the Republic of Korea (+87.5%), China (+70.6%) and Spain (+37.7%).
- > Since 2006, the Korean Intellectual Property Office has been acting as an International Searching and Preliminary Examining Authority for PCT international applications filed with the United States Patent and Trademark Office acting as receiving Office.

4.3.2 Timeliness

The graph below shows the transmittal timeliness of ISRs to the International Bureau.

Timeliness to transmit International Search Reports



- > In 2007, 51% of ISRs were received by the International Bureau before 16 months from the priority date and 18% after 20 months from the priority date.

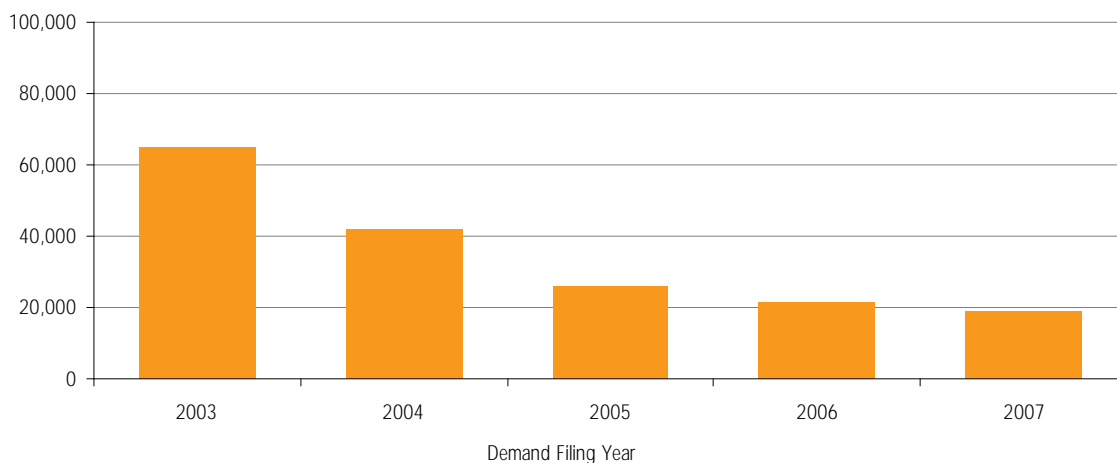
4.4 International Preliminary Examination

International Preliminary Examining Authorities (IPEAs) are appointed by the PCT Assembly to carry out the international preliminary examination procedure. In 2007, 12 national Offices or intergovernmental organizations were acting as IPEAs. Their task is to establish the International Preliminary Examination Report (IPEER) which is a preliminary, non-binding opinion, carried out at the request of the applicant, stating if the claimed invention appears to be novel, to involve an inventive step (to be non-obvious) and to be industrially applicable. As of 1 January 2004, this report is also known as the "international preliminary report on patentability (Chapter II of the PCT)".

4.4.1 Distribution by International Preliminary Examining Authorities

The graph below shows the number of demands for International Preliminary Examination since 2003. The decrease is due to a modification of the time limit for entry into the PCT national phase, in force since April 2002, and to the introduction in 2004 of the written opinion of the International Searching Authority that is now provided with the International Search Report for all PCT international applications.

International Preliminary Examination Demand Filing Trends



The table below shows the number of demands for International Preliminary Examination at each Examining Authority.

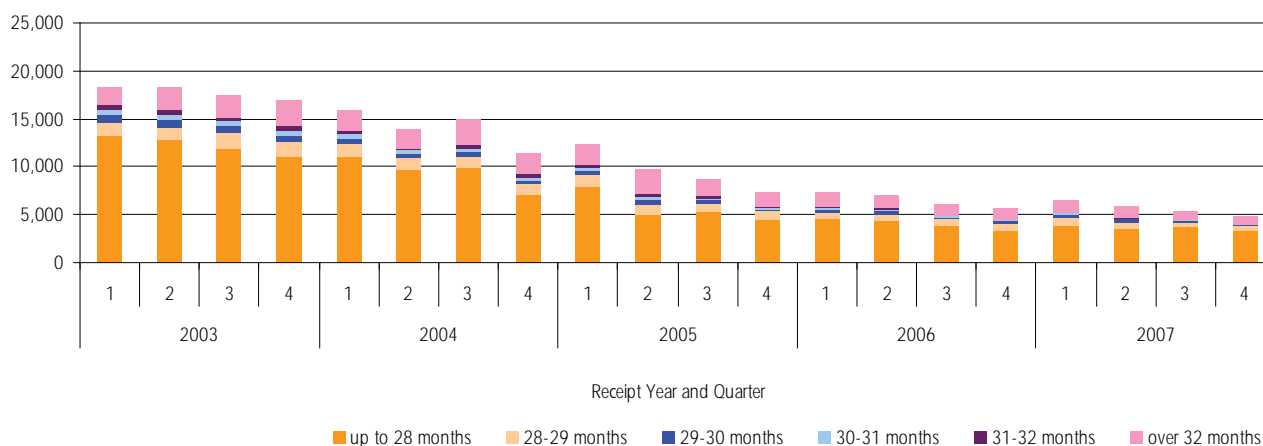
International Preliminary Examining Authorities	2003	2004	2005	2006	2007	2007 Share
European Patent Office	31,474	21,662	13,886	11,621	10,566	55.3%
United States of America	20,176	11,564	5,545	3,778	2,611	13.7%
Japan	6,810	4,208	2,526	2,580	2,583	13.5%
Australia	1,693	1,249	1,036	969	879	4.6%
Sweden	2,617	1,617	986	687	667	3.5%
Republic of Korea	1,079	932	652	597	515	2.7%
Canada		1	330	431	401	2.1%
China	670	501	436	357	384	2.0%
Finland			4	126	153	0.8%
Spain	8	129	128	110	127	0.7%
Russian Federation	210	162	138	112	116	0.6%
Austria	239	150	160	113	98	0.5%
Total	64,976	42,175	25,827	21,481	19,100	100%

Source: WIPO Statistics Database

4.4.2 Timeliness

The data in the graph below shows the transmittal timeliness of IPERs to the International Bureau.

Timeliness to transmit International Preliminary Examination Reports



Source: WIPO Statistics Database

- > In 2007, 63% of IPERs were received by the International Bureau before 28 months from the priority date and 18% after 32 months from the priority date.

5. ELECTRONIC ENVIRONMENT AND THE PCT

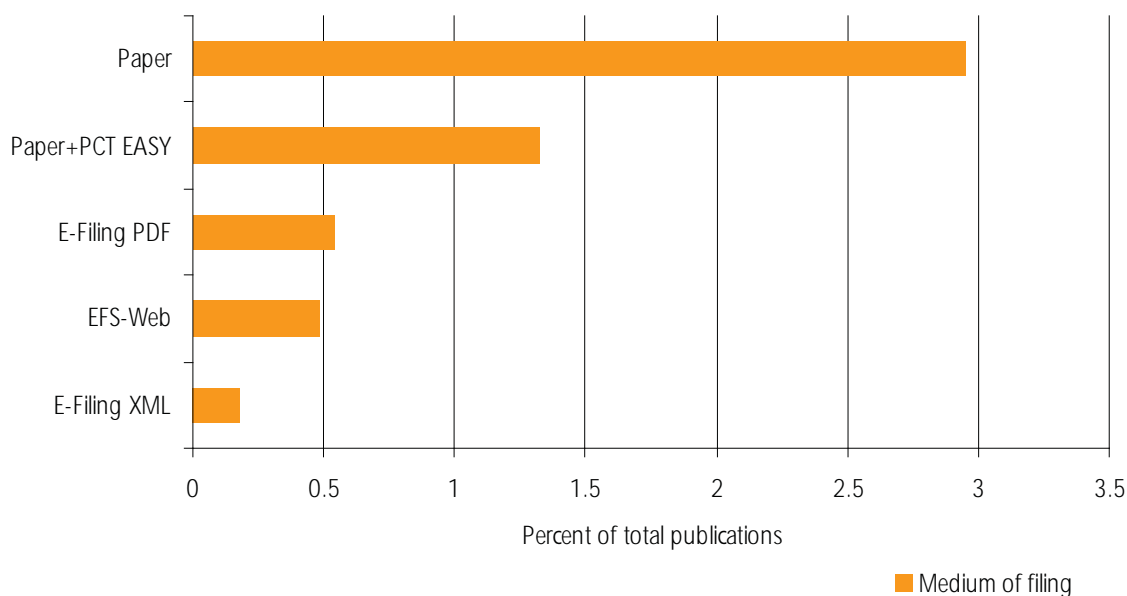
5.1 Electronic Filing

In 2007, 52.5% of all PCT international applications were filed fully electronically and one new Office, namely the Chinese patent Office, announced its acceptance of fully electronic filings bringing the total to 20 Offices (see paragraph 3.4). Together with the paper and electronic filing media, i.e. PCT EASY, 67.2% of PCT international applications were filed electronically in 2007.

Increased electronic filings and the receipt by the International Bureau of larger numbers of PCT documents in electronic format have undoubtedly contributed to the International Bureau's ability to process more work with less staff (see paragraph 4.2.1). Apart from this general observation, electronic filings also impact other aspects of the International Bureau's work as illustrated by the graphs below.

As shown in the graph below, most data input errors committed in 2007 by the International Bureau concern purely paper filings, whereas such errors are the least prevalent for XML filings.

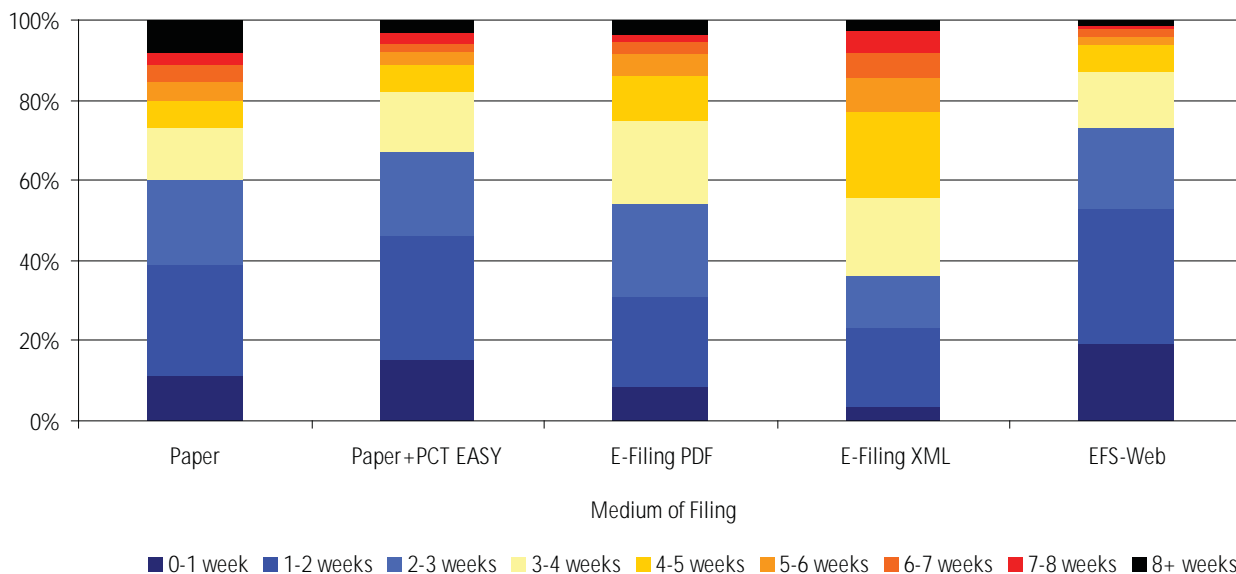
Republications due to Input Errors



Source: WIPO Statistics Database

However, as shown in the graph below, the formality examination of XML filings by the International Bureau, on average, takes more time than that of the other filing formats, including paper. This is explained by the fact that the International Bureau's procedures and systems have been designed to handle various document formats and, as yet, have not been optimized for XML. These procedures and systems as well as the medium of filing have, however, no negative impact on the timeliness to publish PCT international applications.

Timeliness to notify the Receipt by the IB of PCT International Applications by Filing Medium



Source: WIPO Statistics Database

5.2 Electronic Exchange of Data between the International Bureau and Offices

Since 2007, all documents and data transmitted to the International Bureau by the USPTO are sent via an electronic means and processed electronically. This development has brought the percentage of documents received in electronic form to 80% and has permitted the International Bureau to increase internal efficiency by eliminating the need to scan a considerable volume of paper documents.

5.3 Electronic Processing of PCT International Applications within the International Bureau

In 2007, the International Bureau capitalized further on fully electronic processing of PCT international applications:

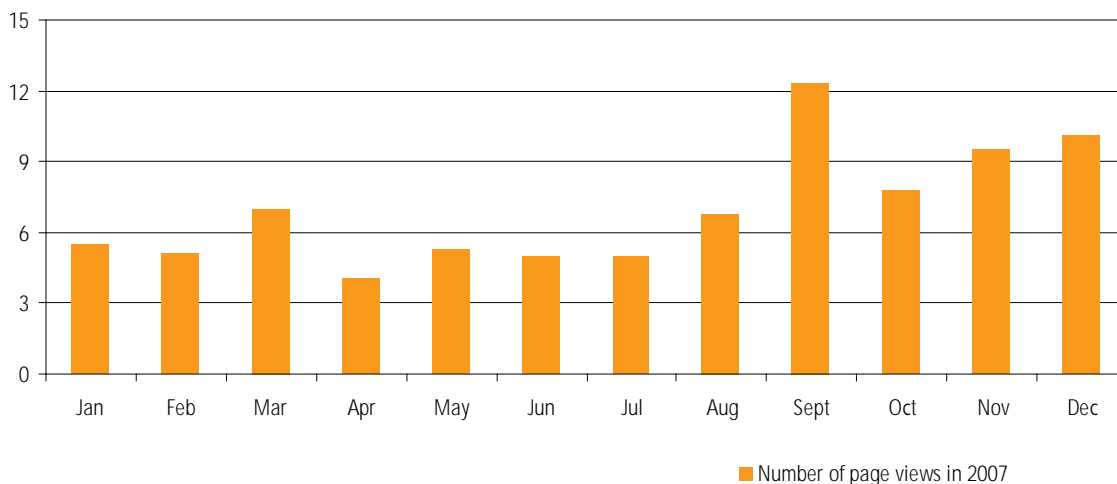
- by extending the electronic translation workflow to external translation partners, and;
- by starting to lay the technical groundwork to extend electronic communication of PCT notifications sent to applicants and agents.

6. DISSEMINATION OF PCT AND PATENT INFORMATION

6.1 PATENTSCOPE® Search Service

The PATENTSCOPE® search service provides access to the technology contained in over 1.3 million published PCT international applications since 1978.

Page views on PATENTSCOPE® search service (in millions)



Source: WIPO Statistics Database

> The Internet traffic has nearly doubled between January and December 2007.

In 2007, a number of enhancements have been made to PATENTSCOPE® search service in order to add content, increase the functionality of the service and make it more user friendly. The main changes are listed below:

- **Full text search for data back to 1978.** Since March 26, 2007, the PATENTSCOPE® search service enables users to search full text data from 1978 to the present day for the Latin character languages (English, French, German and Spanish). Prior to that date, it was possible to search the full text of claims and descriptions back to July 1998 only. The full text data includes all published text of PCT international applications (including bibliographic data, claims and detailed descriptions) that were filed in English, French, Spanish or German. This 20-year extension of availability of claims and descriptions means users get much reliable results than searching front page bibliographic data only.
- **Searchable PCT national phase data.** In May 2007, it became possible to carry out a search based on PCT national phase entry information for over 30 countries (the latest data added being that of the EPO and the Czech Republic). The search can be done by national phase country code, application number, entry date and/or entry type.
- **Availability of applicant's informal comments on written opinion of the International Searching Authority.** Applicant's informal comments on the written opinion of the International Searching Authority are now available on PATENTSCOPE® search service for all PCT international applications filed on or after January 2004. It should be noted that these documents are only available after 30 months from the first priority date.
- **New presentation of PCT documents.** The presentation of PCT documents has been enhanced such that the official publication of PCT international applications is easier to find and identify. These changes are also aimed at providing a better navigation to the different renditions of documents (PDF, HTML, ZIP, etc).

- **Changes in the publication of sequence listings.** All sequence listings are now treated in the same manner regardless of their medium of filing. They are published as separate documents under the Documents tab in PATENTSCOPE® search service and on the dedicated sequence listings page where they can be downloaded directly¹⁰. This change resulted in improving the reliability, consistency and completeness of the publication of sequence listings.
- **Technology Focus: A new feature of PATENTSCOPE® search service.** This feature linked to PATENTSCOPE® search service provides, through technology reports as well as pre-defined searches of the latest published PCT international applications, a quick visualization of developments in selected technologies. The technologies have been selected on the basis of public interest or relevance to prominent areas of public policy (e.g. energy, textiles and traditional medicines).

The search terms are primarily based on the international patent documents according to their technological subject. When searching within technologies, users are able to refine their search by entering relevant keywords.

- **Expanded PATENTSCOPE® glossary:** Since 28 March 2007, the PATENTSCOPE® glossary has been extended to include a large number of additional terms. The glossary is intended to assist users with terminology related to the PATENTSCOPE® search service.

6.2 New Internet Resources for PCT Users

Since January 2007, the following new resources were made available to PCT users:

- Short films providing practical tips to applicants on how to adapt to changes in PCT Regulations that entered into force on 1 April 2007. These films are available in eight languages: Chinese, English, French, German, Japanese, Korean, Russian and Spanish.
- Editable versions of the PCT request and demand forms in force as of April 1, 2007 in English, French, German, Russian and Spanish and for Arabic, in simple printable PDF format.
- Seminar materials in seven languages: Chinese, English, French, German, Japanese, Korean and Spanish.

6.3 Aggregate Patent Statistics

In 2007, a number of enhancements have been made to the patent statistics compiled by WIPO:

- In the 2007 edition of the WIPO Patent Report¹¹, which provides a range of statistics on PCT and direct patent activity for a broad range of countries, new sections have been added to show activity by fields of technology, and improvements have been made to statistics on patent processing and patent life cycles. WIPO has also improved the quality of statistics in the WIPO Statistics Database, in particular, to provide more accurate historical statistics.
- Additional aggregate statistics on utility models have been published on WIPO's Industrial Property Statistics web pages¹². Annual statistics on utility models filed, granted and in force broken down by residency or route of filing (PCT or direct) are now available up to year 2006.

¹⁰ <http://www.wipo.int/pctdb/en/sequences/>

¹¹ <http://www.wipo.int/ipstats/en/statistics/patents/>

¹² <http://www.wipo.int/ipstats/en/statistics/models/>

7. DEVELOPMENTS RELATED TO THE PCT LEGAL FRAMEWORK

7.1 Amendments entering into force and other developments in 2007

7.1.1 Amendments to PCT Regulations

In October 2005 and 2006, the PCT Assembly approved a number of amendments to the PCT Regulations, which entered into force on 1 April 2007, concerning the following issues:

- Missing elements and parts of the PCT international application;
- Restoration of the right of priority;
- Rectification of obvious mistakes;
- Addition of patent documents from the Republic of Korea to the PCT minimum documentation;
- Minimum requirements for International Searching and Preliminary Examining Authorities relating to the International Authorities' quality management systems and internal review arrangements;
- Changes to physical requirements of the PCT international application to assist optical character recognition; and
- Clarification of language-related requirements of the PCT international application.

7.1.2 Other Developments

In October 2007, the PCT Assembly:

- Appointed the Brazilian National Institute of Industrial Property and the Indian Patent Office as International Searching and Preliminary Examining Authorities. The appointments will take effect from the entry into force of the necessary agreement between the Offices and the International Bureau. These two Offices will become the 14th and 15th International Searching and Preliminary Examining Authorities;
- Reappointed all of the existing 13 Authorities for a further period of 10 years;¹³
- Decided that the work of both the Committee on Reform of the PCT and the Working Group on Reform of the PCT had been completed and that the mandate of both bodies had come to an end. It approved a proposal to convene, should the need arise to consider a matter which required submission to the PCT Assembly, a new Working Group to do preparatory work rather than submitting the matter straight to the Assembly.

7.2 Amendments to PCT Regulations to enter into force in 2008

In October 2006, the PCT assembly appointed the Nordic Patent Institute (code: XN) as an International Searching Authority (ISA) and an International Preliminary Examining Authority (IPEA) under the PCT:

- The Institute has notified WIPO that it will start functioning as an ISA and an IPEA with effect from 1 January 2008 for PCT international applications filed with the Danish Patent and Trademark Office, the Icelandic Patent Office or the Norwegian Patent Office as receiving Offices. The Institute will also be competent for any PCT international application filed with the International Bureau by nationals or residents of Denmark, Iceland or Norway. The institute will be the 13th Authority under the PCT.

¹³ Twelve Authorities are functioning in 2007 (see paragraph 7.2)

In October 2007, the PCT Assembly approved a number of amendments to the PCT Regulations, which will enter into force on 1 July 2008, concerning the following issues:

- Use of the results of earlier searches by an Office other than the Office acting as ISA to assist the international search;
- Allowing extension of the time period for paying fees relating to restoration of the right of priority by the receiving Office; and
- PCT international applications considered withdrawn (clarification that international publication can only be reliably prevented by way of an express withdrawal received by the International Bureau prior to completion of technical preparations for international publication).

7.3 Amendments to PCT Regulations to enter into force in 2009

The following amendments will enter into force on 1 January 2009:

- The introduction of a new system of supplementary international searches, which will give applicants the option to request, in addition to the “main” international search, one or more supplementary searches to be carried out by International Authorities, other than the ISA that carries out the main international search. The system is intended to allow a more complete overview of the prior art to be achieved in the international phase, in particular, including documents in languages which may not be searched effectively by the Authority conducting the main search. ISAs are free to decide whether to provide a supplementary search service and, if so, under what conditions. Note that supplementary international searches will not be available in practice until such time as at least one ISA is prepared to offer that service; and
- The inclusion of two more languages, Korean and Portuguese, as “languages of publication” under PCT Rule 48.3. The amendments will apply to international applications whose international filing date is on or after January 1, 2009.

7.4 Meetings other than the PCT Assembly held in 2007

7.4.1 Meeting of International Authorities under the PCT

The meeting of International Authorities under the PCT was held in Geneva from 5 to 7 February 2007. The meeting discussed the following issues:¹⁴

- A new draft model agreement that will form the basis of individual agreements between International Authorities and the International Bureau;
- Proposed modifications to the PCT International Search and Preliminary Examination Guidelines;
- Reports on quality management systems that had been submitted by all International Authorities;
- The proposal to permit applicants to request that the International Search Report be based on an earlier national search;
- The proposal to establish a system of supplementary searches to be carried out by participating International Searching Authorities in addition to the main international search;
- The standard of drawings required for international search and preliminary examination; and
- The restart of the review of PCT minimum documentation.

¹⁴ Some of these issues were later discussed by the PCT Assembly in October 2007

7.4.2 Working Group on the Digital Access Service for Priority Documents

The first session of the ad hoc Working Group on the Digital Access Service for Priority Documents was held in Geneva from 7 to 9 February 2007. The Working Group agreed on principles and discussed possible procedures, based on which the International Bureau will set up a system allowing Paris Convention requirements to be fulfilled by making priority documents available in a digital library instead of requiring the applicant to provide certified copies to each Office of second filing which requires them.

7.4.3 Working Group on Reform of the PCT

The ninth session of the Working Group on Reform of the PCT was held in Geneva from 23 to 26 April 2007. The Working Group approved proposed amendments to the Regulations with a view to their submission to the PCT Assembly for consideration at its next session.

7.5 PCT Training

In 2007, the PCT Legal Division organized/coordinated and/or participated in 95 promotional activities about the use and advantages of the PCT system, promotion and access to it. The above activities were carried out in the following languages: English, Finnish, French, German, Hebrew, Korean, Russian and Spanish.

The promotional activities were held in the following 35 countries: Belarus, Belgium, Burkina Faso, Cameroon, Canada, China, Colombia, Croatia, France, Denmark, Dominican Republic, El Salvador, Finland, Gabon, Germany, Great Britain, Guatemala, Honduras, Israel, Italy, Republic of Korea, Malaysia, Mexico, Norway, Russian Federation, Singapore, Slovakia, South Africa, Spain, Sweden, Switzerland, Tanzania, Tunisia, Ukraine, and United States of America.

8. STATISTICAL TABLE

The table below shows the number of PCT international applications filed in 2007 and the number of PCT national phase entries in 2006 by Office and by country of origin. For PCT international applications filed, estimates have been made for the top 15 countries of origin and receiving Offices (see paragraphs 3.1 and 4.1.1). The figures shown in this table are thus subject to change.¹⁵

A PCT applicant seeking protection in any of the States member to the European Patent Convention (EPC)¹⁶ can generally choose between entering the national phase at a national Office or the regional phase at the European Patent Office (EPO). This explains why the number of PCT national phase entries at some European national Offices is lower than would otherwise be expected. It should be noted that the PCT national phase route is closed for France, Italy, the Netherlands and several other EPC member States (see section 10). A PCT applicant seeking protection in those countries must enter the PCT regional phase at the EPO.

As an example for understanding the table below, the Algerian patent Office received 11 PCT international application filings in 2007 and 564 PCT national phase entries in 2006, whereas applicants having Algerian origin filed, worldwide, 12 PCT international applications in 2007 and 3 PCT national phase entries in 2006.

Name	Code	PCT International Phase Filings in 2007		PCT National Phase Entries in 2006	
		At Receiving Office	By Country of Origin	At Designated / Elected Office	By Country of Origin
African Intellectual Property Organization	OA	1			
Algeria	DZ	11	12	564	3
Andorra	AD		3		2
Antigua and Barbuda	AG				3
Argentina	AR		31		45
Armenia	AM	3	4	1	
Australia	AU	2,023	2,071	20,185	6,477
Austria	AT	577	1,000	465	2,365
Azerbaijan	AZ	7	7		
Bahamas	BS		38		31
Barbados	BB		168		303
Belarus	BY	6	10	148	2
Belgium	BE	130	1,117		3,508
Belize	BZ		1	36	8
Bolivia	BO		1		2
Bosnia and Herzegovina	BA	11	13	160	
Brazil	BR	378	394	18,057	573
Bulgaria	BG	26	29	40	30
Burundi	BI		1		
Cameroon	CM		1		2
Canada	CA	2,393	2,827	30,536	6,219
Chile	CL		17		18
China	CN	5,456	5,470	48,200	2,260
Colombia	CO		45		6
Cook Islands	CK		1		

¹⁵ See "Statistical Sources" in the Preface

¹⁶ See EPC member States in Section 10

Name	Code	PCT International Phase Filings in 2007		PCT National Phase Entries in 2006	
		At Receiving Office	By Country of Origin	At Designated / Elected Office	By Country of Origin
Costa Rica	CR	2	3		8
Croatia	HR	59	79	98	56
Cuba	CU	22	22		29
Cyprus	CY	5	74		54
Czech Republic	CZ	119	129	109	251
Democratic People,s Republic of Korea	KP	2	2	54	
Denmark	DK	752	1,172	37	3,537
Dominican Republic	DO	2	2		
Ecuador	EC	4	2		4
Egypt	EG	42	40		19
El Salvador	SV				1
Estonia	EE	25	29	2	11
Eurasian Patent Organization	EA	10		1,867	
European Patent Office	EP	26,332		74,223	
Fiji	FJ		1		
Finland	FI	1,039	1,994	73	4,958
France	FR	3,363	6,523		16,745
Gabon	GA				1
Georgia	GE	6	8	261	7
Germany	DE	2,329	17,889	3,008	43,611
Ghana	GH	1			
Greece	GR	65	86		138
Guatemala	GT		2		
Hong Kong, China	HK		1		60
Hungary	HU	130	161	176	543
Iceland	IS	26	51	329	70
India	IN	607	880		1,615
Indonesia	ID	5	9	3,805	2
International Bureau	IB	8,916			
Iran (Islamic Republic of)	IR		3		6
Iraq	IQ		1		
Ireland	IE	125	393		1,070
Israel	IL	1,649	1,719	5,795	3,194
Italy	IT	924	2,911		6,289
Japan	JP	27,230	27,732	50,971	63,363
Jordan	JO		22		
Kazakhstan	KZ	14	14		6
Kenya	KE		4	30	4
Kuwait	KW		3		1
Kyrgyzstan	KG	1	2		2
Latvia	LV	6	21	20	16
Lebanon	LB		2		6
Libyan Arab Jamahiriya	LY				1
Liechtenstein	LI		67		166
Lithuania	LT	10	13	24	7
Luxembourg	LU		155		474

Name	Code	PCT International Phase Filings in 2007		PCT National Phase Entries in 2006	
		At Receiving Office	By Country of Origin	At Designated / Elected Office	By Country of Origin
Madagascar	MG			39	
Malaysia	MY	93	105		42
Malta	MT		13		5
Marshall Islands	MH				1
Mauritius	MU		9		4
Mexico	MX	157	182	12,932	263
Monaco	MC		7		32
Mongolia	MN			101	
Morocco	MA	13	18		
Namibia	NA		2		2
Netherlands	NL	1,042	4,165		16,843
New Zealand	NZ	390	395	4,494	974
Nigeria	NG		1		
Norway	NO	460	596	4,264	1,572
Others	XX		209		15,175
Pakistan	PK		4		
Panama	PA		12		10
Papua New Guinea	PG				1
Peru	PE		2		
Philippines	PH	17	18	2,666	20
Poland	PL	88	102	443	162
Portugal	PT	51	90	1	144
Republic of Korea	KR	7,138	7,066	27,212	7,874
Republic of Moldova	MD	5	4	7	
Romania	RO	24	29	35	29
Russian Federation	RU	654	647	7,571	643
Saint Kitts and Nevis	KN		2		
Saint Vincent and the Grenadines	VC				1
San Marino	SM	2	20		
Saudi Arabia	SA		43		27
Senegal	SN		1		
Serbia	RS	21	23		6
Serbia and Montenegro (formerly Yugoslavia)	YU		1		6
Seychelles	SC		6		10
Singapore	SG	443	533	6,922	648
Slovakia	SK	34	38	59	58
Slovenia	SI	47	86		92
South Africa	ZA	87	405	5,781	274
Spain	ES	984	1,290	75	2,124
Sri Lanka	LK		7		2
Sudan	SD	4	4		
Sweden	SE	2,272	3,646	67	8,527
Switzerland	CH	649	3,728	13	12,415
Syrian Arab Republic	SY	2	2		
T F Y R of Macedonia	MK	4	5		2

Name	Code	PCT International Phase Filings in 2007		PCT National Phase Entries in 2006	
		At Receiving Office	By Country of Origin	At Designated / Elected Office	By Country of Origin
Thailand	TH		5		12
Trinidad and Tobago	TT	1	1	536	
Tunisia	TN	4	7		3
Turkey	TR	150	355	182	303
Ukraine	UA	79	93	2,102	38
United Arab Emirates	AE		18		32
United Kingdom	GB	5,605	5,610	2,011	15,100
United Republic of Tanzania	TZ				1
United States of America	US	52,969	53,147	44,842	123,824
Uruguay	UY		5		2
Uzbekistan	UZ			168	
Venezuela	VE		4		3
Viet Nam	VN	3	6		
Zimbabwe	ZW				2

9. GLOSSARY

This glossary is an extract from the PCT and PATENTSCOPE® glossaries¹⁷.

Applicant. A person claiming to be the first and true inventor, or assignee of the first and true inventor of an invention. There may be one or more applicants. In the United States, the applicant(s) must be the inventor(s). For a PCT international application, at least one of the applicants must be any natural person or legal entity who is a national or resident of a PCT Contracting State. An applicant is sometimes known as an assignee or owner.

Chapter I. The chapter of the PCT that regulates the filing of the international application, international search, establishment of the written opinion of the International Searching Authority, international publication of the international application, and provides for the communication of the international application and related documents to designated Offices.

Chapter II. The chapter of the PCT that regulates the optional international preliminary examination procedure and provides for the communication of the International Preliminary Examination Report and certain related documents to elected Offices. A demand may be filed by the applicant to enter Chapter II. If no demand is filed, the application remains in Chapter I.

Demand. A demand (on Form PCT/IPEA/401) by the applicant for international preliminary examination to be carried out on the international application. The demand indicates the applicants, agents, and the international application to which it relates as well as indications of elements to be considered for examination.

Designated Office. A national or regional Office of or acting for a State designated in an international application under Chapter I of the PCT.

Designated State. A Contracting State indicated in the international application in which protection for the invention is sought.

Elected Office. The national or regional Office of or acting for a State elected by the applicant under Chapter II, in which the applicant intends to use the results of the international preliminary examination.

Examination. A scrutiny by an official, usually a patent examiner, of an Intellectual Property Office, to determine the acceptability of a patent. Patents are examined to determine if an invention is novel, contains an inventive step (not obvious), is industrially applicable (useful), and meets other criteria.

International Application. See "PCT international application".

International Authority. An organization that fulfills specific tasks, as prescribed by the PCT.

International Bureau. This refers to the International Bureau of the World Intellectual Property Organization. In addition to its task as receiving Office for applicants from all Contracting States, it handles certain processing tasks in respect of all international applications filed with all receiving Offices worldwide.

International Filing Date. The date of receipt of the international application by the receiving Office, which is accorded when the international application complies with the requirements.

¹⁷ Available at: <http://www.wipo.int/pct/en/texts/glossary.html> and <http://www.wipo.int/pctdb/en/help-results.html>

International Patent Classification (IPC). International Patent Classification is a hierarchical system in which the whole area of technology is divided into a range of sections, classes, subclasses and groups. The Classification is a language independent tool indispensable for the retrieval of patent documents in the search for "prior art."

International Phase. A procedure consisting of four main steps:

- (1) the filing of an international application and its processing by the receiving Office;
- (2) the establishment of an International Search Report and a written opinion by the International Searching Authority;
- (3) the international publication of the international application and related documents, as well as their communication to the designated and elected Offices; and
- (4) an option of international preliminary examination, which concludes with the establishment of the international preliminary report on patentability (Chapter II of the PCT).

International Preliminary Examination. The objective of the international preliminary examination is to formulate a preliminary and non-binding opinion on whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious) and to be industrially applicable.

International Preliminary Examination Report (IPER). A preliminary, non-binding opinion, established by the International Preliminary Examining Authority on the request of the applicant, on the questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious) and to be industrially applicable. As of 1 January 2004, this report is also known as the "international preliminary report on patentability (Chapter II of the PCT)".

International Preliminary Examining Authority (IPEA). An Authority (either a national Office or an intergovernmental organization) appointed by the PCT Assembly to carry out the international preliminary examination procedure. Its task is to establish the international preliminary report on patentability (Chapter II of the PCT).

International Preliminary Report on Patentability (Chapter I of the PCT). A preliminary, non-binding report on whether the claimed invention appears to be patentable. It is issued by the International Bureau on behalf of the International Searching Authority under Chapter I of the PCT where an International Preliminary Examination Report has not been or will not be established. The report has essentially the same contents as the written opinion of the International Searching Authority.

International Preliminary Report on Patentability (Chapter II of the PCT). A preliminary, non-binding opinion, established by the International Preliminary Examining Authority on the request of the applicant, on the questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious) and to be industrially applicable. This report was previously called the "International Preliminary Examination Report".

International Publication. See "Publication".

International Search. The objective of the international search is to discover relevant prior art and to establish an International Search Report and a written opinion of the International Searching Authority that carries out the search.

International Search Report (ISR). Report established by the International Searching Authority containing citations of documents considered to be relevant for the claimed invention (relevant prior art), the classification of the subject matter of the invention and an indication of the fields searched as well as indications of any electronic data base searched. Furthermore, it may contain remarks concerning unity of invention.

International Searching Authority (ISA). An Authority (either a national Office or an intergovernmental organization) appointed by the PCT Assembly to carry out international searches. It establishes International Search Reports and the written opinion of the International Searching Authority.

Invention. An invention or innovation is the creation of a new technical idea and of the physical means to accomplish. To be patentable, an invention must be novel, involve an inventive step (to be non-obvious) and be industrially applicable.

National Phase. This follows the international phase of the PCT procedure, and consists of the entry and processing of the international application in the individual countries or regions in which the applicant seeks protection for his invention.

Novelty Search. Synonym for patentability search. A novelty search is made to identify patents and non-patent literature which may affect the patentability of an invention. This search is recommended to applicants to be done before writing and filing the patent specification and as such is sometimes called a pre-application search. The scope of a novelty search is narrower than a State-of-the-Art search.

Patent. A patent is a document which describes an invention which can be manufactured, used and sold with the authorization of the owner of the patent. An invention is a solution to a specific technical problem. A patent document normally contains at least one claim, the full text of the description of the invention, and bibliographic information such as the applicant's name. The protection given by a patent is limited in time (generally 15 to 20 years from filing or grant). It is also limited territorially to the country or countries concerned. A patent is an agreement between an inventor and a country. The agreement permits the owner to exclude others from making, using or selling the claimed invention.

Patent Application. A patent application is a document submitted by an inventor requesting to be issued a patent for an invention described in the specification which accompanies the application.

Patent Cooperation Treaty (PCT). The Patent Cooperation Treaty (PCT) is an international treaty, administered by the World Intellectual Property Organization (WIPO). The PCT is a system facilitating the worldwide filing of patent applications. The PCT makes it possible to seek patent protection for an invention simultaneously in each of a large number of countries (who are Contracting States to the PCT) by first filing a single "international" patent application. Later, the granting of patents remains under the control of the national or regional patent Offices in what is called the "regional phase" or "national phase".

Patentability Search. Synonym for novelty search. A patentability search is made to identify patents and non-patent literature which may affect the patentability of an invention. This search is recommended to applicants to be done before writing and filing the patent specification, and as such is sometimes called a pre-application search. The scope of a patentability search is narrower than a State-of-the-Art search.

PATENTSCOPE®. The WIPO's gateway to patent services and activities. On this portal, PATENTSCOPE® search service allows access, at no cost, to the wealth of technological information contained in all published international patent applications since the beginning in 1978. Since April 2006, the PATENTSCOPE® search service is the authentic publication source of international applications in full text format on publication day. Powerful and flexible search interfaces allow retrieval of relevant international applications and associated information.

PCT-EASY (Electronic Application System). The portion of the PCT-SAFE software which assists applicants in preparing the request form for a PCT-EASY filing, in which the electronic data of the request form and the abstract are saved on a physical medium (diskette or CD) and a paper printout of the request form is prepared and filed together with the rest of the international application with a receiving Office that accepts such filings.

PCT International Application. An application for the protection of an invention filed under the Patent Cooperation Treaty (PCT). An international application contains a request, a description, one or more claims, one or more drawings (where required) and an abstract.

Prior Art. Everything which has been made available to the public before the relevant date anywhere in the world by means of written disclosure and which can be of assistance in determining whether the claimed invention is new and involves an inventive step (i.e. is not obvious) for the purposes of international search and international preliminary examination.

Priority Application. The application with the filing date where an inventor files for a patent in more than one country. The Paris Convention enables an inventor to file in a first country and then claim priority (for a period up to 12 months) for filing an application in other countries which are contracting parties to the Paris Convention or (under the PCT) which are Members of the World Trade Organization.

Priority Date. In the context of the PCT, priority date means the filing date of the earliest application of which priority is claimed, and if no priority is claimed, the priority date is the international filing date.

Publication. In publications on industrial property information matters, the terms "publication" and "published" are normally used in the sense of making available the contents of a document to the public. Depending on the particular national law, patent documents may be published on several levels of publication, as detailed in WIPO Standard ST.16. The international application and related documents are published after the expiration of 18 months from the priority date unless the applicant requests early publication of the PCT international application or unless the application is withdrawn or considered withdrawn.

Receiving Office. The national Office, intergovernmental or international organization with which the international application is filed and which checks and processes it according to the PCT and its Regulations.

Regional Phase. The equivalent to the national phase where States have appointed a regional Office having the power to grant patents effective in more than one State. As with the national phase, the regional phase follows the international phase of the PCT procedure.

Search. The search is made to identify any documents considered to be necessary to determine whether the invention is new and involves an inventive step. Types of search:

- (1) According to technical means used e.g.: manual search (in a paper collection), on-line search (in a computerized file), offline electronic search (e.g. in a DVD collection).
- (2) According to the purpose of the search: state of the art search, novelty search, infringement search, etc.
- (3) According to the means used: classification search, name search, catchword (keyword) search, full text search, text mining etc.

Search Report. Report of the results of a search of the state of the art, made by or on behalf of an industrial property Office, indicating citations considered relevant for determining, in particular, the novelty and inventive step of the invention as claimed. Citations may negate the patentability of material described in the patent document.

State of the Art. The level of development to which a particular area of technical subject matter has advanced at a given date, to help guide research. It consists of everything disclosed to the public, including Patents and non-patent literature. Synonym of Prior Art. In connection with a particular invention, the state of the art is decisive for the determination of the patentability of the invention in regard to novelty and inventive step.

World Intellectual Property Organization (WIPO). WIPO is a specialized agency of the United Nations, that has two main objectives. The first is to promote the protection of intellectual property worldwide. The second is to ensure administrative cooperation among the intellectual property Unions established by the treaties that WIPO administers.

Written Opinion of the International Preliminary Examining Authority. A document, issued by the International Preliminary Examining Authority to the applicant, which indicates any observations as provided for in Rule 66.2. The written opinion of the International Searching Authority is, in general, considered as the written opinion of the International Preliminary Examining Authority.

Written Opinion of the International Searching Authority. A document established by the International Searching Authority, at the same time as the International Search Report, containing an opinion as to whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious) and to be industrially applicable, as well as whether the international application complies with the requirements of the PCT and the Regulations under the PCT in so far as checked by the International Searching Authority.

10. PCT CONTRACTING STATES

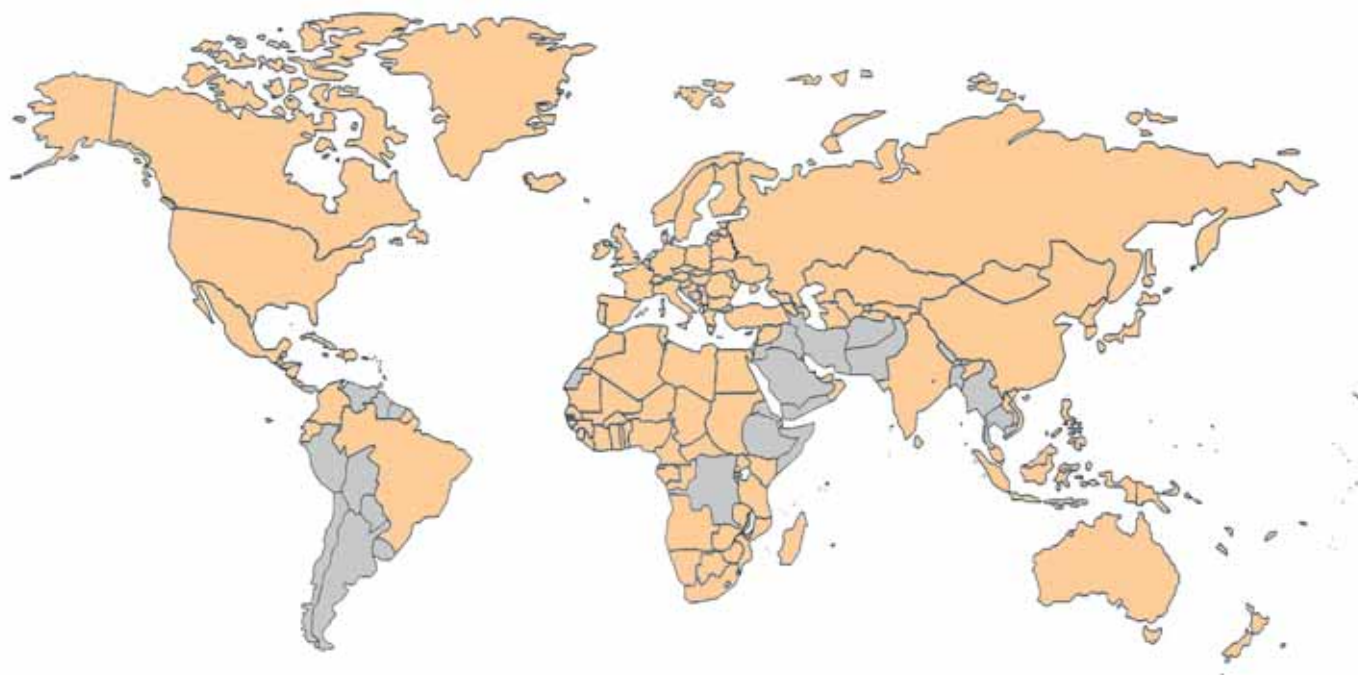
During 2007, 4 new Contracting States become bound by the PCT, namely: Angola (27 December), Bahrain (1 March), the Dominican Republic (28 May) and Malta (18 March) – bringing the number of States which have acceded to the PCT by 31 December 2007 to 138 as follows:

AE United Arab Emirates	EE Estonia (EP)	LR Liberia	SG Singapore
AG Antigua and Barbuda	EG Egypt	LS Lesotho (AP)	SI Slovenia (EP) ²
AL Albania ¹	ES Spain (EP)	LT Lithuania (EP)	SK Slovakia (EP)
AM Armenia (EA)	FI Finland (EP)	LU Luxembourg (EP)	SL Sierra Leone (AP)
AO Angola	FR France (EP) ²	LV Latvia (EP) ²	SM San Marino
AT Austria (EP)	GA Gabon (OA) ²	LY Libyan Arab Jamahiriya	SN Senegal (OA) ²
AU Australia	GB United Kingdom (EP)	MA Morocco	SV El Salvador
AZ Azerbaijan (EA)	GD Grenada	MC Monaco (EP) ²	SY Syrian Arab Republic
BA Bosnia and Herzegovina ¹	GE Georgia	MD Moldova (EA)	SZ Swaziland (AP) ²
BB Barbados	GH Ghana (AP)	ME Montenegro	TD Chad (OA) ²
BE Belgium (EP) ²	GM Gambia (AP)	MG Madagascar	TG Togo (OA) ²
BF Burkina Faso (OA) ²	GN Guinea (OA) ²	MK The former Yugoslav Republic of Macedonia ¹	TJ Tajikistan (EA)
BG Bulgaria (EP)	GQ Equatorial Guinea (OA) ²	ML Mali (OA) ²	TM Turkmenistan (EA)
BH Bahrain	GR Greece (EP) ²	MN Mongolia	TN Tunisia
BJ Benin (OA) ²	GT Guatemala	MR Mauritania (OA) ²	TR Turkey (EP)
BR Brazil	GW Guinea-Bissau (OA) ²	MT Malta (EP) ²	TT Trinidad and Tobago
BW Botswana (AP)	HN Honduras	MW Malawi (AP)	TZ United Republic of Tanzania (AP)
BY Belarus (EA)	HR Croatia (EP)	MX Mexico	UA Ukraine
BZ Belize	HU Hungary (EP)	MY Malaysia	UG Uganda (AP)
CA Canada	ID Indonesia	MZ Mozambique (AP)	US United States of America
CF Central African Republic (OA) ²	IE Ireland (EP) ²	NA Namibia (AP)	UZ Uzbekistan
CG Congo (OA) ²	IL Israel	NE Niger (OA) ²	VC Saint Vincent and the Grenadines
CH Switzerland (EP)	IN India	NG Nigeria	VN Viet Nam
CI Côte d'Ivoire (OA) ²	IS Iceland (EP)	NI Nicaragua	ZA South Africa
CM Cameroon (OA) ²	IT Italy (EP) ²	NL Netherlands (EP) ²	ZM Zambia (AP)
CN China	JP Japan	NO Norway (EP)	ZW Zimbabwe (AP)
CO Colombia	KE Kenya (AP)	NZ New Zealand	
CR Costa Rica	KG Kyrgyzstan (EA)	OM Oman	
CU Cuba	KM Comoros	PG Papua New Guinea	
CY Cyprus (EP) ²	KN Saint Kitts and Nevis	PH Philippines	
CZ Czech Republic (EP)	KP Democratic People's Republic of Korea	PL Poland (EP)	
DE Germany (EP)	KR Republic of Korea	PT Portugal (EP)	
DK Denmark (EP)	KZ Kazakhstan (EA)	RO Romania (EP)	
DM Dominica	LA Lao People's Democratic Republic	RS Serbia	
DO Dominican Republic	LC Saint Lucia	RU Russian Federation (EA)	
DZ Algeria	LI Liechtenstein (EP)	SC Seychelles	
EC Ecuador	LK Sri Lanka	SD Sudan (AP)	
		SE Sweden (EP)	

¹ Extension of European patent possible.

² May only be designated for a regional patent (the "national route" via the PCT has been closed).

PCT Contracting States in 2007



Note: It should be noted that even though the filing of a request constitutes under PCT Rule 4.9(a) the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents, applicants should always use the latest versions of the request form (PCT/RO/101) and demand form (PCT/IPEA/401) (the latest versions are dated April 2007) or, if filing the request using the PCT-EASY features of the PCT-SAFE software, the latest version of that software (which is available at: www.wipo.int/pct-safe). The request and demand forms can be printed from the web site, in editable PDF format, at: <http://www.wipo.int/pct/en/forms/index.htm>, or obtained from receiving Offices or the International Bureau or, in the case of the demand form, also from International Preliminary Examining Authorities.

11. MORE RESOURCES ON THE INTERNET

The following patent resources are available on the WIPO Internet:

PATENTSCOPE® – WIPO's gateway to patent services and activities. <http://www.wipo.int/patentscope/en/>

Information on the PCT System

<http://www.wipo.int/pct/en/>

PATENTSCOPE® search service – Search PCT International Applications and view/download complete patent applications and related documentation.

<http://www.wipo.int/pctdb/en/>

PCT Statistics – monthly and yearly statistics on the PCT system, including comparative list of applicants and details of the indicators included in this report.

<http://www.wipo.int/ipstats/en/statistics/pct/>

Law of Patents – includes current and emerging issues related to patents, information on WIPO-administered treaties, access to national/regional patent laws, patent law harmonization.

<http://www.wipo.int/patent/law/en/>

World Intellectual Property Organization

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Contact Information:

**Patent Information and Industrial
Property Statistics Service,**

**Sector of PCT and Patents, Arbitration
and Mediation Center, and Global
Intellectual Property Issues**

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