



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Singapore, 1 to 3 February 2004

“SPLT Harmonization”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Singapore, 1-3 February 2004, resolved that:

Supporting the development, and subsequent ratification, of an effective Substantive Patent Law Treaty ("SPLT") under the auspices of WIPO for reasons of harmonisation, legal certainty, efficiency, and economy;

Considering in detail all the issues contained in the current drafts of the SPLT within its national groups and Executive Committee;

Seeing a significant and valuable role for itself and its sister organisations in guiding and informing the discussions of the national governments and intergovernmental organisations ("IGOs") within the Standing Committee on the Law of Patents ("SCP"); and

Preferring to take a lead rather than becoming a party to an unsatisfactory compromise that would weaken its ability to argue strongly both within and outside the SCP in order to influence the thinking of the national governments and IGOs;

Seeing, however, the merit in attempting to unlock the deliberations of the SCP which have presently stalled by urging the SCP to focus its efforts for the time being on a reduced set of provisions where there is agreement between NGOs;

FICPI considers that the harmonization of the Substantive Patent Law should continue on the basis of a "reduced package" of the following provisions:

- * the first-to-file system,
- * a harmonized international grace period,
- * a clear definition of the state of the art that is compatible with a first-to-file system including an international grace period, affording certainty for all users of the patent system, and solving *inter alia* the "double patenting" problem.