



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Funchal, Madeira (Portugal), 13-17 January 1986

“Harmonization of Patent Laws”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Funchal, Madeira (Portugal), 13-17 January 1986, passed the following Resolution:

Having considered the results achieved at the first session of the WIPO Committee of Experts on the Harmonization of Certain Provisions in Patent and Utility Model Laws,

Expresses its support for the positive actions taken by WIPO to achieve greater international harmonization of differing provisions in patent laws,

Confirms the support of FICPI for the introduction of a general grace period on the international level and underlines the need for a widespread international acceptance of grace period provisions extending to all major industrialized countries including all member states of the European Patent Convention

Agrees to the application of a requirement of naming the inventor at the international level with the reservation that such a requirement should not be imposed as a condition for granting a filing date, and

Recommends

- that harmonization in respect of requirements for granting a filing date be limited to the following requirements:
 - 1) an indication that patent or utility model protection is sought
 - 2) an identification of the applicant, and
 - 3) a disclosure of the invention which may consist in a mere reference to a prior application (not limited to priority cases) disclosing the same invention.
- that efforts for harmonization with respect to manner of claiming and unity of invention be concentrated on areas in which differences exist between national requirements for the form of the claims, bearing in mind that such efforts should include adaptation of national requirements to a common liberal standard, and
- that the need for a uniform international solution with respect to remedies available for an applicant to cure the failure to observe a priority term when such a failure is unintentional and caused by circumstances outside the applicant’s control be added as a further subject for harmonization within the framework of the ongoing WIPO project.