



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Buenos Aires, Argentina, 10 to 14 January 2010

“PCT Roadmap”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Buenos Aires, Argentina, 10 to 14 January 2010, passed the following resolution, based on principles agreed by the Federation at its World Congress in Washington DC, USA from June 6 to 9, 2009:

Considering: the heavy workloads at the major patent offices, and the desire to reduce the existing backlogs; and the generally acknowledged advantages with the present PCT system involving a high quality search during the international phase, an optional international preliminary examination with a constructive dialogue between the Applicant and the PCT Authority, and deferral of national entry and associated filing costs until 30/31 months from the priority date;

Supporting initiatives that result in greater efficiencies in the search and examination of patent applications across multiple Offices; and the general principles of the WIPO proposal for a PCT Roadmap, aiming at avoiding unnecessary duplication of work among the Patent Offices and at making the patent system more efficient; and

Having regard to further proposals for reform of the PCT put forward recently by some of the PCT member states;

Urges the PCT Contracting Parties to implement the practical measures suggested in the Roadmap, aiming at improving the PCT system as it was originally intended, while retaining the overall legal framework of the PCT and securing access to a balanced IP system supported by a qualified IP profession in all PCT states, in particular:

To strengthen further the international phase of PCT applications, including, at the applicant's request, a supplementary search performed by at least one other ISA which is truly supplementary in nature by avoiding duplication of any official search work already performed;

To maintain the current overall time frame, with timely publication of the PCT application as well as an international search report at 18 months from the priority date; and

To retain a granting process at the national/regional level, including coordinating any additional search and examination activities with those already made by the PCT Authorities and possibly also those made by other designated Offices, and making the final assessment of patentability, without being bound by the preliminary report of the relevant PCT Authority.