



C. PCT 1030
– 21.1

April 26, 2005

Reports by International Authorities on Quality Management

International Authorities are invited, in accordance with the agreement reached by the Meeting of International Authorities Under the PCT (PCT/MIA) at its 11th session (see document PCT/MIA/11/14, available on WIPO's website at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=39519, paragraphs 66 to 72), to submit reports on their quality management systems to the International Bureau, with a view to the preparation of a report by PCT/MIA to be submitted to the PCT Assembly for consideration at its 34th session, to be held from September 26 to October 5, 2005.

The International Bureau proposes to prepare a (single) draft report on the basis of the reports by the Authorities, as was done in 2004 (see document PCT/A/33/6 at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=31948). That draft would be finalized after consultation of the Authorities by way of the PCT/MIA electronic forum, and the report as agreed by PCT/MIA in this way would then be submitted to the Assembly.

The International Bureau has undertaken preliminary consultations with a view to providing a first version of a suitable template or questionnaire which could be used by the Authorities when preparing reports on their quality management systems. It is clear that detailed discussion will be needed before a more comprehensive template or questionnaire can be developed. In the meantime, it is suggested that reports be structured similarly to Chapter 21 of the PCT International Search and Preliminary Examination Guidelines (see document PCT/GL/ISPE/1 at <http://www.wipo.int/pct/en/texts/pdf/ispe.pdf>).

In respect of detailed explanations of features which have not significantly changed and where no further clarification is considered useful, Authorities may wish to refer to the reports that they submitted in 2004, which remain available on the PCT/MIA website at <http://www.wipo.int/pct/mia>. It may be particularly useful to provide detailed comments on aspects of the quality systems where:

(a) the Authority has significantly updated its system since the last report or has conducted an evaluation of earlier changes to its system; or

/...

(b) particular difficulties, opportunities or examples of good practice have been identified which are likely to be relevant to other Authorities and may therefore be a useful feature of future discussions or reports.

./. The annotated outline attached as an Annex to this circular is provided as guidance to Authorities for this purpose. Given its preliminary nature, however, Authorities may wish to depart from the outline in the formulation of their own reports. Since detailed explanations of certain matters have already been set out in the reports submitted in 2004, it is suggested that the present reports need not exceed 10 to 20 pages and may well be shorter, but this does not preclude the possibility that an Authority may submit a longer report where it sees a particular need to provide more detail. It can be envisaged that more detailed and structured reports would be prepared in future years on the basis of further work to be undertaken by Authorities and PCT/MIA. Any suggestions concerning the format and content of such future reports would also be welcome, either as part of the present reports or separately.

Authorities are requested to submit reports by May 31, 2005, preferably by e-mail to pct.mia@wipo.int, in order to enable the International Bureau to prepare a draft report to the Assembly to be made available for consultation in June 2005. Questions may be directed to my colleague, Mr. Philip Thomas, Senior Director-Advisor (e-mail: philip.thomas@wipo.int; tel: +41-22-338 95 51).

Yours sincerely,



Francis Gurry
Deputy Director General

Annex: Outline for Report on Quality Management Systems in PCT Search and Examination

ANNEX TO CIRCULAR C. PCT 1030

OUTLINE FOR

REPORT ON
QUALITY MANAGEMENT SYSTEMS
IN PCT SEARCH AND EXAMINATION

SUBMITTED BY
[Name of Authority]

AS AN INTERNATIONAL SEARCHING AND PRELIMINARY
EXAMINING AUTHORITY UNDER THE PCT

[date]

[General guidance:

(a) See the PCT Guidelines, and particularly to Chapter 21 in relation to quality management systems (<http://www.wipo.int/pct/en/texts/pdf/ispe.pdf>).

(b) Where figures are provided, it would be most useful to do so in aggregated form, where possible, bearing in mind that the reports will be used in preparing a single report from PCT/MIA to the PCT Assembly.

(c) It may not be an effective use of resources to collect significant new data for the purposes of this report; rather, it may be more appropriate to compile this report on the basis of information already available to the persons responsible for quality systems and merely to identify the types of further information which would be useful for future reports.

(d) Other helpful references (apart from the PCT Guidelines, especially Chapter 21 thereof), include: the discussion of quality management systems at the sixth and seventh sessions of PCT/MIA—see the relevant working documents and the reports of the sessions, as well as the presentations given by the European Patent Office and the Spanish Patent and Trademark Office at the seventh session (see http://www.wipo.int/meetings/en/details.jsp?meeting_id=7362); and the reports that were provided by the various Authorities in 2004 (see <http://www.wipo.int/pct/mia/en/quality/index.html>).]

INTRODUCTION

[The Authority may wish to provide a general introduction to its report.]

QUALITY MANAGEMENT SYSTEM

[This section of the report could provide an outline of the quality management systems that the Authority has put in place, including: the overall mission or

charter; organizational arrangements and structures; quality control; quality standards; manuals and documentation; human resources; user and customer needs; and quality audit mechanisms and procedures. Certain of these matters are covered in more detail in other sections, below. The report should be made in the context of the PCT International Search and Preliminary Examination Guidelines (“the PCT Guidelines”).

If the Authority has created its system using aspects of generic quality systems or principles (such as ISO 9000, European Foundation for Quality Management Excellence Model or Total Quality Management), or analyzed such systems and found them to be unsuitable for the purpose, it may be useful to indicate the reasons that some aspects are useful and have been adopted and other aspects were found to be irrelevant or requiring suitable adaption to be relevant to the activities of the Authority.]

RESOURCES

[This section of the report could include information on the Authority’s search and examination workload and on the supporting resources and infrastructure, including:

(a) numbers and technical qualifications of search and examination staff, having regard to the relevant technical fields and language requirements and to the minimum documentation referred to under PCT Rule 34;

(b) numbers and skills of administrative support staff;

(c) equipment and facilities, such as IT hardware and software, that support the search and examination process;

(d) the scope and accessibility of search materials, including the minimum documentation referred to in PCT Rule 34;

(e) work manuals, in addition to the PCT Guidelines, setting out quality criteria and standards and work procedures designed to ensure that the Authority’s work is performed accurately and consistently, including procedures whereby the manuals are kept comprehensive and up-to-date;

(f) training and development program for staff involved in the search and examination process designed to ensure that they acquire and maintain the necessary experience and skills and are fully aware of the importance of complying with the quality criteria and standards;

(g) systems for continuously monitoring and identifying the resources required to deal with demand and comply with the quality standards for search and examination.]

ADMINISTRATION

[This section of the report could include information on the practices and procedures for handling search and examination requests and performing related functions such as data-entry and classification, including:

(a) control mechanisms regarding timely issue of search and examination reports to a quality standard consistent with the PCT Guidelines;

(b) control mechanisms regarding fluctuations in demand and backlog management;

(c) systems for handling complaints and taking corrective and preventative action where appropriate, and the application of monitoring procedures for measuring user satisfaction and perception and for ensuring their needs and legitimate expectations are met.]

QUALITY ASSURANCE

[This section of the report could include information on its procedures regarding timely issue of search and examination reports of a quality standard in accordance with the PCT Guidelines, including:

(a) internal quality assurance systems for self assessment, involving verification and validation and monitoring of searches and examination work for compliance with the PCT Guidelines and channeling feedback to staff;

(b) systems for measuring, recording, monitoring and analyzing the performance of the quality management system to allow assessment of conformity with the requirements;

(c) systems for verifying the effectiveness of actions taken to address deficiencies and to prevent issues from recurring;

(d) systems for ensuring the continuous improvement of the established processes.]

FEEDBACK ARRANGEMENTS

[This section of the report could include information on the Authority's systems for improving performance and fostering continual improvement, including:

(a) communicating the results of the internal quality assurance process to staff to ensure that any necessary corrective action is taken and for the dissemination and adoption of best practice;

(b) providing for effective communication with WIPO and designated and elected Offices to allow for prompt feedback from them so that potential systemic issues can be evaluated and addressed.]

COMMUNICATION AND GUIDANCE TO USERS

[This section of the report could include information on the Authority's systems for ensuring effective communication with users, including:

(a) effective communication channels so that enquiries are dealt with promptly and that appropriate two-way communication is possible between applicants and examiners;

(b) clear, concise and comprehensive guidance and information to users (particularly unrepresented applicants) on the search and examination process that is included on the Authority's web site and/or in guidance literature.]

INTERNAL REVIEW

[This section of the report could include information on the Authority's systems for internal review arrangements to determine the extent to which it has established a quality management system based on the above model and the extent to which it is complying with the quality management system requirements and the PCT Guidelines. Such information could cover, for example:

(a) monitoring and measuring, which might involve:

(i) having regard to conformity with quality management system requirements and the PCT Guidelines;

(ii) corrective and preventative action taken to eliminate the cause of non-compliance;

(iii) follow-up action from previous reviews;

(iv) the effectiveness of the quality management system itself and its processes;

(v) feedback from customers, including designated and elected Offices as well as applicants;

(vi) recommendations for improvement;

(b) analysis of the collected data to determine to what extent the quality management system requirements and the PCT Guidelines are being met, including arrangements for presenting the results of the review to senior

management within the Authority with a view to their appreciating performance and identifying opportunities for improvement and any need for change;

(c) improvement, including systems for continually improving performance against quality management system requirements and for reviewing the effectiveness of the quality management system, and systems for identifying non-compliance and taking prompt corrective action where necessary.

[End of Annex]