

PCT USE INCREASES IN DEVELOPING COUNTRIES

Dr. Abreu also encouraged greater use of information technologies and electronic commerce and the setting up of strategic alliances between local SMEs and multinational corporations. Such alliances, he said, " would generate synergies between the investment capacity and generation of knowledge of larger enterprises and the flexibility, capacity for product diversification and lower operating costs of SMEs." They would also facilitate access by smaller economies to larger markets and generally promote the transfer of knowledge and technology to developing countries.

The Minister underlined the need to make the intellectual property system accessible to SMEs so that creators and producers of ideas and technology in developing countries can benefit equally from the system. He called for the full participation of the international community in the promotion and protection of intellectual property rights as the only way "to build one of the necessary means to reduce the divide between developed and developing countries" and to foster healthy and fully inclusive competitiveness in the global marketplace.

The number of international applications under the Patent Cooperation Treaty (PCT) originating in developing countries rose by 73 percent in the first three quarters of 2001. Of the 81,579 international applications received in the nine-month period, a record number of 3,859 applications originated in 20 developing countries. In the same period last year, only 2,231 applications were received from just 17 developing countries.

International applications from developing countries now account for 4.73 percent of the total applications received from PCT Contracting State – last year the percentage was 3.26.

Applicants from developing countries demonstrated a definite preference for filing international applications with their national Receiving Office in 2001. National patent offices received 91.7 percent of the applications, while WIPO received 8 percent and regional offices 0.3 percent.



Benefiting from Fee Reduction

The PCT system offers a 75 percent reduction in certain international application filing fees to nationals residing in states whose per capita income is below US\$ 3,000 (for more information see the PCT Newsletter, January 2001, Practical Advice at <http://www.wipo.int/pct/en/newslett/>). Among the major users of the PCT in developing countries, applicants from South Africa and Mexico took maximum advantage of the fee reduction. Applicants from Brazil, China and India benefited as well.

Users of the PCT-EASY software are also entitled to a 200 Swiss franc reduction in PCT fees (for more information visit <http://pcteasy.wipo.int>). Some 46.6 percent of the

MOLDOVA IS FIRST TO RATIFY PLT



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international applications from developing countries were PCT-EASY filings. Use of PCT-EASY was particularly high among applicants in Barbados (80 percent), Republic of Korea (76.6 percent), South Africa (76.6 percent), Colombia (62.5 percent) and Cyprus.

The number of applicants from developing countries availing themselves of the 75 percent reduction in certain PCT fees and of the 200 Swiss franc discount for PCT EASY users is still relatively low. Through national roving seminars, the WIPO PCT Sector of Cooperation for Development has promoted the PCT and its advantages in developing countries, resulting in the increases seen this year. WIPO has also worked continuously to reduce fees, bringing them down by an average of 45 percent in the period from 1997 to 2003.



The Republic of Moldova became the first state to ratify the Patent Law Treaty, which harmonizes and streamlines procedures for obtaining and maintaining a patent, when it deposited its instrument of ratification with WIPO Director General Kamil Idris on September 27. The PLT will enter into force once it has been ratified by ten countries.

When concluded at WIPO in June 2000, the PLT capped five years of negotiations and was hailed as a major step towards further harmonization of patent law. The harmonization of patent procedures made possible by the PLT will benefit all users of the patent system and will translate into lower costs for users, making the industrial property system even more accessible to nationals of all countries. Lowering the barriers of entry to the patent system is a high priority for the Organization.

Inventors seeking patent protection must meet certain formality requirements in order to avoid rejection of their application and a consequent loss of rights. The formalities currently vary from one country to another. In standardizing them, the PLT offers both inventors and national and regional patent

offices a number of advantages. Once it enters into force, the PLT will simplify, on a worldwide basis, formal patent procedures relating to national and regional patent applications and maintenance of patents, thereby reducing the cost of patent protection and making the process more user-friendly and accessible.

