

# BR/GT I/25 e/69

## Travaux Préparatoires EPC 1973

**Comment:**

The collection represents purely an internal research tool for the purpose of Directorate Patent Law of the European Patent Office. No guarantee can be given for its completeness or correctness.

The documents produced before 1969 cannot be provided in English as this was not an official language in the period before that date. These documents therefore are provided in French and German.



INTER-GOVERNMENTAL CONFERENCE  
FOR THE SETTING UP OF A EUROPEAN  
SYSTEM FOR THE GRANT OF PATENTS

Brussels, 20 November 1969

BR/GT I/25/69

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- Secretariat -

NOTE

The members of Working Party I will find annexed a proposal from the Swedish delegation concerning amendments to Articles 61 and 162 of the Preliminary Draft Convention for a European System for the Grant of Patents.

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PROPOSAL BY THE SWEDISH DELEGATION

PUBLICITY OF BIBLIOGRAPHIC DATA IN THE  
EUROPEAN PATENT SYSTEM

1. At the meeting of Working Party I in October 1969 the Swedish delegation in connection with the discussions on Article 61 suggested that the provisions in question should be worked out in a way not to prevent information on or publication of certain bibliographic data. The actual data are : identification of the Receiving Office, name of the applicant(s), filing date, application number, (Contracting) State or States in which protection for the invention is desired (designated Contracting State or States), classification of the subject matter according to the International Patent Classification and the title of the invention. The Swedish delegation also referred to a similar rule in the PCT Draft, Article 30, paragraph (2) (b). According to this rule, however, the information may not contain the title of the invention or its classification.
2. The Working Party considered that it was appropriate to let interested circles give their opinion on the said proposals. If the circles were in favour of the suggestions these could be accepted by the Working Party, if not the suggestions could be left without any further measures taken.

3. It was left to the Drafting Committee to draw up the necessary provisions. Later on, however, it was agreed between the Chairman of the Drafting Committee and the Swedish delegation that the latter should work out a draft on the subject.
4. The Swedish delegation has come to the conclusion that amendments in Article 61 and an additional paragraph to Article 162 are needed. The amendments and the new paragraph should read like this :

Draft

Article 61.

In addition to the publication referred to in Articles 86a, 103 and 162, paragraph 4, the European Patent Office shall periodically publish :

- (a) a European Patent Bulletin containing entries made in the Register of European Patents, bibliographic data mentioned in Article 162, paragraph 4, and all other particulars relating to European patents, the publication of which is prescribed by this Convention. Entries relating to European patent applications shall not be published prior to the publication pursuant to Article 86a.

Article 162

- (4) It is understood that the provisions of subparagraph (1) shall not prevent the European Patent Office or any national Receiving Office from informing third parties about the following bibliographic data or from publishing them : identification of the Receiving Office, name of the applicant(s), filing date, application number, (Contracting) State or States in which protection for the invention is desired (designated Contracting State or States), classification of the subject matter according to the International Patent Classification and the title of the invention.
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