



Lecture
Notes

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Paper F Notes

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Chapter 1

Introduction to the Patent Cooperation Treaty — PCT

1.1 Historical Notes and Some Key Facts

The **Patent Cooperation Treaty** (PCT) is an international patent law treaty, concluded in 1970. It provides a unified procedure for filing patent applications to protect inventions in each of its contracting states.

☞ Signed on June 19, 1970 in Washington D.C.. Entered into force on January 24, 1978. The first application was filed on June 1, 1978.

☞ A patent application filed under the PCT is called an international application, or **PCT application**.

☞ No case law. No appeal body – with exception of questions relating to unity of invention.

☞ Rules have to cover all situations that might occur – therefore are very detailed.

☞ Contracting States have agreed to accept international filing date and the form and content of an international application having the effect of a national application, but they **have not limited the freedom to grant patents** to an International Authority (IA). This runs in contrast to the EPC — for example — where that freedom has been ceded.

Article 1

this says OK