



September 10, 2009

The Honorable Francis Gurry, Director General
World Intellectual Property Organization
Geneva, Switzerland

Dear Director General,

At its most recent meeting in Tokyo, in June 2009, the Industry Trilateral agreed that the current discussions in WIPO on the Patent Cooperation Treaty (PCT) will have the best chance to provide applicants with the essential elements of an effective global patent system and to relieve the pressures of the growing workloads of the Patent Offices globally.

The Industry Trilateral recognizes that the PCT has, since its launch, enormously expanded in terms of participating countries, volume of applications filed and number of users, so that it is now the most effective global filing system available to users for building a global patent portfolio. The Industry Trilateral also understands that PCT fee income paid by the users makes up as much as 75% of the entire WIPO annual revenue - and that approximately 80% of all PCT applications come from Trilateral region applicants.

Therefore, the Industry Trilateral has a significant interest in the planning and the development of the future PCT and strongly supports the continuous efforts in WIPO to improve the PCT, as exemplified by the Roadmap for the development of the future PCT as proposed by the International Bureau of WIPO. The Roadmap should be agreed to and implemented as soon as possible.

Under the current PCT framework, there is a need for improvement in a number of areas, including quality, efficiency and time pendency. For example, the Industry Trilateral has strongly recommended for many years, that the quality of the searching and examination of patent applications should be improved as soon as possible, to avoid unnecessary entry into the national phase for the applicants, and to reduce duplication of work in the Patent Offices.

We highly appreciate your continuing efforts for the future of the PCT and your consideration of the views of the Industrial Trilateral.

Yours sincerely,



Philippe de Buck
BUSINESSEUROPE Director General



Tsuneaki Hagiwara
President of JIPA



Steven W. Miller
President of IPO



Teresa Stanek Rea
President of AIPLA

cc: James Pooley, Deputy Director General – Designate, Patents
World Intellectual Property Organization