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** On 7 May, during the plenary session of the European Parliament, the President of the Council of Ministers of the Communities answered a question put to him by the Parliament's Committee on Research, Energy and Atomic Problems regarding THE COUNCIL'S ATTITUDE TOWARDS SCIENTIFIC AND TECHNICAL RESEARCH.

In particular, he gave the European Parliament "the assurance that the Council is still convinced of the fundamental importance of progress in science and technology to the Communities' economic growth and general development". In addition, the President emphasised that the Council "is also aware of the backwardness that Europe may display in certain areas compared with other big industrial powers and hence of the need for the Member States to undertake joint or concerted action in order to catch up".

Regarding the action to be taken on the report produced by the Working Party on Scientific and Technical Research Policy, the President said: "It is to be hoped that, after a long wait, joint or concerted projects in the general field of research can be undertaken which will take in not only the Six but also extend further, as we all wish; this will reflect better than any statement the Council's conviction that research carried out on a joint or concerted basis is more efficient and profitable than when it is scattered."

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- ** The Commission of the European Communities recently published a booklet on "The Activities of the Directorate-General for Social Affairs Concerning Research in INDUSTRIAL MEDICINE AND HYGIENE". It can be obtained on request from the Service des Publications des Communautés européennes, Place de Metz, Luxembourg.

- ** The Commission of the European Communities is in the process of preparing a rundown of the POTENTIAL (in terms of manpower and facilities) of the JOINT RESEARCH CENTRE which could be used by industry and the public authorities of the Member States to carry out research work under contract.

- ** At an exchange of information held by the Commission on 16 April 1969 and attended by 60 representatives of Italian industry and research institutes, the firm of Fiat reported the results of their studies on a PRESSURIZED WATER REACTOR PROJECT, which had been financed by the Commission.

During the design tests which followed the thermodynamic studies, a NEW FUEL ELEMENT TYPE was developed and patented; the can is in Zircaloy-4 (a zirconium alloy without silicon), the guide cage in stainless steel and the spacers in Inconel.

These studies were of direct industrial use to Fiat and have enabled it to put 30-40 tons of pressurized water reactor fuel elements on the market each year.

- ** The initiative shown by the European Communities with regard to the drawing up of a EUROPEAN PATENT CONVENTION has met with a widespread response. In all, 17 states (the Community countries, the seven EFTA countries, plus Greece, Turkey, Spain and Portugal) have accepted the invitation to a meeting to be held in Brussels on 21 and 22 May, at which organizational questions relating to future discussions and negotiations will probably be

dealt with (see "Research and Technology" Nos. 9 and 14). An explanatory introduction to the significance of the European Patent is given in the Annex.

** The Commission's departments responsible for the dissemination of information recently published, under the serial number EUR 4269e, a research report entitled PROCEEDINGS OF THE MEETING ON SPECIAL TECHNIQUES AND MATERIALS FOR SEMICONDUCTOR DETECTORS summarizing the results of a conference held in October 1968 at the Communities' Joint Research Centre at Ispra.

** Corrigendum: There was an unfortunate misprint in the Table in the Annex to "Research and Technology" No. 15, of 30 April 1969, which was devoted to Euratom's multiannual research programme. Under the heading "Activities", Section III, CETIS, please read 117 persons instead of 177. We apologize to our readers for this error.

A EUROPEAN PATENT ON THE VERGE OF REALIZATION?

As the markets for industrial products in Europe have outgrown national boundaries in the last few decades, the need has arisen for a patent system adjusted to these markets. With such a system an inventor or his assign would not have to file an application at the patent offices of each country in its particular language and according to its regulations, nor would varying interpretations of the protection afforded have to be allowed for in the utilization of the patents granted.

Owing to the increasing number of parallel applications in respect of an invention in several countries, the volume of applications filed with the national patent offices has risen so much that they can discharge their duties (examination, publication of patent specifications) only with considerable delay, and in some countries these duties have even had to be reduced by amending the relevant laws.

It is therefore understandable that the European Economic Community, in line with its obligation to promote the integration of the European economic structure, should as early as 1960 have instructed a Working Group to prepare the preliminary draft of an agreement on a European patent law. This Group considered a number of alternative proposals. Some of them were dealt with in the public discussion which has gone on continuously since 1963; certain basic questions, however, such as accession to the agreement and the right of nationals of non-Member States to file applications, required a unanimous resolution by the Council of Ministers. When this unanimity was recently reached, i.e., six years after the publication of the preliminary draft, the Council of Ministers of the Communities again directed a Working Group under Dr. Härtel, President of the German Patent Office, to make proposals, on the basis of the preliminary draft, for the resumption of the original activities. These proposals were presented in the form of a memorandum to the Council of Ministers and were approved by the Council at the beginning of March.

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The memorandum restates the joint position of the Member States and will serve as a basis for negotiations with non-Member States which wish to accede.

What will this European Patent look like?

A two-tier European Patent Office (Application Authority and Complaints Department) is to be created, with which patent applications affecting several or all signatory States can be filed. In this office the applications will be formally examined immediately on receipt, and a report on the "novelty" of the application will be obtained from the International Patent Institute in The Hague. After 18 months at the latest, calculated from the day of the original application (priority date), the text of the application together with the novelty report will be open to inspection by the public, provisional protection thus being ensured.

For the examination of the state of the art and the final award of the patent it is proposed that the system of deferred examination first introduced in the Netherlands be used, i.e., it will be possible for an examination request to be made to the office by any party whatsoever within seven years after the date when the application was filed. Should such a request be made, there will be a procedure between the applicant and an official examiner on the definition of valid claims. If not, as under the present German procedure, the application is automatically published; this is followed by a period during which oppositions may be lodged, and the patent is then granted.

A European Patent granted in this way will enjoy protection in all signatory states of the Convention in exactly the same way as a corresponding national patent. In addition, the Member States of the European Communities intend through a supplementary Convention to reduce their various national patents to a uniform patent which can only be made null and void with effect throughout the territory of the Communities.

Lastly, the memorandum refers to the compatibility with the Patent Cooperation Treaty (PCT), a plan conceived at world level for the centralization of applications and novelty searches. The European Patent Convention, however, extends far beyond these plans, since it creates a uniform procedure and a uniform law up to the time the patent is granted and (for the EEC countries) up to utilization of the patent.

Much still remains to be done before the European Patent becomes a reality. The memorandum has not yet been discussed with the States interested in membership. Moreover, the memorandum only sketches an outline, and much further discussion between the EEC partners will be necessary before this outline can be filled in.