

No. 34452. Australia and World Intellectual Property Organization

AGREEMENT IN RELATION TO THE FUNCTIONING OF THE AUSTRALIAN PATENT OFFICE AS AN INTERNATIONAL SEARCHING AUTHORITY AND INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY UNDER THE PATENT COOPERATION TREATY. GENEVA, 4 DECEMBER 1997 [*United Nations, Treaty Series, vol. 2007, I-34452.*]

EXTENSION OF THE AGREEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION IN RELATION TO THE FUNCTIONING OF THE AUSTRALIAN PATENT OFFICE AS AN INTERNATIONAL SEARCHING AUTHORITY AND INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY UNDER THE PATENT COOPERATION TREATY. GENEVA, 28 SEPTEMBER 2007

Entry into force: 31 December 2007, in accordance with article 2

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ACCORD RELATIF AU FONCTIONNEMENT DE L'OFFICE DES BREVETS AUSTRALIEN COMME ADMINISTRATION CHARGÉE DE LA RECHERCHE INTERNATIONALE ET DE L'EXAMEN PRÉLIMINAIRE INTERNATIONAL EN VERTU DU TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS. GENÈVE, 4 DÉCEMBRE 1997 [*Nations Unies, Recueil des Traités, vol. 2007, I-34452.*]

EXTENSION DE L'ACCORD ENTRE LE GOUVERNEMENT DE L'AUSTRALIE ET LE BUREAU INTERNATIONAL DE L'ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE RELATIF AU FONCTIONNEMENT DE L'OFFICE DES BREVETS AUSTRALIEN COMME ADMINISTRATION CHARGÉE DE LA RECHERCHE INTERNATIONALE ET DE L'EXAMEN PRÉLIMINAIRE INTERNATIONAL EN VERTU DU TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS. GENÈVE, 28 SEPTEMBRE 2007

Entrée en vigueur : 31 décembre 2007, conformément à l'article 2

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[ENGLISH TEXT – TEXTE ANGLAIS]

Extension of the Agreement between the Government of Australia and the International Bureau of the World Intellectual Property Organization in relation to the functioning of the Australian Patent Office as an International Searching Authority and International Preliminary Examining Authority under the Patent Cooperation Treaty

Preamble

The Government of Australia and the International Bureau of the World Intellectual Property Organization,

Considering that the Agreement of December 7, 1997, under Articles 16(3)(b) and 32(3) of the Patent Cooperation Treaty in relation to the functioning of the Australian Patent Office as an International Searching Authorization and International Preliminary Examining Authority under the Patent Cooperation Treaty was concluded for a period of 10 years from January 1, 1998 to December 31, 2007,

Considering that the said Agreement has been amended several times in 2001, 2002, 2003 and 2007, all these amendments having been published in the PCT Gazettes No. 04/2001, 33/2002, 49/2003 and 1 February 2007, respectively,

Considering that the Government of Australia and the International Bureau of WIPO have already started negotiations for the renewal of a new Agreement as provided under Article 10 therein,

Aware that the Government of Australia will not be able to complete the necessary domestic procedures to ratify a new Agreement in relation to the functioning of the Australian Patent Office as an International Searching Authorization and International Preliminary Examining Authority under the Patent Cooperation Treaty, as from January 1, 2008,

Hereby agree as follows:

Article 1
Extension of the Agreement

(1) The Agreement between the Government of Australia and the International Bureau of the World Intellectual Property Organization signed on December 4, 1997, including its amendments and Annexes, in relation to the functioning of the Australian Patent Office as an International Searching Authority and International Preliminary Examining Authority under the Patent Cooperation Treaty, is hereby extended until December 31, 2008 or until the day before the entry into force of a new Agreement on the same subject matter in accordance with PCT Articles 16(3)(b) and 32(3) and with the domestic legal and constitutional procedures of Australia, whichever is sooner.

(2) Consequently, reference made to “December 31, 2007” under Articles 10 and 12 of the Agreement referred to above is amended, accordingly.