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Patent Cooperation Treaty

BRIEF INTRODUCTION:

As its name suggests, the Patent Cooperation Treaty (PCT), which was signed in Washington in **June 1970**, is an agreement on international cooperation in the field of patents. By 01st January 2006, 128 Contracting States had adhered to the PCT (*see Appendix 1 below*).

In fact, the PCT system is a patent "filing" system, not a patent "granting" system and thus, there is no "PCT patent". The PCT is largely a treaty for rationalization and cooperation with regard to the filing, searching and examination of patent applications and the dissemination of the technical information contained therein. It does not compete with but, in fact, complements the Paris Convention. Indeed, the PCT is a special agreement under the Paris Convention open only to States, which are also party to the Paris Convention.

The principal objective of the PCT is to simplify and to render more effective and more economical the previously established means of applying in several countries for protection for inventions. Moreover, the PCT is aimed to facilitate and accelerate access by industries and other interested sectors to technical information related to inventions and to assist developing countries in gaining access to technology.

ADVANTAGES FOR APPLICANTS:

Time:

Under the PCT route, the application enjoys the duration of **31 months** (*or 30 months in some countries*) computed from the priority date or the international filing date to enter a certain National Phase, which is quite long in comparison with the duration of only **12 months** to claim priority under the traditional Paris Convention route. Thus, the applicant has more time to deeply consider and properly decide whether or not to continue with patent protection in certain countries for the sake of his own benefit.

Expense and Energy:

Through PCT system, protection of an invention can be simultaneously obtained in several countries, which results in the saving of expenses and energy.

What's more, the abundance of time under the PCT route allows the applicant to generate cash flow from the invention to support the ongoing costs of obtaining granted patents in a number of countries and helps the applicant make sound decisions against continuing with patent protection in certain countries (*in case the applicant sees no benefit to continue so*) and whereby, to save expenses and energy in the subsequent application prosecution steps.

VIETNAM:

Vietnam officially became a member of the PCT on **10th March 1993**.

The competent receiving Office for nationals and residents of Vietnam is the National Office of Intellectual Property of Vietnam or the International Bureau of WIPO at the choice of the applicant.

The duration for PCT international applications to enter Vietnam National Phase is **31 months** computed from the priority date.

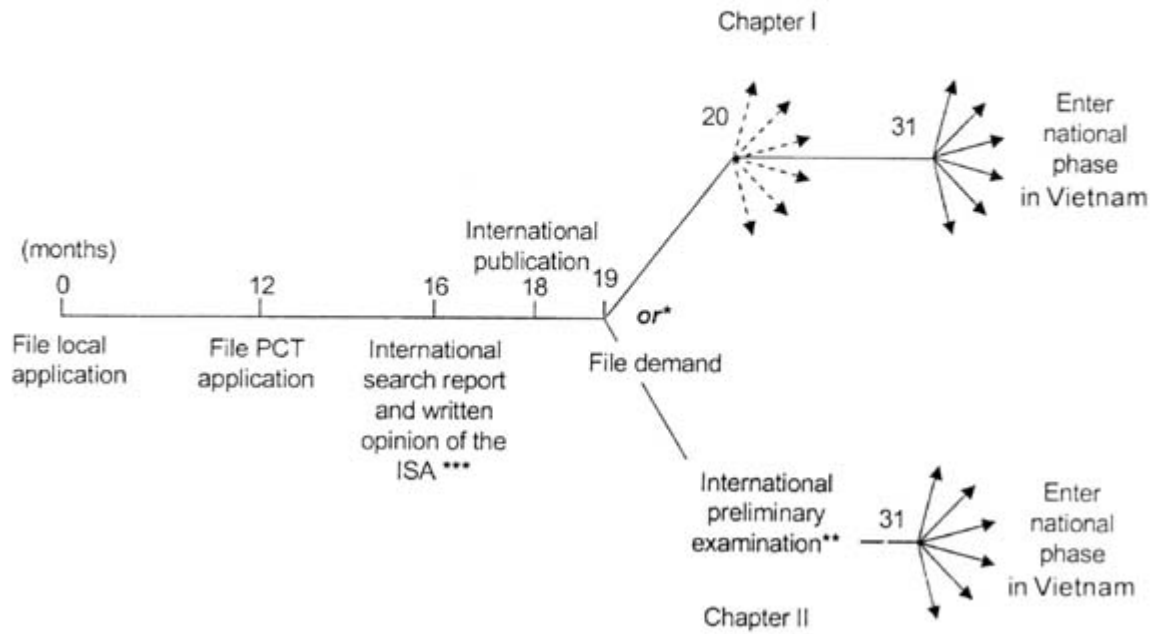
The total fee for filing a PCT international application is estimated at **2,000.00 US\$**. However, a notable thing is that under certain circumstances, some reductions may be available for the applicant (*as indicated on the PCT website at: www.wipo.int/pct/en/fees/fee_reduction.pdf*).

(By 01st January 2006, total Contracting States: 128. Please note: this list is constantly being updated)

Contracting Party	Status	Entry into Force
Albania	In Force	4-Oct-95
Algeria	In Force	8-Mar-00
Antigua and Barbuda	In Force	17-Mar-00
Argentina	Signature	
Armenia	In Force	25-Dec-91
Australia	In Force	31-Mar-80
Austria	In Force	23-Apr-79
Azerbaijan	In Force	25-Dec-95
Barbados	In Force	12-Mar-85
Belarus	In Force	25-Dec-91
Belgium	In Force	14-Dec-81
Belize	In Force	17-Jun-00
Benin	In Force	26-Feb-87
Bosnia and Herzegovina	In Force	7-Sep-96
Botswana	In Force	30-Oct-03
Brazil	In Force	9-Apr-78
Bulgaria	In Force	21-May-84
Burkina Faso	In Force	21-Mar-89
Cameroon	In Force	24-Jan-78
Canada	In Force	2-Jan-90
Central African Republic	In Force	24-Jan-78
Chad	In Force	24-Jan-78
China	In Force	1-Jan-94
Colombia	In Force	28-Feb-01
Comoros	In Force	3-Apr-05
Congo	In Force	24-Jan-78
Costa Rica	In Force	3-Aug-99
Côte d'Ivoire	In Force	30-Apr-91
Croatia	In Force	1-Jul-98
Cuba	In Force	16-Jul-96
Cyprus	In Force	1-Apr-98
Czech Republic	In Force	1-Jan-93
Democratic People's Republic of Korea	In Force	8-Jul-80
Denmark	In Force	1-Dec-78
Dominica	In Force	7-Aug-99
Ecuador	In Force	7-May-01
Egypt	In Force	6-Sep-03
Equatorial Guinea	In Force	17-Jul-01
Estonia	In Force	24-Aug-94
Finland	In Force	1-Oct-80
France	In Force	25-Feb-78
Gabon	In Force	24-Jan-78
Gambia	In Force	9-Dec-97
Georgia	In Force	25-Dec-91
Germany	In Force	24-Jan-78
Ghana	In Force	26-Feb-97
Greece	In Force	9-Oct-90
Grenada	In Force	22-Sep-98
Guinea	In Force	27-May-91
Guinea-Bissau	In Force	12-Dec-97
Holy See	Signature	
Hungary	In Force	27-Jun-80
Iceland	In Force	23-Mar-95
India	In Force	7-Dec-98
Indonesia	In Force	5-Sep-97
Iran (Islamic Republic of)	Signature	
Ireland	In Force	1-Aug-92
Israel	In Force	1-Jun-96
Italy	In Force	28-Mar-85
Japan	In Force	1-Oct-78
Kazakhstan	In Force	25-Dec-91
Kenya	In Force	8-Jun-94
Kyrgyzstan	In Force	25-Dec-91
Latvia	In Force	7-Sep-93

Lesotho	In Force	21-Oct-95
Liberia	In Force	27-Aug-94
Libyan Arab Jamahiriya	In Force	15-Sep-05
Liechtenstein	In Force	19-Mar-80
Lithuania	In Force	5-Jul-94
Luxembourg	In Force	30-Apr-78
Madagascar	In Force	24-Jan-78
Malawi	In Force	24-Jan-78
Mali	In Force	19-Oct-84
Mauritania	In Force	13-Apr-83
Mexico	In Force	1-Jan-95
Monaco	In Force	22-Jun-79
Mongolia	In Force	27-May-91
Morocco	In Force	8-Oct-99
Mozambique	In Force	18-May-00
Namibia	In Force	1-Jan-04
Netherlands	In Force	10-Jul-79
New Zealand	In Force	1-Dec-92
Nicaragua	In Force	6-Mar-03
Niger	In Force	21-Mar-93
Nigeria	In Force	8-May-05
Norway	In Force	1-Jan-80
Oman	In Force	26-Oct-01
Papua New Guinea	In Force	14-Jun-03
Philippines	In Force	17-Aug-01
Poland	In Force	25-Dec-90
Portugal	In Force	24-Nov-92
Republic of Korea	In Force	10-Aug-84
Republic of Moldova	In Force	25-Dec-91
Romania	In Force	23-Jul-79
Russian Federation	In Force	29-Mar-78
Saint Kitts and Nevis	In Force	27-Oct-05
Saint Lucia	In Force	30-Aug-96
Saint Vincent and the Grenadines	In Force	6-Aug-02
San Marino	In Force	14-Dec-04
Senegal	In Force	24-Jan-78
Serbia and Montenegro	In Force	1-Feb-97
Seychelles	In Force	7-Nov-02
Sierra Leone	In Force	17-Jun-97
Singapore	In Force	23-Feb-95
Slovakia	In Force	1-Jan-93
Slovenia	In Force	1-Mar-94
South Africa	In Force	16-Mar-99
Spain	In Force	16-Nov-89
Sri Lanka	In Force	26-Feb-82
Sudan	In Force	16-Apr-84
Swaziland	In Force	20-Sep-94
Sweden	In Force	17-May-78
Switzerland	In Force	24-Jan-78
Syrian Arab Republic	In Force	26-Jun-03
Tajikistan	In Force	25-Dec-91
The former Yugoslav Republic of Macedonia	In Force	10-Aug-95
Togo	In Force	24-Jan-78
Trinidad and Tobago	In Force	10-Mar-94
Tunisia	In Force	10-Dec-01
Turkey	In Force	1-Jan-96
Turkmenistan	In Force	25-Dec-91
Uganda	In Force	9-Feb-95
Ukraine	In Force	25-Dec-91
United Arab Emirates	In Force	10-Mar-99
United Kingdom	In Force	24-Jan-78
United Republic of Tanzania	In Force	14-Sep-99
United States of America	In Force	24-Jan-78
Uzbekistan	In Force	25-Dec-91
Viet Nam	In Force	10-Mar-93
Zambia	In Force	15-Nov-01
Zimbabwe	In Force	11-Jun-97

The PCT System



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