



**THE AUSTRALIAN FEDERATION OF INTELLECTUAL PROPERTY ATTORNEYS  
FICPI AUSTRALIA**

**WEBSITE:** [www.ficpi.org.au](http://www.ficpi.org.au)

25 May 2011

Mr Philip Spann  
IP Australia  
PO Box 200  
Woden ACT 2606

Dear Phil

**PCT Rule Changes**

Thank you for your email of 20 May 2011.

FICPI Australia supports the proposed revision of rule 82 under the PCT. We agree that rule 82 as it currently stands is not sufficiently flexible to deal with major natural disasters such as that which recently occurred in Japan.

Whilst the new provision does not include any limit on the extension of time that might be available (and thus builds in some level of uncertainty), we consider this more flexible approach to be desirable. We note that there is no absolute deadline for an extension under section 223 of the Australian Patents Act 1990. FICPI Australia is a strong supporter of the section 223 extension provisions and does not consider that the absence of an absolute deadline in these provisions has caused any significant difficulties in practice. The proposed revision to rule 82 under the PCT goes some limited way towards providing the flexibility seen as desirable under the Australian system for many years.

Yours sincerely

Gregory M Chambers  
PRESIDENT  
FICPI Australia

**PRESIDENT:**

**GREG CHAMBERS**

C/-Phillips Ormonde Fitzpatrick  
23rd Floor  
367 Collins Street  
Melbourne 3000  
Australia

Telephone

(03) 9614 1944

International

+613 9614 1944

Facsimile

(03) 9614 1867

International Facsimile

+613 9614 1867

E-Mail

[greg.chambers@pof.com.au](mailto:greg.chambers@pof.com.au)

**SECRETARY:**

**STEPHEN KROUZECKY**

C/- Watermark

Building 1, The Binary Centre  
Level 3, 3 Richardson Place  
North Ryde NSW 2113  
Australia

Telephone

(02) 9888 6600

International

+612 9888 6600

Facsimile

(02) 9888 7600

International Facsimile

+612 9888 7600

E-Mail

[s.krouzecky@watermark.com.au](mailto:s.krouzecky@watermark.com.au)

**TREASURER:**

**CHARLES BERMAN**

C/- FB Rice

Level 23  
44 Market Street  
Sydney NSW 2000  
Australia

Telephone

(02) 8231 1000

International

+612 8231 1000

Facsimile

(02) 8231 1099

International Facsimile

+612 8231 1099

E-Mail

[charlesberman@fbrice.com.au](mailto:charlesberman@fbrice.com.au)