



RESOLUTION 7

INFORMATION DISCLOSURE STATEMENTS

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession of more than seventy countries, assembled at its Executive Committee meeting held in Prague, the Czech Republic, from October 7 to 9, 2002, passed the following Resolution:

Noting against a background of global efforts to harmonise patent laws that more countries are introducing disparate practical provisions requiring applicants for patents to lodge information on relevant prior art known to them **and** that in some cases those provisions include an obligation to supply copies of published patent documents;

Acknowledging that all prior art relating to a 'family' of patent applications which is available to one patent office should ideally be made available to all patent offices, but **recognising** the practical difficulties and legal uncertainties associated with providing details of all relevant prior art known to applicants and in particular the burden on applicants to meet disparate requirements in different offices;

Confirming always that applicants and patentees should act in good faith not to pursue or maintain knowingly invalid claims;

Resolves that:

- 1 The requirements on applicants to provide prior art information should be harmonised;
- 2 Prior art identified to one patent office should be deemed to be made of record in all patent offices;
- 3 The maximum requirement on applicants should be to provide copies of official search results established by or for patent offices up to the time of completion of examination.