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I.   INTRODUCTION

The PatCom Group was established towards the end of 1999 and is an association of commercial companies that provide patent information products and services using EPO data. The EPO has agreed to hold regular meetings with PatCom on a six-monthly basis.

The 10th meeting between the PatCom Group and the EPO took place in Munich on 4 March 2005. The present document is a report of that meeting.

The agenda for the meeting was based on a list of points submitted in advance by PatCom.

PatCom was represented by:

Univentio (PatCom Presidency), Incom, Questel·Orbit, Thomson/Derwent, FIZ Karlsruhe and CAS.

The Patent Documentation Group (PDG) sent two representatives as observers.

II.   TRILATERAL LETTER EXCHANGE

In September 2004, the "Trilateral Alliance of Intellectual Property Information and Services Companies" sent a letter to the Presidents of the Trilateral Office (EPO, JPO and USPTO). The Trilateral Alliance comprises the Coalition for Patent and Trademark Information Dissemination (USA), PatCom (Europe) and the Patent Information Online Service Council (Japan). The letter suggested that patent offices' activities in recent years in the area of patent information are damaging business in the commercial sector and sought continuing dialogue in future. Lists were attached to the letter with activities, which according to the letter, patent offices should not undertake. Some of the points were specifically directed at the USPTO.

The EPO expressed surprise that the letter had not been mentioned in the meeting with PatCom in Vienna on 16.3.2004, although it was dated the previous day. It explained that it discussed the letter in detail with the other Trilateral offices during the Trilateral Meeting in Washington and had decided, together with the USPTO and JPO, not to give individual political answers, but that the Memorandum of Understanding of the Trilateral Offices should contain such an answer.

Following discussions with the Trilateral offices, the EPO sent a reply confirming its policy and its readiness to continue open discussion with PatCom.

PatCom stated in the meeting that its main request is to have information as early as possible on forthcoming developments and is pleased to see that the EPO is in agreement with this line.

III. OPEN PATENT SERVICES (OPS)

The EPO explained that its OPS services have been in operation for over a year. It has been pleased to receive feedback from users which has helped to plan future enhancements to the service. The current intention is to introduce improvements in stages:

- images (full page, or drawing page, or clipped first page image), during 2005

- additional text data to include publication data of subsequent documents (eg B-documents), citations, full text of patent documents etc., during 2006

- extended functionality to allow some searching rather than limiting access to publication number only, during 2007

It is also planned to introduce access via OPS to Level 1 *esp@cenet* (national) data.

Furthermore, it is intended to move to a data structure for OPS that is compliant with the new WIPO standard ST.36 based on XML. The EPO would run the new structure in parallel with for old one for limited period of time in order to allow users to adapt.

PatCom asked whether complete documents will be offered via OPS. The EPO said that this was technically a possibility, but initial feedback had indicated that users were more interested in a page-by-page OPS service at this time.

The EPO confirmed that it plans to provide an OPS-like service for the data in the European Patent Register.

Finally, in response to a direct question from PatCom, the EPO stated that it is not planned to offer any storing of searches on OPS, whereas the existing chargeable WATCH service provided by the Vienna sub-office will continue.

IV.   MIMOSA DEVELOPMENTS

The EPO listed developments in the area of MIMOSA software and ESPACE products:

MIMOSA retrieval software

The EPO has developed a new version (version 5) of the MIMOSA retrieval software, with the following improvements:

- access to databases via internet or intranet

- improved linking to *esp@cenet*

- handling of XML data

- GTI ver. 5 data structure allowing high volumes of data to be handled

The release data for MIMOSA version 5 is scheduled as May 2005.

ESPACE series

- ESPACE EP-A and EP-B have been combined into one DVD product as of January 2005

- improved number of abstracts on ESPACE ACCESS: >99.5% in English

- "ACCESS-EPC" is a new product, developed in co-operation with member states; 26 out of 30 member states provide bibliographic data for ESPACE ACCESS EPC

PatCom asked for more details about using MIMOSA to access data via the internet and intranet. The EPO explained that MIMOSA can access GTI ver.5 databases which are stored either locally, on a company's intranet of a company or on the internet. There are at present no plans to offer databases of additional ESPACE® series on the internet. Also it is not possible to search *esp@cenet* using the MIMOSA interface. PatCom replied that the MIMOSA software does

have some interesting search features, which activated under *esp@cenet* would trigger a number of political questions.

The EPO took note and confirmed that it is not planning to move from a DVD-based to a web-based ESPACE series. It offered to give PatCom a web address for accessing a test database over the internet using MIMOSA V5. PatCom accepted this offer.

V.   ***esp@cenet* DEVELOPMENTS**

The EPO described its current activities with regard to *esp@cenet*.

Development efforts are focused on expanding Level 1 servers - the functionalities will not change, but the use of Unicode will be a first step towards harmonising the software used in national offices and the EPO, and in the creation of interfaces in languages with non-Western European character sets.

The second main area of activity is the development of full-document download functionality. The EPO does not, in fact, store complete documents, so technical solutions need to be found for compiling full documents. Currently the EPO intends to implement a simple link on the results page, inviting the user to download the complete document as an alternative to page-by-page download. A test phase will be started during the 2nd quarter of 2005, with full deployment later in 2005.

In the longer term, the EPO is looking into a new search interface for *esp@cenet*, and at harmonising the general look of *esp@cenet* with other internet services provided by the EPO, specifically via Register Plus.

The EPO explained that such a harmonisation will have to treat data under the sole responsibility of the EPO differently to data from other sources.

IPC reform and esp@cenet

The EPO will use the occasion of the IPC reform to review all the classification-search functions in *esp@cenet*. A primary objective will be to keep classification searching simple, while also accommodating the needs of the users who want to make the full use of the new possibilities offered by the IPC reform.

PatCom expressed the view that IPC search tools are a good example of a subject where there is a lack of clarity as to how far a patent office should go and how much should be left to the commercial sector to offer.

PDG said that, despite much activity, a lot of issues are still open concerning the IPC reform. They, PDG, have proposed a task-force on the IPC to work during the run-up on implementation. The EPO reminded participants that it is going to a lot of effort to provide an absolute maximum of information to users, patent offices and the commercial sector, and invited any interested parties to submit specific questions whenever they arise. In any event, the EPO would be pleased to circulate status updates on the Master Classification Database to PatCom members.

PatCom suggested that the EPO set up an electronic forum for the IPC and XML matters.

The EPO explained that it has certain well-defined tasks within the IPC reform, eg the creation of the Master Classification Database, but that the reform as such is under the responsibility of WIPO. The efforts the EPO undertakes to distribute as much information as possible about the IPC reform are an additional investment in the project, but not a duty of the EPO. The EPO suggested that WIPO could be encouraged to create a Web forum and offered to distribute some more information in electronic form to PatCom.

VI.   PUBLICATIONS SERVER

The EPO confirmed that the publications server is a free-of-charge service providing access to all EPO patent documents to the public via the internet. The system was launched on 1.1.2005, and on 1.4.2005 paper publication of A-documents will be eliminated. For B-documents, a paper copy will only be issued on specific request.

The backfile (pre 2004) documentation will be loaded during the course of the coming months (data from January 2004 on is already available). Statistics show a steady increase of usage, and user reactions have been positive. There have been no suggestions received for changes or adaptations.

VII. OTHER DEVELOPMENTS IN PATENT INFORMATION AT THE EPO

In addition to the points above, the EPO informed PatCom of the following ongoing developments:

- e-learning systems, eg virtual classrooms and interactive learning devices, for *esp@cenet* and patent information products and services in general

- A Japanese-language interface is being prepared for *esp@cenet* and will be launched in 2005

- Through the "EPTOS" project, the EPO is working on a standardisation of the internal IS structure across national patent offices. EPTOS is a toolbox of tailor-made services, developed and maintained by the EPO and adapted to the national language and the special legal requirements of each national office.

PatCom asked about EPO plans for automatic translation tools. The EPO explained that for 2005 it has set its priorities on German, Spanish and French translation solutions (each into and from English). The intense co-operation with the Spanish Patent Office has meant that particularly good progress is being achieved where Spanish-English is concerned. The EPO will also promote the idea of similar systems with all its co-operation partners (including non-member states such as China and Korea). Within the EPO, the main use will be to help examiners to do their work. For member state offices, machine translation will be a means for increasing the usefulness of their internet services, as has already been achieved in Japan through the JPO's IPDL.

In response to a question on its planned "Similarity Discovery Service", the EPO explained that it would serve both the EPO's and applicants' interests to support national offices in providing services to identify at an early stage patent applications that will probably not reach grant within the EPO. As a result, the EPO is currently analysing various ideas put forward as the result of a tender procedure for a "Similarity Discovery Service".

PatCom expressed concerns about the late delivery of ESPACE UK CD-ROMs and asked if the EPO had any information on the background to the delays. The EPO said it was not aware of any issues with the ESPACE UK production chain. It said that *esp@cenet* now includes GB (and EP and FR) data on the date of publication.

VIII. AUTOMATION PLAN

An automation plan will be prepared during the course of 2005, and submitted to the WPTI. The EPO will honour its agreement with PatCom and send an excerpt to PatCom when the plan is agreed by the WPTI.

IX. HANDLING OF TECHNICAL ISSUES

There was some concern in the past on the part of PatCom, that its meetings with the EPO focussed on technical rather than political issues. The EPO was reluctant, however, to set up a second regular meeting to discuss purely technical issues and suggested, as an alternative, that the current practice of holding meetings whenever necessary to discuss specific issues should continue. Examples are XML and IPC reform - the proviso here is that participation will be open to all commercial users of EPO data, not only PatCom members.

X. CO-OPERATION WITH THE EUROPEAN PATENT ACADEMY

The EPO gave a brief description of the newly founded European Patent Academy.

PatCom expressed its willingness to contribute to EPO training activities, if so desired or needed. The EPO thanked PatCom for this offer and took note of it. It stressed that the main lines of contact between PatCom and the EPO should remain the Vienna sub-office. It also reminded PatCom that the European Patent Academy is still in the early stages of its life, so it may take some time before the EPO can ascertain whether it is in a position to accept PatCom's offer or not.

PatCom drew the EPO's attention to a course offered by the Franklin Pierce Law School which includes substantial material on the commercial search products and services available.

XI. CO-OPERATION ON TRAINING FOR SMALL AND MEDIUM-SIZED ENTERPRISES

PatCom took the initiative in late 2004 to prepare a proposal for co-operation with the EPO on training for SMEs in Europe. The EPO has since replied to PatCom

expressing general interest in co-operation, but insisting that no one company could be allowed to dominate and that all presentations should be as neutral as possible.

As a start, the EPO invited PatCom to inform the EPO in more detail about the training activities its members undertake.

XII.   ANY OTHER BUSINESS

PatCom participation at SACEPO/PDI

PatCom asked if it could participate as an observer at the forthcoming SACEPO/PDI sub-committee meeting. The EPO agreed to investigate how members are nominated and provide feedback.

Data formats

The PDG, present in the meeting as observers, praised the EPO for its efforts to standardise formats within and across patent offices, and encouraged the EPO to continue these efforts.

PatCom expressed its full support, echoing remarks by PDG, for all steps taken towards harmonised interfaces and formats in future. The EPO thought it would be useful to put together an inventory of products and formats, and to study where harmonisation might be useful, or possible.

Minutes of meetings

EPO proposed that PatCom receives a copy of the document prepared for the WPTI. Then at the following meeting, PatCom will be welcome to comment on the document and these comments will, in turn, be minuted.

Date of next meeting

The next meeting will be held in early September in The Hague. A tentative date of 9.9.2005 was set, although this may be changed, depending on the date chosen for the September meeting of the Working Party on Technical Information.