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Dear Mr Lagemaat,

Please find attached as agreed, the minutes of the last PATCOM meeting with the EPO which took place the 8 September 2005 in The Hague.

As you know the document comes in form of a CA document, as it will be presented to the members of the WPTI in the meeting which will take place from 27-30 September 2005.

Best regards,

Wolfgang Pilch
Principal Director
Patent Information

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SUBJECT: Report of the meeting of 8.09.2005 between the PatCom Group and the EPO

DRAWN UP BY: President of the European Patent Office

ADDRESSEES: Working Party on Technical Information (for information)

SUMMARY

The PatCom Group was established towards the end of 1999 and is an association of commercial companies that provide patent information products and services that include EPO data. It has been agreed to hold regular meetings with PatCom on a six-monthly basis. The meeting on 8 September 2005 was the 11th such meeting.

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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 that include EPO data. The EPO has agreed to hold regular meetings with PatCom on a six-monthly basis.

The 11th meeting between the PatCom Group and the EPO took place in The Hague on 8 September 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:

LexisNexis (formerly Univentio, PatCom Presidency), Incom, Questel·Orbit, Thomson Scientific, FIZ Karlsruhe. The Patent Documentation Group (PDG) sent a representative as observer.

II. GENERAL ISSUES

Following some discussion on past practice, PatCom and the EPO agreed that a more sensitive approach to communication would be beneficial for the on-going co-operation. PatCom offered to inform the EPO in advance if it planned to refer to the EPO in public statements.

In the spirit of this agreement, PatCom announced that the "Trilateral Alliance of Intellectual Property Information and Services Companies", of which it is a member together with analogous associations in the USA and Japan, would be issuing an annual political statement. The first such statement was currently being drafted and would be ready soon.

The EPO reported that the new Automation Plan was in preparation and would be submitted to Working Party on Technical Information (WPTI) soon. Upon conclusion of the discussions in the WPTI, the EPO said it would provide PatCom with a copy of the chapters of Part 1 of the Automation Plan which refer to "External Products and Services".

III. REGISTER PLUS

The EPO reported that Register Plus was in the process of further development, following its launch in November 2004. In particular, it announced the following planned enhancements:

(planned for September 2005)

- to enable users to continue using their bookmarks from the Online European Patent Register by redirecting them to the data in Register Plus
- display of IPEA (International Preliminary Examination Authority) in addition to ISA (International Search Authority)

(planned for 2006)

- provide a Web Service, similar to what has been implemented in OPS (Open Patent Service), enabling users to query and retrieve documents by using XML
- implementation of possibility to search by date range (after internal database rebuild at EPO)
- further integration with other *epoline*[®] services, such as My Files, Online Secure File Inspection

PatCom praised the EPO for its intention of launching a Web Service for the Register data. They pointed out, however, that recent changes to the Register, in particular the closing down of the old interface, were not well communicated in advance and that this had caused some problems. They also drew the EPO's attention to the fact that there are considerable variations across EPO products in the details of what is offered, particularly in the area of tagging and data structure, and would welcome more consistency. The EPO felt that some of the discrepancies may be explained by looking at the various purposes of the tools offered and that in any event the conversion to XML would standardise the services thoroughly. Nevertheless, it agreed to provide an overview of the different formats used to PatCom.

PatCom also remarked that certain data in *epoline*[®] especially the announcement of the intention to grant is sometimes available before it appears in the EPO's data exchange product EBD. PatCom felt that this should not happen. The EPO responded that this topic had already been discussed in a meeting with FIZ Karlsruhe and BASF, and would be followed up within the Office.

The observer from PDG added that there are many overlaps between EPO products, but that the terminology used was at times inconsistent (eg "equivalents" and "family members" are terms that should be used consistently). Users would appreciate a consistent and clear use of vocabulary in all documentation. This documentation should all be available in one place. The INPADOC website, for example, would be appropriate for this purpose.

IV. MIMOSA/ESPACE DEVELOPMENT

With regard to developments to its MIMOSA/ESPACE[®] products, the EPO announced the following:

- The new ACCESS-EPC series was released in April 2005
- there was an on-going gradual introduction of XML onto the EPO series in the second half of 2005, with final abandonment of SGML scheduled for early 2006.
- BULLETIN On-line would be a GTI V5 database before the end of 2005, accessible across the internet using MIMOSA software.
- all EPO series would be available on the internet to CD/DVD subscribers on a test basis during 2006.

The final point in the above list gave rise to some discussion. The EPO clarified that its initial intention would be to use the internet only to provide access to new EPO data as it is published, but not to the complete data archive in the near future. PatCom said that in principle it welcomed this development. On the other hand, if the EPO started to make entire document archives available via the internet for search with MIMOSA, then it would effectively be behaving like a commercial host, which certainly would not be welcomed by PatCom members.

The plans to make the new data available at the moment of publication (ie 14.00 hrs CET every Wednesday for EP documents) caused concern, PatCom remarked, since this would put them at a disadvantage, ie at the moment of publication, users would not have a choice of providers and would only be able to search new data via the patent office services.

As in the past, PatCom suggested that pre-publication delivery of data to commercial hosts would resolve this issue. They reported that they had put similar arguments to WIPO and had the impression the WIPO would reflect on the matter. The PDG representative added that information specialists are acutely aware of when data is published and if one provider offers something the day before others, he has a massive competitive advantage in the field of patent information.

The EPO made it clear, that its policy is unchanged and that it does not plan to give the data to third parties before the day of publication for pre-processing their databases.

V. *esp@cenet*

Upon request of the Belgian Patent Office, the EPO was investigating means to implement full-text searching on the national data part of the Belgian *esp@cenet* level I server. If successful, this feature could be offered for the national data of any country with an *esp@cenet* level I server. The other major on-going developments reported by the EPO were the adaptations necessary to *esp@cenet* to bring it in line with the IPC reform. The main goal was not to disturb the users and to maintain the simple option of entering a classification symbol in the search. However, the EPO recognised that some users wish to have more targeted searching possibilities, so the EPO will find a means of providing search in invention/non-invention classifications and in core or advanced level IPC classes according to the users' choice.

In the area of nanotechnology, the EPO will be introducing ICO codes, designed to look like ECLA symbols, to help searching in the future.

VI. HANDLING OF TECHNICAL ISSUES

PatCom praised the EPO for its efforts to keep them informed of technical developments. The recent and forthcoming seminars in Vienna for commercial providers are particularly appreciated by PatCom. They added that in many fields, the leading experts are members of EPO staff and suggested that the EPO could be more active in sending these experts to non-EPO meetings (eg meetings organised by WIPO). The EPO replied that within the scope of limited resources, it was always pleased to help, but on the understanding that the first priority when allocating resources would remain EPO-organised meetings.

VII. EPO RAW DATA

The PDG representative asked the EPO to publish detailed documentation on the data products it offers. In particular, the price-list should indicate when data is produced on-demand only and with what delay. Moreover he draw the attention to the fact that some data can only be given to an information provider if a national office agrees. This should also be mentioned in the price list. The EPO agreed to this.

VIII. PUBLICATION SERVER

The EPO gave a brief status report on its European Publication Server, remarking that usage statistics appeared to have stabilised at 300-400 visits per day. A live demonstration of WIPO's new Patentscope service (with direct access to PCT documents) gave rise to some discussion about the increasing availability of advanced search features such as full text searching in information products from patent offices. PatCom stated that they had no objection to patent offices publishing their own patent data in whatever form they wished.

IX. DATE OF NEXT MEETING

The next meeting will be held in Vienna on 17 March 2006.