

**Summary upon the 11. WIPO-PatCom Meeting at Geneva
February 27, 2013, 10:00 am – 11:40 pm**

Agreed Version

WIPO Participants:

Mr. Yo Takagi, Assistant Director General, Global Infrastructure Sector;
Paul Halfpenny, Councillor, Global Infrastructure Sector;
Mr. Ángel López Solanas, Head, Standards and Documentation Service;
Mr. Andrew Czajkowski, Global IP Infrastructure Services;

PatCom Participants:

Mr. Armin Förderer, FIZ Karlsruhe, PatCom Executive Committee, DE;
Mr. Olivier Huc, Minesoft, UK; (+ASPI)
Ms. Martine Massiera Della Valle, Questel, PatCom Executive Committee, F; (+ASPI)
Mr. Jurjen Dijkstra, LexisNexis, PatCom Executive Committee, NL; (+ASPI)
Mr. Paul Peters, CAS, US; (+ASPI)
Prof. Dr.-Ing. Georg F. Schultheiss, PatCom Honorary Secretary, DE.

Yo Takagi opened the session with PatCom and welcomes all participants. He informed PatCom that *Paul Halfpenny* will be the WIPO coordinator for the following regular meetings.

1. Approval of the Agenda

The Agenda (see **Appendix 1**) was unanimously approved.

2. Approval of the Minutes of the last Meeting

The presented version of the minutes of the 2012 Autumn meeting was unanimously agreed.

3. Actions from the last Meeting

- **EPO-WIPO MoU**

Yo Takagi explained that the MoU is not really new and more a confirmation of the good co-operation. The MoU with work-plan identifies areas of co-operation and how to do. It includes>

- PCT matters as EPO is the largest user of PCT material. PCT shall be included in PPH and have improved quality control.
- Technical matters (data format; way of report submitting; transfer in fully compatible XML standard).
- Global dossier aspects (IP5); share of dossier information in a total work flow share project. A user group has been invited to give its opinion about that issue. The WIPO CASE platform (Centralized Access Search Examination) in use for 2 years in the Vancouver Group may be a basis.
- Harmonization of patent law: EPO had no mandate so far.
- Classification matters IPC, CPC and FI efforts will be co-ordinated.

- MT corpora: EPO works with Google. WIPO is very much interested in cross-lingual information retrieval. As EPO cannot give its corpora to WIPO, WIPO is going on to collect corpora.
- Technical assistance for developing countries to modernize infra-structure. EPO has strengthened their co-operation with developing countries and some efforts had been duplicated!
- XML standards: The co-operation is used as pre-consultation

The planning is ongoing and this may be a semi-permanent agenda item.

- **MoU with PatCom**

Georg Schultheiss thanked WIPO for the data supply in due time for a comprehensive internal PatCom discussion. As a result the interested PatCom members see no possibility to follow the old plan to form a non-financial solution. PatCom proposes WIPO should try to set up a similar service as supplied by EPO on a marginal costs basis.

Yo Takagi said, he understands this point of view but WIPO now needs time for preparation of a monetary solution and it may be a non-exclusive subscription model. In conclusion it has to be a new basis.

4. IPC Development – IPC Workshop Follow-up

All PatCom participants encourage WIPO to continue with IPC workshops regularly as they are a very effective communication platform between all players. *Yo Takagi* said that WIPO is open to continue.

5. Experiences of WIPO - Commercial Sector Cooperation

Andrew Czajkowski presented a list of ASPI co-operations which is added as **Appendix 2**. He explained that there is a new procedure in preparation to guarantee continuity at the different locations by sufficiently prepared personal after the departure of WIPO experts.

6. Standards Development

Ángel López Solanas summarized the actual activities. His written report is given in **Appendix 3** of the minutes. He announced again the CWS meeting. The invitation for observers has been send out already.

7. PATENTSCOPE – Experiences and Development, Usage Statistics

Paul Halfpenny explained that:

- there are 18 Mio items available from 32 collections

- the US-collection will be added soon (~10 Mio items)
- for MT 13 languages are available including SE and IT
- "TAPTA" has a beta version in DE and JP

Statistics show 250 Mio visits per month. The global economic development leads to a steady growth expected to be around 4% per year mainly driven by China, Japan and Korea.

8. AOB:

- Next regular WIPO-PatCom Meeting may be in February 2014 as PatCom sees no necessity for a second meeting in 2013. Details will be agreed between *Paul Halfpenny* and *Georg Schultheiss*.

The meeting adjourned at 11:40 am.

Georg F. Schultheiss
Hon. Secretary of PatCom

Lueneburg, 16.04.2013

Appendix 1

Agenda Proposal of PatCom for the 11. WIPO-PatCom Meeting at Geneva on February 27, 2013, 10:00 am

1. Approval of the Agenda
2. Approval of the Minutes of the last Meeting
3. Actions from the last Meeting:
 - EPO-WIPO MoU
 - ftp-Server Installation at WIPO, MoU with PatCom
4. IPC Development – IPC Workshop Follow-up
5. Experiences of WIPO - Commercial Sector co-operation
6. Standards Development
7. Patent Scope – Experiences and Development, Usage Statistics
8. AOB:
 - a) Next Meeting: PatCom proposes February 2014, *Paul Halfpenny* and *Georg Schultheiss* will organize details.

Appendix 2

to Agenda Point 5

List of ASPI Subscribers (Updated on February 25, 2013)

Country	Name of Institute	Database(s)	Current Status	Remarks

	1.	ARIPO	Not yet known	Pending	In discussion with providers
Afghanistan	2.	MSD Consultancy	1. Totalpatent 2. Wipsglobal	Pending	Additional information requested on Feb. 1, 2012
Bangladesh	3.	Department of Patents, Designs & Trademarks	Totalpatent	Pending	Awaiting signed Institute User License from subscriber
Belarus	4.	National Center of Intellectual Property	Orbitcom	Pending	Awaiting signed Institute User License from subscriber
Bolivia (Plurinational State of)	5.	Servicio Nacional de Propiedad Intelectual	1. Thomsoninnovation 2. Wipsglobal	Pending	Awaiting signed Institute User License from subscriber
Burkina Faso	6.	Direction Generale De La Propriete Industrielle (DGPI)	1. Totalpatent 2. Thomsoninnovation	Pending	Awaiting signed Institute User License from subscriber
Cameroon	7.	Comité National de Développement des Technologie (CNDT)	1. Orbitcom 2. Patbase	- Active - Active	As of Sep 3, 2012
Colombia	8.	Corporación Tecnova Universidad-Empresa-Estado	Thomsoninnovation	Pending	Signing of agreement between Thomson Reuters and subscriber in process
	9.	Superintendencia de Industria y Comercio	1. Orbitcom 2. Thomsoninnovation	- Active - Pending	- As of Dec. 2011 - Signing of agreement between Thomson Reuters and subscriber in process
	10.	Universidad Industrial de Santander	1. Orbitcom 2. Thomsoninnovation	- Pending - Pending	Awaiting signed Institute User License from subscriber

	11.	Universidad de los Andes	1. Totalpatent 2. Thomsoninnovation	Pending	Awaiting signed Institute User License from subscriber
Costa Rica	12.	Registro de Propiedad Industrial	1. Patbase	- Active	- As of Sep. 2012
Dominican Republic	13.	Oficina Nacional de la Propiedad Industrial ONAPI	1. Orbitcom 2. Patbase	- Active - Active	- As of Feb. 2012 - As of Apr. 2012
Ethiopia	14.	Ethiopian Intellectual Property Office	Totalpatent	Pending	Awaiting signed Institute User License from subscriber
Georgia	15.	National Intellectual Property Center Of Georgia (SAKPATENTI)	1. Patbase 2. Wipsglobal	Pending	Awaiting signed Institute User License from subscriber
	16.	Akaki Tsereteli State University	1. Totalpatent 2. Wipsglobal	Pending	Awaiting signed Institute User License from subscriber
Guatemala	17.	Instituto de Derecho Mercantil	1. Totalpatent 2. Thomsoninnovation	Pending	Awaiting signed Institute User License from subscriber
Honduras	18.	Instituto de le Propiedad (Direccion General de Propiedad Industrial	Patbase	Pending	Signing of agreement is in process
Kenya	19.	African Agricultural Technology Foundation	1. Totalpatent 2. Thomsoninnovation	-Pending - Active	- Agreement was sent to the subscriber by LexisNexis in June 2011 - As of Aug. 2011
Kyrgyzstan	20.	State Intellectual Property Fund under the State Intellectual	Thomsoninnovation	Pending	Awaiting signed Institute User License from subscriber

		Property Service of the Kyrgyz Republic			
	21.	National Institute of Intellectual Property	Patbase	Pending	Awaiting signed Institute User License from subscriber
Madagascar	22.	Centre d'Information et de Documentation Scientifique et Technique (CIDST)	1.Patbase 2. Totalpatent	- Active - Active	- Awaiting from LexisNexis on issuance of sending user password - As of May 4, 2012
	23.	Office Malgache de la Propriété Industrielle	1.Orbitcom 2.Thomsoninnovation	Active Pending	- As of June 19, 2012 - Awaiting from Thomson Reuters on issuance of sending user password
	24.	Institut National des Sciences et Techniques Nucléaires	1.Patbase 2.Thomsoninnovation	- Active - Active	- As of May 25, 2012 - As of June 22, 2012
	25.	Centre National de Recherches Appliquée au Développement Rural (FO FI FA)	Patbase	Active	As of Jul 3, 2012
Mozambique	26.	Industrial Property Institute	1. Orbitcom	- Active	As of Apr. 30, 2012
	27.	Instituto Superior Politecnico de Tete	1. Totalpatent 2. Wipsglobal	Pending	Awaiting signed Institute User License from subscriber
	28.	Universidade Catolica de Mocambique	Thomsoninnovation	Pending	Awaiting signed Institute User License from subscriber

Niger	29.	Direction de l'Innovation et de la Propriété Industrielle (DIPI)	Orbitcom	Pending	Awaiting signed Institute User License from subscriber
Senegal	30.	Ecole Polytechnique de Thiès (EPT)	1. Totalpatent 2. Wipsglobal	Pending	Awaiting signed Institute User License from subscriber
	31.	Université Cheikh Anta Diop, Sénégal	Totalpatent	Pending	Awaiting signed Institute User License from subscriber
	32.	Institut de Technologie Alimentaire (ITA)	1. Patbase 2. Orbitcom	- Active - Active	- As of May 22, 2012 - As of May 22, 2012
Peru	33.	Instituto Nacional de Propiedad Intelectual y Defensa de la Competencia	Thomsoninnovation	Pending	Awaiting signed Institute User License from subscriber
Tunisia	34.	National Institute for Standardization and Industrial Property	1. Patbase 2. Orbitcom	- Active - Active	- As of Apr. 2012 - As of Apr. 2012
Uganda	35.	Uganda Registration Services Bureau	Thomsoninnovation	Pending	Awaiting signed Institute User License from subscriber
Uzbekistan	36.	State Patent Office of the Republic of Uzbekistan	Orbitcom	Active	As of May 14, 2012

Appendix 3

to Agenda Point 6

Standards Development

Next meeting of the Committee on WIPO Standards (CWS)

The third session of the CWS will be held from April 15 to 19, 2013.

PatCom should have received the invitation, dated February 11, 2013, to attend the meeting as observer.

New WIPO Standard ST.96

ST.96 (“Recommendation for the processing of industrial property information using XML”) was adopted by the CWS in April/May 2012. This Standard comprises a main body and six annexes, which provide recommendations for the XML regarding patents, trademarks and industrial designs. Annexes V (the Schema Implementation Rules and Guidelines) and VI (the Transformation Rules and Guidelines) were not adopted in 2012, but left for completion before their adoption as part of ST.96. The XML4IP TF continue discussing proposals and issues related to ST.96, including the completion of Annexes V and VI. It is expected that the Task Force will be able to present a proposal on Annexes V and VI for consideration and adoption by the CWS in 2014.

Future WIPO Standard ST.26

The SEQL Task Force continues discussing a proposal on the presentation of nucleotide and amino acid sequence listings based on XML for adoption as a new WIPO Standard ST.26. These discussions are the follow-up to the public consultations on the proposed draft standard conducted by the EPO, the JPO and the USPTO in 2012. At the third session of the CWS, the EPO, as Leader of the Task Force, will present a progress report on the work done since the second session of the CWS, along with a roadmap. It is expected that the draft new standard will be presented for consideration and adoption by the CWS in 2014.

Revision of WIPO Standard ST.14

The ST.14 Task Force is discussing a proposal for the revision of WIPO Standard ST.14 with regard to two aspects:

- Category codes provided in paragraph 14.
- The identification of non-patent literature citations in order to bring WIPO Standard ST. 14 in line with the International Standard ISO 690:2010 (Information and documentation – Guidelines for bibliographic references and citations to information resources).

The Task Force has provisionally agreed on the inclusion of new categories “N” and “I” for cited documents showing the claimed invention cannot be considered novel when the document is taken alone, and for cited documents showing the claimed invention cannot be considered to involve an inventive step when the document is taken alone, respectively. The Task Force is yet to agree on a new definition for category “X”, which currently covers documents which would either be cited “N” or “I” under the new proposals for ST.14. In this regard, some participants support a clean transition whereby an office beginning to use the new categories for citing documents would cease to use category “X”, whereas some other participants would prefer a

definition that would allow for category “X” to be used alongside categories “N” and “I”.

The Task Force has also addressed the future implementation of the revised paragraph 14 of ST.14 after its adoption by the CWS. In particular, the Task Force is considering when, after the adoption of the revised paragraph 14, industrial property offices should implement the recommendations, as revised, for all search reports established from the adoption date onwards.

With respect to the recommendations for the identification of non-patent literature citations, the ST.14 Task Force supported the proposal of the revision of ST.14 taking into account the recommendations provided for in ISO 690:2010. Participants, nevertheless, stated that more detailed consideration was necessary to determine the level of granularity of the recommendations transferred. The alignment of ST.14 with the ISO 690:2010 should be limited to non-patent literature, since the recommendations for patent documents provided in the ISO standard appear to be less effective than those provided in the current version of ST.14. The Task Force intends to take into consideration an analysis of ISO 690:2010 that the EPO is carrying out.

As a matter independent of the alignment with ISO 690:2010, the IB suggested that the recommendations for citing patent documents (including abstracts) should be reviewed in addition to the non-patent literature question. At present, ST.14 contains no recommendations on how to cite documents in languages other than the language of the document (search report) in which they are cited. It would therefore be useful to have guidance on when to use translations or transliterations of details, such as authors’ names or titles of documents whether this should be done in all cases, only when there is an official translation into the other language, or whether both the original and the translation should be provided. Moreover, if a translation or transliteration of a name or title is provided, there is the question of how it should be indicated that it is a translation/transliteration.

Patent legal status information

The IB will present a proposal, regarding whether WIPO Member States would accept the development of an international standard to establish a new WIPO standard for the exchange of patent legal status data by industrial property offices, for the consideration by the CWS at its third session.

The EPO intends to inform the CWS, at the same session, about its plan to propose, for consideration by the ST.36 Task Force, a flexible model approach based on ST.17 for the classification of legal status events that should be incorporated into ST.36.

Revision of WIPO Standard ST.9

The German Patent and Trademark Office will present a proposal to revise the definitions of the ST.9 INID codes. The proposal should update the description of certain bibliographic data (codes (92), (93) and (95)) and add a new code (98) to the list of ST.9 INID codes, concerning the supplementary protection certificate for medicinal products, including medicinal products for paediatric use.

Survey on application numbering systems

A summary of the results of a survey on application numbering systems conducted by the IB in 2012 will be presented for consideration by the CWS. Thirty five industrial property offices took part in the survey. The IB will also present a document containing examples of application and priority application numbers, provided by the IPOs along with their responses to the questionnaire, including additional information on the codes used for indicating the type of industrial property rights, position of different parts of application number and other relevant remarks.