

CA/T 37/09

Orig.: en

Munich, 06.10.2009

SUBJECT: Report of the meeting between the EPO and the PatCom of
22.9.2009

SUBMITTED BY: President of the European Patent Office

ADDRESSEES: Technical and Operational Support Committee (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 21 September 2009 was the 19th such meeting.

This document has been issued in English and electronic form only.

TABLE OF CONTENTS

Subject	Page
I. STRATEGIC/OPERATIONAL	1
II. RECOMMENDATION	1
III. MAJORITY NEEDED	1
IV. CONTEXT	1
V. ARGUMENTS	1
A. REPORT OF THE LAST MEETING	1
B. FOLLOW-UP FROM PREVIOUS MEETINGS:	2
a) Automation plan - latest status	2
b) Availability of dictionaries for machine-translation	2
c) User survey	3
C. STATUS OF THE IP5 FOUNDATION PROJECTS	3
a) Common documentation	3
b) Common hybrid classification	4
D. EFFECTS OF THE ECONOMIC CRISIS	4
E. QUALITY OF DATA SUPPLIED BY EPO	4
a) New data to subscribers	4
b) China data	5
c) India Data	5
F. <i>esp@cenet</i> DEVELOPMENTS	5
a) usage Statistics	6
G. OPS DEVELOPMENTS	6
H. DEVELOPMENTS OF THE PUBLICATION SERVER	6
I. ANY OTHER BUSINESS	7
a) XML raw data days	7
J. DATE OF THE NEXT MEETING	7

I. STRATEGIC/OPERATIONAL

Operational

II. RECOMMENDATION

For information.

The TOSC is requested to :

-take note of the following report of the meeting between the EPO and the PatCom of 22.09.2009

III. MAJORITY NEEDED

N/A

IV. CONTEXT

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 19th meeting between the PatCom Group and the EPO took place in Vienna on 22 September 2009. The present document is a report of that meeting.

The agenda for the meeting, chaired by the acting Vice-President of DG 5, Wim van der Eijk, was based on a list of points submitted in advance by PatCom.

PatCom was represented by:

Lighthouse IP (PatCom Presidency), LexisNexis, Questel, Thomson Reuters, FIZ Karlsruhe, CAS, Dialog, Matrixware and Scipat.

V. ARGUMENTS

A. REPORT OF THE LAST MEETING

PatCom confirmed their full agreement with the report of the previous meeting (CA/T 17/09).

B. FOLLOW-UP FROM PREVIOUS MEETINGS:

a) Automation plan - latest status

It has been agreed that the EPO will provide PatCom with an excerpt of the Automation Plan to PatCom each year.

At the meeting, the EPO informed PatCom that the Automation Plan had not yet been approved by the Administrative Council, but that it was hopeful this would happen in December 2009. It promised to send an excerpt immediately after this had happened.

The EPO said that, in summary, budget savings would form the red thread in the document. As a result, no big projects were foreseen in the IT systems areas, with efforts to save on resources. It was necessary, however, said the EPO, to draw PatCom's attention to the "Single Patent Process" programme. The EPO planned to involve applicants closely in this development and had already invited Mr Ruud Peters of Philips to be a member of the programme board. It said it would keep PatCom informed of developments via the usual six-monthly EPO-PatCom meetings

b) Availability of dictionaries for machine-translation

Back in 2004, the decision was taken by the Administrative Council to make EPO machine-translation dictionaries produced in the framework of the European Machine Translation Programme available to the public. As a result, every closure report now contained explicit agreement of the partners to distribute the dictionaries for each dictionary project. The EPO was thus now able to provide the English-German and English-Spanish dictionaries as raw data products, in XML format.

The EPO announced to PatCom that the following languages were in the pipeline (all in combination with English): Italian, Dutch, Greek, Swedish and Portuguese. PatCom said that they expected the user community would want to be able to provide feedback in order to improve the quality of the dictionaries. The EPO said it would be happy to receive this, but pointed out that the dictionaries were intended as "static" products and regular updates could not be promised. Commercial providers who bought the dictionaries would, of course, be free to "add value" if they chose to do so.

The chairman noted that machine translation was not only one of the elements of the "IP5" co-operation, but it was also a topic of great interest to the European Commission, which would like to see systems in place for all EU languages into

English. A workshop was planned, he said, in Vienna for end of November, and the European Commission would attend.

c) User survey

The EPO explained that it had not been able to conduct the survey on the use of patent information in Europe it had planned in 2008, but that it had shifted resources to be able to do it in 2009 and 2010. The survey would essentially be a repeat of the one done in 2003, and would encompass all 36 EPC contracting states, plus the USA as a benchmark. It would also include questions on users' awareness of other providers' products, the use of patent information for business purposes, and whether or not there was a demand for tools to help understanding of patents. The EPO would deliver a progress report at the Patent Information Conference in November 2009, and the target date for completion was the end of March 2010. The EPO agreed to provide more information - and some headline results, if available - at the next meeting

C. STATUS OF THE IP5 FOUNDATION PROJECTS

The chairman informed PatCom that he thought good progress was being made on the IP5 foundation projects, especially considering the magnitude of the undertaking - just getting all five partners on board had been an achievement in itself, and the fact that China had offered to organise the next Heads of Office meeting (2010) was very significant.

The chairman explained that there would be a meeting in Geneva on 23 September 2009, where he hoped that the mandates for the ten foundation projects would be approved, following which dedicated working groups would start with the implementation. However, since most of these activities would require major investments from the offices concerned, the first steps would be budget planning in order to start with concrete implementation measures in 2011. The EPO drew PatCom attention to the IP5 website that was scheduled for launch within the coming days.

The EPO presented more information on the two foundation projects for which it was taking the lead:

a) Common documentation

This project, said the EPO, aimed at ensuring that all offices used the same documentation base for their searches. However, some obstacles had already been identified that would need clearing before the project could continue, e.g. the fact that Offices still exchanged documents in a non-electronic way.

b) Common hybrid classification

This project aimed at building a classification scheme that would serve all five offices. The EPO said it expected to provide all the substantive elements for a detailed planning during 2010, with some pilot projects starting towards the end of 2010.

PatCom commented that classification was certainly a big part of making patent information more accessible, remarking that the recent introduction of the new IPC had not gone as smoothly as many had hoped, but that it was a failure if its aim had been to improve information retrieval. PatCom thus strongly recommended that the Common Hybrid Classification project take account not only of patent offices' internal needs, but also of how patent attorneys or patent might use classification. The new system should also be able to handle rapidly developing technologies.

Finally, the EPO confirmed that its understanding was that the Common Hybrid Classification should ultimately become fully integrated into the IPC.

D. EFFECTS OF THE ECONOMIC CRISIS

The chairman said that the EPO was feeling the effects of the economic crisis, citing a drop of some 9% in filings in 2009, whereby recent months were looking a little better than the beginning of the year. He added that many other offices, with the notable exception of China, were experiencing similar, or greater declines in filings. The EPO had not, however, observed and change in patent proprietor behaviour with regard to annual renewal fees. In terms of production, the EPO was doing well in 2009.

E. QUALITY OF DATA SUPPLIED BY EPO

The EPO used this agenda point to report on some technical developments of relevance to PatCom:

a) New data to subscribers

- Provision of weekly new data to subscribers: the EPO has outsourced this procedure and increased bandwidth, and is now able to store up to 20 weeks of data on an FTP server.

b) China data

- The EPO has recently acquired legal status data from China (full backfile for invention patents and utility models, not designs) and Russia (from 2009, but no backfile yet).

c) India Data

- By the Patents (Amendment) Act, 2005, effective from 01st January 2005, the Intellectual Property Office of India (IPO) patents is required to publish the title pages of patent applications in the Official Journal 18 months after the filing.
- Although there is a data exchange agreement in place, the information about published Indian patent applications that is nicely displayed on the website of the IPO is still not available in a suitable XML format. The EPO is engaged in negotiations with the Indian Patent Office, but until now has not succeeded in getting hold of the Indian patent data.

F. esp@cenet DEVELOPMENTS

The EPO announced that it planned to implement the following enhancements to esp@cenet before the end of 2009:

- an increase in the number of allowable search terms (the EPO was currently analysing system capacity for this)
- full text of EP and EuroPCT documents will be available
- a "sort" function for results lists of less than 500 hits
- highlighting of searched terms
- extended citation coverage (examiner citations are already available; these will be supplemented by applicant citations, opposition and appeal citations, etc)
- a claims parser (as mentioned at previous meetings), showing the relationship between the claims in the document
- a new algorithm for retrieving new PCT patent publication numbers.

The EPO said that it was furthermore looking into implementing RSS feeds in esp@cenet, so that users could receive alerts when documents fulfilling predefined criteria were added to the database.

PatCom asked about security levels in esp@cenet usage, adding that there was some debate in Germany currently about searches on Google and how susceptible they were to spying or detailed observation. The EPO answered that esp@cenet itself was not a secure service, so normal risks applied. It stressed that the EPO did, of course, invest heavily in security and in ensuring that outsiders could not hack into EPO systems.

PatCom asked for a status report on the EPO's dealings with Google. The EPO replied that Google had received the standard licence agreement, but had not ordered any data at this stage.

a) usage Statistics

A new package was allowing the EPO to perform better analysis of the ways esp@cenet was being used, it said, and provided the following headline figures (based on data available on 20 September 2009)

- 1.6 million hits per day
- 1.5 million page views per day
- 40 000 visits per day
- 91 GB of data downloaded per day

G. OPS DEVELOPMENTS

The EPO reminded PatCom that version 2 of its Open Patent Services (OPS) was now in production and that the older version 1 would be stopped November 2009, following a six-month parallel run of the two versions. PatCom complimented the EPO, saying that OPS version 2 was a clear improvement over OPS version 1. It did, however, comment that the documentation could be improved.

H. DEVELOPMENTS OF THE PUBLICATION SERVER

The EPO reported that its Publication Server was now providing a very stable service. The only changes in planning were to the documents themselves. It planned to:

- offer EPO search reports in XML format
- provide the backfile and frontfile of EP documents in "PDF-A" format
- populate the frontfiles with metadata to allow a better visibility of documents.

The successful Publication Server technology is available as open sources to EPC contracting states and is currently used by Austria, Finland, Poland, the United Kingdom and by extension state Serbia. Testing is underway in Romania, The Netherlands, Ireland and Bulgaria.

EPO also announced that it had launched a tender for the production of European patent documents from 2011 and that bids would be accepted December 2009.

I. ANY OTHER BUSINESS

a) XML raw data days

PatCom once again praised the EPO for the technical "XML raw data days" it had organised in recent years, saying these had been very useful, and asked the EPO to continue the practice in 2010.

J. DATE OF THE NEXT MEETING

The next meeting was provisionally set for 17 March 2010.