

EPO-PatCom meeting
Tuesday, 17 March 2015, 14.00 hrs
Room 348, EPO Vienna

Summary of the discussions

1. PRELIMINARY REMARKS

Mr Avédikian chaired the meeting, deputising for Richard Flammer, Principal Director for Patent Information and the European Patent Academy, who was unavailable.

2. MINUTES OF THE LAST MEETING

The minutes of the meeting of 3 November 2014 were approved. PatCom thanked the minute-taker and the organising staff.

3. UPDATES FROM THE EPO

3.1. PROGRESS ON PLANNED CHANGES TO DATA

The Office reported that the major change on the horizon was the planned XML extraction for legal status, and that a large-scale data sample, equivalent to a full weekly delivery would be available in the second quarter of 2015. Parallel production of the old and new data formats would then start by the end of summer 2015. The subsequent steps would largely depend on feedback from users, but it was likely that the Office would produce a full backfile in the new format by the end of 2015. In any event, it seemed probable that the Office would continue to produce the data in both the old and new formats for much of 2016, in order to give users time to get used to a stable new product.

For DOCDB, the Office said that the rich citations project was continuing, with subscribers having received a first sample package of rich citations the previous week. Week 19 (mid-May 2015) would see a change to the XML structure in DOCDB allowing rich citations to be pushed to subscribers with the week 20 delivery. The plan was to start with Switzerland (data already present), followed by the EPO itself and all the national authorities, plus the PCT, for which the EPO carries out searches. China was expected to deliver rich citations by the end of 2015. Other countries would come later.

The entry into production of rich citations was for the front file. The backfile of EPO-produced data would follow then in 2016: the data will be loaded up to the end of the year, but it will not be triggered in the weekly exchanges. It will be made available with the back-file produced in

January 2016. The Office explained that, for rich citations (meaning citations with additional data such as the author and title for non-patent literature, or the cited passages for patent literature), it would pass on data it received from other patent offices.

Responding to a question about whether it would be possible to combine big changes to the XML structure prompted by the rich citations, and those prompted by CPC revisions, the Office said that the timing did not fit; rich citation changes would go into production mid-May, whereas the CPC changes were not precisely scheduled yet, and were certainly not imminent.

Referring to a meeting of the CWS group at WIPO level, where the EPO was an expert participant, the Office reported that a proposal had been aired to limit the WIPO standard on legal status data to patents, and not include utility models. PatCom confirmed that they supported the current broader EPO approach and that it would be regrettable to lose any of the richness that the databases have today.

3.2. ACCESS TO OPS VS. ESPACENET

Referring to its new, recently implemented policy on mandatory registration for Open Patent Service (OPS), the Office stressed that the main aims were to protect Espacenet, to make sure that human users were not disturbed by robots, and to offer a dedicated service for machines. Having successfully introduced compulsory registration to OPS, with free access to up to 2.5 GB per week, the Office felt that its new policy was the right way to proceed. There was now a dedicated environment for testing, so the existing unregistered test access to OPS would be closed.

On costs and invoicing, the Office had not issued any invoices so far, partly because few users exceeded the limit, and partly because those who had exceeded it, had been able to reduce their usage following advice from the EPO at bilateral level. Based on these experiences, the Office saw no reason to start issuing invoices at this time. It understood that PatCom members needed to budget their expenditure properly and thus gave assurances that it would not initiate invoicing without first resuming the test invoice procedure it had applied in the past.

3.3. QUALITY OF DATA SUPPLIED BY THE EPO

PatCom said that the problem they had reported on Japanese data, where FI classes had been assigned as CPC symbols, had been solved. The Office agreed, and thanked PatCom for the feedback at the time, as they had identified a problem that had slipped through the EPO's quality checks.

PatCom remarked that the Korean legal status data in the Office's database did not include information on change of ownership. The Office

confirmed it was aware of this and had been in contact with its Korean colleagues, who were currently considering the request (the name data is already available in Korean, but an English transliteration would be necessary).

PatCom requested some clarification on the terms CPC, CPCNO and CPCcombi, and the EPO explained in reply that "CPC" meant a CPC symbol assigned by EPO or USPTO, and propagated to other family members. CPCNO meant a CPC symbol assigned by another office to a document published by that office, and not propagated to other family members. CPCcombi were a concept taken from ECLA, used where only the combination of symbols described the feature well – see Patent Information News 2/2014.

3.4. IP5 GLOBAL DOSSIER

The Office report that the Global Dossier project was on track, with testing on data from Japan and Korea under way. It said it was likely that the Japanese and Korean parts of the service would go live in April 2015. It was too early to predict when the USPTO would join the service. Both Japan and Korea had indicated a desire to provide translations into English. SIPO in China was working on extending the data it included in each file wrapper, and had also improved the transmission speed of its data within the service.

3.5. CPC ADOPTION BY THE OFFICES.

The Office reported that the USPTO had agreed with the EPO to put a strong focus on quality in its CPC classifying work. In addition to the EPO and USPTO, Austria, Finland, Greece, Spain and the UK were already classifying their own publications using CPC symbols. The Czech Republic, Norway and Portugal planned to start in 2015. Denmark and Hungary were also classifying using the CPC, but not delivered any data to the Office yet. The Netherlands aimed at starting CPC classification in 2015 or 2016. For all these offices, only the front file for their own publications was concerned.

Replying to a question from PatCom, the Office confirmed that there was no intention to propagate CPCNO symbols or to perform quality checks on the classification work done by the national offices. PatCom said that it would be an advantage if the national offices could include their CPC data in the data they distributed to commercial providers, rather than only sending it to the EPO. The Office noted this suggestion, but stressed that PatCom should in principle address each individual office on this point.

Outside Europe, the Office said that China used the CPC in some technical fields and intended to expand to all fields from 2016. Korea had also stated its intention to use the CPC in all areas, but had not yet included data in its official feed. ROSPATENT was planning to start using the CPC in 2016. Brazil had started and had so far classified a first batch

of some 2500 documents. Discussions between the EPO and Mexico on using the CPC were ongoing.

3.6. LINKED DATA PROJECT

On the question of linked data, the Office said it was observing the trends and had noted that the Korean and Australian patent offices had both taken active steps with regard to linked data. Within Europe, there were two lines of thought, which seemed to conflict: a desire for openness, and increased concerns about the privacy of personal data. It was therefore considering adding a reference in its standard agreement on use of EPO data to the EU directive on personal data.

4. DEVELOPMENTS ON EPO PATENT INFORMATION PRODUCTS.

The Office announced that it planned to launch its Federated Register service within the coming weeks. Initially, the service would be offered as a proof of concept and would probably only include a small number of countries (Czech Republic, Finland, Serbia, Slovenia and maybe one or two more). The service would make legal status data on European patents in the post-grant phase available by accessing data on the fly in member states' patent registers and displaying it, using a standard set of 33 legal status expressions in the official languages. Larger member states, such as France, Germany and the UK would need more time to convert their systems and join the service.

The Office informed PatCom that it was considering decommissioning its remaining DVD products by end of 2015 (EP AB, BULLETIN).

5. CAN THE EPO OBTAIN WIPO PATENTSCOPE DATA?

The Office said that following the signing of a memorandum of understanding at political level, the EPO and WIPO were working well together in the area of patent information. The remaining discrepancies in the data available from WIPO and from the EPO were unlikely to be of a business-critical nature for users. The Office would, however, appreciate advice from PatCom on any major problems that still existed or arose in future. The question of data on the entry/non-entry of PCT applications into the national/regional phase was something between WIPO and its member states, upon which the EPO had no direct influence.

6. ANY OTHER BUSINESS

6.1. VALIDATION AGREEMENTS

PatCom drew attention to the recent announcement of Morocco's validation agreement with the EPO and asked if other countries would be

signing similar agreements. The Office replied that two other countries were already in negotiations (Moldova and Tunisia) and that others were likely to follow. In terms of legal status data, the information in the EPO's databases would be similar to that for extension countries, and include validation, annual fee payments, etc. The Office agreed to provide information on the specific requirements (translations, fees, etc) for validation upon grant, if known.

6.2. DATE OF THE NEXT MEETING

It was provisionally agreed to hold the next meeting during the EPO Patent Information Conference in Copenhagen, on 9 November 2015, 13.30 hrs. The Office will confirm the definitive date by the end of June 2015.

EPO-PatCom meeting
Tuesday, 17 March 2015, 14.00 hrs
Room 348, EPO Vienna

List of participants

PatCom

President of PatCom
Secretary of PatCom

Martine Massiera, Questel
Jane List, Extract Information

Jurjen Dijkstra, LexisNexis Univentio
Robert Fokkema, Lighthouse IP
Armin Förderer, FIZ Karlsruhe
Margit Hoehne, PatentGate
Doina Nanu, Thomson Reuters
Rob Poolman, Minesoft
Lee Smith, RWS

EPO

Director Publication
Director Promotion
Director Information
Services Processing

Pierre Avédikian
Heiko Wongel
Miguel Albrecht

Nigel Clarke
Davide Lingua
Daniel Shalloe