

**Agreed Summary upon the 6. WIPO-PatCom Meeting at Geneva,
18.02.2009, 10:00 am – 13:30 am**

WIPO Participants:

Yo Takagi, Executive Director, Global Intellectual Property Infrastructure Department
William Meredith, Head, Global IP Infrastructure Services
Ángel López Solana, Head, Standards and Documentation Service
Lutz Mailänder, Head, Patent Classification
Andrew Czajkowski, Global IP Infrastructure Services
Juneho Jang, Senior Patent Information Officer, Global IP Information Service
Alex Riechel, Associate Officer, Patent Information and IP Statistics Service
Francis Gurry, Director General (partly: 12:00 am to 12:30 am)

PatCom Participants:

Willem-Geert Lagemaat, Lighthouse IP Group, PatCom President, NL
Pierre Buffet, Questel, PatCom Executive Committee, F
Armin Förderer, FIZ Karlsruhe, PatCom Executive Committee, DE
Rob Willows, Thomson Reuters, PatCom Executive Committee, UK
Ophir Daniel, Minesoft, UK
Prof.Dr.-Ing. Georg F. Schultheiss, PatCom Honorary Secretary, DE

0. Introduction

William Meredith confirmed the approval of the summary of the 2008 meeting.

Yo Takagi welcomes the Patcom delegation and gave principal information upon the new organisational structure of WIPO with the formation of the “Information Infrastructure Department” which includes three areas:

- Patent Classification and WIPO Standards Service
- IP office modernization
- Global IP Infrastructure Services for Patents, Trademarks and Design

The reason is, that the new Director General sees a global need for

- The classic areas
- Premium services for the IP community
- Serve developing countries to stimulate interest

The new vision is that IP is for development and to benefit from it, strong national capacity is necessary. A networking of the major players in innovation via Internet advancements shall foster a break through. Internally WIPO established an aggregation of a series of activities to form a “value chain” in a loop to narrow the knowledge gap. WIPO wants to support

- the digitization of information,
- including structuring in a standardized manner and WIPO sees
- the need of a “fast hot-line network” and a smart grid of IP offices

to bridge the generator-user connection and helping financial investment. Adding of services and new projects in future shall increase the size of the market.

Willem Lagemaat thanked and started with the discussion of the first agenda point:

1. WIPO's Role in the "Big Five"-Development Program with 10 Projects

Yo Takagi explained that WIPO participated in the preparatory discussions of the IP5 program and is included in the development process. Next week WIPO invited 21 countries for a first kick-off meeting upon the reshape of the IPR-system including classification etc.

For future needs and developments a global symposium is prepared by WIPO on September 17. /18. 2009 including offices, users and commercial services. Details will be given soon.

Lutz Mailänder added, that there is agreement in the IPC community that, for good reasons, the IP5 classification harmonization efforts should be conducted within the IPC framework and that the harmonization efforts of the IP5 should not lead to a separate "hybrid classification" but a further refined IPC. For example, the EPO, with respect to ECLA, does not yet have sufficient own infrastructure, e.g. public e-fora, institutionalised revision procedures and a proper publication platform, and therefore the IP5 would have to reinvent such environments if they wanted to establish a separate "hybrid classification". The large majority of amendments that were included in the reformed IPC in the recent years already originated from such harmonization projects. In March there will be a CE meeting that will decide on certain simplifications of the reformed IPC that will provide the basis for the IP5 harmonization efforts.

Rob Willows mentions that the US need legal bases to be able to give up their classification system and that EPO policy seems to be, to give all away for free.

Yo Takagi sees a couple of steps needed. Only after having an internal IP5 data base proven in search and examination one may be able to go public. The question is: How long will that take?

Rob Willows sees an overlapping of work and services and the need for more training in future. *Yo Takagi* adds that India already needs search training.

2. PATENTSCOPE – Experiences and Development

3. WIPO Patent Information Plans

4. WIPO Raw Data Supply

William Meredith announced to sum up these agenda points and gave a presentation which will be added to the PatCom website along this summary of the meeting following the agenda (see Appendix 1). He started with an overview upon new functionalities and services. Data are available in normal data feed since beginning of 2008. The back-file will be incorporated sometime this year. Online file inspection is only available online, one can hyperlink to.

Starting in October 2008 the PCT request form is available. From early 2009 the complete PCT dossier content is deliverable. All documents on file will be visible from May or June 2009. Some documents will not be available for legal reasons.

Rob Willows asked for the delivery of the whole backlog and warns about the potential heavy usage. *William Meredith* has not yet thought about this. The size is not known so far.

Patentscope Web Service is under discussion with the aim to provide the same information as on Patentscope with more interoperability and the ability to request large volumes of data at once in a fast and reliable manner. It should be easy to integrate into other IT applications via a connection kit but will be based on a subscription in order to control the mechanism. The fee should be low. The service is available for testing (patentscope@wipo.int). WIPO is considering the outsourcing of to achieve a 7x24 operation.

The initial project on cross language searching terminated. A new project is planned in 2009 with a new approach. Co-operation projects are focussing on developing countries and are seen as demand driven. They include assistance in digitization and dissemination and for office automation.

The dissemination of national office patent data via Patentscope will be visible in the next 4 months. These data will not be available in the raw data flow. Customers and providers will have to go to various national offices. *Rob Willows* suggested that WIPO promotes the idea of being allowed to centralize this task.

Georg Schultheiss asked for the availability of terminology database. *William Meredith* explained that WIPO needs to investigate this further. *Yo Takagi* sees this as part of an overall thinking: at WIPO and depending on human resources availability. In the second half of 2009 WIPO intends to come with a concrete plan.

Georg Schultheiss asked for data on usage statistics. *William Meredith* sees the possibility to provide them in the next meeting, because they are not prepared for now.

For the raw data supply the WIPO approach is, to improve the quality and take the worst 5% for manual corrections by outsourcing.

The plan is to issue one edition every 6 months (3,000 SFr for each update (full redelivery as quality improved); 10,000 SFr for initial backlog). *Willem Lagemaat* requested the possibility to just get the amended records. *William Meredith* will look at this.

5. Missing IPCs on new WIPO Publications

Statistical data have been shown and are provided in the Patcom web site for members only. The situation improved in the last 6 months but the rate will never go down to 0% as WIPO is not classifying itself. Some delays exist in forwarding documents because of examination or because fees are not paid.

Lutz Mailänder sees still room for improvement. USPTO is no longer “the bad guy”. EPO also looks at US documents and they classify only when they start searching. EPO has taken actions. WIPO also decided to warn searching authorities 5 weeks before publication. Today, 90% of lacking codes is from EPO as searching authority.

6. Handling of “SPAM”-Patents

Willem-Geert Lagemaat explained the problem in more detail and *William Meredith* as well as *Lutz Mailänder* sees, that publication in PCT is unavoidable but special tagging may be considered. Patcom will provide samples.

7. Standards

Ángel López Solanas gave a presentation on recent results from SCIT documents, which will be included into the Patcom web site. He referred to.

ST13 revision (Application Number)

ST10/C (Patents): Decision to start with patents before addressing trademarks and designs

The presentation was interrupted as the new Director General of WIPO *Francis Gurry* joined the meeting from 12:00 to 12:30 and welcomed the Patcom representatives. The discussion concentrated on the IP5 projects and the financial crisis.

Francis Gurry sees the classification project as the No.1 as in the past there was no action because of the high backlog workload. Now a consequent resource allocation is necessary. The relations between WIPO and the offices are good, but the multilateral problems show no clear picture for solutions, so far.

The financial crisis so far shows no direct effects to WIPO as it is not examining and its aims are directed more towards office automation but WIPO sees first signs of reduced patenting activities due to the worldwide recession and expects delaying effects on their ability to implement their plans due to following budgetary effects.

Rob Willows mentions that providers see a business reduction of about 20% and there is a general agreement in the meeting that there are differences between the different economic sectors.

Willem Lagemaat thanked the Director General for coming to this meeting after all the years when he was the responsible Deputy Director General and wished him good luck and a successful work for the coming time.

The presentation upon "Standards" continued with:

ST22 (Revision for OCR): But it remains to survey what offices are doing

ST36 (Adoption of version 2.0 for annexes A & C)

ST60 (Citation practices): A survey will be published in the handbook

ST14 (Revision).

[see www.wipo.int/standards/en/pdf/07-09-01.pdf]

Survey on codes:

[see www.wipo.int/standards/en/pdf/07-10-01.pdf]

The trademark task force is working on ST67 for figurative elements.

8. WIPO Development Agenda

**Current/future actions of WIPO within a matrix:
Developing Countries/ Industrialized Countries over
PCT Material/ Non PCT Material**

Yo Takagi explained that the WIPO activities are following the 45 recommendations of the final report of the respective committee. In recommendation No 8 facilitated access to specialized databases is proposed. For specialized NPL databases WIPO sees a basis in the UN Agency Program with HINARI (Biomed & Health literature, 90

publishers), AGORA (Agriculture) and OARE (Environment). Copyright issues have to be cleared.

The envisaged fee structure is for Band 1 countries = free access

for Band 2 countries =1,000\$ per annum per institution

for Band 3 not yet fixed.

WIPO's access to research for development and innovation will be launched by mid 2009 in contact with PCT NPL Min Doc publishers.

For specialized patent databases WIPO will take a coordinating and facilitating role, also the specialization criteria are not yet clear. The whole will be demand driven.

WIPO is expecting input and suggestions from PATCOM in particular with respect to the "low fees or no fees" part.

9. Workshop Plans

The announced symposium at September 17/18, 2009 will be explained in more detail on the WIPO website (see: 0. Introduction).

10. AOB

The next meeting with WIPO is envisaged in about a year from now, possibly near another related meeting. *William Meredith* and *Georg Schultheiss* will prepare the details. The very informative meeting has been closed by 01:30 pm.

Georg F. Schultheiss
Secretary of PatCom

18.03.2009

Appendix 1

Agenda 6. WIPO-Patcom Meeting in Geneva on 18.02.2009, 10:00 am

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