



## 10<sup>TH</sup> OEPM – PatCom Meeting

OEPM Office, Madrid, 26<sup>th</sup> September 2017 at 11am.

### Agenda

1. Approval of the Agenda
2. Approval of the Minutes of the 9<sup>th</sup> Meeting in 2016
3. Development of OEPM Web-services, Usage Statistics (MRCD)
4. Provision of ES Bulk Data
5. Latipat and co-operation with Latin American countries (BR)
6. Cooperation with WIPO
7. QaS progress with EPO.
8. AOB: Spanish new law (MNN)
9. Date of next meeting

### Minutes of the meeting

#### 1,2,8) Approval, Welcome , AOB, (MN, CT)

Mariano welcomed us to the meeting , the agenda and the minutes were approved, and Carmen started by introducing key topic for AOB – the new Spanish Patent Law Act 24/2015 which came into effect on 1<sup>st</sup> April 2017.

#### 3) Development of OEPM Web-services, Usage Statistics, and Federal Register (MRCD)

*(see file PATCOM\_SEP2017\_marco.PPTX)*

There are 5 web services, 4 live and one under test (CEO) legal status , which should go live in November 2017. There are 176 users of the ‘invenes’ data these are universities, technology transfer offices, and attorneys for the most part. EU data protection legislation governs what can be made public. OEPM statistics are made available on an annual basis , and can be downloaded.

[https://www.oepm.es/es/sobre\\_oepm/actividades\\_estadisticas/estadisticas/estadisticas/](https://www.oepm.es/es/sobre_oepm/actividades_estadisticas/estadisticas/estadisticas/)

All legal status data is now available through the Federated Register, including SPCs. The data is transferred daily from OEPM to WIPO and EPO in an automated process. The federated register data began in 2016, data is reviewed, a working group is analysing usage. Also a summary page providing status of all information is under preparation.

#### 4) Provision of ES Data (BR)

*(see file PATCOM\_SEP2017\_marco.PPTX)*

Raw data is made available free of charge through download area. Data is updated daily Improvements to formats are underway for CEO and OPENDATA. The authority file is available monthly, a full dtd is available for developers. From 2004 full text in XML is available. OEPM is working with WIPO tool to convert holder data into XML. Stats on usage of Opendata will be updated. All data is compliant with the new WIPO Standard St.37

Trademarks data is also available, for in-force marks, the same data as supplied to TMVIEW.

Industrial Design image files have been improved, with multiple files now according to applicant, representative, and the data. There are no PDFs for designs. You can link to the image in colour.

RSS will soon be available. CEO document file histories for patents and designs are available,

Trademark dossiers are not yet ready. The data protection issues surrounding names and sensitive information, need to be resolved. Users have to register to view the data. The OEPM are embarking on a three year project to complete the backfile of INVENES (patents). A tender was published to

prepare the missing data ((p7). Work will take place 1H of 2018. (p.8 shows the planned backfile data.) Full data for patents and utility models from 1980, and designs from 1990.

#### **5) Latipat and co-operation with Latin American countries (BR)**

(see file **Patcom2017\_LATIPAT.pptx**).

The regional meeting in Habana, Cuba in December 2016 was attended by 90 Latin Countries, WIPO, OEPM, EPO work together. Data was discussed, with OEPM coordinator, a table is being created with up to date data availability for all countries. Many countries update irregularly. Chile for instance updated data to July 2017 recently. (see p.3,4,5,6 for table showing PDFs, biblio, countries, dates) and summary (PY, BO, PA, VE – provide no data). The dataflow is changing, the Latipat server at OEPM will close, and espacenet will take all the data. (p.8-9). There will be a webpage soon for Latipat and the programme, to access Latipat databases. OEPM teach countries to make FT. WIPO / EPO provide the solution. The next regional meeting takes place in December 2017. The meeting will aim to help more countries to improve data and coverage in a harmonised format. WIPO also takes the data direct from the offices.

Q: PatCom would like to see the data made available for purchase by commercial sector.

MN: perhaps PatCom would be able to take the data from EPO in time.

WIPO is working on the project training data. OEPM will play a leading role with the project. Letters were sent to all coordinators in December 2016. The PDG were aware of the initiative and Latipat will be presenting an overview at the PDG meeting in Erlangen in October. The work of Thomson Innovation / Clarivate was praised in helping with the gap analysis.

#### **6) Cooperation with WIPO**

MRCD participates in the working groups. PatCom asked about provision of XML data in the 2016 St.96 standard. OEPM are using this for TM and design but not patents (will keep to St.36).

#### **7) Completeness of ES coverage in DocDB / Espacenet.**

Data (p9).

OEPM has supplied data 1826 to 2015) for espacenet. As part of the QaS project the EPO are conducting a gap analysis of ES data from 1970 to 2015. Corrections / insertions of 90,000 documents were uploaded into DOCDB. Utility Models of 100,000 from 1940-1980 will be added to DOCDB.

The pre-1940 back file will be the next project, this will be scanned from paper copies. At the moment the data available is biblio only, users can request a scan of a patent of interest.

Legal status (p10). The WIPO tool to OCR St.36 format will be used, this does provide separate claims and description.

PCT national phase entry data from 2011-2016 was supplied to WIPO and also July 2016 to date for the front file. Now the file is supplied monthly in new XML format.

SPC data was also missing since 2011. A new file is in preparation and should be delivered by the end of the year. There were 84 SPCs granted in 2016 and 34 in 2015.).

#### **8) AOB:**

Key features of the new Spanish IP Law are that all patents are now examined, there are new kind codes for patents and utility models, making it easy to identify patents and utility models examined under the new law. The new law also introduces an opposition period, but this is for 6 months only. So far there have been 600 patent applications and 900 utility model applications. 13 utility models filed relate to chemical / food industry, the changes are popular with attorneys. OEPM have 135 examiners, and search reports are now published within 10 months of the application being filed. (p.2-3) ([https://www.oepm.es/en/Invenciones\\_Menu/PN\\_MU\\_CCP/](https://www.oepm.es/en/Invenciones_Menu/PN_MU_CCP/))

Unitary patent: Spain are not participating, there is no change to this position. OEPM are a technical organisation and do not set the policy. The decision was taken after much consultation with

industry, and because Spanish is not an official language for the UP Spain felt this would disadvantage Spanish applicants, particularly SMEs of which Spain has many.

Attendees:

OEPM

Mariano Nieto Navarro, Head Documentation Service, Patents and Technological Information Department (MN)

Carmen Toledo de la Torre, Head of the Technological Information Division (CT)

Blanca Vila Riudavets (BR)

Severine

María Rosa Carreras Durbán (RCD)

PatCom:

Bob Stembridge, Clarivate Analytics

Robert Fokkema, Lighthouse IP

Miriam Plana, CAS

Jurjen Dijkstra, LNU,

Jane List, Extract Information, & Secretary, PatCom

Apologies: Olivier Huc, Minesoft

Jane list , PatCom Secretary, 20<sup>th</sup> November 2017.