

Committee on WIPO Standards (CWS)

Seventh Session
Geneva, July 1 to 5, 2019

REPORT ON TASK NO. 47

Document prepared by the International Bureau

INTRODUCTION

1. At its fifth session held in 2017, the Committee on WIPO Standards (CWS) adopted WIPO Standard ST.27 “Recommendation for the exchange of patent legal status data” (see paragraphs 50 and 51 of document CWS/5/22). Following the decision at the fifth session, the Secretariat issued Circular C.CWS 92, inviting Intellectual Property Offices (IPOs) to assess their business practices and IT systems for tentative implementation of new WIPO Standard ST.27, and review the provisional detailed events in WIPO ST.27.
2. At its sixth session, the Committee noted that 11 IPOs responded to the Circular with their plans on implementing WIPO ST.27, with most indicating that they need to conduct further internal analysis before a timeline for implementation could be communicated (see paragraph 89 of document CWS/6/34).
3. At its sixth session, the Committee approved the revised WIPO ST.27, including modification to maintenance fee payment events and improvement for the descriptions of name change and ownership transfer events. Several matters were referred to the Legal Status Task Force for further consideration. (See paragraphs 73 to 86 of document CWS/6/34).

4. At its sixth session, the CWS encouraged IPOs to participate in the Task Force discussions and for IPOs to provide their mapping tables if they have not yet done so. The CWS also revised the description of Task No. 47 as follows: “prepare a final proposal for the detailed events and a final proposal for the guidance document with regard to patent legal status data; prepare a final proposal for the guidance document with respect to industrial design legal status data; prepare a recommendation for the exchange of legal status data on trademarks by industrial property offices”. (See paragraphs 71 and 72 of document CWS/6/34).

5. At its sixth session, the CWS approved the new standard “WIPO Standard ST.87 – Recommendation for the exchange of industrial design legal status data”. The CWS requested the Secretariat to issue a circular to invite IPOs to assess their business practices and IT systems and review the provisional detailed events. The CWS requested the Legal Status Task Force to finalize the list of detailed events and prepare the guidance document for industrial design legal status data and present them for consideration and approval at its seventh session. (See paragraphs 102 to 105 of document CWS/6/34).

PROGRESS REPORT

6. Following the sixth session of the CWS, the Legal Status Task Force worked to prepare:

- a final proposal for detailed events considering the information on mapping between national or regional status events and the ST.27 events provided by IPOs; and
- update to the guidance document in Standard ST.27.

7. The outcomes of the Task Force’s activities are presented for consideration at the seventh session of the Committee as follows:

- the proposed revision of WIPO Standard ST.27, including the updated detailed events and a provisional guidance document (see document CWS/7/12).

Mapping National / Regional Events to ST.27 Events

8. The CWS approved the provisional consolidated mapping table from 12 IPOs at its sixth session and requested the Secretariat to publish it on the WIPO website. (see paragraph 91 of document CWS/6/24). In January 2019, the International Bureau published ST.27 mapping tables from 12 IPOs under part 7.13 of the WIPO Handbook.

9. The International Bureau continued to collaborate with the European Patent Office (EPO) to prepare mapping tables for the national or regional patent legal status events included in the International Patent Documentation (INPADOC) database, to which around 50 IPOs provide their information. The International Bureau considers this collaborative work very important to provide more harmonized and accurate legal status information data following WIPO ST.27, which will benefit the whole IP community, in particular IP users.

Proposal to revise WIPO Standard ST.27

10. Since the sixth session of the CWS, the Legal Status Task Force has continued its work to carry out Task No. 47 and noted the need of further revision of ST.27. The Task Force held six online meetings to discuss the changes: three meetings on the common scenarios examples and three on revisions to ST.27 events.

11. Revisions proposed at the seventh session of the CWS include:

- clarifying updates to events R13 and R14 (name updates and transfer of ownership);
- changing “issued” to “completed” in events D14 and D15 (search and examination reports);
- clarifying types of applications and IP rights covered in category descriptions;

- updating the guidance document with "common scenarios", which show how several different offices map to five common examples of patent lifecycle scenarios;
- changing the name of category S from "Licensing" to "Licensing and related transactions" to better reflect its contents;
- combining events in category S for a more appropriate level of detail;
- adding a common scenarios section to the guidance document with examples of situations common to many offices; and
- adding a fixed number of characters to ST.27 codes as a reserved field for future use.

The proposed revision of WIPO Standard ST.27 is reproduced as the Annex of document CWS/7/12.

12. The Task Force proposes to continue revising titles and descriptions for categories and events as needed, as IPOs continue to work out their mappings and discover issues with clarity or completeness of coverage.

Implementation Plan of WIPO Standard ST.87

13. Following the decision made at the sixth session of the CWS, the Secretariat issued Circular C.CWS 113 on February 14, 2019, inviting IPOs to provide the results of (a) the assessment of their business practices and IT systems, including their tentative schedule for the implementation of WIPO Standard ST.87; and (b) the review of the provisional detailed events in accordance with their respective laws and practices. IPOs were requested to provide mapping tables with their submissions.

14. Ten IPOs responded to the Circular. Three IPOs (Moldova, Russian Federation, Ukraine) provided mapping tables with their submissions. The following general observations can be made about the responses and further information on the responses to the Circular will be available by oral report under item 11(c) of the draft agenda in document CWS/7/1:

- Many offices responded that their implementation plan for WIPO ST.87 is uncertain. Some offices require funding first for changes to their IT systems;
- Two offices said they are still conducting their internal assessments of ST.87 and were not ready to provide any information yet;
- Other offices mentioned that they were waiting on: the list of ST.87 events to be finalized, the XML schema components to be provided; a planned IT system upgrade to start; or an IT upgrade already underway to be completed;
- Four offices provided mapping tables from their national events to ST.87 events; and
- Four offices reported having no plans to implement ST.87.

WORK PLAN

Patent Legal Status Data

15. The Legal Status Task Force plans to continue improving the ST.27 and ST.87 event lists as necessary. In particular, it is expected that as IPOs continue to refine their event mappings, more inconsistencies or omissions may be discovered. The Task Force will attempt to resolve these issues without changes to the event titles and codes as much as possible; but in some cases minor edits may be necessary. The Task Force may also need to add new detailed events or even change the category of a particular detailed event. However, the preference is to avoid such changes if another sensible solution can be found. Major changes are not expected to the event list or the categories for the foreseeable future.

16. The Task Force requests the CWS to encourage IPOs to provide or update their mapping tables with regard to Standard ST.27. The consolidated mapping tables published in the WIPO Handbook will be updated when new submissions are received.

17. The International Bureau and the EPO plan to continue the mapping of INPADOC data to WIPO Standard ST.27 in collaboration with the original IPOs of the patent legal status data in INPADOC as long as resources are available.

Industrial Design Legal Status Data

18. The Task Force plans to update the detailed events of the standard on industrial design legal status data as needed and prepare a guidance document for consideration at the next session of the CWS. The Task Force requests the CWS to encourage IPOs to provide or update their mapping tables with regard to Standard ST.87. The International Bureau proposes that the CWS approve publication of the three submitted ST.87 mapping tables in Part 7.13 of the WIPO Handbook. When new submissions are received, Part 7.13 of the WIPO Handbook will be updated.

Trademark Legal Status Data

19. The Task Force plans to commence its work on a new standard for trademark legal status data once the pending work on WIPO Standards ST.27 and ST.87 has been completed. In particular, the Task Force would like to see the experiences of Offices who start implementing ST.27 or ST.87 to ensure there are no unexpected issues.

PROPOSAL TO REVISE THE DESCRIPTION OF TASK NO. 47

20. Taking into account the completed and remaining work on WIPO Standards ST.27 and ST.87, it is proposed to revise the description of Task No. 47 as follows: "prepare proposals for revisions to WIPO Standards ST.27 and ST.87 as needed; prepare a proposed guidance document for industrial design legal status data; prepare a recommendation for the exchange of legal status data on trademarks by industrial property offices; and support the XML4IP Task Force to develop XML components regarding legal status event data".

21. *The CWS is invited to:*

(a) note the results of the work of the Legal Status Task Force and the report of the Task Force leader, as set out in this document;

(b) note the work plan of the Legal Status Task Force and encourage IPOs to participate in the Task Force discussions, as referred to in paragraphs 15 to 19, above;

(c) encourage IPOs to provide or update their mapping tables in relation to WIPO ST.27 and ST.87, as referred to in paragraphs 8, 9, 13, and 14, above;

(d) consider publication of the received ST.87 mapping tables in Part 7.13 of the WIPO Handbook, as referred to in paragraphs 14 and 18, above; and

(e) consider and approve the proposed modification of Task No. 47 and the assignment of modified Task No. 47 to the Legal Status Task Force, as indicated in paragraph 20, above.

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