

Committee on WIPO Standards (CWS)

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RESULTS OF THE SURVEY ON USE OF IDENTIFIERS FOR APPLICANTS BY INTELLECTUAL PROPERTY OFFICES

Document prepared by the International Bureau

INTRODUCTION

1. At its sixth session in 2018, the Committee on WIPO Standards (CWS) approved the questionnaire on the Use of Identifiers for Applicants by Intellectual Property Offices. The CWS requested the Secretariat to issue a circular inviting Intellectual Property Offices (IPOs) to participate in the survey on identifiers. (See paragraphs 169 and 170 of document CWS/6/34.)
2. In November 2018, the Secretariat issued circular C.CWS.110 requesting IPOs to designate representatives to participate in the survey.

RESULTS OF THE SURVEY

3. The present survey was conducted from December 2018 to March 2019 using the questionnaire approved by the CWS. Thirty nine Offices responded to the circular to request a link to the survey. Twenty three Offices submitted responses to the survey. The International Bureau of WIPO analyzed the responses and prepared the following report for consideration by the CWS. The verbatim individual and collective responses are available at [https://www.wipo.int/edocs/mdocs/classifications/en/cws_7/cws_7_8-related1.zip].
4. The questionnaire addressed issues concerning the use of identifiers for applicant names by IPOs. This includes questions on perceived advantages and drawbacks of identifiers, how IPOs assign identifiers, and IPOs' future plans to use identifiers.

5. The following 23 Offices participated in the Survey:

AU	Australia
CA	Canada
CH	Switzerland
CN	China
CO	Colombia
CR	Costa Rica
CZ	Czech Republic
DE	Germany
DO	Dominican Republic
EE	Estonia
ES	Spain
GB	United Kingdom
HR	Croatia
IT	Italy
JP	Japan
KR	Republic of Korea
MD	Republic of Moldova
NZ	New Zealand
RU	Russian Federation
SE	Sweden
SK	Slovakia
UA	Ukraine
US	United States of America

6. This report presents a summary of responses to the questionnaire. In this report, certain comments have been reworded from the original responses for the purpose of translation, abbreviation, clarification, or harmonization. Any deviation in meaning from the original comment is not intended. The questionnaire consists of three parts and a summary of each part is described below.

7. Twenty respondents answered the questions in Part A for Offices that use or plan to use identifiers. Four offices (CA, CR, DO, US) answered the questions in Part B for Offices with no identifiers. One office answered questions in both parts.

Part A - Identifiers

8. The first part of the survey contains questions about IPOs' use or planned use of identifiers. Responses show that most Offices consider the main advantages of identifiers to be:

- Effective management of applicant information (95%); and
- Easy to change applicant's information in all relevant records simultaneously (85%).

Other responses were selected by under a third of IPOs taking the survey. Still, the range of responses, including six write-in options, shows that in general IPOs perceive many potential advantages to using applicant identifiers.

9. On perceived advantages for applicants and patent information users, IPO responses were more varied. The top responses were:

- Eliminating confusion and inconsistency by unifying multiple versions of an applicant name into a single, standardized name (79%)
- Accurate statistics on patent applicants and owners (68%)
- No need (for applicants) to repeatedly input the same information (63%)

Between a quarter and a third of IPOs agreed with the other listed advantages for applicants, with four additional write-in options.

10. Only one third of responding Offices say they publish or intend to publish the identifiers they use or plan to use for applicants. While this shows that a significant number of Offices do or will make identifiers public, it also means that two thirds of IPOs do not intend to publish their identifiers. This could indicate potential difficulties with cooperation between Offices on using identifiers. Alternatively, it could simply indicate that the identifiers these Offices currently use are not suitable for publication (such as passport or tax id numbers), while they may be open to publishing other types of identifiers that are designed to be public. Or it may indicate that these IPOs have not decided yet whether to publish identifiers that are planned for future use. Some Offices cited the EU General Data Protection Regulation as a reason not to publish, while others indicated the identifiers are only for internal purposes at the IPO. Unfortunately, the question does not distinguish between identifiers that are in use and identifiers that are planned to be used, making it difficult to tell the reasons for some Offices' reluctance to publish.

11. Among Offices that publish or plan to publish identifiers, the identifiers will be available in Official Gazettes, online portals, or e-filing systems.

12. Almost two thirds (63%) of IPOs do not plan to include identifiers in the data they exchange with other Offices. An additional 20% are not sure if they will exchange identifiers, leaving only 16% who include or plan to include identifiers in exchange data. Again, this could pose difficulties for Offices to cooperate on use of identifiers. However, at least two Offices indicated in comments that they would be willing to consider exchanging identifiers in the future.

13. About 60% of IPOs indicated that they use or plan to use codes assigned by a national authority as identifiers, while only 20% plan to use codes assigned by an international authority such as WIPO. Of the 40% who indicated "Other", the sources of identifiers they noted in their comments were mostly State registries or identification services.

14. Offices reported using a variety of mechanisms to ensure that each applicant only has one unique identifier. These include: using State personal identification cards, matching name and address, using business registration or license numbers, or using tax identifiers. Several respondents also indicated that they do not check for multiple identifiers assigned to one person or business.

15. In terms of what information IPOs request from national applicants to determine identifiers, the most common responses were: entry in the register of legal entities (42%), tax number (26%), email address (21%), and passport number (10%). A number of other types of information are also used by some Offices to assign identifiers, such as names, addresses, and personal identification numbers. For foreign applicants, Offices use these sources of information with similar frequency, with the exception of the register of legal entities (13%).

16. 63% of IPOs consider that a global identifier is a desirable solution to applicant name issues, with another 5% not sure. However, this means almost a third of Offices (32%) do not consider global identifiers to be desirable. Among the comments given, IPOs indicated that they were unsure of how a potential global id would be used and how many offices would adopt it, limiting their information for supporting global ids. On how to implement global identifiers, some Offices suggested creating a scheme for Offices to indicate national identifiers already in use by other Offices. A couple of Offices suggested having WIPO issue and manage global identifiers with PCT or Madrid applications. If global identifiers were adopted, 11 Offices indicated they would use both the global identifiers and national identifiers. Three Offices indicated they would likely transition from using national identifiers to using global ones. Four Offices indicated that there is currently not enough information about global identifiers to say what approach they would take.

Part B - No Identifier

17. Responses on this part of the survey were low, with questions 8 and 9 only receiving about 5 answers each. This likely reflects that most Offices participating in the survey use some form of identifier, as indicated by the number of responses in the first section. However, it is hard to be absolutely certain because that question was not asked explicitly in the survey.

18. For Offices which do not intend to use identifiers, three offices reported the reason as because their IT systems are not setup to support applicant identifiers. One Office (US) simply said they do not require identifiers from applicants without further explanation. As alternative approaches to using identifiers, one Office (CR) reported using data searches with manual review correction to address duplicate entries for the same owner, while another Office (DO) reported using statistical reports to detect and resolve problems.

19. As drawbacks or legal complications with using identifiers, Offices provided several issues. Some Offices (US, CA) legally require only the applicant's name and address, and they must accept what is provided. Privacy regulations for handling personal data were identified as another possible complication. Other complications were suggested with ensuring users provide the correct information and with obtaining identifiers for foreign applicants.

Part C - Standardization Efforts

20. This part of the survey had very high response rates, averaging around 20 responses to each question.

21. On issues that IPOs would consider for further investigation, three quarters (75%) indicated that use of identifiers was a high priority, with only two Offices (CR, US) making it a low priority. This shows significant support among IPOs for investigating the use of identifiers. No other option commanded support from more than half of respondents. Roughly half of Offices considered normalized names or use of standardized names by applicants to be a medium or high priority, while the other half considered those items low priority. Use of dictionaries for patentee names had the lowest support, with only seven offices assigning medium priority and none giving high priority.

22. On desired outcomes for the CWS Name Standardization Task Force, the most common response was a set of recommendations for Offices or applicants on using identifiers or name standardization (45% of responses). Another option suggested was creating a unified database of persons and legal identities (45% of responses), usually for storing global identifiers. Other suggestions included identifying situations where applicants would need identifiers (US), clarifying how to provide information such as applicant addresses (SE), and sharing computer algorithms for name standardization (KR).

23. On where standardization efforts should focus, there was no clear majority. Six of 17 responses (35%) preferred focusing on both internal IPO systems and external identifier databases. Four Offices (AU, CA, CO, IT) preferred to focus only on an external system, while three offices (ES, JP, NZ) preferred focusing on IPO internal systems. Three Offices (KR, DO, US) expressed no preference. One IPO (KR) suggested addressing the problem for different groups of applicants (domestic, foreign, past filers, future filers) according to IPOs' priorities.

24. Question 12, parts (a) and (b): On computer algorithms that Offices use or plan to use for name normalization or standardization, one third of respondents reported using an algorithm, one third reported not planning to use an algorithm, and one third weren't sure. Of those using algorithms: four Offices perform manual determinations after consulting additional data (one with applicant confirmation of the result); two offices report using fuzzy matching on names; one performs normalization on postal addresses; one uses name normalization (replacing white space, punctuation, etc); and one checks against external databases for probabilistic matching.

25. On whether standardization efforts should harmonize approaches for data exchange, 13 of 19 respondents (about 70%) said that this would be ideal. Other respondents were not sure it would be helpful. Three Offices (CA, GB, KR) remarked that name standardization has too much variability and the focus should be on developing and sharing identifiers instead.

26. *The CWS is invited to:*

(a) note the content of the present document;

(b) request the International Bureau to prepare and publish the report as well as individual and collective responses on the WIPO website.

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