

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION  
(IPC UNION)**

**COMMITTEE OF EXPERTS**

**Thirty-Sixth Session  
Geneva, February 14 to 18, 2005**

REPORT

*adopted by the Committee of Experts*

## INTRODUCTION

1. The Committee of Experts of the IPC Union (hereinafter referred to as “the Committee”) held its thirty-sixth session in Geneva from February 14 to 18, 2005. The following members of the Committee were represented at the session: Australia, Austria, Brazil, Canada, China, Croatia, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Ireland, Japan, Mexico, Netherlands, Norway, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, United Kingdom, United States of America (30). Ukraine was represented by an observer. The European Patent Office (EPO) and Eurasian Patent Organization (EAPO) were also represented. The list of participants appears as Annex I to this report.

2. The session was opened by Mr. M. Makarov, Deputy Director, Patent Information, Classification and IP Standards Service, PCT (Patent Cooperation Treaty) Information Systems Division, WIPO, who welcomed the participants on behalf of the Director General of WIPO.

## OFFICERS

3. The Committee unanimously elected Mr. A. Bruun (Sweden) as Chair and Mr. A. Okelmann (Germany) and Mr. J. Kukec Mezek (Slovenia) as Vice-Chairs.
4. Mr. M. Makarov (WIPO) acted as Secretary of the session.

## ADOPTION OF THE AGENDA

5. Having made some changes to the draft agenda, the Committee unanimously adopted the agenda, which appears as Annex II to this report.

## DISCUSSIONS, CONCLUSIONS AND DECISIONS

6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Committee (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Committee was expressed or repeated after the conclusion was reached.

## AMENDMENTS TO THE IPC EMANATING FROM REVISION PROJECTS

7. Discussions were based on document IPC/CE/36/2, containing amendments to the IPC approved by the IPC Revision Working Group, and on a compilation of comments on those amendments, submitted by France, Japan, Sweden and the EPO.
8. The Committee adopted those amendments, with minor modifications, which appear in the Technical Annexes to this report. Annex XII to this report lists the classes and subclasses for which the Committee has adopted amendments during the current revision period and Annex XIII to this report lists the classes and the subclasses to which the said Technical Annexes pertain.

### Observations Relating to the Amendments Considered

9. The Committee noted that, at its thirty-first session, new group E04F 13/20 had been adopted in the framework of project C 366. However, a group with the same symbol had already existed in the second edition of the IPC. It was therefore decided to renumber the said adopted group to E04F 13/21, keeping the same title, and to adapt accordingly the reference to this group in the note after the F16B subclass title.

## AMENDMENTS TO THE GUIDE TO THE IPC

10. Discussions were based on document IPC/CE/36/4 and on its Suppl.1, containing proposals of the International Bureau and Sweden for the amendments to the Guide to the IPC.

11. With regard to document IPC/CE/36/4, the Committee adopted the proposed amendments, with minor changes. Concerning paragraph 16 of the Guide, the Committee noted explanations of the Secretariat that a multilingual version of the IPC:CLASS CD-ROM relating to the eighth edition of the IPC could be produced in the future when national language versions of the eighth edition would be available.

12. With regard to Suppl.1 to document IPC/CE/36/4, the Committee indicated that certain caution was needed in the use of residual groups in the IPC, in order not to distort classification practice in subclasses where residual groups were present, and to this effect, adopted, with some changes, an addition to paragraph 164 of the Guide proposed by Sweden.

13. With respect to the numbering of residual main groups, the Committee noted that the IPC Revision Working Group was continuing the project on the introduction of residual groups in the IPC and agreed that the question of numbering should be finally decided when more experience had been accumulated under this project.

14. The amendments to the Guide to the IPC, adopted by the Committee, appear in Annex III to this report.

## INTRODUCTION OF RESIDUAL MAIN GROUPS IN IPC SUBCLASSES

15. Discussions were based on document IPC/CE/36/3, containing amendments to the IPC emanating from the introduction of residual main groups approved by the IPC Revision Working Group at its twelfth session, and on comments to those amendments submitted by France, the United States of America, Sweden and the EPO. The said amendments were adopted, with minor modifications, and appear as Annex IV to this report.

16. Based on the said comments submitted by Sweden, the Committee held discussions on further introduction of residual main groups in the IPC. The Committee approved the decision of the twelfth session of the Working Group to further consider how to proceed with the remaining subclasses and with the numbering of residual main groups, in the framework of project WG 111. The Working Group was, in addition, requested to investigate the different types of residual main groups, taking into consideration the said comments submitted by Sweden which should therefore be posted to project WG 111.

## WORKING PROCEDURE OF THE SPECIAL SUBCOMMITTEE FOR THE SUPERVISION OF THE ADVANCED LEVEL

17. The Committee considered Annex 16 to project file CE 352, containing a rapporteur proposal prepared by the United States of America relating to the elaboration of a working procedure of the Special Subcommittee for the Supervision of the Advanced Level. The procedure contained in that Annex was adopted, with some editorial amendments, including paragraph numbering, and appears as Annex V to this report.

## WORKING PROCEDURE OF THE IPC REVISION WORKING GROUP

18. The Committee considered Annex 11 to project file CE 353, containing a rapporteur proposal, prepared by the United States of America, relating to the elaboration of the working procedure of the IPC Revision Working Group. The procedure contained in that Annex was adopted, with some editorial amendments, and appears as Annex VI to this report.

## AMENDMENTS TO THE GUIDELINES FOR DETERMINING WHERE TO CLASSIFY PATENT DOCUMENTS

19. The Committee considered proposed amendments to the Guidelines for Determining Where to Classify Patent Documents, contained in document IPC/CE/36/5, and adopted those amendments which appear in Annex VII to this report.

## IMPLEMENTATION IN THE IPC OF THE REFORM RESULTS

20. Discussions were based on document IPC/CE/36/6 and annexes to this document relating to the implementation in the IPC of the reform results.

21. With respect to the task “Introduction of residual main groups in IPC subclasses”, the Committee noted that a large number of new residual main groups had been approved by the Revision Working Group (see paragraph 15, above). Proposals concerning how to proceed with the remaining subclasses where there was disagreement among offices, the definition of different types of residual main groups and the numbering of the existing main groups would be considered by the Working Group during the next revision period. The Committee agreed to consider this task as completed for the IPC reform basic period and gave this task to the Working Group to continue for the next revision period.

22. The Committee recalled its instruction to the Working Group relating to the task “Consideration of references in the advanced level of the IPC”, to investigate if further steps towards a final comprehensive solution, instead of inclusion of warning notes in the core level of the IPC, could be taken before the entering into force of the next edition of the IPC (see document IPC/CE/34/10, paragraph 31). The Committee noted the decision made by the Working Group to abandon the inclusion of the said warning notes and the fact that volunteering offices had proposed relevant references in those core level groups concerned, which would be finalized by the International Bureau and introduced in the eighth edition of the IPC. The Committee approved this decision and agreed to consider this task as completed.

23. With respect to the task “Updating of IPC training examples”, the Committee noted that the Working Group had approved the respective Guidelines and the corresponding template at its twelfth session. In total, 29 training example projects had been examined by the Task Force on Training Examples and seven of them had been completed. 35 additional examples had been distributed among Task Force members for consideration. The Committee instructed the Working Group to continue elaboration of this task.

24. With respect to the ongoing task “Elaboration of classification definitions,” the Committee noted that 38 definition projects had been approved in English and 18 completed both in English and French. Bearing in mind that the Working Group would consider those projects which are close to completion during its next session, the Committee realized that the target figure of 50 definitions of IPC subclasses would be reached and agreed to consider this Task as completed for the IPC reform basic period and gave this task to the Working Group to continue for the next revision period.

25. The Committee also noted that the task relating to the checking of the correctness of the core/advanced level distribution of the IPC entries had been completed by volunteering offices and its results were being introduced in the eighth edition of the IPC by the International Bureau.

26. The Committee expressed its gratitude to the Working Group, in particular, to the volunteering offices and the International Bureau, for the excellent and rapid accomplishment of the above extensive tasks, in which tremendous work was involved.

#### IPC REFORM IMPLEMENTATION PLAN

27. The Committee considered the IPC Reform Implementation Plan, as updated by the International Bureau (see document IPC/CE/36/7).

28. The Committee agreed that, in the framework of the outstanding Task 8(b) (“Creation and maintenance of the Master Classification Database (MCD) and propagation of classification data”), carried out by the EPO, a new project would be created on the IPC e-forum for collecting information on the MCD, to which the EPO was requested to post, periodically, progress reports relating to the MCD. In addition, any kind of MCD-related information, questions and answers, could, for example, be collected in this project file, which would be useful for the future implementation of the MCD.

29. In view of the remarkable progress in the elaboration of tasks of the IPC reform since 1999, the Committee updated the IPC Reform Implementation Plan, as shown in Annex VIII to this report. Having noted that, out of 19 tasks on the IPC reform program, 18 tasks had been completed and virtually all tasks relating to the realization of the reform results in the IPC had been also completed, the Committee agreed that the IPC reform basic period could then be considered as finished, and therefore, the IPC Reform Implementation Plan would not be updated and published anymore in the future.

30. The Committee expressed its satisfaction with the tremendous excellent work being done during the six-year IPC reform basic period by industrial property offices and the International Bureau, which had resulted in achieving all basic goals of the IPC reform defined in 1999, at the launch of the reform. The Committee instructed the International Bureau to provide a report to the Assembly of the IPC Union, at its next session, in 2005, describing the results of IPC reform carried out during the IPC reform basic period.

## PUBLICATION OF THE EIGHTH EDITION OF THE IPC (IPC-2006) AND RELATED MATERIAL

31. Discussions were based on document IPC/CE/36/8 containing a plan of the publication of the eighth edition of the IPC and related material, prepared by the International Bureau.

32. The Secretariat provided additional information relating to the publication of various IPC products, in response to questions raised by several Delegations. In view of the reduced volume of the printed version of the eighth edition of the IPC (only the core level), the International Bureau plans to establish a reduced price for this product, namely, 100 Swiss francs. The price of the IPC:CLASS CD-ROM would remain unchanged at 150 Swiss francs. The access to the Internet version of the eighth edition of the IPC would continue to be free of charge. Previous editions of the IPC (i.e., the first to the seventh editions of the IPC) would be available on the IPC website.

33. The Committee adopted the proposed plan of the publication of the eighth edition of the IPC (IPC-2006), which appears as Annex IX to this report.

## AVAILABILITY OF THE IPC ELECTRONIC DATA

34. Discussions were based on document IPC/CE/36/9.

35. The Secretariat informed the Committee that the Assembly of the IPC Union, at its twenty-second session in October 2004, had considered the proposal by the International Bureau to introduce prices for the electronic data of the reformed IPC. Although certain members of the Assembly had questioned whether it would be advisable to reverse WIPO's practice of making the IPC data freely available, the Assembly had agreed that this proposal should be first discussed by the IPC Committee of Experts and requested the Committee to consider the establishment of prices for the provision of the IPC data to categories of users other than industrial property offices, and to report the result of the consideration to the Assembly at its next session, in 2005 (see document IPC/A/22/3, paragraph 16).

36. The Secretariat informed the Committee that the IPC data which are the subject of the discussion represent authority files of the authentic versions (English and French) of the reformed IPC including, in comparison with previous editions of the IPC, many fundamental changes introduced by the reform. These datafiles should also be regularly updated according to a new IPC revision procedure. The changes and new features introduced are such that the IPC data can henceforth be regarded as value-added data, and their provision to all users free of charge was considered no longer appropriate.

37. The Secretariat explained that the provision and dissemination of the data relating to national versions of the IPC was under the authority of respective industrial property offices and that those offices would continue to receive the IPC data of the authentic versions of the IPC free of charge for any purposes including commercial activities. Industrial property offices would also have the right to make those datafiles freely available to organizations or companies responsible for dissemination of their patent information.

38. The Secretariat proposed that free provision of the IPC datafiles should also be retained for governmental organizations and educational institutions and that reasonable prices should be established for other categories of users, organizations or companies, depending on their intentions to use the data for internal or commercial purposes. The prices should include updates of the advanced level of the IPC and would only partially compensate the cost of the preparation and provision of the data.

39. In the extensive discussion that followed, certain Delegations considered as appropriate the establishment of prices, in view of the considerable expenses required for the preparation and provision of the datafiles of the reformed IPC, whereas other Delegations felt that the introduction of prices would negatively influence promotion of the reformed IPC.

40. The following considerations were put forward during the discussion:

- provision of the datafiles of the reformed IPC and of their regular updates should be considered as a new service of the International Bureau which should be provided against payment;
- provision of the IPC datafiles to commercial vendors of patent information could force them to increase prices for their commercial services;
- the proposed prices do not appear to be high for commercial organizations and companies;
- the International Bureau should attempt to establish marginal prices for the provision of the IPC datafiles;
- an appropriate administrative structure should be set up in the International Bureau for supporting the preparation and provision of the IPC datafiles.

41. Finally, the Committee agreed to accept the policy of establishing prices for the IPC datafiles of the authentic versions of the IPC in respect of certain categories of users, as proposed by the International Bureau. The Delegations of Ireland, the Netherlands and the United Kingdom reserved their positions on this question. The Delegation of Japan stated that it agreed to investigate ways of establishing prices for the IPC datafiles, however, in its opinion, the prices should be marginal for facilitating dissemination of the IPC data. If prices would not be established at a marginal level, Japan would reserve its position on this question. The Delegations of the United States of America and the EPO supported the position of the Delegation of Japan.

42. The Committee noted the proposed conditions for the availability of the IPC datafiles of the authentic (English and French) versions of the eighth (2006) edition of the IPC, namely:

- (i) to industrial property offices: free of charge;
- (ii) to governmental organizations and educational institutions: free of charge;

- (iii) to other organizations and companies for internal use of the data:  
3,000 Swiss francs;
- (iv) to other organizations and companies for commercial use of the data:  
10,000 Swiss francs.

43. The Committee noted that purchasers of the datafiles for commercial purposes should acknowledge WIPO's copyright in respect of the IPC data in their public products and services. The Committee also indicated that appropriate discounts should be granted for organizations and companies of developing countries.

44. The Committee requested the International Bureau to prepare a report on the results of its discussions concerning availability of the IPC electronic data, for submitting to the next session of the Assembly of the IPC Union in 2005 and to include in the report a justification for the price levels established for various categories of users.

45. Finally, the Committee expressed the wish that financial input from the sale of the IPC datafiles be directed for promotion of the reformed IPC, in particular, in developing countries.

#### REVISION OF THE CONCEPT OF OPERATIONS FOR THE REFORMED IPC (CONOPS)

46. Discussions were based on the project file CE 354 containing a revised version of the Concept of Operations for the Reformed IPC (CONOPS), prepared by the EPO, and comments submitted by the Eurasian Patent Organization, the International Bureau, Sweden and the United States of America.

47. The Delegation of the EPO introduced the revised version of CONOPS and explained that the purposes of the revision were to provide a better understanding of the text, to reflect progress in the implementation of IPC reform and to provide information with regard to questions relating to CONOPS raised at the thirty-fifth session of the Committee.

48. In the course of discussions, the Delegation of the EPO, in response to questions of the other Delegations, informed that classification data relating to previous editions of the IPC (from the first to the seventh) will be kept in the MCD for search purposes during a period of time which will be determined in the future. The Delegation also informed that access to the data present in the MCD could be provided via EPOQUE NET at cost, under the conditions described in the EPOQUE and PATNET Service Level Agreements.

49. In response to a suggestion made by one Delegation that arrangements between WIPO and International Authorities in respect of classification of PCT applications should be clarified and included in CONOPS, the Secretariat explained that this question would be discussed at the next Meeting of International Authorities which would be held from February 21 to 25, 2005. However, reference to PCT applications was included in the chapter of CONOPS dealing with newly published documents.



50. Following detailed discussion, the Committee adopted, with certain amendments, the revised text of CONOPS which appears in Annex X to this report.

#### IMPLEMENTATION OF IPC REFORM AT INDUSTRIAL PROPERTY OFFICES

51. The Committee noted the content of document IPC/CE/35/10 which summarized follow-up actions taken after its thirty-fifth session which had been requested by the Committee. The Committee approved the actions taken.

52. The Committee also noted a status report submitted by the EPO (see Suppl.1 to document IPC/CE/36/10) and thanked the EPO for its strong commitment to the implementation of the reformed IPC. The Committee noted the usefulness of a table, attached to the report, giving a detailed status of the current classifications in DOCDB per country/office and publication kind code.

53. The Delegation of the EPO requested offices using Soprano software to communicate their needs and proposals with respect to the features of IPC reform to the Soprano application manager (cherbaut@epo.org).

54. At its thirty-fifth session, the Committee had invited its members and observer organizations to include in their Delegations to the thirty-sixth session both IPC experts and IT specialists in order to ensure the most efficient discussion of implementation of IPC reform. During this session, the Secretariat organized a separate meeting of the IT experts where the ongoing developments in offices and solutions to problems identified during the last session were discussed. A summary of the discussions is contained in Annex XI to this report.

55. Following a discussion of an error correction procedure relating to the IPC data, the EPO was invited to investigate with respect to which date the valid IPC data would have to be determined by offices in order to supply the valid data. It was also invited to investigate if the complete document data would have to be resubmitted.

56. Following the recommendation of the IT experts, the Committee agreed that for products, relating to classification data of a size compatible with the online data exchange, like error logs, work lists, etc., webservices would be fully sufficient.

57. The Committee also confirmed the importance of information security with respect to webservices. It was agreed that error messages should only become accessible after publication of the respective documents and that access to webservices should be open to industrial property offices only and be individually controlled by password-based login procedures. The Committee invited its members to investigate the legal aspects of these matters and to identify their needs and requirements in this respect. The Secretariat informed the Committee that corresponding comments should be submitted to the webforum where a special topic for security issues would be created. These matters should be further deliberated during the next meeting of IT specialists (see paragraph 58 below), in order to allow the EPO to implement respective means in time before these services would become operational in 2006.

58. Following the request of the meeting of IT experts and in view of the complex process of the implementation of IPC reform in offices, the Committee also agreed that another meeting of IT experts on IPC reform would be highly desirable and requested the International Bureau to convene such a meeting for discussions of the progress in the technical implementation of IPC reform and outstanding problems relating thereto, before publication of the next edition of the IPC, so as to allow offices to still have sufficient time to prepare for IPC reform.

59. The Secretariat indicated that a two-day meeting of IT experts on IPC reform could be convened at the end of May or beginning of June 2005 and that an invitation circular on this subject would be shortly issued.

60. The Committee also invited its members and IT experts involved in the implementation of IPC reform to make use of the existing webforum for exchanging information, discussion of problems and expressing special needs of offices. The use of the webforum would be particularly advantageous for the preparation of the above-mentioned meeting and offices were invited to indicate their topics which they would wish to discuss during this meeting.

#### CLAIMS PROJECT

61. The Secretariat made a presentation of the current status of CLAIMS project and explained the development that took place since the last session of the Committee, in October 2004. The Secretariat indicated the new IPC management system (RIPCIS) as the last item of the CLAIMS project to be moved in production and provided explanations, responding to questions of delegates.

62. The Secretariat explained that the highest priority was currently the software part of RIPCIS, which was required for the publication of the reformed IPC. The Secretariat gave a live demonstration of a part of the RIPCIS system and provided information about master classification files produced by this system.

63. The Secretariat indicated that user training and testing of the functionality related to revision work would be required for some more months before the International Bureau could use RIPCIS as an IPC reference database and could envisage to open it for the IPC Member States' use.

64. The Secretariat also gave a presentation of a prototype version of the future IPC validity service, which would be hosted by WIPO.

65. The Committee expressed its appreciation of the progress of the RIPCIS system and actual completion of the CLAIMS project and requested the International Bureau to investigate the means to provide RIPCIS user training to Member States of the IPC Union.

66. The Delegation of Spain made a reference to the project of the maintenance at WIPO of the Spanish version of the advanced level of the IPC, which is financed from a Fund in Trust established by the Spanish Patent and Trademark Office with WIPO. The Delegation was concerned by the fact that no tangible action had been taken so far and expressed the wish that the progress of the project be accelerated. Otherwise, the whole project could suffer a harmful delay whose consequences were difficult to foresee. The Delegation underlined the importance of this project for Spanish-language users of patent information.

67. The Secretariat explained that some preparatory work for starting the project had been undertaken, in particular, the priority tasks had been determined and agreed upon with the Spanish Office. However, for the full launch of the project appropriate manpower resources were required. The International Bureau was taking administrative steps in order to provide the necessary staff support for the project and expected that this problem would be solved shortly.

68. Detailed information on the current status of the CLAIMS project, presented by the Secretariat, is given in the electronic version of the presentation available on the WIPO IPC website ([www.wipo.int/classifications/ipc/en/ipc\\_ce](http://www.wipo.int/classifications/ipc/en/ipc_ce)) under documents for IPC/CE/36.

#### NEXT SESSION OF THE COMMITTEE

69. The Committee noted the tentative date of its next session:

Geneva, February 2006.

*70. This report was unanimously adopted by the Committee at its closing meeting on February 18, 2005.*

[Annexes follow]