

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)****COMMITTEE OF EXPERTS****Thirty-Eighth Session
Geneva, October 9 to 13, 2006****RECLASSIFICATION OF PATENT FILES FOR A NEW VERSION OF THE
ADVANCED LEVEL OF THE IPC***Document prepared by the Secretariat*

1. The Annex to this document contains a paper submitted by the European Patent Office (EPO) concerning reclassification of patent files for a new version of the advanced level of the IPC. This paper presents the results of the meeting between the World Intellectual Property Organization (WIPO) and the EPO on the said subject, which took place in August 2006. The paper is submitted to the Committee of Experts for its information and consideration.

2. *The Committee of Experts is invited to consider the Annex to this document and to make decisions as necessary.*

[Annex follows]

ANNEX

Document prepared by the European Patent Organization (EPO)

Reclassification of Patent Files for a New Version of the Advanced Level of the IPC

In a meeting between WIPO and EPO on 24-25 August 2006, issues regarding the implementation of the IPC advanced level reclassification were discussed. The purpose of the meeting was to finalize the planning for introduction of the first new version of the advanced level on 1 January 2007 and for reclassification associated therewith. A timetable of events was created (see Appendix to this Annex). In the present document, some questions raised and subjects discussed at the meeting are presented.

Interpretation of the Content of the IPC Validity File

A discussion took place on the issue of whether it is correct for the MCD to use the Validity File from-date as a version indicator for a symbol. The conclusion was that this is not a problem because:

when the scope of an advanced level symbol changes, the current entry is closed, and a new one is opened with a from-date which matches the version indicator the MCD does not use the Validity File to determine the version indicator for core level symbols

It was agreed that the validity file specification should include clarification on this matter.

Producing Working Lists for reclassifying Offices

A country table which is used when determining the reclassifying office for any document to be reclassified is being established by the EPO in cooperation with WIPO. It contains information for each office about the following:

- a) if documents of an office are part of the PCTminimum documentation
- b) which trilateral Office (if any) is in charge of reclassifying documents of this office
- c) if an office volunteered to reclassify all its first filings, including those that have a PCTminimum family member and would normally be reclassified by the Trilateral Offices.

The EPO will send this table to WIPO, containing all known data about all offices in the list. WIPO will then publish the official version of the table

In the current table it is assumed that no office insists on reclassifying all its first filings (including those with a PCT-min family).

Offices intending to do this are invited to make this known to WIPO. For the next revision, it can then be taken into account in the distribution of documents to reclassifying offices.

The MCD is in any case ready to treat such cases if the correct entry is made in the country table.

On the basis of the country table, the EPO will send working lists to WIPO.

WIPO will then make the lists available to offices for downloading.

Reclassification by the EPO

The EPO will not intellectually reclassify the documents of its own working list, but use a conversion from ECLA, based on the reclassification already done in the corresponding Harmony projects. The conversions are based on an ECLA-IPC concordance table. The EPO will make an updated version of this table available to interested offices via WIPO.

Storing the IPC data of Reclassified Documents

Offices will be asked to send their lists of reclassified documents to WIPO in the format defined by the 'ep-ipcr-documents' dtd . WIPO will forward them to EPO.

On medium term, a central reclassification web application should be built on WIPO's website. This should enable users to view their working lists and enter reclassification data. Results of these actions will then be made available by WIPO to the EPO in a standard format.

The development of an XML web service for reclassification by offices is an option for a later date.

The results of the reclassification exercise should be stored in the MCD as close as possible to the date of entering into force of the new AL scheme, otherwise the MCD would temporarily contain invalid symbols.

Automatic Reclassification

One-to-one concordances in the Revision Concordance List will be treated automatically. Documents to be reclassified from a group that is integrally transferred to another group are not sent to offices for reclassification.

Checking of reclassification results

According to CONOPS, 6 months after the entry into force of a new version of the advanced level , a check process should be run, in order to identify any non-reclassified documents. These will be put on working lists again and sent out to offices. In view of the three-month interval of AL revision periods, this plan might have to be reviewed in order to avoid confusion by overlapping revisions.

Exchanging of reclassification results

Shortly after entering into force of a new scheme, the EPO will prepare a new data exchange product, containing all documents reclassified as part of a certain AL revision period. In order to avoid overlaps, there should be only one exchange per IPC revision, no extra deliveries.

Each delivery of reclassification results may include results of earlier revision periods, if these were loaded after the previous delivery.

The results file can be posted on the WIPO website.

General Reclassification Issues

EPO had announced to launch projects for back file reclassification of documents in new IPC8 groups (business methods, combinatorial chemistry etc), where little convertible data was present at the beginning of 2006. In the business methods field, by a combination of conversion from ECLA and loading of backfile data from JPO, more than 200.000 documents have received a classification in the new subclass G06Q. In the same way, in the field of traditional medicine, about 32.000 documents published before 2006 have received a classification in A61K36.

For the combinatorial chemistry field, this appears to be more difficult, since documents are currently distributed over many fields. Also semi-automatic measures, e.g. search strategies resulting in documents to which individual new classifications can be allocated are not easy to define and to implement.

WIPO raised the question of whether the general policy of rolling-up AL symbols in the MCD might have to be reviewed. There are indications that not all users consider this practice useful. After some experience has been gained with the system, offices should report their experiences and then a discussion at the CE could be started. The Committee is invited to discuss if and how this question should be addressed.

Other Issues

First/later indicator: EPO clarifies that this indicator is missing in cases when IPC-2006 symbols are created directly from ECLA, like in the backfile. In principle, the F/L indicator is filled in for all front file EP documents. However, for some documents published in 2006, but with a pre-2006 family member, it is possible that some symbols don't have this indicator.

In the current setup, IPC reclassification data created from ECLA (i.e. the EPO share of AL reclassification) will also **not** have this indicator. The EPO will investigate if internal data present in its DocDB database could be used in future to generate this indicator.

[Appendix follows]

RECLASSIFICATION SCHEDULE

ID	Task Name	Resource Names	September					October					November					December					January				February		
			21	28	04	11	18	25	02	09	16	23	30	06	13	20	27	04	11	18	25	01	08	15	22	29	05	12	
1	send draft country table	EPO		◆																									
2	update and publish country table	WIPO																											
3	modify RCL practice: if a group is not deleted, but changes scope, it should appear in concorcance-to list	WIPO		◆																									
4	delivery of RCL test file	WIPO		◆																									
5	delivery of VF test file	WIPO		◆																									
6	load RCL and VF in test environment	EPO			◆																								
7	feedback on possible errors in RCL and VF	EPO			◆																								
8	finish user acceptance of WL creation procedure	EPO																											
9	send test WLs to TOs	EPO																											
10	ALS projects finalized	WIPO;TO																											
11	delivery of RCL	WIPO																											
12	delivery of VF	WIPO																											
13	feedback on possible errors	EPO																											
14	publication of revised scheme	WIPO																											
15	load RCL and VF in EPO's production environment	EPO																											
16	run WL creation procedure	EPO																											
17	send out WLs to WIPO	EPO																											
18	make WLs available to NOs	WIPO																											
19	reclassification in ECLA of ALS project documents	EPO																											
20	latest date for receiving & forwarding results from NOs	WIPO																											
21	check results from national offices	EPO																											
22	2007.01 enters into force																												
23	EP reclassification	EPO																											
24	store reclassification results from natic	EPO																											
25	run automatic reclassification procedu	EPO																											
26	run checking procedure	EPO																											
27	send out reclassification results	EPO																											