

## **Special Union for the International Patent Classification (IPC Union) Committee of Experts**

**Fifty-Second Session  
Geneva, February 19 and 20, 2020**

### **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 fifty-second session in Geneva on February 19 and 20, 2020. The following members of the Committee were represented at the session: Australia, Austria, Brazil, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Israel, Japan, Mexico, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States of America (30). The Eurasian Patent Organization (EAPO), European Patent Office (EPO), Chile, India were also represented. The list of participants appears as Annex I to this report.

2. The session was opened by Mr. K. Fushimi, Director, International Classifications and Standards Division, Global Infrastructure Sector, who welcomed the participants.

## OFFICERS

3. The Committee unanimously elected Ms. Catia Valdman (Brazil) as Chair and Messrs. Burkhard Schlechter (Austria) and Kenji Shimada (Japan) as Vice-Chairs.
4. Ms. XU Ning (Mrs.) (WIPO) acted as Secretary of the session.

## ADOPTION OF THE AGENDA

5. The Committee unanimously adopted the agenda, which appears as Annex II to this report.
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.

## MODIFICATION OF THE RULES OF PROCEDURE OF THE COMMITTEE OF EXPERTS

7. The Committee considered the proposed changes to its Rules of Procedure as proposed by the International Bureau in Annex 2 under project [CE529](#) and noted that the changes to Rule 7 (3) related to the modified timing of the election of officers of the working group from the first meeting of a calendar year to that of each IPC revision cycle.
8. The Committee adopted the modified Rules of Procedure as shown in Annex I to project file [CE000](#).
9. The Committee further decided to mandate the changes to take effect after July 1, 2020.

## REPORT ON THE PROGRESS ON THE IPC REVISION PROGRAM

10. Discussions were based on Annex 14 to project file [CE462](#) prepared by the International Bureau, containing a status report on the activities of the IPC Revision Working Group (hereinafter referred to as the "Working Group"), in particular on the IPC Revision Program.
11. The Committee noted that the number of new entries that entered into force in IPC-2020.01 increased since IPC-2019.01 and reached the highest number per single revision cycle. The average number of new entries per year increased to 919 since IPC-2016.01. A very high number of new entries was expected repeatedly in future versions. The Committee also noted that the trend in the number of the revisions from 2019 to 2020 confirmed the expectations.

12. The Committee also noted further increase in the number of revision projects in IPC-2020.01 over the previous years. In particular, the number of F projects significantly increased while the number of C projects remained at the same level as in IPC-2018.01, and IPC 2019.01 respectively. The Committee also noted that in addition to the FiveIPOffices, offices such as Brazil, Canada, Germany, Sweden and the United Kingdom. submitted revision requests under the framework of the Renewed IPC Revision Roadmap (Roadmap). Furthermore, the number and status of all projects within the framework of the Roadmap were included in the status report. The Committee encouraged all offices to actively participate in the IPC Revision Program, in particular, by submitting revision requests under the framework of the Roadmap.

13. The Committee expressed its great satisfaction with the tremendous work achieved by the Working Group and confirmed, based on the figures from the report, that the distribution of the work by technology field at the Working Group meetings would remain unchanged.

14. The International Bureau was invited to include in the status report the average number of new entries per project type for information to the Committee at its next session.

### **REVIEW OF PILOT PROJECT F 082 FOR IPC E-FORUM DISCUSSIONS**

15. The Committee noted a proposal by the International Bureau in Annex 1 of project CE529 concerning a review of pilot project F082.

16. The Committee recalled its invitation to the Working Group to apply a flexible approach in the pilot project F082 to carry out discussions on revision proposal electronically by using the IPC e-forum (hereinafter referred to as the “e-forum”) to the extent possible. Only issues where no agreement could be reached electronically would be discussed during the Working Group sessions.

17. The Committee agreed with the recommendation of the Working Group to apply this flexible approach to projects of similar nature, based on the positive progress of the project F082. Furthermore, offices were invited to use the e-forum more actively for the discussion of all IPC revision projects and to submit comments and counter-proposals well in advance of each session of the Working Group.

18. The Committee also noted a proposal by the United Kingdom in Annex 4 of project CE529 concerning how to avoid late submissions to the e-forum right before the Working Group physical meetings and comments on the proposal by China, the EPO, Germany and the International Bureau in Annexes 5, 6, 10 and 11.

19. The Committee shared the opinion that both quality and efficiency were equally important for the work carried out by the Working Group and late submissions should be discouraged in order to allow enough time for consideration by the Working Group. The Committee agreed on an immediate solution by taking the following measures, in addition to the procedure specified in paragraph 14 of Annex III to document IPC/WG/36/2:

- a) the International Bureau would send to offices a notification three weeks before the Working Group physical meetings with clear indication that rapporteur reports and proposals should be submitted to the e-forum, the latest, two weeks before the Working Group meetings, after which, no comments should be submitted and later comments would not be taken into account at the coming Working Group;

- b) the International Bureau would send emails to the office(s) who submit comments after the indicated two-week deadline that those comments would not be taken into account by the Working Group; and
- c) the International Bureau would provide, at the beginning of the Working Group, a list of late submissions.

The Working Group was invited to evaluate the outcome and effectiveness of the measures above in its future meetings. Meanwhile, the Committee invited the International Bureau to investigate the feasibility of freezing the e-forum for consideration by the Committee at its next session.

## **REPORT ON THE PROGRESS OF THE CPC AND FI REVISION PROGRAMS**

20. The United States of America and the EPO gave a joint [presentation](#) on the recent developments concerning the CPC. Japan presented a [report](#) on the progress of FI/F Term.

21. The Committee was informed that the frequency of CPC releases would remain as four times for 2020, namely January 1, February 1, May 1 and August 1, 2020. As of February 1, 2020 CPC release, the CPC fully incorporated IPC 2020.01. The Committee also noted that currently fifty-seven million patent documents were classified in the CPC. The Committee was additionally informed about the availability of information of areas covered by ongoing CPC revision projects. It was further noted that the routing by using the CPC instead of the USPC would start at the USPTO in October 2020.

22. The Committee was informed that the frequency of FI revisions would be twice per year, i.e. in June and November. The Committee was further informed about the complete integration into FI of the new version of the IPC before its entering into force in January. The Committee also noted that the alignment of the FI with the latest version of the IPC had reached 99.6% as of November 2019, and the Committee expressed its gratitude to Japan for its efforts to align the FI with the latest IPC.

23. The Committee shared the understanding that the coherency between the IPC and other Classifications was critically important and the efforts to enhance and maintain such coherency should be continued.

## **CONSIDERATION OF THE NEED TO CREATE A NEW CLASS COVERING SEMICONDUCTOR TECHNOLOGY**

24. Discussions were based on project file [CE481](#), and in particular, on Annex 109, containing a rapporteur report prepared by the EPO.

25. The Committee noted that since the establishment of the Expert Group on Semiconductor technology (EGST), the EGST had held five physical meetings on the fringes of corresponding Working Group meetings to discuss specific issues under subclass H01L, and in particular, substantial progress had been made in 2019 during the last two EGST meetings.

26. It was also noted that the EGST would agree at a later stage on how to bring the envisioned new class H10 together with its subclasses into the IPC.

27. The Committee decided to endorse the continuation of project [CE481](#) and EGST activities and furthermore, change the subject of the project [CE481](#) from “The need for a new class covering semiconductor technology” to “The new class H10 for semiconductor technology”.

28. The Committee extended its gratitude to the EPO, the leading office of the EGST, and the member offices of the EGST for the efforts made and their contribution to the work done so far. The Committee further encouraged the members of the EGST to continue their work on the furrow traced over the year 2019.

#### **AMENDMENTS TO THE GUIDE TO THE IPC AND OTHER BASIC IPC DOCUMENTS**

29. Discussions were based on project file [CE454](#), in particular, on Annexes 49 and 52 to the project file, submitted respectively by the International Bureau and the EPO, containing proposed amendments to the *Guide to the IPC* (hereinafter referred to as the “*Guide*”), which integrated comments by offices.

30. The Committee adopted, with some modifications, the amendments to paragraphs 3, 15, 19, 21, 27, 40, 179 to 181, 183 and 187 of the *Guide*, which appear in Annexes 54 and 55 to the project file. These amendments would be included in version 2020 of the *Guide*.

31. Discussions were also based on project file [CE455](#), in particular on Annexes 67 and 70 to the project file, prepared respectively by the International Bureau and the EPO, containing compiled amendments to the “Guidelines for Revision of the IPC” (hereinafter referred to as the “Guidelines”), which integrated comments by offices.

32. The Committee adopted, with some modifications, the amendments to paragraphs 20bis, 30, paragraph 9(g) of Appendix III and the Glossary of Terms of Appendix VI of the Guidelines, which appear in Annex 72 to the project file.

33. The Committee decided to create project [M805](#), with the International Bureau as Rapporteur, to review the French version of the scheme where “plusieurs” was used, and to propose amendments with respect to the adopted paragraphs 183 and 187 in the *Guide* and paragraph 20bis in the Guidelines.

34. The Committee further considered rapporteur proposal by Sweden in Annex 11 to project file [CE512](#), concerning the proposed amendments to the *Guide* and Guidelines on the application of the note for multi-aspect classification in common rule areas in the IPC.

35. The Committee adopted, with some modifications, the amendments to the headings under Chapter IX, paragraphs 103 to 106, the headings under Chapter X, paragraphs 115 to 119, 141 to 146, 183 and 187 of the *Guide* and Appendix I of the Guidelines. The amendments to the *Guide* would appear in Annexes 54 and 55 to project file [CE454](#), while those to the Guidelines would appear in Annex 72 to project file [CE455](#).

36. In the context of paragraph 35 above, the Committee further decided to create three maintenance projects, i.e. [M802](#) (electrical), [M803](#) (chemical) and [M804](#) (mechanical), to review all the “multi-aspect classification” - type notes in the IPC scheme and definitions, and propose amendments based on the adopted amendments to the *Guide* and Guidelines (see paragraph 35 above). Sweden was appointed as rapporteur for projects [M802](#) and [M804](#), while Brazil as rapporteur for project [M803](#).

#### **HANDOVER OF THE WORKING LISTS MANAGEMENT FROM THE EPO TO WIPO**

37. The International Bureau delivered a [presentation](#) on the status of the handover project that was completed in 2019 with the opening to offices for production use of its new IPC Working List Management Solution (IPCWLMS).

38. The Committee took note that for the first time in 2019 the International Bureau created IPC reclassification working lists for IPC 2009.01 to IPC 2020.01 and allotted them to offices according to the revised working lists distribution algorithm adopted by the Committee in 2017 (see project [CE492](#)). The International Bureau thanked the EPO for its collaboration during the handover and presented various outcomes of the project. It also explained that IPCWLMS could function as a new repository to perform IPC data analytics or to ease data preparation for example for AI-based patent classification.

39. The International Bureau confirmed the IPC reclassification trend observed over the past years through IPCRECLASS. Across versions IPC 2009.01 to IPC 2020.01, the cumulative number of patent families which still maintain outdated symbol(s) now amounts to six million.

40. The Committee decided to consider various post-project actions in the context of the existing task force dedicated to IPCWLMS-related issues (see project [CE492](#)). Several of those actions target the reduction of the backlog, e.g., automatic reclassification based on AI and specification of conditions for automatic de-activation of old symbols in the legacy. Some other concern the front file e.g., reclassification statistics, warnings and validation during reclassification process.

41. The International Bureau encouraged offices to undertake responsible actions towards IPC reclassification and to use IPCLWMS for this purpose.

#### **REPORT ON IPC-RELATED IT SYSTEMS**

42. The International Bureau delivered a [presentation](#) on technical changes in relation with IPCWLMS, IPCPUB/IPCCAT and the e-forum.

43. The International Bureau presented the new version of IPCWLMS which replaced IPCRECLASS as the IPC reclassification service on December 16, 2019.

44. The International Bureau also presented the new features of the IPC publication platform IPCPUB including the new IPCCAT cross-lingual service and its performance.

45. The International Bureau also shared the status of the current IPC/CPC/FI dataset published in IPCPUB.

46. The International Bureau also presented how the e-forum has been re-engineered in view of its future integration within IPCRMS.

#### **EXPERIENCE FROM OFFICES ON COMPUTER-ASSISTED (E.G., AI-BASED) CLASSIFICATION**

47. Discussions were based on [presentations](#) on the experience with computer-assisted (e.g., AI-based) Classification at respective offices given by the following offices: IP Australia, the EPO, France, Germany and Japan.

48. The Committee noted that in most offices that made presentations, the current use of AI was for the purpose of routing patent applications to the relevant examination divisions and that further elaborated use was still at the research and development phase.

49. The Committee shared the importance of the exchange of information in this field and requested the International Bureau to create a project on the e-forum where all the presentation materials including the past and future ones would be put together.

## **DIVERGENCES IN IPC ALLOCATIONS**

50. Discussions were based on Annexes 7 to 9 of project [CE529](#).

51. The International Bureau proposed in Annex 7 a concept of an IPCWLMS-based service targeting easier detection of IPC places where divergence in IPC symbols allocations to patent documents appears as the highest.

52. The International Bureau emphasized that although this service only targets presentation of such divergences without interpretation of their root causes, it can assist identification of places where IPC revision is needed or serve other purposes towards patent classification practice harmonization.

53. The Committee expressed its appreciation for this initiative and confirmed the usefulness of having such service delivered on a regular basis.

54. The Committee agreed that dedicated project [CE522](#) was created on the e-forum for further discussion on e.g., the possible use and the details of its specification of the service.

## **FRAMEWORK OF TECHNICAL COMPETENCIES FOR PATENT CLASSIFICATION**

55. The International Bureau presented a proposal seeking input from the Committee for the development of a framework of technical competencies for patent examiners which includes technical competencies related to patent classification (see Annex 3 of project [CE529](#)). The development is coordinated by the International Bureau of WIPO as part of a pilot project for enhancing patent examiner training management.

56. It was agreed to create project [CE523](#) with the International Bureau as Rapporteur. The International Bureau will prepare and post on the e-forum following documents:

- an Excel table with the parts of the competency framework related to classification;
- explanations on the design principles of the competency framework (hierarchical ordering, wording, cross-references);
- instructions for review by the Committee; and
- workload estimate and tentative schedule for actions.

57. Comments would be invited on the availability of resources for the requested review and on the proposed schedule.

*58. This report was unanimously adopted by the Committee of Experts by electronic means on March 16, 2020.*

[Annexes follow]