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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION (IPC UNION)

IPC REVISION WORKING GROUP

Fourteenth Session
Geneva, November 21 to 25, 2005

REPORT

adopted by the Working Group

INTRODUCTION

1. The IPC Revision Working Group (hereinafter referred to as "the Working Group") held its fourteenth session in Geneva from November 21 to 25, 2005. The following members of the Working Group were represented at the session: Brazil, Bulgaria, Canada, China, Denmark, Finland, France, Germany, Greece, Ireland, Japan, Mexico, Norway, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovenia, Spain, Sweden, Switzerland, United Kingdom, United States of America, African Intellectual Property Organization (OAPI), European Patent Office (EPO) (26). The list of participants appears as Annex I to this report.

2. The session was opened by Mr. M. Price (United Kingdom), Chair of the Working Group. Mr. F. Gurry, Deputy Director General, WIPO, welcomed the participants on behalf of the Director General.

OFFICERS

3. Mr. A. Farassopoulos (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

4. The Working Group unanimously adopted the agenda, which appears as Annex II to this report.

DISCUSSIONS, CONCLUSIONS AND DECISIONS

5. 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 Working Group (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 Working Group was expressed or repeated after the conclusion was reached.

INTRODUCTION OF RESIDUAL MAIN GROUPS IN IPC SUBCLASSES

6. Discussions were based on a compilation of the latest submissions to the project file WG 111. The Working Group agreed that subclasses where consensus had been reached in the course of residual projects that a new residual main group was not needed, should not be reviewed again, and that no residual main groups should be created therein. The recently introduced new residual main groups (see Annex IV to document IPC/CE/36/11) should not be reviewed again.

7. It was further decided that the review of all 184 subclasses where no consensus had been reached (see Annex III to this report) should be continued and this task should be completed during the current revision period, if possible. In order to assure the timely completion of this task, the Working Group agreed on the following actions:

(a) Rapporteurs of existing definition projects whose respective subclass is among the subclasses without consensus should review the need for a residual main group in that subclass, taking into account the different opinions submitted in the course of projects R 701 to R 706, and submit their recommendations by March 31, 2006, to the corresponding R 701 to R 706 projects.

(b) For all remaining subclasses (i.e., where there is no consensus and no definition project), Rapporteurs of projects R 701 to R 706 should review the latest comments and submit their recommendations regarding the introduction of a new residual main group or the initiation of a definition project, in difficult cases, by March 31, 2006.

(c) Offices were invited to submit comments on Rapporteurs' recommendations by May 5, 2006, in order to allow Rapporteurs to review these comments before the next session of the Working Group.

(d) The Working Group agreed to consider the recommendations, any comments and replies of Rapporteurs to those comments at its next session.

Particular Instructions for Creating New Residual Main Groups

8. The Working Group approved the following particular instructions for creating new residual main groups:

(a) The sole reason for introduction of a new residual main group in a subclass should be the fact that the scope of that subclass is not exhausted by the existing main groups.

(b) For new residual main groups the standard title “Subject matter not provided for in other groups of this subclass” should be used unless a new residual main group would be clearly residual to only a part of the subclass, e.g., in case of subclasses with multi-part titles or of existing residual main groups with specific titles.

(c) No references should be included in any residual groups and there should be no subgroups under them.

(d) Residual main groups being residual to the whole subclass should in general carry the number 99/00; they should carry the number 999/00 only in exceptional cases when the numbering of existing classification groups goes beyond 100/00.

(e) The numbering of new residual groups with specific titles, i.e., of groups being residual to only a part of the subclass, should be different from 99/00 or 999/00 and should be chosen such, if possible, that the residual group is positioned after all the groups of similar subject matter to which it is residual.

(f) No guidelines for creating residual main groups would be needed because the above decisions would be fully sufficient as instructions to rapporteurs.

Further Actions

9. The following further actions were approved:

(a) A regular review of residual groups having standard titles should be instituted in order to identify subject matter or new technology that may require creation of new ordinary classification groups; the Secretariat was asked to prepare a proposal for a procedure for such regular reviews to be considered at the next session of the Working Group.

(b) No immediate amendments to paragraphs 55 to 57, 162 to 164 and 183 of the Guide would be necessary. The proposed amendments could be examined in the framework of Task 10 as proposed in the IPC development program.

(c) Existing residual groups being residual to their whole subclass should be renumbered to 99/00 or 999/00, and their titles should be replaced by the standard title, in the framework of the systematic maintenance of the IPC.

(d) Existing residual main groups with subgroups should be reviewed with the intention to convert these subgroups to conventional classification groups.

PROPOSALS FOR IMPROVING THE IPC

10. Following the procedure adopted at the twelfth session of the Working Group, proposals were submitted in project WG 012, by France, the United Kingdom and by the International Bureau, concerning improvements in class C12 and in subclasses A23B, C08K, C08L, C10L and C12G (see Annexes 3, 4 and 6 to project file WG 012).

Class C12 – The Working Group approved the proposal, submitted by France (see Annex 4 to project file WG 012), containing the French version of the amendments already approved at the thirteenth session of the Working Group (see document IPC/WG/13/5, paragraph 10). This French version was approved with some editorial amendments (see Annexes 3F and 4F to this report).

Subclass A23B – Discussions were based on Annex 6 to project file WG 012 containing a proposal by the United Kingdom to move the advanced level group A23B 7/06 below the core level group A23B 7/005, in order to achieve consistent classification in the advanced and the core levels. Since this proposal concerned an advanced level group, it was referred to the Advanced Level Subcommittee for consideration.

Subclasses C08K, C08L – Discussions were based on Annex 6 to project file WG 012 containing a proposal by the United Kingdom to amend notes 3 and 4 after the title of subclass C08K and note 5 after the title of subclass C08L, in order to clarify how to classify combinations of macromolecular and non-macromolecular components in these subclasses.

In view of the complexity of the proposed amendments and the limited time that had been available for their consideration, it was decided that they should be considered in the framework of a revision project (C 433) and the United Kingdom was invited to submit a new detailed proposal within that project.

Subclass C10L –The Working Group approved the proposal by the International Bureau (see Annex 3 to project file WG 012), to amend the title of subclass C10L in order to bring it in conformity with the title of main group C10L10/00, which had been modified during the previous revision period in the framework of revision project C 363 (see Annex 2 this report).

Subclass C12G Discussions were based on Annex 6 to project file WG 012 containing a proposal, by the United Kingdom, to clarify the title of the advanced level group C12G 1/08 in relation to the use of the term “degorgeage”. It was decided that although the proposed amendment was an editorial improvement, it did not resolve alone the overlap between subclasses C12G and C12H. A further development of this proposal was necessary to resolve this overlap and the United Kingdom was invited to submit a detailed request for the revision of the advanced level (project SC020).

11. It was noted that the Advanced Level Subcommittee had considered the problem of inconsistent classification of “oxytocins” between the advanced and the core levels, referred by the Working Group at its thirteenth session (see document IPC/WG/13/5, paragraph 10). The Subcommittee, after examination of different options, had decided to move group A61K 38/11 below group A61K 38/08, without change in its title and hierarchy,

keeping it in the advanced level (see Annex 4 to project file WG 012). This solution was preferred since it would correct the present inconsistent classification between the two levels at the entry into force of the next version of the advanced level, while allowing the correction of the core level classification of the backfile using automatic reclassification.

UPDATING OF THE IPC MATERIAL IN *THE WIPO HANDBOOK ON INDUSTRIAL PROPERTY INFORMATION AND DOCUMENTATION*

12. The Working Group had before it a Rapporteur proposal, submitted by Sweden, containing the Guidelines for the Revision of the IPC (see Annex 25 to project file WG 113), with related annexes and subsequent comments submitted by the United States of America and by Sweden (see, respectively, Annexes 26 and 27 to the project file).

13. The Guidelines and the related annexes were discussed and approved, with some modifications in the English version, and appear as Annex IV to this report. In particular, the Working Group decided that references from function-oriented to application-oriented places, and references out of residual places, should normally only be presented in the Definitions, under the heading “References Relevant to Classification”, and not in the classification schemes.

14. It was noted that the International Bureau would prepare a draft French version of these Guidelines, shortly after this session, and post it to the IPC e-forum for comments. Based on the comments, the International Bureau would prepare the final French version, which, together with the approved English version, would be submitted to the thirty-seventh session of the IPC Committee of Experts (hereinafter referred to as “the Committee”) for adoption.

IPC REVISION PROJECT RELATING TO THE CHEMICAL FIELD

15. The Working Group considered the Rapporteur’s report and proposal prepared by China in light of the comments submitted under Project C 432, relating to the revision of group A01N 65/00 (see Annexes 13 to 19 to project file C 432).

16. The Working Group discussed the problem of future reclassification in this area after adoption of the scheme under consideration, in view of the limited resources or the low priority given to this project by members of the Advanced Level Subcommittee. It was confirmed that this matter should be considered by the Committee of Experts and, in that respect, it was noted that the EPO would present a paper, on behalf of the Trilateral Offices, to the next session of the Committee, addressing the problem of reclassification for projects where an office of the Subcommittee would not be able to commit sufficient resources.

17. It was noted that, according to Espacenet, approximately 8,000 documents worldwide were classified in group A01N 65/00 (including family members), largely exceeding the criteria defined by the Committee for the core level revision. Furthermore, in view of this substantial file size, the Working Group reconfirmed its decision, taken at its previous session, to subdivide group A01N 65/00 into approximately 20 subgroups up to the level of two dots.

18. The scope of group A01N 65/00, as redefined at the thirteenth session of the Working Group, was confirmed and its title was slightly amended. Four one-dot and one two-dot groups were approved. Latin names were used in the titles with their common name in square brackets. It was decided that a group covering “magnoliophyta” was not needed because it would be empty in view of the adoption of groups 65/08 and 65/40 covering “magnoliopsida” and “liliopsida”, respectively (see Annex 1E to this report).

19. It was decided that the references to groups A01N 27/00 to 59/00, in groups A01N 63/00 and 65/00, were appropriate since they are limiting references. It was noted that compounds of determined constitution should be classified in groups A01N 27/00 to 59/00 independently if they were extracted from plant or equivalent material. In the absence of these references, and in view of the last place rule applied in this subclass, such compounds could be classified in groups A01N 63/00 and 65/00.

20. Comments were invited by February 20, 2006, on:

– the necessity of the one-dot group 65/02 covering ”algae” proposed by Rapporteur;

– the remaining two-dot subgroups of group 65/08 and 65/40, as proposed by Rapporteur in Annex 11 to project file.

21. The Rapporteur was invited to submit a consolidated proposal, by March 31, 2006, taking into account the comments to be submitted. In the consolidated proposal, group titles should be drafted to be consistent with the corresponding subgroups of main group A61K36/00.

UPDATING OF IPC TRAINING EXAMPLES

22. The Working Group formally approved the following 57 training examples which had been completed by the Task Force during its previous five sessions.

Chemistry (21): TE101 (Annex 15), TE102 (Annex 15), TE103 (Annex 18), TE104 (Annex 12), TE105 (Annex 12), TE107 (Annex 20), TE108 (Annex 14), TE109 (Annex 13), TE110 (Annex 19), TE111 (Annex 22), TE112 (Annex 10), TE113 (Annex 11), TE117 (Annex 11), TE118 (Annex 11), TE121 (Annex 12), TE125 (Annex 13), TE127 (Annex 22), TE128 (Annex 14), TE129 (Annex 18), TE130 (Annex 13), TE133 (Annex 9).

Mechanics (14): TE201 (Annex 8), TE202 (Annex 14), TE203 (Annex 5), TE205 (Annex 18), TE206 (Annex 17), TE207 (Annex 8), TE210 (Annex 12), TE211 (Annex 13), TE212 (Annex 6), TE213 (Annex 13), TE214 (Annex 11), TE215 (Annex 10), TE220 (Annex 6), TE223 (Annex 15).

Electricity (22): TE301 (Annex 8), TE302 (Annex 7), TE303 (Annex 11), TE304 (Annex 12), TE305 (Annex 9), TE306 (Annex 12), TE307 (Annex 20), TE308 (Annex 12), TE309 (Annex 15), TE310 (Annex 12), TE311 (Annex 13), TE314 (Annex 12), TE315 (Annex 10), TE319 (Annex 9), TE320 (Annex 12), TE322 (Annex 7), TE323 (Annex 10), TE324 (Annex 9), TE329 (Annex 9), TE332 (Annex 6), TE333 (Annex 15), TE335 (Annex 8).

23. The Working Group agreed with the proposal made by the Task Force that the IPC training examples should be updated and revised in a continuous manner, for example, whenever a revision project involves the creation of a new subclass or an extensive revision of an existing one, a training example should be created, or updated if one exists already, in order that IPC training examples would reflect up-to-date technologies.

24. The Working Group noted the difficulty in finding training examples with identical family members in the three languages (English, French and German) and agreed that using "artificial examples" could be a solution to this problem. It was confirmed that the examples would be available in English and French.

25. The Working Group noted that, during this session, the Task Force on IPC Training Examples held separate meetings in the three technical fields, where a total of 23 training example projects were discussed, of which 12 training example projects were approved by the Task Force and one was withdrawn. A summary of these discussions appears as Annex V to this report.

26. It was also agreed that the following 12 projects that were completed by the Task Force during this session could be considered as formally approved by the Working Group as well, subject to further consideration by the Editorial Board:

Chemistry: TE119, TE124.

Mechanics: TE204, TE217, TE224, TE227, TE229, TE230, TE231.

Electricity: TE316, TE326, TE330.

27. It was also noted that there were still a certain number of projects which would require another round of actions. The decisions of the Task Force with respect to the training example projects and deadlines for the next round of actions are summarized in Annex VI to this report.

PUBLICATION OF IPC TRAINING EXAMPLES

28. Discussions were based on document IPC/WG/14/2 indicating how the French version of the training examples would be prepared and how and when the training examples would be published.

29. It was noted that the International Bureau would prepare the initial French versions of the approved training examples. In view of the limited available resources, these French versions would be prepared gradually, with the aim to complete the currently approved collection by April 2006. As soon as a French version is ready, it will be posted to the corresponding TE project for comments. On the basis of these comments, the International Bureau will prepare the final French version, to be approved electronically by at least three French-speaking offices.

30. The collection of the formally approved IPC training examples, after consideration by the Editorial Board, will be made available to offices, e.g., on the IBIS website, in compiled Word and PDF files by the end of 2005. Once the process of the preparation of the French version is completed, the two language collections will be published on the IPC website.

31. The formally approved IPC training examples will also be published in the form of Internet-based interactive IPC tutorials. The tutorials will contain two separate sets of training examples – one for the core and one for the advanced level of the IPC. The International Bureau will introduce the training examples to the IPC tutorials gradually, beginning by the end of 2005. During this introduction period, access to the tutorials will be limited to offices. Once the complete collection in both languages is fully introduced, the tutorials will be published on the IPC website.

32. Examples approved at the fifteenth session of the Working Group will be afterwards added to both the compiled files and the tutorials mentioned in paragraphs 30 and 31, above.

IPC DEFINITIONS PROGRAM

33. The Working Group had before it, in particular, document IPC/WG/13/5 and compilations of the relevant definition project files. The decisions of the Working Group with respect to those projects, in particular new deadlines and appointment of offices for the preparation of French versions, are listed in Annex VII to this report. It was further agreed to create new definition projects D115 to D123 (for details see said Annex VII). Further information with respect to some of those decisions is given in paragraph 34, below.

34. The Working Group made the following observations, in addition to the decisions set forth in Annex VII to this report, with respect to the cited IPC definition projects. All references to annexes in this paragraph refer to annexes of the corresponding project file, unless otherwise stated.

IPC Definition Projects

Project D 006 (electrical) – The Working Group approved the French version of Annex 48, subject to some editorial changes.

Project D 009 (electrical) – The Working Group approved the French version of Annex 34, subject to some editorial changes.

Project D 014 (mechanical) – The Working Group approved the French version of Annex 27.

Project D 016 (mechanical) – The Working Group approved the English version of Annex 20.

Project D 018 (mechanical) – The Working Group approved the French version of Annex 30.

Project D 031 (mechanical) – The Working Group approved the English version of Annex 39.

Project D 034 (mechanical) – The Working Group approved the English version of Annex 22, subject to some editorial amendments.

Project D 035 (mechanical) – The Working Group approved the English version of Annex 15.

Project D 036 (chemical) – The Working Group approved the English version of Annex 52.

Project D 043 (electrical) – The Working Group approved the English version of Annex 16, subject to some editorial amendments.

Project D 046 (electrical) – The Working Group approved the English version of Annex 15, subject to some editorial amendments, e.g., the reference to group A61F 9/00 should be placed in the Informative References section.

Project D 048 (electrical) – The Working Group approved the English version of Annex 27 and the French version of Annex 28.

Project D 049 (electrical) – After some discussion, the Working Group agreed that definitions for main groups should not be combined (see definitions for main groups H04L 13/00 to 17/00 and H04L 19/00 to 23/00 in Annex 21). The Rapporteur was therefore invited to split these combined definitions into definitions for individual main groups, to apply the new template and, if necessary, to sort the references according to subsections in the section “References Relevant to Classification”. The translating Office was asked to amend the French version accordingly after the submission of the new English version.

Project D 053 (electrical) – The Working Group approved the English version of Annex 11 and asked the translating Office to amend the French version accordingly.

Project D 054 (electrical) – The Rapporteur informed the Working Group that the Trilateral Offices were currently achieving considerable progress in establishing the advanced level for the new subclass G06Q. Since this work has an impact on the subclass definitions, and in particular on definitions of main groups, the latest proposal should be revised. In view of the importance of definitions for classifying the complex subject matter of this new subclass, the Working Group felt that the elaboration of the subclass definition should not be delayed, and asked the Rapporteur to submit a revised

proposal during the first half of 2006. Priority should be given to the elaboration of the subclass definition, while the elaboration of main group definitions could be postponed.

Project D 055 (mechanical) – The Working Group recalled its decision regarding the creation of this definition project (see paragraph 14 of document IPC/WG/9/8), agreed that definitions for classes were not desirable and that in this project, individual definitions for each subclass of class F21 should be established.

Project D 058 (mechanical) – The Working Group agreed that, according to the experience that the German Patent and Trade Mark Office had gained in the course of test classification, definitions for the new subclass B60W were urgently needed and invited a new Rapporteur report and proposal by December 31, 2005, taking into account the latest submitted comments (see Annexes 9 to 12), removing the part in the definition statement "this subclass does not cover" to the relationship or the references section and applying the new template in respect of "references relevant for classification". Comments were invited on the proposal to be submitted.

Project D 059 (electrical) – The Working Group invited the Rapporteur to prepare a new proposal taking into account the latest comments by Japan (see Annex 4).

Project D 060 (mechanical) – The Working Group invited the Rapporteur to prepare a new report, after reviewing the references relevant to classification and taking into account the latest comments submitted to the project file. It was also agreed that the term "motor" should be replaced by "machine" in the first entry of the Glossary.

Project D 061 (chemical) – The Working Group approved the French version of Annex 15 and corresponding amendments to the English version of Annex 13.

Project D 062 (chemical) – The Working Group approved the French version of Annex 11 and corresponding proposed amendments to the English version of Annex 12 (see remarks at the end of Annex 11).

Project D 063 (chemical) – The Working Group approved the French version of Annex 11 and agreed to delete the expression "overlaps with" in the informative reference of the English version of Annex 7.

Project D 066 (chemical) – The Working Group approved the French version of Annex 9.

Project D 070 (mechanical) –The Working Group invited a new Rapporteur's proposal taking into account the latest comments submitted to the project file. The Working Group agreed that the subject matter of each subclass to which A23L is residual, listed in the definition statement, should be indicated as in the section "Relationship Between Large Subject Matter Areas". It was also agreed that in the section "Relationship Between Large Subject Matter Areas", the wording "matter of function or application" was not sufficiently clear and that a reference to paragraphs 85 to 87 of the Guide should be included.

Project D 072 (electrical) – After some discussion of the two recently submitted comments, regarding the classification of specially adapted equipment using Radio Frequency

IDentification (RFID) technology in this subclass (see Annexes 10 and 11), the Working Group invited further comments on this issue and on how the relation to RFID technology *per se* should be taken into account in this definition. The Rapporteur was invited to prepare a new proposal based on the comments to be submitted. The Rapporteur was also requested to review whether the reference to subclass G07D should be considered as a limiting reference.

IPC DEVELOPMENT PROGRAM FOR THE YEARS 2005 TO 2008

35. The Working Group had before it a rapporteur proposal of an IPC development program for the next revision period and a counterproposal submitted by Sweden (see Annexes 5 and 6 respectively to project file CE 372). It was noted that the two proposals were mainly identical in substance and only the presentation was different. Based on the counterproposal, a development program was approved, which appears as Annex VIII to this report.

36. The Advanced Level Subcommittee was invited to prepare, by December 15, 2005, a corresponding program for the tasks under its responsibility. The International Bureau was invited to combine the programs approved by the Subcommittee and by the Working Group, into one proposal to be submitted to the thirty-seventh session of the Committee of Experts for adoption.

PROCEDURE FOR THE ADOPTION OF REPORTS

37. The Working Group noted an oral report by the Secretariat on the practice that has been followed for the adoption of the report of the thirteenth session of the Working Group, based on the procedure that had been approved at that session (see document IPC/WG/13/5, paragraphs 46 to 52).

38. The draft report was prepared and posted to the e-forum five working days after the end of the session. During the following week, six offices submitted comments. United Kingdom submitted joint comments with Ireland and the United States of America as recommended in the procedure. In total, 29 amendments were submitted and almost all of them were introduced in the final report. In one case, an exchange of e-mails was necessary in order to clarify a point.

39. The final report was submitted to the e-forum 14 working days after the end of the session, almost on time within the deadline indicated in the procedure.

40. The Working Group expressed its satisfaction with the procedure as it was applied, and decided to follow it for the adoption of the current and future session reports.

STATUS OF THE WORK

41. The Chair stated that, on the agenda of this session, nine definition projects were approved in English and nine definition projects were completed in both English and French. In total 48 definition projects have been completed so far. He also indicated that Annex VII

to this report gave the status of each definition project on the program. He finally stated that 24 training example projects were examined by the Task Force, 12 of them were completed and 3 conditionally approved. In total, 69 training example projects were completed and approved by the Working Group. Annex VI to this report gave the status of each training example project on the program.

42. The Chair stated that, at this session, the Working Group had continued an important work program of the implementation of the results of IPC reform and had achieved good progress.

NEXT SESSION OF THE WORKING GROUP

43. The Working Group having assessed the workload expected for its next session (see paragraph 44, below), agreed to devote the first two days to the mechanical field, the third day to the electrical field and the last two days to the chemical field. When convening the next session, the International Bureau was requested to consider the possible need for an extension of the session, depending on the envisaged amount of work, and for the modification of the number of days devoted to any technical field.

44. The Working Group noted the following tentative dates for its fifteenth session.

May 29 to June 2, 2006.

THANKS TO MR. OKELMANN AND MR. BRUCKMAYER

45. On the occasion of Mr. Okelmann's and Mr. Bruckmayer's (Germany) retirement, the Working Group and the International Bureau thanked them and expressed high appreciation of their excellent contribution to the development of the IPC, especially in the period of its reform, both as representatives of their Office and as chairmen of various IPC bodies. The Working Group and the International Bureau wished them a long and very happy retirement.

46. The Working Group unanimously adopted this report by electronic means on December 9, 2005.

[Annexes follow]