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WORLD INTELLECTUAL PROPERTY ORGANIZATION
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**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)**

IPC REVISION WORKING GROUP

**Third Session
Geneva, June 5 to 16, 2000**

REPORT

adopted by the Working Group

INTRODUCTION

1. The IPC Revision Working Group (hereinafter referred to as “the Working Group”) held its third session in Geneva from June 5 to 16, 2000. The following members of the Working Group were represented at the session: Belgium, Croatia, Denmark, Egypt, France, Germany, Japan, Norway, Portugal, Romania, Russian Federation, Spain, Sweden, Switzerland, United Kingdom, United States of America, African Intellectual Property Organization (OAPI), European Patent Office (EPO) (18). Slovenia was represented by an observer. The list of participants appears as Annex A to this report.
2. The session was opened by Mr. M. Makarov, Head, International Patent Classification Section, Inter-Office Information Services, WIPO, who welcomed the participants on behalf of the Director General.

OFFICERS

3. The Working Group unanimously reelected Mr. A. Bruun (Sweden) as Chair and elected Mr. A. Okelmann (Germany) as Vice-Chair for 2000.

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

ADOPTION OF THE AGENDA

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

CONCLUSIONS, DISCUSSIONS 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 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.

REPORT ON THE TWENTY-NINTH SESSION OF THE IPC COMMITTEE OF EXPERTS

7. The Working Group noted an oral report by the International Bureau on the twenty-ninth session of the IPC Committee of Experts (hereinafter referred to as “the Committee”) (see document IPC/CE/29/11), at which session the Committee had adopted the strategic plan and the long-term goals for the development of the IPC. The Working Group noted the recommendations adopted by the Committee on the introduction of electronic data illustrating the contents of the IPC. The Working Group further noted the approval by the Committee of the recommendation that the introduction of multi-aspect classification schemes should be systematically considered.

8. Finally, the Working Group was informed that the Committee had adopted the procedure for the introduction of informative references in the IPC and had agreed that the provisional presentation of informative references in the form of informative notes should be reviewed and that the difference between informative and defining references should be studied.

REPORT ON THE THIRD SESSION OF THE AD HOC IPC REFORM WORKING GROUP

9. The Working Group noted an oral report by the International Bureau on the third session of the ad hoc IPC Reform Working Group (see document IPC/REF/3/2), in particular that the ad hoc IPC Reform Working Group had agreed that the core level of the reformed IPC would be a restricted version of the seventh edition of the IPC and that ways and means for the establishment of the French version of the advanced level of the IPC should be studied.

10. The Working Group noted that the ad hoc IPC Reform Working Group had agreed that a process of creation of classification definitions should be initiated in 2000. The definitions elaborated by the Definition Task Force should be reviewed by the Working Group at its fourth session, with a view towards incorporation of those definitions in the eighth edition of the IPC. Furthermore, the Working Group had been requested to attempt, at its fourth session, to elaborate definitions under revision projects leading to the creation of new subclasses or substantial restructuring of existing subclasses and to consider the procedure to be used for the implementation of new definitions.

IPC REVISION PROGRAM

General

11. The Working Group discussed 49 pending IPC revision projects and approved amendments relating to those projects (see Annexes 1 to 62 to this report). The decisions of the Working Group in respect of those projects are listed in Annex C to this report, and further information with respect to some of these decisions is given in paragraph 13, below. A list indicating to which classes or subclasses amendments have been approved during the revision period appears as Annex D to this report. Changes to amendments approved at earlier sessions are indicated in Annex E to this report.

12. The Working Group had before it, in particular, document IPC/WG/2/3 and the relevant project files.

IPC Revision Projects

13. The Working Group made the following observations, in addition to the decisions set forth in Annex C to this report, with respect to the IPC revision projects:

Project C 278 (mechanical) – A part of the Rapporteur's proposal was approved (see Annex 1, relating to subclass B 32 B, to this report, unless otherwise indicated).

Comments were invited on:

– whether a residual main group covering layered products not characterized by their structure or composition should be created after main group 29/00, or whether those layered products should be classified according to methods of making thereof as proposed in Note (1) following the Guide heading “Methods or apparatus for making layered products” (see Annex 26 to the project file). If the latter solution was considered preferable, whether the said note should be transferred to a set of notes following the subclass title;

– whether the wording of the proposed group 37/16 (see the said Annex 26) reflected its intended scope;

– how the term “self-supporting” in groups 37/16 and 37/24 could be clarified or replaced by another term, bearing in mind that this term did not correctly define the scope of the said groups relating to independent layers preexisting before laminating;

- the intended scope of the proposed group 37/58 (see the said Annex 26) and how its wording could be modified to clearly define its scope;
- how the term “sandwich panels” in group 37/32 could be defined and whether its definition should be included in the Note before main group 37/00.

The EPO was invited to submit a revised proposal relating to the remainder of the Rapporteur’s proposal (see Annex 26 to the project file), covering the proposed groups 37/90 to 39/12, and to propose detailed transfer notes for deleted groups.

Comments were invited on the proposal to be submitted.

Project C 325 (mechanical) – It was agreed that references in group B 60 R 16/04 were informative, and they were transferred therefore to the informative layer of the IPC (see Annex 5 to this report).

Project C 341 (chemical) – It was agreed that references in group A 61 K 50/00, proposed by the Rapporteur (see Annex 23 to the project file) should be considered as informative and included in the informative layer of the IPC. It was also agreed that an informative reference to the new group A 61 K 50/00 (see Annex 19 to this report) was needed in group A 61 B 18/00.

The Rapporteur was requested to submit a proposal relating to the introduction of the above-mentioned references according to the agreed presentation of informative references in the form of informative notes (see document IPC/WG/1/2, Project C 325).

The Working Group agreed to introduce a reference from the function-oriented place C 09 J 9/02 to the application place A 61 K 50/00 (see Annex 22 to this report), following the established practice of the IPC, under understanding that when the difference between limiting, guiding and informative references has been defined in the revised Guide to the IPC, this reference could be transferred to the informative layer of the IPC.

Project C 342 (mechanical) – It was agreed that in the area covered by group A 61 B 5/15 multiple classification should be applied. In the opinion of the Working Group, the revision approach taken under this Project could serve as an example for the study of multiple classification, in connection with the consideration of general principles of classification, carried out by the ad hoc IPC Reform Working Group.

Project C 346 (mechanical) – The Working Group considered the problem of existing application groups in the function-oriented subclass B 02 C, on the basis of the rapporteur report (see Annex 28 to the project file) and in the light of the general structure of the IPC and principles of classifying in function-oriented and application places of the IPC. In this regard, the Working Group accepted, with gratitude, an offer by the Delegation of the United States of America to prepare a study, in time for the next session of the Working Group, on the relationship of subclass B 02 C with relevant application areas of the IPC, in particular, whether application groups were appropriate in this subclass to provide for efficient search.

The Working Group agreed on the transfer of groups 18/42, 18/44, 19/12 and 19/14 (see Annex 30 to this report). In respect of this transfer, comments were invited on:

- whether, in view of the transfer of group 18/42 to subclass E 03 C, any amendments were needed in that subclass;
- in view of the transfer of group 18/44 to the new group B 29 B 17/04, whether the title of the new group was correct and whether any precedence references were needed in that group.

It was agreed that, because of the large heterogeneous file of group 18/40, this group was not useful for searching and that the revision of the group was necessary.

Comments were invited on whether group 18/40 should be deleted and covered by group 18/00, or whether its subject matter should be transferred to an application place, for example, subclass B 09 B.

Finally, the Working Group agreed not to create group A 01 G 3/10, proposed by the Rapporteur, covering “disintegrating plant waste”, since it was not considered appropriate for subclass A 01 G because of the heterogeneous technology it would have covered. With regard to another proposed group covering “disintegrating waste paper” (see Annex 28 to the project file), the Working Group agreed to postpone decision awaiting the results of the study to be carried out by the United States of America.

Project C 354 (mechanical) – Comments were invited on (see Annex 35 to this report, relating to subclass B 60 R, unless otherwise indicated):

- The correctness of the wording of group 21/20, in the light of its hierarchically higher groups;
- how the wording of the proposed group 21/205 (see Annex 20 to the project file) could be clarified;
- the correctness of the transfer note for group 21/22;
- whether the hierarchical position of group 21/233 was correct or whether it should become a five-dot group, and, in this context, whether the transfer note for group 21/24 was correct;
- the correctness of the wording of group 21/237;
- whether a group covering subject matter of the group proposed as group 21/32 (see Annex 20 to the project file) should be created and, if that were the case, what wording it should have.

Project C 355 (mechanical) – The Working Group accepted, with gratitude, an offer by the Delegation of the United Kingdom to submit a proposal relating to the use of multi-aspect classification in the area of “brake control” and containing also a study of the modifications of the classification scheme of group B 60 T 8/00, proposed by France (see Annex 22 to the project file), in the light of the cited patent document.

Comments were invited on the proposal to be submitted.

Projects C 362 and C 368 (chemical) – The Working Group noted a counter-proposal by the EPO on Project C 368, distributed at the session, which provided for combining “compositions for drilling, for completion or for remedial operations of boreholes or wells” in the new main group C 09 K 8/00. The Working Group also noted a close relationship and overlapping of Projects C 362 and C 368 and decided to combine these projects and to appoint the EPO as Rapporteur for the combined project.

The Working Group agreed that, in the area of “well drilling compositions”, it would be preferable to apply the last place rule.

The EPO was requested to submit a consolidated proposal accommodating proposals submitted under Projects C 362 and C 368 so far.

Comments were invited on the proposal to be submitted.

Project C 363 (chemical) – Comments were invited on (see Annex 38E, relating to subclass C 10 L, to this report, unless otherwise indicated):

- whether the presentation of new Notes (1) and (2) following group 1/10 needed any improvement;
- whether the wordings of groups 1/183 and 1/189 were correct, bearing in mind that the approved wordings provided, respectively, that all present hydroxyl groups are directly linked to aromatic carbon atoms and all present carboxyl groups are directly linked to acyclic or cycloaliphatic carbon atoms;
- the correctness of the wording of group 1/196;
- whether it was desirable, for improving the effectiveness of the search in the given area of the IPC, to create an indexing scheme proposed by Germany (see Annex 21 to the project file), or the creation of the corresponding scheme for multiple classification should be preferred.

Project C 366 (mechanical) – Comments were invited on the rapporteur report (see Annex 21 to the project file).

Project C 367 (mechanical) – Comments were invited on the rapporteur report (see Annex 14 to the project file).

Project C 369 (mechanical) – Comments were invited on the rapporteur report, in the light of the comments submitted by Japan and Germany (see Annexes 18, 19 and 20 to the project file, respectively).

Project C 379 (electrical) – It was agreed that, in view of the very large file size of group H 01 H 13/70, its further subdivision was necessary.

The EPO was invited to submit a detailed proposal regarding subdivision of the said group, taking into account the new subgroups proposed by the United Kingdom (see Annex 25 to the project file) and the subgroups introduced in the seventh edition of the IPC.

Comments were invited on the proposal to be submitted.

Project C 388 (mechanical) – Comments were invited on the rapporteur report, in the light of the comments submitted by Japan (see Annexes 7 and 8 to the project file, respectively).

Project C 394 (mechanical) – Comments were invited on the Rapporteur's proposal (see Annex 16 to the project file).

Project C 400 (electrical) – The correctness of the wording of the earlier approved group G 06 F 5/14 (see Annex 45E to document IPC/WG/2/3) was confirmed, and the Project was thus considered completed.

Project C 404 (electrical) – The Working Group decided that application of the rule disclosed in paragraph 70 of the Guide to the IPC was not desirable with regard to classifying combinations of different layers of “record carriers”, namely, with regard to combinations of subject matter covered by the new groups G 11 B 7/242 and 7/252 (see Annex 28 to document IPC/WG/1/2), as this would result in such combinations being classified in the hierarchically superior group 7/241.

Comments were invited on:

- whether the Note following group G 11 B 7/252 (see Annex 50 to this report) correctly defined rules for multi-aspect classification in subgroups of that group;
- whether the said Note should be extended in order to reflect the relationship of group 7/252 with group 7/242, in the light of the above-mentioned decision of the Working Group.

The Working Group finally agreed to draw attention of the IPC Reform Working Group to this Project as having particular bearing on the interpretation and possible future modification of paragraph 70 of the Guide to the IPC.

Project C 406 (electrical) – The EPO was invited to propose definitions of the terms “memory” and “store” for subclass G 11 C.

Comments were invited on the definitions of the terms to be proposed.

Comments were also invited on (see Annex 52, relating to subclass G 11 C, to this report):

- the correctness of the wording of group 29/48;
- the correctness of the wording of group 29/56;

– whether there was any overlap between group 29/56 and groups 29/02 and 29/04 and, if that were the case, how it could be eliminated.

Project C 407 (electrical) – Comments were invited on the correctness of Alternative 1 of Note (3) after the title of subclass H 01 B, proposed by the Rapporteur (see Annex 10 to the project file), in the light of the desirability of multiple classification in that subclass.

Project C 408 (electrical) – The Working Group discussed in detail classification of subject matter relating to “handling of semiconductor devices or wafers during manufacture”. It was noted that, in view of the broad definition of the term “handling”, given in paragraph 99 of the Guide to the IPC, it covers such technological operations as “conveying”, “supporting”, “storage”, and others. On the basis of the available submissions from its members, the Working Group identified the following places of the IPC where particular types of handling of semiconductor devices or wafers could currently be classified: B 25 J, B 65 D 85/90, B 65 G 49/07, H01 L 21/68.

The Working Group agreed that, in order to provide a basis for the successful elaboration of the Project, it should be investigated whether any further places in the IPC could cover handling of semiconductor devices or wafers. In the opinion of the Working Group, this would facilitate solution of the central problem highlighted by the Project, namely, whether all types of handling of semiconductor devices or wafers should be collected in subclass H 01 L or some particular types of handling should be classified in relevant function-oriented places. The Working Group also indicated that a borderline, in respect of the given technology, between the area of semiconductor devices or wafers and the area of micro-structural devices (subclass B 81 C), where similar methods of handling may be applied, should be studied.

Comments were invited on:

- which places in the IPC, except above-indicated, could cover particular types of handling of semiconductor devices or wafers, supporting possible findings by citations of relevant patent documents;
- which type of the relationship between subclasses H 01 L and B 81 C existed in respect of handling of semiconductor devices or wafers;
- whether it was convenient to collect in one place of the IPC all the subject matter relating to handling semiconductor devices or wafers during manufacture.

The Working Group noted the intention of the EPO to submit, at an early date, a counter-proposal on this Project.

Project C 410 (electrical) – It was agreed that the Project should be continued on the basis of Alternative B proposed by the Rapporteur (see Annex 29 to the project file).

Comments were invited on:

- the wordings of groups proposed in the said Annex 29;

- the desirability of extending the scope of group H 02 P 21/00 to apply to electric machines, other than electric motors;
- how to provide an optimum basis for multiple classification in the field in question, and whether the proposed Note (2) following group H 02 P 23/00 (see the said Annex 29) could represent a desirable solution in this respect.

Project C 412 (chemical) – The Working Group noted a detailed proposal, relating to the new group A 61 K 8/00, submitted by the EPO (see Annex 18 to the project file). In discussing how to proceed with the Project, the Working Group agreed that the problem of classifying patent documents, where a specific application of “cosmetics or toilet preparations” was not indicated, should be addressed, since a large number of such documents would lead to the overloading of the superior group 8/00. The Working Group identified three possible solutions of the mentioned problem, namely:

- (a) elaborate a primary classification scheme based on the chemical nature of cosmetic preparations in combination with a secondary classification scheme based on specific applications;
- (b) create a set of chemically-oriented subdivisions for classifying documents with non-specified application;
- (c) follow the approach, earlier proposed by the EPO, which was disclosed in Note (2) following group A 61 K 7/00 (see Annex 13 to the project file).

Comments were invited on which of those solutions was preferable for implementation in the classification scheme for cosmetic preparations.

Comments were also invited on the borderline between the classification area of cosmetic preparations and the area of “surface-active detergents” in subclass C 11 D, in view of the transfer of group A 61 K 7/075 to subclass C 11 D proposed by the EPO (see Annex 18 to the project file).

The Working Group noted that Project C 412 related to the category of the pilot projects in which the rapporteurs were authorized to implement flexible working methods in order to accelerate elaboration of the projects. In this regard, the Working Group agreed that the requested comments should be submitted at an early date and invited the Rapporteur to prepare, as a first step, with the assistance of the EPO, a restricted version of the classification scheme of group A 61 K 8/00, taking into account the comments received, and to submit it for further comments in time for the next session of the Working Group so that the said version could be discussed by the Working Group.

Project C 413 (chemical) – The Working Group agreed that “sorbent chromatography materials” should be classified under group B 01 J 20/00 and approved a number of new groups covering those materials (see Annex 54 to this report), following the Rapporteur’s proposal.

Comments were invited on:

- whether the hierarchical position of groups B 01 J 20/60 to 20/68, proposed by the Rapporteur (see Annex 20 to the project file), was correct in view of the last place rule applied in the given area;
- whether the wording of the proposed group 20/60 was correct;
- whether the desired philosophy of classifying “preparatory chromatographic methods” was better reflected by the Note after group 15/08, proposed by the Rapporteur (see the said Annex 20), or by the Note (1) after the same group, proposed by the EPO (see Annex 3 to the project file);
- how “preparatory gas chromatography” should be classified, in the light of the information provided under item 9 of the rapporteur report (see Annex 19 to the project file).

Project C 416 (mechanical) – Comments were invited on the rapporteur report, in the light of the comments submitted by Japan (see Annexes 8 and 9 to the project file, respectively).

Project C 419 (electrical) – Comments were invited on:

- the correctness of the wording of group G 01 M 15/08 (see Annex 60 to this report), in the light of its intended scope, or whether this group should also cover “monitoring the pressure in other parts of internal combustion engines”;
- whether the proposed group G 01 M 15/041 (see Annex 10 to the project file) was needed, in view of the existence of the similar group G 01 L 23/22;
- whether the proposed references to other areas of the IPC (see the said Annex 10) were appropriate, in the light of the residual nature of subclass G 01 M.

Project C 421 (electrical) – Comments were invited on (see Annex 62, relating to subclass G 21 B, to this report, unless otherwise indicated):

- the need for the example, proposed in group 1/01 (see Annex 9 to the project file), and, if it was needed, what wording it should have;
- desirable subdivisions of group 1/05 and wordings thereof;
- the correctness and clarity of the wording of group 1/13;
- the correctness of the second part of the title of group 1/17;
- the correctness of the title of group 3/00 and the need for its subdivisions;
- whether a reference from group 1/00 to group 3/00 was needed;
- whether the subdivision of subclass G 21 B was exhaustive and, if that were not the case, how an exhaustive classification scheme could be obtained, for example, by subordinating main groups 1/00 and 3/00 under a common main group;

– whether any references were necessary between subclasses G 21 B and H 05 H, in particular in view of group H 05 H 1/02.

Project C 422 (chemical) – The Working Group noted that this Project related to the recently emerged and rapidly developing technology of “combinatorial chemistry”, for which no appropriate single place existed in the IPC, and that elaboration of a relevant classification scheme for the next edition of the IPC was of paramount importance. The Working Group agreed that a new subclass for “combinatorial chemistry” should be created in section C.

The Working Group also noted that provisional classification schemes had been elaborated by the EPO, the United Kingdom and the United States of America (see Annexes 7, 1 and 2 to the project file, respectively) and that those schemes, although different in detail, contained some common basis.

The Working Group indicated that selection of subject matter appropriate for the inclusion in the new subclass should be prerequisite for its elaboration and agreed that such selection could be made on the basis of main groups included in the classification scheme proposed by the United Kingdom, with the addition of the subject matter relating to “chemical libraries”.

The Working Group noted, with appreciation, that the United Kingdom volunteered to act as Rapporteur for the Project and requested the United Kingdom to submit a consolidated proposal, initially at main group level, accommodating already available proposals, and including classification definitions.

Comments were invited on the proposal to be submitted.

The Working Group underlined the need to determine areas of the IPC which could have relationship with the area of “combinatorial chemistry”, in order to establish boundaries of the new subclass and investigate possibilities of its use for multiple classification in combination with related areas.

Members of the Working Group were invited to submit comments indicating the above-mentioned areas.

Finally, the Working Group agreed that, when a basic classification scheme of the new subclass has been established, it should be investigated how relevant patent documents could be populated thereto. In this regard, it was noted that the Internet site “www.5z.com” (“Diversity Information Pages”) contained a large collection of patent and non-patent documentation relating to “combinatorial chemistry”.

Project C 423 (electrical) – Comments were invited on the detailed proposal submitted by Germany (see Annex 1 to the project file, relating to subclass H 01 L), in particular on:

- the need for the proposed group 51/12;
- the desirability of including “organic light-sensitive devices” in the scope of main group 51/00;

– the relationship between main groups 27/00 and 51/00 in respect of the subject matter in question.

UPDATING OF THE IPC TRAINING EXAMPLES ACCORDING TO THE SEVENTH EDITION OF THE IPC

14. Discussions were based on document IPC/WG/3/2 containing amendments to some IPC training examples, proposed by the International Bureau, in order to update them according to the seventh edition of the IPC.

15. The Working Group approved the amended versions of the training examples which appear in Annex F to this report, with the exception of example E-7. Comments were invited by October 1, 2000, on the classification of this example, in particular whether it could be classified in group B 23 Q 15/00, in view of the reference to the said group in the list of references under the title of subclass G 05 B.

16. The International Bureau informed the Working Group that it was intending to post all IPC training examples on the Internet with a more user-friendly presentation, using interactive tools for providing training information.

STATUS OF THE WORK

17. The Chairman assessed the status of the Tasks assigned to the Working Group and stated that 49 revision projects on the agenda of this session (see Annex B to this report), as well as the other Tasks before the Working Group had been satisfactorily dealt with. Of the revision projects dealt with, 17 related to the mechanical field, 13 to the chemical field and 19 to the electrical field. He pointed out that Annex C to this report gave the status of each revision project and brief information on actions to follow.

NEXT SESSION OF THE WORKING GROUP

18. The Working Group assessed the workload expected to be before it at its next session (see the following paragraph) and agreed to devote the first three days of the first week to the mechanical field, the remainder of that week to the electrical field and the second week to the chemical field.

19. The Working Group noted the tentative dates for its fourth session: November 20 to December 1, 2000.

20. This report was unanimously adopted by the Working Group at its closing meeting on June 16, 2000.

[Annexes follow]