IPC REVISION PROJECTS/
PROJETS DE RÉVISION DE LA CIB

CHEMICAL FIELD/
DOMAINE DE LA CHIMIE

IPC/C 341/96 Rev.7
ORIGINAL: English/French
DATE: May 18, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE

GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: **AT** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **A 61 B** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of a subgroup** **TYPE DE RÉVISION :** **Création d'un sous-groupe**	

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 341/96	ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal / Demande de révision avec proposition détaillée		AT	18.01.96
2	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	GB	16.07.96
3	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	CA	30.09.96
4	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	RO	07.10.96
5	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	DE	15.10.96
6	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	EP	05.11.96
7	Rapporteur report / Rapport du rapporteur	Rev.2	AT	14.02.97
8	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.3	JP	30.05.97
9	Decision of the Working Group / Décision du groupe de travail	Rev.4	WG	07.99
10	Comments / Observations	Rev.4	RU	10.99
11	Comments / Observations	Rev.4	EP	10.99
12	Comments / Observations	Rev.4	CA	10.99
13	Comments / Observations	Rev.4	RO	10.99
14	Comments / Observations	Rev.4	GB	10.99

RAPPORTEUR : **AT** **TECHNICAL FIELD/DOMAINE TECHNIQUE :** **C**

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 341/96	ORIGIN/ ORIGINE	DATE
15	Comments	/ Observations	Rev.4	DE	10.99
16	Rapporteur report	/ Rapport du rapporteur	Rev.5	AT	12.99
17	Decision of the Working Group	/ Décision du groupe de travail	Rev.5	WG	12.99
18	Comments	/ Observations	Rev.5	EP	03.00
19	Comments	/ Observations	Rev.5	DE	03.00
20	Comments	/ Observations	Rev.5	JP	03.00
21	Comments	/ Observations	Rev.5	CA	03.00
22	Comments	/ Observations	Rev.5	RO	03.00
23	Rapporteur report	/ Rapport du rapporteur	Rev.5	AT	05.00
24	Decision of the Working Group	/ Décision du groupe de travail	Rev.6	WG	06.00
25	Comments	/ Observations	Rev.6	EP	09.00
26	Comments	/ Observations	Rev.6	RO	09.00
27	French version of approved amendments	/ Version française des modifications approuvées	Rev.6	CH	11/00
28	Rapporteur report	/ Rapport du rapporteur	Rev.6	AT	11/00
29	Decision of the Working Group	/ Décision du groupe de travail	Rev.7	WG	01/01
30	French version of approved amendments	/ Version française des modifications approuvées	Rev.7	CH	05/01

ANNEX 29

EXCERPT FROM DOCUMENT IPC/WG/4/5/
EXTRAIT DU DOCUMENT IPC/WG/4/5

ANNEX 2E **A 61 B** **[Project-Rapporteur : 341/AT]** **<SC04040E>**

N *Note(s) after 18/00*

Informative note

References listed below indicate IPC places which could also be of interest when carrying out a search in respect of the subject matter covered by the preceding group:

Electrically conductive preparations for use in therapy or testing in vivo, e.g conductive adhesives or gels to be used with electrodes, A 61 K 50/00.

ANNEXE 2F **A 61 B** **[Project-Rapporteur : 341/AT]** **<SC04043F>**
(T:CH) - SC/03/3 **<SC03037E>**

5/04

- – – – de celui-ci (préparations conductrices de l'électricité utilisées pour la thérapie ou pour l'examen in vivo A 61 K 50/00)

ANNEX 3E **A 61 K** **[Project-Rapporteur : 341/AT]** **<SC04041E>**

N *Note(s) after 50/00*

Informative notes

References listed below indicate IPC places which could also be of interest when carrying out a search in respect of the subject matter covered by the preceding group:

Electrodes specially adapted for electrocardiography A 61 B 5/0408

Electrodes specially adapted for foetal cardiography A 61 B 5/0448

Electrodes specially adapted for electroencephalography A 61 B 5/0478

Electrodes specially adapted for electromyography A 61 B 5/0492

Electrodes for electrotherapy A 61 N 1/04.

ANNEXE 3F **A 61 K** **[Project-Rapporteur : 341/AT]** **<SC04044F>**
(T:CH) - SC/03/3 **<SC03038E>**

N ***50/00*** ***Préparations conductrices de l'électricité utilisées pour la thérapie ou pour l'examen in vivo, p.ex. adhésifs ou gels conducteurs utilisés avec des électrodes pour l'électrocardiographie (ECG) ou pour l'administration transcutanée de médicaments***

ANNEXE 4 **A 61 L** **[Project-Rapporteur : 341/AT]** **<SC04045F>**
(T:CH) - SC/03/3 **<SC03039E>**

15/58 • • • Adhésifs (adhésifs conducteurs de l'électricité utilisés pour la thérapie ou pour l'examen in vivo A 61 K 50/00)

24/00 **– – – de colostomie** (adhésifs conducteurs de l'électricité utilisés pour la thérapie ou pour l'examen in vivo A 61 K 50/00)

ANNEX 5E **A 61 N** **[Project-Rapporteur : 341/AT]** **<SC04042E>**

1/00 – – – irradiation apparatus 5/00; electrically conductive preparations for use in therapy or testing in vivo A 61 K 50/00) R

ANNEXE 5F **A 61 N** **[Project-Rapporteur : 341/AT]** **<SC04046F>**
(T:CH) - SC/03/3 **<SC03040E>**

1/00 – – – appareils d'irradiation 5/00; préparations conductrices de l'électricité utilisées pour la thérapie ou pour l'examen in vivo A 61 K 50/00)

ANNEXE 6 **C 09 J** **[Project-Rapporteur : 341/AT]** **<SC04047F>**
(T:CH) - SC/03/3 **<SC03041E>**

9/02 • Adhésifs conducteurs de l'électricité (adhésifs conducteurs de l'électricité spécialement adaptés à l'utilisation pour la thérapie ou pour l'examen in vivo A 61 K 50/00)

ANNEX 30

Session:	**IPC/WG**
Subclass:	**A 61 B**
Project(s):	**C 341**
Language:	**F**
Translator office:	**CH**
Translation source session:	**IPC/WG/4/5**
Translation source annex filename:	**Annex: 2E**

N *Note(s)*
après 18/00

Note d'information

Les renvois ci-après indiquent les endroits de la CIB qui peuvent également présenter un intérêt pour une recherche portant sur la matière couverte par le groupe qui précède:

Préparations conductrices de l'électricité utilisées pour la thérapie ou pour l'examen in vivo, p.ex. adhésifs ou gels conducteurs utilisés avec des électrodes, A 61 K 50/00.

Session:	**IPC/WG**
Subclass:	**A 61 K**
Project(s):	**C 341**
Language:	**F**
Translator office:	**CH**
Translation source session:	**IPC/WG/4/5**
Translation source annex filename:	**Annex: 3E**

N *Note(s) après 50/00*

Note d'information

Les renvois ci-après indiquent les endroits de la CIB qui peuvent également présenter un intérêt pour une recherche portant sur la matière couverte par le groupe qui précède:

Electrodes spécialement adaptées pour l'électrocardiographie A 61 B 5/0408

Electrodes spécialement adaptées pour la cardiographie fœtale A 61 B 5/0448

Electrodes spécialement adaptées pour l'électro-encéphalographie A 61 B 5/0478

Electrodes spécialement adaptées pour l'électromyographie A 61 B 5/0492

Electrodes pour l'électrothérapie A 61 N 1/04.

IPC/C 362/96 Rev.6
ORIGINAL: English/French
DATE: June 5, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE

GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: **GB** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 09 K** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **Création de sous-groupes**	

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 362/96	ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal / Demande de révision avec proposition détaillée		GB	25.01.96
2	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	EP	23.10.96
3	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	RO	07.10.96
4	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	RU	16.10.96
5	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	SI	24.10.96
6	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	CA	18.10.96
7	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	US	28.10.96
8	Rapporteur report / Rapport du rapporteur	Rev.2	GB	02.99
9	Counterproposal / Contre-proposition	Rev.3	EP	05.99
10	Comments / Observations	Rev.3	JP	07.99
11	Decision of the Working Group / Décision du groupe de travail	Rev.3	WG	07.99
12	Comments / Observations	Rev.3	CA	10.99
13	Comments / Observations	Rev.3	RO	10.99
14	Comments / Observations	Rev.3	GB	11.99

RAPPORTEUR : **EP** **TECHNICAL FIELD/DOMAINE TECHNIQUE :** **C**

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 362/96	ORIGIN/ ORIGINE	DATE
15	Comments	/ Observations	Rev.3	SE	11.99
16	Rapporteur report	/ Rapport du rapporteur	Rev.3	GB	11.99
17	Decision of the Working Group	/ Décision du groupe de travail	Rev.4	WG	12.99
18	Comments	/ Observations	Rev.4	EP	03.00
19	Comments	/ Observations	Rev.4	GB	03.00
20	Comments	/ Observations	Rev.4	JP	03.00
21	Comments	/ Observations	Rev.4	RO	03.00
22	Rapporteur report	/ Rapport du rapporteur	Rev.4	GB	04.00
23	Decision of the Working Group	/ Décision du groupe de travail	Rev.5	WG	06.00
24	Proposal	/ Proposition	Rev.5	EP	07.00
25	Comments	/ Observations	Rev.5	EP	09.00
26	Comments	/ Observations	Rev.5	JP	09.00
27	Comments	/ Observations	Rev.5	RU	09.00
28	Comments	/ Observations	Rev.5	RO	09.00
29	Comments	/ Observations	Rev.5	DE	10/00
30	Rapporteur report	/ Rapport du rapporteur	Rev.5	EP	10/00
31	Rapporteur proposal	/ Proposition du rapporteur	Rev.5	EP	10/00
32	Comments	/ Observations	Rev.5	CA	11/00
33	Decision of the Working Group	/ Décision du groupe de travail	Rev.6	WG	01/01
34	Proposal	/ Proposition	Rev.6	EP	04.01
35	Comments	/ Observations	Rev.6	CA	04.01
36	Comments	/ Observations	Rev.6	RU	04.01
37	Comments	/ Observations	Rev.6	FR	04.01
38	Comments	/ Observations	Rev.6	EP	05/01
39	Comments	/ Observations	Rev.6	DE	05/01
40	Rapporteur report	/ Rapport du rapporteur	Rev.6	EP	05/01
41	Rapporteur proposal	/ Proposition du rapporteur	Rev.6	EP	05/01
42	French version of approved amendments	/ Version française des modifications approuvées	Rev.6	EP	06.01

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 362/96	ORIGIN/ ORIGINE	DATE
43	Comments / Observations	Rev.6	RO	06.01

ANNEX 33

EXCERPT FROM DOCUMENT IPC/WG/4/5/
EXTRAIT DU DOCUMENT IPC/WG/4/5

Project C 362 (chemical) – The Working Group approved the classification scheme of the new main group C 09 K 8/00 (see Annex 14, relating to subclass C 09 K, to this report).

The EPO was requested to carry out a study of the potential file size of groups 8/42 to 8/64 and, if necessary, to propose additional subdivisions of those groups.

Comments were invited on:

– the study to be carried out by the EPO;

– the need for introduction in group 8/00 of a definition of the term “clay” in order to make it clear that it related to an inorganic compound, as specified, for example, in group C 01 B 33/38;

– the correctness of the wording of group 8/50, in particular of its defining part;

– the clarity of the wording of group 8/56 and whether cross-references between groups 8/50 and 8/56 were both needed;

– how the borderline between groups 8/58 and 8/60 could be clarified, for example, by modifying the wordings of those groups or by introducing a note defining their contents;

– the desirability and the wording of the proposed group C 09 K 8/22 (see Annex 31 to the project file);

– the need for the proposed group C 09 K 8/36 (see the said Annex 31) and, if that was the case, what changes should be made to groups C 09 K 8/06, 8/14, 8/16 and 8/18 in order to clarify their scope, in view of the last place rule.

Projet C 362 (chimie) – Le groupe de travail a approuvé le schéma de classement du nouveau groupe principal C 09 K 8/00 (voir l’annexe 14 du présent rapport relative à la sous-classe C 09 K).

Il a été demandé à l’OEB de réaliser une étude sur la taille potentielle des dossiers de recherche des groupes 8/42 à 8/64 et, le cas échéant, de proposer des subdivisions supplémentaires de ces groupes.

Des observations ont été demandées :

– sur l'étude qui doit être réalisée par l'OEB;

– sur la nécessité de faire figurer dans le groupe 8/00 une définition du terme "argile" de manière a indiquer clairement qu'il a trait à un composé inorganique, comme cela est précisé, par exemple, dans le groupe C 01 B 33/38;

– sur l'exactitude du libellé du groupe 8/50, en particulier s'agissant de la partie définition;

– sur la question de savoir si le libellé du groupe 8/56 est suffisamment clair et si les renvois entre les groupes 8/50 et 8/56 sont tous les deux nécessaires;

– sur le moyen de rendre plus claire la démarcation entre les groupes 8/58 et 8/60, par exemple en modifiant le libellé de ces groupes ou en insérant une note définissant leur contenu;

– sur l'opportunité et le libellé du groupe C 09 K 8/22 proposé (voir l'annexe 31 du dossier de projet);

– sur la nécessité du groupe C 09 K 8/36 proposé (voir ladite annexe 31) et, dans l'affirmative, les modifications à apporter aux groupes C 09 K 8/06, 8/14, 8/16 et 8/18 de façon à préciser leur portée, compte tenu de la règle de la dernière place.

ANNEX 13 C 04 B [Project-Rapporteur : 362/EP] <SC04048E>

111:73	<Delete new entry>	R
111:735	<Delete new entry>	R

ANNEX 14 C 09 K [Project-Rapporteur : 362/EP] <SC04049E>

N	***8/00***	***Compositions for drilling of boreholes or wells; Compositions for treating boreholes or wells, e.g. for completion or for remedial operations***	R
N	*8/02*	• *Well drilling compositions*	R
N	*Note(s) after 8/02*		
		In this group, in the absence of an indication to the contrary, classification is made in the last appropriate place.	
N	*8/04*	• • *Aqueous well-drilling compositions containing organic or inorganic compounds*	
N	*8/06*	• • • *Clay-free compositions*	

N	*8/08*	• • • • *containing natural organic compounds, e.g. polysaccharides, or derivatives thereof*
N	*8/10*	• • • • • *Cellulose or derivatives thereof*
N	*8/12*	• • • • *containing synthetic organic macromolecular compounds or their monomers*
N	*8/14*	• • • *Clay-containing compositions*
N	*8/16*	• • • • *characterised by the inorganic compounds other than clay*
N	*8/18*	• • • • *characterised by the organic compounds*
N	*8/20*	• • • • • *Natural organic compounds or derivatives thereof, e.g. polysaccharides or lignin derivatives*
N	*8/22*	• • • • • *Synthetic organic compounds*
N	*8/24*	• • • • • • *Polymers*
N	*8/26*	• • • *Oil-in-water emulsions*
N	*8/28*	• • • • *containing organic additives*
N	*8/32*	• • *Non-aqueous well-drilling compositions, e.g. oil-based*
N	*8/34*	• • • *Organic liquids*
N	*8/36*	• • • *Water-in-oil emulsions*
N	*8/38*	• • *Gaseous or foamed well-drilling compositions*
N	*8/40*	• *Spacer compositions, e.g. compositions used to separate well-drilling from cementing masses*
N	*8/42*	• *Compositions for cementing, e.g. for cementing casings into boreholes; Compositions for plugging, e.g. for killing wells (compositions for plastering 8/50)*
N	*8/44*	• • *containing organic binders only*
N	*8/46*	• • *containing inorganic binders, e.g. Portland cement*
N	*8/48*	• • • *in combination with macromolecular compounds, e.g. polymeric co-binders*
N	*8/50*	• *Compositions for plastering borehole walls, i.e. non-hardening compositions for temporary consolidation of borehole walls (compositions for consolidating loose sand or the like around wells 8/56)*
N	*8/52*	• *Compositions for preventing, limiting or eliminating depositions, e.g. of paraffins*
N	*8/54*	• *Compositions for in situ inhibition of corrosion in boreholes or wells*
N	*Note(s) after 8/54*	

Informative note

References listed below indicate IPC places which could also be of interest when carrying out a search in respect of the subject matter covered by the preceding group:

Inhibiting corrosion of metallic materials by using inhibitors in general C 23 F 11/00

N *8/56* • *Compositions for consolidating loose sand or the like around wells without excessively decreasing the permeability thereof (compositions for plastering borehole walls 8/50)*

N *8/58* • *Compositions for enhanced recovery methods for obtaining hydrocarbons (compositions for forming fractures 8/62)*

N *8/60* • *Compositions for treating oil or gas wells or underground formations for stimulating production*

N *8/62* • • *Compositions for forming crevices or fractures, e.g. eroding chemicals such as acids*

N *8/64* • • *Compositions for reinforcing fractures, e.g. compositions of proppants used to keep the fractures open*

17/00 **– – – soil-stabilising materials** (specially adapted for boreholes or wells 8/00; fertilisers C 05; consolidating – – – the soil E 02 D 3/12)

ANNEX 15 **C 23 F** **[Project-Rapporteur : 362/EP]** **<SC04050E>**

11/00 **– – – corrosive agent** (compositions for in situ inhibition of corrosion in boreholes or wells C 09 K 8/62; adding inhibitors to mineral – – –

ANNEX 16 **E 21 B** **[Project-Rapporteur : 362/EP]** **<SC04051E>**

Note(s) after the title

<== for further processing;

– – – B, e.g. B 23 B;

N – *compositions for drilling of boreholes or wells or for treating boreholes or wells, which compositions are covered by group C 09 K 8/00, e.g. compositions for enhanced recovery methods for obtaining hydrocarbons 8/58.*

C *33/13* • • *– – – bailers 27/02; chemical compositions therefor C 09 K 8/00)*

C	*37/06*	• *– – – like substances (chemical compositions therefor C 09 K 8/52)*
C	*41/02*	• *– – – bailers 27/02; chemical compositions therefor C 09 K 8/54; inhibiting corrosion – – –*
C	*43/02*	• *Subsoil filtering (43/11 takes precedence; chemical compositions for consolidating loose sand or the like around wells C 09 K 8/56)*
C	*43/22*	• • *– – – precedence; chemical compositions therefor C 09 K 8/58; chemical features in – – –*
C	*43/25*	• *– – – generating arrangements 28/00; chemical compositions therefor C 09 K 8/60)*

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Early Proposal
17 January 2001

Project: C362+368 Subclass: C09K

Re.: Document IPC/WG/4/5 Prov, par.10, p.4 and its technical annex 14

I. Comments

1. At its fourth session, the WG approved a classification scheme for new main group C09K8/00, relating to compositions for drilling and treating boreholes or wells.
The EPO was requested to carry out a study of the potential file size of groups 8/42 to 8/64 and, if necessary, to propose additional subdivisions of those groups.

2. The following table gives an overview of the number of EPODOC in-file documents present in the corresponding parts of ECLA. From these data it is clear that the file size of at least some of the new adopted one dot groups make further subdivision very advisable (see point II for the actual proposal).

New adopted group (see TA ?)	Corresponding ECLA entries	Number of EPODOC in-file doc(Dec. 2000)
8/40 . Spacer compositions	E21B33/13B5	37
8/42 . Cementing / Plugging	E21B33/13B+/C04B	± 1724
8/50 . Plastering	E21B33/138B+	1601
8/52 . Cleaning (Preventing depositions)	E21B37/06B+	885
8/54 . Inhibition of corrosion	E21B41/02B	330
8/56 . Consolidation around wells	E21B43/02B1+	392
8/58 . Enhanced recovery	E21B43/22+	1829
8/60 . Stimulating production	E21B43/25B+	1614
8/62 . . forming crevices	E21B43/26B+	790
8/ - - . . . eroding chemicals	E21B43/27+	632
8/64 . . reinforcing (proppants)	E21B43/267B	123

3. With the numbers mentioned in point 2 above and the existing subgroups in ECLA in mind, EP would like - as a first attempt - to propose the following additional subgroups. In ***italic***, the groups already adopted at WG4. A group with the wording of 8/48 ("in combination with macromolecular compounds") was suggested early during the discussions when the partial classification in C04B and partial classification in C09K for cementing compositions was considered. Now that the WG agreed to have all these compositions in the same place (C09K) there is no real need anymore for such a group. Even more, such a group would interfere negatively with other possible subgroups. So EP suggest not to create this group.

II. Propodsal

N 8/42 ***. Compositions for cementing, ----***

N 8/44 ***. . containing organic binders only***

N 8/46 ***. . containing inorganic binders, e.g. Portland cement***

"D" 8/48 ***. . . ~~in combination with macromolecular compounds, e.g. polymeric cobinders~~***

N 8/462 . . . compounding ingredients having specific features

N 8/464 . . . . Density reducing additives, e.g. for obtaining foamed cement compositions

N 8/466 . . . . Density increasing or weighting additives

N 8/468 . . . . Fluid loss control additives; Additives and mixtures to reduce or prevent lost circulation

N 8 /482 . . . . Anti-gas migration agents

N 8/484 . . . . Preventing strength retrogression due to the temperature of the well, e.g. adding silica to avoid high temperature strength reduction

N 8/486 . . . using compounds or compositions characterised by their form, e.g. encapsulated materials

N 8/50 ***. Compositions for plastering borehole walls, ----***

N Note after 8/50

Note

In this group, in the absence of an indication to the contrary, classification is made in the last appropriate place

N 8/502 . . Water or polar solvent-based compositions

N 8/504 . . . containing inorganic compounds

N 8/506 . . . containing organic non-macromolecularcompounds

N 8/508 . . . containing organic macromolecular compounds

N 8/51 . . . . of natural origin, e.g. polysaccharides, cellulose

N 8/512 . . . . also containing cross linking agents

N 8/514 . . Oil-based compositions, e.g. emulsions

N 8/516 . . Gasified compositions, e.g. foams

N 8/518 . . using compounds or compositions characterised by their form, e.g. encapsulated material

"C" 8/52 . Compositions for cleaning boreholes or wells, e.g. for preventing, limiting or eliminating depositions

N 8/522 . . of paraffins or other organic residues, e.g. asphaltenes

N 8/524 . . of inorganic materials, e.g. sulfates, carbonates

N 8/526 . . . Sulfur

N 8/528 . . using compounds or compositions characterised by their form, e.g. encapsulated material

N 8/54 . Compositions for in situ inhibition of corrosion ----

N 8/56 . Compositions for consolidating loose sand and the like around wells ----

N: Note after 8/56

Note

In this group, in the absence of an indication to the contrary, classification is made in the last appropriate place

N 8/562 . . Water or polar solvent-based compositions

N 8/564 . . . containing inorganic compounds

N 8/566 . . . containing organic compounds

N 8/568 . . . . Macromolecular compounds

N 8/572 . . . Oil-based compositions, e.g. emulsions

N 8/574 . . Gasified compositions, e.g. foams

N 8/576 . . using compounds or compositions characterised by their form, e.g. encapsulated material

N 8/58 . Compositions for enhanced recovery ----

N 8/582 . . containing well defined surfactants

N 8/584 . . containing well defined polymers

N 8/586 . . Compositions containing organic compounds used in combination with injected carbon dioxide or carbonated gas

N 8/588 . . . Compositions containing organic compounds used in combination with generated heat, e.g. by steam injection

N 8/60 . Compositions - - - - for stimulating production

N: Note after 8/60

Note

In this group, in the absence of an indication to the contrary, classification is made in the last appropriate place

N 8/602 . . Water or polar solvent-based compositions

N 8/604 . . . containing inorganic compounds

N 8/606 . . . containing organic non-macromolecular compounds

N 8/608 . . . containing organic macromolecular compounds

N 8/612 . . . . . of natural origin, e.g. polysaccharides, cellulose

N 8/614 . . Oil-based compositions, e.g. emulsions

N 8/616 . . Gasified compositions, e.g. foams

N 8/618 . . using compounds or compositions characterised by their form, e.g. encapsulated material

N 8/62 ***. . ---- fractures - - ~~- e.g. eroding chemicals such as acids~~***

N 8/622 . . . Water or polar solvent based compositions

N 8/624 . . . . containing inorganic compounds

N 8/626 . . . . containing organic macromolecular compounds

N 8/628 . . . Oil-based compositions, e.g. emulsions

N 8/63 . . Gasified compositions, e.g. foams

N 8/632 . . . **Eroding chemicals,** e.g. acids

N 8/634 . . . . in combination with additives having specific features

N 8/636 . . . . . Fluid loss agents

N 8/638 . . . . . Anti-sealing agents

N 8/64 . . Compositions for reinforcing fractures, e.g. compositions of proppants ----

Paul Daeleman

The Canadian Intellectual Property Office CIPO OPIC L'Office de la propriété intellectuelle du Canada

Project Number: C 362	Date: 3 April 2001
Class/Subclass: C08K	Page 1 of 1

Unfortunately, we have not yet received the study carried out by the **EPO** but we would like to comment on the other issues raised by IPC/WG/4/5.

Definition of clay in 8/00

CA does not feel that the word Aclay@ requires a special definition. In other parts of the IPC, the word is undefined. It is presumed to carry its dictionary definition.

Subgroup 8/50

CA is in favor of the present wording.

Subgroups 8/58 and 8/60

CA regrets that we are unable to suggest a solution to this problem.

Subgroup 8/22 (Annex 31)

CA is not in favor of creating this group. We presume that all the ingredients claimed are Apresent in the mud@.

Subgroup 8/36 (Annex 31)

CA is not in favor of creating this group since inorganic ingredients have been provided for elsewhere in the proposal.

Gerry Guzzo
Section Head

ANNEX 36

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project: C 362+ 368	**Date: 12.04.01 4:29 PM**
Class/subclass: C09K	**Page 1 of 2**

IPC/WG/4/5 invited comments on the following questions:

- the study to be carried out by the EPO

We support additional subgroups, proposed by the EPO (of 17.01.2001). There are some following remarks.

1. We believe that compounding ingredients having specific features (8/462) are used in compositions for cementing containing any binders, i.e. not only in compositions containing inorganic binders. So groups 8/462 - 8/484 should have one dot less.

2. It would be better to create standard wordings for the subdivisions of groups 8/502, 8/562 and 8/602, e.g. in line with 8/564 - 8/568:

. . . containing inorganic compounds

. . . containing organic compounds

. . . . Macromolecular compounds

. . . . . of natural origin, e.g. . . .

3. As any neutral gas is used in enhanced recovery methods for obtaining hydrocarbons, we would like to clarify the wording of group 8/586, e.g. as "- - - used in combination with injected neutral gas, e.g. carbon dioxide, nitrogen or natural gas" (See US 4768592).

- the need for introduction in group 8/00 of a definition of the term "clay" in order to make it clear that it related to an inorganic compound, as specified, for example, in group C01B 33/38

We think that there is no particular need to introduce the definition of the term "clay" because it is well-known that any clay is an inorganic substance.

- the correctness of the wording of group 8/50, in particular of its defining part

In our opinion the wording of this group is clear. It seems the term "non-hardening" is not so good and it would be better to change it to another one or to delete it at all.

- the clarity of the wording of group 8/56 and whether cross-references between groups 8/50 and 8/56 were both needed

  The wording of group 8/56 is clear for us. We support both cross-references between groups 8/50 and 8/56.

- how the borderline between groups 8/58 and 8/60 could be clarified, for example, by modifying the wordings of those groups or by introducing a note defining their contents

  The wordings of these groups correspond to the existing wordings of groups E21B 43/16 and 43/25. For subclass C09K it is desirable to introduce a note defining their contents. But on the other hand our examiners think that groups C09K 8/58 and 8/60 could be combined.

  Compositions used in these different methods are similar and many documents relating to compositions covered by E21B 43/22 and E21B 43/25 have multiple classification, i.e. 43/22 + 43/25.

- the desirability and the wording of the proposed group C09K 8/22 (see Annex 31 to the project file);

  We think this group unnecessary

- the need for the proposed group C09K 8/36 (see the said Annex 31) and, if that was the case, what changes should be made to groups C09K 8/06, 8/14, 8/16 and 8/18 in order to clarify their scope, in view of the last place rule.

In our viewpoint a group for inorganic additives could be useful. But, taking into account the adopted scheme, we think group 8/36 is superfluous, because compositions containing inorganic compounds only could be classified under 8/06 or/and 8/16 or in 8/04.

And at the end we would like to draw attention to the wording of the adopted group 8/12. We propose to clarify it, e.g. as "containing synthetic organic compounds, e.g. macromolecular compounds"

E.Bril

INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE **FR - avr. 2001**

Projet IPC / C **362**
Sous-classe **C 09 K**

À la 4ème session de IPC/WG, des observations ont été demandées :

1 Sur la nécessité de faire figurer dans le groupe 8/00 une définition du terme argile de manière à indiquer qu'il a trait à un composé inorganique, comme précisé par exemple dans le groupe C01B 33/38.

Nous ne voyons pas la nécessité d'une telle introduction, le terme argile suffit par lui même.

2 Sur l'exactitude du libellé du groupe 8/50, en particulier s'agissant de la partie définition.

Le libellé nous semble approprié.

3 Sur la question de savoir si le libellé du groupe 8/56 est suffisamment clair et si les renvois entre 8/50 et 8/56 sont tous deux nécessaires.

Le libellé est clair et les deux renvois, dans ce cas, sont nécessaires.

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
20 April 2001

Project: C362+368 Subclass: C09K
Re.: Annex 33 to the project file

1. Study by EPO: see EP early proposal of January 2001
2. Definition of the term "clay": in the context of C09K8/00, the term clay is clear.
Furthermore according to C01B33/38 it is also clear that in IPC, clay is considered as a (family of) inorganic compound(s).
When, for the proper understanding and use of the IPC, definitions are necessary, they should be added, if they do not offer any benefit to the user, they are only a burden.

3. Wording of group 8/50: We agree with the wording as adopted at WG4.

4. Wording of 8/50 and 8/56: The wording seems to be clear and the references useful.

5. Borderline between 8/58 and 8/60: group 8/58: compositions acting on the product to be recovered, e.g. the oil. So enhancing the recovery of e.g. oil, by introducing specific compositions in the well to exercise physical pressure on the oil to be recovered.
Group 8/60: compositions acting on the formation (not on the product to be recovered).
For experts, the distinction is evident as "enhanced recovery" and "stimulating production" are standard formulations in the art and thus should certainly be kept in the wording of these groups. Nevertheless it might be advisable the reword the titles of these group to make this difference clear to the less experienced user:

8/58 . Compositions for enhanced recovery methods for obtaining hydrocarbons, i.e. displacing fluids for improving the mobility of the oil

8/60 . Compositions for treating oil or gas wells or underground formations for stimulating production, i.e. compositions acting on the formation itself

6. Group 8/22 (of annex 31 to the project file): as the wording of this group seems to cause some problems and as - for the core level - the number of adopted groups seems to be sufficient, it might not be necessary to create this group.

7. Group 8/36 (of annex 31): the following sequence, with the adopted LPR in mind, could be more user-friendly:

8/05 . . . containing inorganic compounds only, e.g. mixtures of clay and salt

8/06 . . . Clay-free compositions (containing inorganic compounds only 8/05)

8/14 . . . Clay containing compositions (containing inorganic compounds only 8/05)

The references in 8/06 and 8/14 might be redundant.

8. "General" groups for additives for well drilling compositions (groups 8/04 and 8/06 in annex 24 to the project file or groups 8/03 -8/06 in annex 31) **:** EP still consider this kind of groups as very useful for "general" documents relating to specific additives for any (aqueous or non-aqueous) drilling compositions.

Paul Daeleman

362-368ep06c

ANNEX 39

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trademark Office	Class/Subcl.: **C09K**
	Date : 20.04.2001
DE - Comments — C362	

Re: Comments on IPC/WG45 Project C362 Annex 33 to the project file

- *the study carried out by the EPO*

We agree to EP that subdivisions are valuable especially for the approved one dot entries 8/42, 8/50, 8/52, 8/58 and 8/60.
We have some remarks to the proposed subgroups by EP (proposal dated 17.01.2001):

The scope of the subgroups 8/462 to 8/484 seems to be vague. The file size of the related entries in ECLA to subgroups 8/462 and 8/486 (48 and 3 documents in EPODOC) does not justify the proposed subdivision.

We support the subdivision of groups 8/50, 8/52 and 8/60 with the exception of subgroups 8/518, 8/528 and 8/618. These subgroups will collect too many documents taking into account the local last place rule. 8/632 could be subdivided in one entry for acids and a second for additives.

The file size of 8/56 does not justify the proposed subdivision. In 8/58 we miss a subgroup for the use of bacterial activity (see E21B 43/22). 8/58 and 8/60 could be combined in one group.

- *the need of a definition of the term "clay"*

Clay is well known in the art. A definition is superfluous.

- *the correctness of the wording of groups 8/50 and 8/56 and the need of cross-references between these groups*

The wording is correct. The approved cross-references were both needed.

- *the borderline between groups 8/58 and 8/60*

It is difficult to clarify the borderline between 8/58 and 8/60. We support the proposal of RU to combine these groups for the reasons given in RU comments from 11.04.01.

- *the desirability of groups C09K 8/22 and 8/36 from Annex 31*

We are not in favour of these groups.

H. P. Gerster

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Report
14 May 2001

Project: C362+368 Subclass: C09K

Re.: Annex 33 to the project file (Decision of the WG)
Annexes 34 to 37 (?) (Comments by Offices)

* At **WG4** a number of groups were created under new main group C09K8/00, for compositions for drilling and treating boreholes or wells.
A number of questions was raised (see below).

* **Comments** were received from the CA, RU, FR, DE and EP Offices:

1. Study by EPO
The EPO was invited to carry out a study of the potential file size of groups 8/42 to 8/64 and, if necessary, to propose additional subdivisions. This study and proposal is to be found in annex 34 to the project file.
RU support the proposal, but have some comments. Groups 8/462 - 8/486 should have one dot less, so that they can be used for compositions containing inorganic binders as well as for compositions having organic binders. More standard wordings are suggested for analogical groups and an amelioration for 8/586 is proposed.
DE also has some detailed remarks on the proposal. The scope of groups 8/462 to 8/484 is considered to be vague. Because of the LPR, groups 8/518, 8/528 and 8/618 might collect to many documents. File size of 8/56 is considered not to justify the proposed subdivision, there is no entry for bacterial activity found in the proposal and an alternative subdivision for 8/632 is proposed.

R opinion: In the joined R-proposal, rapporteur tried to take into account as much as possible the remarks made, however:
- concerning subgroups of 8/46:
EP noticed that there were far more documents relating to inorganic binder compositions, than to compositions based on an organic binder. As both have very different characteristics, it is preferable to keep them separated. It was the intention thus to create some subdivision, without duplicating C04B, by choosing the "features" breakdown. For the time being the breakdown of annex 34 is repeated in the joined RP.
- DE interpretation of "the file size of the related entries in ECLA to subgroups 8/462 and 8/486 (48 and 3 documents in EPODOC)" is incorrect because these related entries (E21B33/13B and subgroups) are in the state of being reorganised, i.e. deleted/transferred to C04B. These numbers thus do not give any valuable information. Nevertheless, R has no problem with dropping the 8/486 group.
- Concerning DE's concern for the number of docs in the "form" groups, R would like to emphasize that the wording of these groups stipulates, the form should be the characteristic features. But, to meet DE's concern, R tried to adapt the local LPR's accordingly.
- DE objections for the number of subgroups for 8/56 have been taken into account.
- DE suggested an other breakdown for 8/632 (acids / additives). In the absence of any comments of other Offices, R repeated the break down suggested by EP in annex 34.
A more fundamental problem is the (absence of a) bacterial activity entry. R is well aware of this problem: C09K relates to materials or compositions, not to micro-organisms (see e.g. annex 24 to the project file, p. 3, wording of group 8/66). Offices are invited to reflect upon this question.

2. Definition of the term "clay"
None of the commenting Offices think a definition is needed or useful.

3. Definition part of wording of group 8/50
All commenting Offices agree with the adopted wording, be it that RU suggest to remove "non-hardening" or to replace this term.
R thinks this is a valuable point as this term might provoke unwanted doubts in the mind of the users of the IPC, and thus deleted it from the joined R proposal.

4. Wording of group 8/50 / Its relationship with group 8/56
Offices agree with the wording and the cross-references.

5. Borderline between 8/58 and 8/60
RU believe a definition note would be desirable, but think both groups can be taken together. DE agree with the creation of such a combined group.
EP give a detailed explanation of the differences between the two groups, emphasising that two different actions are covered by the resp. groups. Even tough the terms "enhanced ecovery" and "stimulated production" are standard expressions in the art, this Ofice propose an amended wording for the two groups, to guide the less experienced users.
R. incorporated thes amendments in the joined RP.

6. Group 8/22 (of annex 31 to the project file)
All commenting Offices, except EP, are not in favor of this group. So R did not incorporate this group in his proposal.

7. Group 8/36 (of annex 31)
All comenting Offices, except EP, are not (very much) in favor of creating this group.
EP suggest an alternative, to make the purpose of this "all inorganic" group clearer.
As the pure inorganic compositions form a specific group of formulations, it is important to be able to seperate them from the others, therefore R suggest to follow the altrnative proposed by EP (see RP).

8. Other matters:
- R agrees with the amendment for adopted group 8/12 proposed by RU.
- R would also like to re-ask the attention of Offices to the suggestion of EP to create "general" groups for additives for well drilling compositions (see point 8 of EP comments of April 2001 (annex 38?))

Paul Daeleman 362-368ep07r

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Report
14 May 2001

Project: C362+368 Subclass: C09K

Re.: Annex 33 to the project file (Decision of the WG)
Annexes 34 to 37 (?) (Comments by Offices)

* At **WG4** a number of groups were created under new main group C09K8/00, for compositions for drilling and treating boreholes or wells.
A number of questions was raised (see below).

* **Comments** were received from the CA, RU, FR, DE and EP Offices:

1. Study by EPO
The EPO was invited to carry out a study of the potential file size of groups 8/42 to 8/64 and, if necessary, to propose additional subdivisions. This study and proposal is to be found in annex 34 to the project file.
RU support the proposal, but have some comments. Groups 8/462 - 8/486 should have one dot less, so that they can be used for compositions containing inorganic binders as well as for compositions having organic binders. More standard wordings are suggested for analogical groups and an amelioration for 8/586 is proposed.
DE also has some detailed remarks on the proposal. The scope of groups 8/462 to 8/484 is considered to be vague. Because of the LPR, groups 8/518, 8/528 and 8/618 might collect to many documents. File size of 8/56 is considered not to justify the proposed subdivision, there is no entry for bacterial activity found in the proposal and an alternative subdivision for 8/632 is proposed.

R opinion: In the joined R-proposal, rapporteur tried to take into account as much as possible the remarks made, however:
- concerning subgroups of 8/46:
EP noticed that there were far more documents relating to inorganic binder compositions, than to compositions based on an organic binder. As both have very different characteristics, it is preferable to keep them separated. It was the intention thus to create some subdivision, without duplicating C04B, by choosing the "features" breakdown. For the time being the breakdown of annex 34 is repeated in the joined RP.
- DE interpretation of "the file size of the related entries in ECLA to subgroups 8/462 and 8/486 (48 and 3 documents in EPODOC)" is incorrect because these related entries (E21B33/13B and subgroups) are in the state of being reorganised, i.e. deleted/transferred to C04B. These numbers thus do not give any valuable information. Nevertheless, R has no problem with dropping the 8/486 group.
- Concerning DE's concern for the number of docs in the "form" groups, R would like to emphasize that the wording of these groups stipulates, the form should be the characteristic features. But, to meet DE's concern, R tried to adapt the local LPR's accordingly.
- DE objections for the number of subgroups for 8/56 have been taken into account.
- DE suggested an other breakdown for 8/632 (acids / additives). In the absence of any comments of other Offices, R repeated the break down suggested by EP in annex 34.
A more fundamental problem is the (absence of a) bacterial activity entry. R is well aware of this problem: C09K relates to materials or compositions, not to micro-organisms (see e.g. annex 24 to the project file, p. 3, wording of group 8/66). Offices are invited to reflect upon this question.

2. Definition of the term "clay"
None of the commenting Offices think a definition is needed or useful.

3. Definition part of wording of group 8/50
All commenting Offices agree with the adopted wording, be it that RU suggest to remove "non-hardening" or to replace this term.
R thinks this is a valuable point as this term might provoke unwanted doubts in the mind of the users of the IPC, and thus deleted it from the joined R proposal.

4. Wording of group 8/50 / Its relationship with group 8/56
Offices agree with the wording and the cross-references.

5. Borderline between 8/58 and 8/60
RU believe a definition note would be desirable, but think both groups can be taken together. DE agree with the creation of such a combined group.
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All commenting Offices, except EP, are not in favor of this group. So R did not incorporate this group in his proposal.

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All comenting Offices, except EP, are not (very much) in favor of creating this group.
EP suggest an alternative, to make the purpose of this "all inorganic" group clearer.
As the pure inorganic compositions form a specific group of formulations, it is important to be able to seperate them from the others, therefore R suggest to follow the altrnative proposed by EP (see RP).

8. Other matters:
- R agrees with the amendment for adopted group 8/12 proposed by RU.
- R would also like to re-ask the attention of Offices to the suggestion of EP to create "general" groups for additives for well drilling compositions (see point 8 of EP comments of April 2001 (annex 38?))

Paul Daeleman 362-368ep07r

ANNEX 41

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Proposal
14 May 2001

Project: C362+368 **Subclass: C09K**
<In ***italic*** and ***bold***, (some of) the groups already adopted at WG4>

D 7/00	<transferred to 8/02>
D note after 7/00	
D 7/02	<transferred to 8/04>
D 7/04	<transferred to 8/05>
D 7/06	<transferred to 8/32>
D 7/08	<transferred to 8/38>
N 8/02	***. Well drilling compositions***
N 8/03	. Specific additives for general use in well-drilling compositions
N 8/035	. . Organic additives
"C" 8/04	***. . Aqueous well-drilling compositions***
N 8/05	. . . containing inorganic compounds only, e.g. mixtures of clay and salt
"C" 8/12	***. . . . containing synthetic organic*** **compounds, e.g. macromolecular compounds**
"C" *8/06*	***. . . Clay-free compositions*** **(containing inorganic compounds only 8/05)**
"C" *8/14*	***. . . Clay containing compositions*** **(containing inorganic compounds only 8/05)**
N 8/42	***. Compositions for cementing, ----***
N 8/46	***. . containing inorganic binders, e.g. Portland cement***
N 8/462	. . . compounding ingredients having specific features
N 8/464	. . . . Density reducing additives, e.g. for obtaining foamed cement compositions

N 8/466 . . . . Density increasing or weighting additives
N 8/468 . . . . Fluid loss control additives; Additives and mixtures to reduce or prevent lost circulation

N 8 /482 . . . . Anti-gas migration agents

N 8/484 . . . . Preventing strength retrogression due to the temperature of the well, e.g. adding silica to avoid high temperature strength reduction

N 8/50 . Compositions for plastering borehole walls, i.e. ~~non-hardening~~ compositions for temporary consolidation of borehole walls (compositions - - - -

N Note after 8/50 Note
In groups 8/502 to 8/514, in the absence of an indication to the contrary, classification is made in the last appropriate place

N 8/502 . . Water or polar solvent-based compositions

N 8/504 . . . containing inorganic compounds

N 8/506 . . . containing organic compounds

N 8/508 . . . . Macromolecular compounds

N 8/51 . . . . . of natural origin, e.g. polysaccharides, cellulose

N 8/512 . . . . . also containing cross linking agents

N 8/514 . . Oil-based compositions, e.g. emulsions

N 8/516 . . Gasified compositions, e.g. foams

N 8/518 . . using compounds or compositions characterised by their form, e.g. encapsulated material

"C" 8/52 . Compositions for <u>cleaning boreholes or wells, e.g.</u> for preventing, limiting or eliminating depositions~~, e.g. of paraffins~~

N 8/522 . . of paraffins or other organic residues, e.g. asphaltenes

N 8/524 . . of inorganic materials, e.g. sulfates, carbonates

N 8/526 . . . Sulfur

N 8/528 . . using compounds or compositions characterised by their form, e.g. encapsulated material

N 8/56 . Compositions for consolidating loose sand and the like around wells ----

N: Note after 8/56 — Note
In this group, in the absence of an indication to the contrary, classification is made in the last appropriate place

N 8/562 . . Water or polar solvent-based compositions

N 8/564 . . . containing inorganic compounds

N 8/566 . . . containing organic compounds

N 8/572 . . . Oil-based compositions, e.g. emulsions

"C" 8/58 . Compositions for enhanced recovery methods for obtaining hydrocarbons, **i.e. displacing fluids for improving the mobility of the oil**

N 8/582 . . containing well defined surfactants

N 8/584 . . containing well defined polymers

N 8/586 . . Compositions containing organic compounds used in combination with injected neutral gas, e.g. carbon dioxide, nitrogen or natural gas

N 8/588 . . . Compositions containing organic compounds used in combination with generated heat, e.g. by steam injection

"C" 8/60 . Compositions for treating oil or gas wells or underground formations for stimulating production, **i.e. compositions acting on the formation itself**

N: Note after 8/60 — Note
In this group, on each level of indentation, with the exception of groups 8/616, 8/618 and 8/63, classification is made in the last appropriate place

N 8/602 . . Water or polar solvent-based compositions

N 8/604 . . . containing inorganic compounds

N 8/606 . . . containing organic compounds

N 8/608 . . . . Macromolecular compounds

N 8/612 . . . . . of natural origin, e.g. polysaccharides, cellulose

N 8/614 . . Oil-based compositions, e.g. emulsions

N 8/616 . . Gasified compositions, e.g. foams

N 8/618 . . using compounds or compositions characterised by their form, e.g. encapsulated material

"C" 8/62 . . ---- fractures - - - ~~e.g. eroding chemicals such as acids~~

N 8/622 . . . Water or polar solvent based compositions

N 8/624 . . . . containing inorganic compounds

N 8/626 . . . . containing organic macromolecular compounds

N 8/628 . . . Oil-based compositions, e.g. emulsions

N 8/63 . . Gasified compositions, e.g. foams

N 8/632 . . . **Eroding chemicals,** e.g. acids

N 8/634 . . . . in combination with additives having specific features

N 8/636 . . . . . Fluid loss agents

N 8/638 . . . . . Anti-sealing agents

N 8/64 . . Compositions for reinforcing fractures, e.g. compositions of proppants ----

< N possible informative
note after 8/64: References listed ----- preceding group:
Soil-conditioning materials or soil-stabilising materialsC09K17/00>

C 17/00 - - - - soil-stabilising materials (specially adapted for boreholes or wells C09K8/00; fertilisers C05; consolidating - - -E02D3/12)

OFFICE EUROPEEN DES BREVETS
Direction Principale Documentation

Traduction
21 Mai 2001

Projet: C362 **Sous-Classe: (C04B,) C09K, (E21B)**

Réf.: Annex 33 to the project file (WG decission)

1) TA 13 **Sous- classe C04B**
< rien à traduire>

---

2) TA 14 **Sous- classe C09K**

N 8/00 Compositions pour le forage des puits;
Compositions pour le traitement des puits ou des trous de forage, p.ex. pour des opérations de complétion ou de réparation

N 8/02 . Compositions pour le forage des puits

N Note(s) après 8/02
Dans ce groupe, sauf indication contraire, le classement ---- dernière place appropriée.

N 8/04 . . Compositions aqueuses contenant des composés organiques ou inorganiques

N 8/06 . . . Compositions ne contenant pas d'argile

N 8/08 . . . . contenant des composés organiques naturels, p.ex. polysaccharides, ou leurs dérivés

N 8/10 . . . . . Cellulose ou ses dérivés

N 8/12 . . . . contenant des composés organiques synthétiques macromoléculaires ou leurs monomères

<Remarques: nous préférons une libellé comme dans les groups 8/22 et 8/24, c.à d. "contenant des composés organiques synthétiques, p. ex. polymères"
et donc, dans la version anglaise: "containing synthetic organic compounds, e.g. polymers">

N 8/14 . . . Compositions contenant de l'argile

N 8/16 . . . . caractérisées par les composés inorganiques autre que l'argile

N 8/18 . . . . caractérisées par les composés organiques

N 8/20 . . . . . Composés organiques naturels ou leurs dérivés, p.ex. polysaccharides, ou dérivés de la lignine

N 8/22 **. . . . .** Composés organiques synthétiques

N 8/24 **. . . . . .** Polymères

N 8/26 **. . .** Emulsions huille-dans l'eau

N 8/28 **. . . .** contenant des additifs organiques

N 8/32 **. .** Compositions non-aqueuses, p.ex. à base d' huile

N 8/34 **. . .** Liquides organiques

N 8/36 **. . .** Emulsions eau-dans l'huile

N 8/38 **. .** Compositions gazeuses ou en mousse

N 8/40 **.** Composition d'espacement dites "spacers", p.ex. compositions utilisées pour séparer les masses de forage et de cimentation

N 8/42 **.** Composition de cimentation, p.ex. pour la cimentation des tubes dans les trous de forages; Compositions de bouchage, p.ex. pour tuer des puits (compositions pour le plâtrage 8/50)

N 8/44 **. .** contenant uniquement des liants organiques

N 8/46 **. .** contenant des liants inorganiques, p. ex. ciment Portland

N 8/48 **. . .** en combinaison avec des composés macromoléculaires, p.ex co-liants polymères

N 8/50 **.** Composition pour le plâtrage des parois de trous de forages, c.à d. compositions non-durcissantes pour la consolidation temporaire des parois des trous de forage (compositions pour consolider le sable meuble ou similaire autour des puits 8/56)

N 8/52 **.** Compositions pour éviter, limiter ou éliminer les dépôts, p.ex. de paraffines

N 8/54 **.** Compositions pour inhiber sur place la corrosion sur place dans les puits ou les trous de forages

<Remarque: bien que nous préférons "in situ", nous avons utilisé "sur place" en analogie avec le groupe E21B41/02 >

N Note(s) après 8/54

Note d'information

Les renvois ci-après indiquent les endroits de la CIB qui peuvent également présenter un intérêt pour une recherche portant sur la matière couverte par le groupe qui précède:

Inhibition de la corrosion de matériaux métalliques en utilisant des inhibiteurs en général C23F11/00

N 8/56 **.** Composition pour consolider le sable meuble ou similaire autour des puits sans diminuer excessivement sa permabilité (composition pour le plâtrage des parois de trous de forages 8/50)

N 8/58 . Compositions pour les méthodes de récupération assistée pour l'extraction d'hydrocarbures (compositions pour la formation de fractures 8/62)

N 8/60 . Compositions pour le traitement de puits de pétrole ou de gaz ou de formations sousterraines pour activer la production

N 8/62 . . Compositions pour la formation de crevasses ou de fractures, p.ex. produits chimiques érosifs, telles que les acides

N 8/64 . . Compositions pour renforcer les fractures, p.ex. compositions pour agents de soutènement utilisés pour maintenir ouvertes les fractures.

17/00 - - - - ou stabiliser les sols (spécialement adapté pour les puits et les trous de forage 8/00; engrais C05; - - - - -

---

3) TA 15 Sous- classe C23F

11/00 - - - - - l'agent corrosif (compositions pour inhiber la corrosion sur place dans les puits ou les trous de forages C09K8/54;addition d'inhibiteurs - - -

<Remarque: la version anglaise est à corriger:

C23F11/00 - - - - - - -or wells C09K8/**54**; adding - - - ->

---

4) TA 16 Sous- classe E21B

Note(s) après le titre

<== traitement ultérieur;
- - - - B, p. ex. B23B;

N - les compositions pour le forage des puits ou pour le traitement de puits ou de trous de forage, qui sont couvertes par le group C09K8/00, p. ex. compositions pour les méthodes de récupération assistée pour l'extraction d'hydrocarbures 8/58.

C 33/13 . . - - - - - déchargement 27/02; compositions chimiques à cet effet C09K8/00)

C 37/06 . - - - - - substances analogues (compositions chimiques à cet effet C09K8/52)

C 41/02 . - - - - - déchargement 27/02; compositions chimiques à cet effet C09K8/54; moyen - - - -

C 43/02 . - - - - - - a priorité; compositions chimiques pour consolider le sable meuble ou similaire autour des puits C09K8/56)

C 43/22 . . - - - - - a priorité; compositions chimiques à cet effet C09K8/58; extraction de - - - -

C 43/25 . - - - - - de vibration 28/02; compositions chimiques à cet effet C09K8/60)

P. Daeleman

362_368ep09d

OFICIUL DE STAT PENTRU
INVENTII SI MARCI

Date : May 2001

RO COMMENTS

PROJECT : C 362+368
Class/Subclass : C09K

Comments were invited on *:*

- the study carried out by the EPO

We support the additional subgroups proposed by the EPO (proposal dated 17.01 2001)
We have some remarks regarding to subgroups 8/462 to 8/484:

- we consider that subgroup 8/462 can not be subordinated only to subgroup 8/46 because “compounding ingredients having specific features” could exist both in composition for cementing containing organic binders and in composition containing inorganic binders;
- we wonder also, if the subgroup 8/486 is in fact subordinated only to 8/46. Are the compounds or composition characterized by their form appropriate only for the “composition for cementing containing inorganic binders?”

- we are in favor of creating standard wordings for the subdivisions of subgroups 8/502, 8/562 and 8/602 in the same manner to those for 8/564-8/568.

-the need of introduction in group 8/00 of a definition of the term “clay”.

We consider that the term “clay” does not require a special definition. It is obvious, for a person skilled in the art, that “clay” is an inorganic composition .

- the correctness of the wording of group 8/50 in particular of its defining part

In our opinion the wording of this group is clear, but we suggest to find a more appropriate word for “non-hardening” or simple to delete it, because it is not an often used technical term.

- the clarity of the wording of group 8/56 and whether cross-references between groups 8/50 and 8/56 were both needed .

We are in favor of the wording of subgroup 8/56 and we consider also that, the approved cross-references are both needed.

-how the borderline between groups 8/58 and 8/60 could be clarified

We are in favor of maintaining this subjects in two separate groups, because our specialists in the art consider them distinct. There are different methods for enhanced recovery of oil (see E21B 43/16) and for stimulating production (see E21B 43/25). The compositions used in this two different methods are in fact also different, because one is used to improve some characteristics of the product to make it more appropriate to be enhanced recovered and the other acts in principal on the formation.

Mirela Georgescu

IPC/C 363/96 Rev.6
ORIGINAL: English/French
DATE: June 5, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE

GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: **GB** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 10 L** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **Création de sous-groupes**	

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 363/96	ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal / Demande de révision avec proposition détaillée		GB	25.01.96
2	Comments with counter-proposal (re Annex 1) / Observations avec contre-proposition (réf. annexe 1)	Rev.1	DE	08.08.96
3	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	EP	21.10.96
4	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	RO	07.10.96
5	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	SI	24.10.96
6	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	CA	18.10.96
7	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.1	US	28.10.96
8	Comments (re Annex 1) / Observations (réf. annexe 1)	Rev.2	JP	30.05.97
9	Rapporteur report / Rapport du rapporteur	Rev.2	GB	02.99
10	Decision of the Working Group / Décision du groupe de travail	Rev.3	WG	07.99
11	Comments / Observations	Rev.3	RU	10.99
12	Comments / Observations	Rev.3	EP	10.99
13	Proposal / Proposition	Rev.3	EP	10.99

RAPPORTEUR : GB **TECHNICAL FIELD/DOMAINE TECHNIQUE : C**

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 363/96	ORIGIN/ ORIGINE	DATE
14	Comments	/ Observations	Rev.3	CA	10.99
15	Comments	/ Observations	Rev.3	RO	10.99
16	Comments	/ Observations	Rev.3	GB	11.99
17	Rapporteur report	/ Rapport du rapporteur	Rev.3	GB	11.99
18	Comments	/ Observations	Rev.4	JP	12.99
19	Decision of the Working Group	/ Décision du groupe de travail	Rev.4	WG	12.99
20	Proposal	/ Proposition	Rev.4	EP	03.00
21	Comments	/ Observations	Rev.4	DE	03.00
22	Comments	/ Observations	Rev.4	GB	03.00
23	Comments	/ Observations	Rev.4	RU	03.00
24	Comments	/ Observations	Rev.4	JP	03.00
25	Comments	/ Observations	Rev.4	CA	03.00
26	Comments	/ Observations	Rev.4	SE	03.00
27	Comments	/ Observations	Rev.4	RO	03.00
28	Comments	/ Observations	Rev.4	FR	04.00
29	Comments	/ Observations	Rev.4	EP	04.00
30	French version of approved amendments	/ Version française des modifications approuvées	Rev.4	FR	04.00
31	Rapporteur report	/ Rapport du rapporteur	Rev.4	GB	04.00
32	Comments	/ Observations	Rev.4	EP	05.00
33	Comments	/ Observations	Rev.4	RO	05.00
34	Decision of the Working Group	/ Décision du groupe de travail	Rev.5	WG	06.00
35	Comments	/ Observations	Rev.5	EP	09.00
36	Comments	/ Observations	Rev.5	GB	09.00
37	Comments	/ Observations	Rev.5	JP	09.00
38	Comments	/ Observations	Rev.5	RU	09.00
39	Comments	/ Observations	Rev.5	RO	09.00
40	Comments	/ Observations	Rev.5	FR	10/00
41	Rapporteur report	/ Rapport du rapporteur	Rev.5	GB	10/00

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 363/96	ORIGIN/ ORIGINE	DATE
42	French version of approved amendments	/ Version française des modifications approuvées	Rev.5	FR	10/00
43	Comments	/ Observations	Rev.5	CA	11/00
44	Decision of the Working Group	/ Décision du groupe de travail	Rev.6	WG	01/01
45	Proposal	/ Proposition	Rev.6	EP	04.01
46	Comments	/ Observations	Rev.6	EP	04.01
47	Comments	/ Observations	Rev.6	RU	04.01
48	Comments	/ Observations	Rev.6	FR	04.01
49	Rapporteur report	/ Rapport du rapporteur	Rev.6	GB	06.01

ANNEX 44

EXCERPT FROM DOCUMENT IPC/WG/4/5/
EXTRAIT DU DOCUMENT IPC/WG/4/5

Project C 363 (chemical) – It was realized that amendments to subclass C 10 L which had been approved at the third session of the Working Group (see Annex 34 to the project file) did not allow to collect similar aromatic compounds in one place of the classification scheme, in view of the last place rule applied in the given area.

The EPO was requested to submit a proposal concerning corresponding replacement of the new groups C 10 L 1/189 and 1/223.

Comments were invited on whether the proposal to be submitted by the EPO or the approach proposed by the Russian Federation (see Annex 38 to the project file) would be preferable.

The Working Group considered an indexing scheme in subclass C 10 L proposed by the EPO (see Annex 35 to the project file) and agreed that such a scheme could be useful for reflecting additional information relating to "additives for fuels." The Working Group noted that the Guidelines for the creation and use of indexing schemes were under elaboration by the ad hoc IPC Reform Working Group and agreed to investigate the possibility of the implementation of the proposed scheme in the form of an indexing scheme or a secondary classification scheme when the said Guidelines have been finalized.

Comments were invited on the scheme proposed by the EPO, taking into consideration the existing group C 10 L 10/00 relating to "additives for fuels."

Projet C 363 (chimie) – Il a été constaté que les modifications relatives à la sous-classe C 10 L qui ont été approuvées à la troisième session du groupe de travail (voir l'annexe 34 du dossier de projet) ne permettent pas de grouper les composés aromatiques analogues dans un endroit du schéma de classement, compte tenu de la règle de la dernière place appliquée dans le secteur en question.

Il a été demandé à l'OEB de présenter une proposition portant sur le remplacement des nouveaux groupes C 10 L 1/189 et 1/223.

Des observations ont été demandées sur la question de savoir s'il convient de donner la préférence à la proposition que doit présenter l'OEB ou à l'approche proposée par la Fédération de Russie (voir l'annexe 38 du dossier de projet).

Le groupe de travail a examiné un schéma d'indexation proposé pour la sous-classe C 10 L par l'OEB (voir l'annexe 35 du dossier de projet) et a convenu qu'un tel schéma pourra servir à faire apparaître des informations supplémentaires relatives aux "additifs pour combustibles". Le groupe de travail a noté que les directives relatives à la création et à l'utilisation des schémas d'indexation sont actuellement en cours d'élaboration par le Groupe de travail ad hoc sur la réforme de la CIB et a convenu d'étudier la possibilité d'appliquer le schéma proposé sous la forme d'un schéma d'indexation ou d'un schéma de classement auxiliaire lorsque les directives en question auront été terminées.

Des observations ont été demandées sur le schéma proposé par l'OEB, compte tenu du groupe existant C 10 L 10/00 relatif aux "additifs pour combustibles".

ANNEX 17E C 10 L [Project-Rapporteur : 363/GB] <SC04052E>

Note(s) after 1/10 R

(1) In this group, in the absence – – – compound is classified in – – –

N *(2)* *If an additive is a mixture of compounds, classification is made for each compound of interest.*

(3) <Former note (2)>

N *1/182* • • • • *containing hydroxy groups; Salts thereof* R

N *1/183* • • • • • *at least one hydroxy group bound to aromatic carbon atoms* R

ANNEXE 17F C 10 L [Project-Rapporteur : 363/GB] <SC04053F>
(T:FR) - SC/03/3 <SC03051E>

Note(s) après 1/10

(1) Dans le présent groupe, sauf indication contraire, un composé est classé à – – –

N *(2)* *Si l'additif est un mélange de composés, chaque composé qui présente un intérêt doit être classé.*

(3) <Ancienne note (2)>

N *1/183* • • • • • *au moins un groupe hydroxyle étant lié à des atomes de carbone aromatique*

N *1/189* • • • • • *les groupes carboxyle étant liés à des atomes de carbone acyclique ou cycloaliphatique*

N	*1/196*	• • • • • •	*dérivés de monomères contenant une liaison insaturée carbone-carbone et un groupe carboxyle ou leurs sels, leurs anhydrides ou leurs esters*
N	*1/197*	• • • • • •	*dérivés de monomères contenant une liaison insaturée carbone-carbone et un groupe acyloxy d'un acide carboxylique ou carbonique saturés*
N	*1/223*	• • • • •	*comportant des groupes amino liés à des atomes de carbone acyclique ou cycloaliphatique*
N	*1/233*	• • • • •	*contenant de l'azote et de l'oxygène dans le noyau, p.ex. oxazoles*
N	*1/2383*	• • • • • •	*Polyamines ou polyimines, ou leurs dérivés*
N	*1/2387*	• • • • • • •	*Polyoxyalkylèneamines*

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Proposal
17 January 2001

Project C363 / Subclass C10L

Ref.: IPC/WG/4/5 Prov., par. 10, p.4

1. Introduction

At it's fourth Session, the WG realized that amendments to subclass C10L, as adopted at the third session (see Annex 34 to the project file) did not allow to collect similar aromatic compounds in one place of the classification scheme, in view of the last place rule (LPR) applied in the given area.

The EPO was requested to submit a proposal concerning corresponding replacement of the new groups C10L1/189 and 1/223. This document contains the said EP proposal.

2. Historical background

* At the request of the WG, EP carried out some statistical analysis and proposed - based on this analysis - some additional groups, complementary to the ones adopted at WG2 (for the groups adopted at WG2 see annex 19, p.2 to the project file). The WG adopted these additional groups at its third session (see annex 34, p.2)
Unfortunately - and EP wants to apologise for this - when the additional groups were suggested, only the statistical figures were looked at, without taking into account the possible influence of the LPR when creating or NOT creating certain entries.

* Because of that for the "hydroxyl-group" (1/182) an "aromatic subgroup" (1/183) was suggested, while for the "carboxyl-group" (1/188) a "non-aromatic subgroup" (1/189) was proposed. The same for the "carbon-to-nitrogen group" (1/222) for which the "non-aromatic subgroup" 1/223 was proposed. As stated above groups 1/189 and 1/223 were adopted at WG3.

* In the original GB proposal as well as in ECLA there are two subgroups for the carboxyl containing compounds:
- carboxyl bound to acyclic or to cycloaliphatic carbon atom, and
- carboxyl bound to aromatic carbon atom.
Here, with the LPR a compound with at least one carboxyl to aromatic carbon bond will go automatically to the second group, as it is wanted. For, the bond to aromatic carbon is considered to be most distinctive.
The same can be said for the two other cases.

* However, because of the LPR and the groups as adopted at WG3, the effect will be that compounds with only carboxyl to aromatic C will go to 1/188 and compounds with carboxyl to aromatic C **and** (one or more) carboxyl to non aromatic C will go to 1/189. A situation that was not intended (we prefer to have all "aromatics" in one group) and which is contrary to the situation with regard to the hydroxy compounds (all compounds with at least one hydroxy to aromatic C in 1/183).

*** Conclusion**:
The actual situation is unsatisfactory because it results in:
- an unwanted situation
- an inconsistent scheme
- an ambiguous situation for classifiers and searches

3. Possible solutions

* The RU Office raised the same problem in their comments of 3-10-00 (see annex 38 to the project file). The solution they propose is to add the word "only" to the "non-aromatic" groups 1/189 and 1223. With a minimum of changes, this would certainly be a major improvement to the actual situation, but would solve only part of the problem: all "aromatics" would go to the same group indeed, but the inconsistency of the scheme and thus part of the ambiguity would remain.
In a way it would also disrupt the idea of the LPR.

* The EP Office therefor propose the more drastic solution of replacing the "non-aromatic" groups by the corresponding "aromatic" ones (see proposal under point 4).

4. **EP proposal**

"D"	1/189	<adopted at WG3>
N	1/1895	**. . . . . at least one carboxyl group bound to aromatic carbon atoms**
"D"	1/223	<adopted at WG3>
N	1/2235	**. . . . . at least one amino group bound to aromatic carbon atoms**

5. Existing group C10L10/00
During the discussion of the indexing scheme, the question was raised how many documents were classified in this main groups and how many of them were also classified in other main groups of C10L.
According to EPODOC data, there are 1200 in file docs in C10L10/00 and subgroups, 334 of them having a single classification in this subclass only, the other 866 having a second classification in C10L, most of them (816) in C10L1/00 or subgroups.
In detail (situation December 2000):

C10L10/00	664 in-file docs
C10L10/02	267 in-file docs
C10L10/04	256 in-file docs
C10L10/00	221 in-file docs,

of these documents, 208 have more than one classification in main group 10/00.

P. Daeleman 363ep10s

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
5 April 2001

Project: C363 **Subclass: C10L**

Re.: - Annex 44 to the project file (Decision of WG4)
- (Annex 45 ?) Early EP proposal (January 2001)

1. "Aromatic carbon atom groups" problem

For the reasons explained in their early proposal of January, EP prefer the approach as explained in this document over the RU approach.

2. Indexing/classification entries for additional information relating to additives for fuels.

In their comments of September 2000 (see annex 35 to the project file) EP presented some reservation for creating classification codes in stead of indexing codes, because these would disrupt the structure of the existing classification scheme. Because of existing main group C10L10/00 the scheme is already "disrupting", so EP would have no problems with creating classification entries in stead of indexing codes.
It seems that additives can be added for two different reasons:
1) to ameliorate fuel characteristics (e.g. improve octane number)
2) to avoid or minimise unwanted phenomena (e.g. corrosion, see existing group C10L10/04)
Therefore and presuming there is a fair chance classification entries will be created, EP would like to amend its own proposal of annex 35 in the following way. If it would be decided to create indexing codes, the proposal can easily be transformed into an indexing scheme.

N C10L1/50 . Adding materials to specific types of fuels
< + subgroups like those of the 101:02 series (see annex 35, page 2)>

C C10L10/00 Adding materials to fuels or fires to avoid or minimise undesirable phenomena, e.g. deposits; Adding materials to fuels to improve fuel properties

N C10L10/20 . to improve fuel properties
< + subgroups like those of the 101:20 series, except for the rust inhibitors (see annex 35, page 2)>

Paul Daeleman

ANNEX 47

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project: C 363	**Date: 12.04.01 4:32 PM**
Class/subclass: C 10 L	**Page 1 of 1**

Re: IPC/WG/4/5.

We are not against "arithmetical" rearrangements between groups 1/18 and 1/189 as well as between 1/22 and 1/223. We see that the EPO proposed wordings of 1/183, 1/1895 and 1/2235 give positive consistency for applying the scheme. As before we think that the word "atom" in wordings of 1/183, 1/1895 and 1/2235 should be used in singular, i.e. "- - - aromatic carbon atom" (see C07C 39/00).

Since C 10 L 10/00-10/06 are provided for classifying function or property of the additives, these groups would be transferred as indexing codes under group 101:20, whereas chemical aspects of the additives should be covered by other groups of subclass C10L.

But on the other hand, taking into account that more than 300 documents have a single classification in this group, we would prefer to keep C10L 10/00.

We believe that the EPO proposal (of April, 2001) to create the new groups C10L 1/50 and C10L 10/20 with corresponding subdivisions could solve problem of "disrupting" scheme of C10L.

E.Bril

INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE **FR - avr. 2001**

Projet IPC / C **363/96**
Sous-classe **C 10 L**

À la 4ème session de IPC/WG, des observations ont été demandées :

En ce qui concerne le remplacement des nouveaux groupes C10L 1/189 et 1/223, nous approuvons la proposition la proposition de l'OEB (création des groupes 1/1895 et 1/2235) qui nous semble régler le problème posé d'une manière qui lève toutes les ambiguïtés.

UK Patent Office **Date: 29 May 2001**

Rapporteur Report on Project C363, Subclass C10L

Background

In the report of the fourth Working Group (document IPC/WG/4/5 - Annex 44) the following points were raised:

- Groups C10L 1/189 and 1/223 which had previously been adopted did not allow collection together of related aromatic compounds in conjunction with groups 1/188, 1/222, in the way that groups 1/182 and 1/183 allow. EP were asked to submit a proposal to address this and comments on this proposal were sought.

- The Working Group agreed with previous comments that an indexing scheme would be useful, such a scheme was proposed by EP in Annex 35 (derived from DE proposal of Annex 21). The Working Group noted that decisions yet to be made by the Reform Working Group may impact on whether an indexing or classification scheme would be preferred. Comments on the EP scheme were sought.

Comments were received from EP, RU, FR and proposals from EP.

Groups C10L 1/189 and 1/223

The clear wish is to bring together documents where the functional group of interest is directly bonded to an aromatic carbon atom in the split of documents between groups 1/188 and 1/189 and between groups 1/222 and 1/223. EP propose to delete the previously adopted groups 1/189 and 1/223 which relate to non-aromatic substitution and replace them with new groups 1/1895 and 1/2235 relating to aromatic substitution and corresponding to the group 1/183 (Annex 45).

FR and RU support this proposal. RU suggests that *atoms* should read *atom*. Rapporteur believes the EP proposal to be a logical and correct change to achieve the required result. In view of the different wording between group 1/182 and groups 1/188, 1/222 R suggests the following amendment of the EP proposal :

N 1/1895 ..... having at least one carboxyl group bound to an aromatic carbon atom

N 1/2235 ..... having at least one amino group bound to an aromatic carbon atom

Indexing Scheme

EP proposed an amendment of the indexing scheme of Annex 35 to produce a classification scheme, stating that this could easily be transformed into an indexing scheme if required. The EP scheme now proceeds as follows :
C10L

N	1/50	. Adding materials to specific types of fuels
N	1/54	.. Gasoline
N	1/56	.. Diesel oils or heating oils
N	1/58	.. Jet fuels
N	1/60	.. Crude oils or residual oil
N	1/62	.. Low sulfur content fuels
C	10/00	Adding materials to fuels or fires to avoid or minimise undesirable phenomena, e.g. deposits- Adding materials to fuels to improve fuel properties
	10/02	. to reduce smoke development
	10/04	. to minimise corrosion or incrustation
	10/06	. to facilitate soot removal
N	10/20	. to improve fuel properties
N	10/22	.. Detergents; Dispersants
N	10/26	.. Lubricity improvers; Anti-wear agents
N	10/28	.. Octane number improvers
N	10/30	.. Cetane number improvers
N	10/32	.. Low temperature properties improvers
N	10/34	... Cold flow improvers
N	10/36	... Pour-point depressants
N	10/38	... Cloud-point depressants

RU express support for this revised proposal. R feels this may be an area for further discussion within the next Working Group.

Graham Lynch
UKPO

IPC/C 391/97 Rev.4
ORIGINAL: English/French
DATE: January 10, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE

GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/ DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: **DE** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 10 B** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Clarification of wordings** **TYPE DE RÉVISION :** **Clarification de libellés**	

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 391/97	ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal / Demande de révision avec proposition détaillée		DE	18.02.97
2	Comments / Observations		EP	07.98
3	Comments / Observations		FR	07.98
4	Comments / Observations		SE	07.98
5	Revision request with detailed proposal / Demande de révision avec proposition détaillée		RU	02.99
6	Comments / Observations		EP	02.99
7	Comments / Observations		DE	02.99
8	Rapporteur report / Rapport du rapporteur		RU	02.99
9	Rapporteur proposal / Proposition du rapporteur		RU	02.99
10	Comments / Observations		DE	05.99
11	Comments / Observations		RO	05.99
12	Comments / Observations		RO	05.99
13	Rapporteur report / Rapport du rapporteur		NO	05.99
14	Rapporteur report / Rapport du rapporteur	Rev.1	RU	07.99

RAPPORTEUR : RU TECHNICAL FIELD/DOMAINE TECHNIQUE : C

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 391/97	ORIGIN/ ORIGINE	DATE
15	Rapporteur proposal	/ Proposition du rapporteur	Rev.1	RU	07.99
16	Decision of the Working Group	/ Décision du groupe de travail	Rev.1	WG	07.99
17	Comments	/ Observations	Rev.1	EP	10.99
18	Comments	/ Observations	Rev.1	CA	10.99
19	Comments	/ Observations	Rev.1	RO	10.99
20	Comments	/ Observations	Rev.1	DE	10.99
21	Comments	/ Observations	Rev.1	SE	11.99
22	Rapporteur report	/ Rapport du rapporteur	Rev.1	RU	11.99
23	Rapporteur proposal	/ Proposition du rapporteur	Rev.1	RU	11.99
24	Comments	/ Observations	Rev.2	JP	03.00
25	Decision of the Working Group	/ Décision du groupe de travail	Rev.3	WG	06.00
26	French version of approved amendments	/ Version française des modifications approuvées	Rev.3	CH	11.00
27	Decision of the Working Group	/ Décision du groupe de travail	Rev.4	WG	01.01

ANNEX 27

EXCERPT FROM DOCUMENT IPC/WG/4/5/
EXTRAIT DU DOCUMENT IPC/WG/4/5

ANNEXE 22 **C 08 J** **[Project-Rapporteur : 391/RU] (T:CH) - SC/03/3** **<SC04054F> <SC03053E>**

11/10

• • – – – monomère d'origine C 07; production de mélanges d'hydrocarbures liquides à partir de caoutchouc ou de déchets de caoutchouc C 10 G 1/10))

ANNEXE 23 **C 10 B** **[Project-Rapporteur : 391/RU] (T:CH) - SC/03/3** **<SC04055F> <SC03054E>**

N *53/07*

• *de matières polymères synthétiques, p.ex. pneumatiques (récupération ou traitement des déchets de composés organiques macromoléculaires ou des compositions à base de tels composés par traitement thermique à la chaleur sèche pour obtenir des matériaux partiellement dépolymérisés C 08 J 11/10; production de mélanges d'hydrocarbures liquides à partir de caoutchouc ou de déchets de caoutchouc C 10 G 1/10)*

IPC/C 412/98 Rev.3
ORIGINAL: English/French
DATE: June 5, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE

GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: **ES** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **A 61 K** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **Création de sous-groupes**	

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 412/98	ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal / Demande de révision avec proposition détaillée		ES	12.98
2	Revision request with detailed proposal / Demande de révision avec proposition détaillée		ES	12.98
3	Comments / Observations		EP	05.99
4	Comments / Observations		SE	05.99
5	Comments / Observations		CA	05.99
6	Comments / Observations		RO	05.99
7	Comments / Observations		US	05.99
8	Rapporteur report / Rapport du rapporteur		ES	07.99
9	Comments / Observations		DE	07.99
10	Comments / Observations		ES	09.99
11	Comments / Observations		CA	10.99
12	Comments / Observations		RO	10.99
13	Proposal / Proposition		EP	11.99
14	Comments / Observations		SE	11.99

RAPPORTEUR : ES **TECHNICAL FIELD/DOMAINE TECHNIQUE : C**

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 412/98	ORIGIN/ ORIGINE	DATE
15	Rapporteur report	/ Rapport du rapporteur	Rev.1	ES	12.99
16	Comments	/ Observations	Rev.1	JP	12.99
17	Decision of the Working Group	/ Décision du groupe de travail	Rev.1	WG	12.99
18	Proposal	/ Proposition	Rev.1	EP	03/00
19	Comments	/ Observations	Rev.1	DE	03/00
20	Comments	/ Observations	Rev.1	SE	05.00
21	Comments	/ Observations	Rev.1	RO	05.00
22	Rapporteur report	/ Rapport du rapporteur	Rev.1	ES	05.00
23	Decision of the Working Group	/ Décision du groupe de travail	Rev.2	WG	09.00
24	Comments	/ Observations	Rev.2	EP	09.00
25	Comments	/ Observations	Rev.2	ES	09.00
26	Comments	/ Observations	Rev.2	RO	09.00
27	Comments	/ Observations	Rev.2	CA	09.00
28	Comments	/ Observations	Rev.2	DE	09.00
29	Comments	/ Observations	Rev.2	GB	09.00
30	Comments	/ Observations	Rev.2	SE	09.00
31	Comments	/ Observations	Rev.2	JP	11.00
32	Rapporteur report	/ Rapport du rapporteur	Rev.2	ES	11.00
33	Decision of the Working Group	/ Décision du groupe de travail	Rev.3	WG	01.01
34	Proposal	/ Proposition	Rev.3	EP	02.01
35	Comments	/ Observations	Rev.3	JP	06.01
36	Comments	/ Observations	Rev.3	EP	06.01
37	Comments	/ Observations	Rev.3	CA	06.01
38	Comments	/ Observations	Rev.3	SE	06.01
39	Comments	/ Observations	Rev.3	FR	06.01
40	Comments	/ Observations	Rev.3	RO	06.01
41	Comments	/ Observations	Rev.3	ES	06.01
42	Comments	/ Observations	Rev.3	DE	06.01
43	Rapporteur report	/ Rapport du rapporteur	Rev.3	EP	06.01

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 412/98	ORIGIN/ ORIGINE	DATE
44	Rapporteur proposal	/ Proposition du rapporteur	Rev.3	EP	06.01
45	Comments	/ Observations	Rev.3	ES	06.01

ANNEX 33

EXCERPT FROM DOCUMENT IPC/WG/4/5/
EXTRAIT DU DOCUMENT IPC/WG/4/5

Project C 412 (chemical) – In order to provide a basis for further elaboration of the Project, the Working Group approved the new main group A 61 K 8/00 and its subdivisions at one dot level (see Annex 32 to this report).

The EPO was invited to submit a proposal concerning classification philosophy in the area of "cosmetics or similar toilet preparations," taking into account the decision of the Working Group to introduce local last place rules applied only within one dot groups.

Comments were invited on:

– the proposal to be submitted by the EPO;

– whether a new subclass covering "cosmetics" or a new main group at the end of the classification scheme of subclass A 61 K should be created instead of main group A 61 K 8/00, taking into account that the creation of the new subclass would allow to elaborate a classification structure easier to use and would retain overall application of the last place rule in subclass A 61 K, but would remove the "cosmetics" area from the closely related area of medicinal preparations and would reduce possibilities for the insertion in class A 61 of new subclasses during the further revision of the IPC;

– whether group 8/001 should cover only cosmetics preparations, characterized by a special form, of general application, as proposed by the Rapporteur in Note (2) after group A 61 K 8/00 (see Annex 32 to the project file), or whether that group should be used for multi-aspect classification of cosmetics preparations characterized by a special form and a special application;

– whether cosmetics preparations characterized by a special form and having therapeutic activity should be classified in both groups 8/001 and A 61 K 9/00 or should be collected in one place;

– the correctness of the wording of group 8/37, in particular in respect of the term "formulations";

– the relationship between groups 8/37, 8/371 and the existing group C 11 B 9/00;

– whether group 8/411 covered insect repellants;

– the correctness of the wording of group 8/461, in the light of the approved Note (2) after group 8/00 (see Annex 32 to this report);

– whether "washing and bathing preparations for the skin and the hair" could be combined in group 8/671, in view of their similarity, taking into consideration the proposed group A 61 K 8/220 (see Annex 32 to the project file);

– the relationship between groups 8/063, 8/461 and 8/671 and subclass C 11 D and whether any references delimiting their scope were needed;

– the remainder of the Rapporteur's proposal (see Annex 32 to the project file), bearing in mind that groups with the wording "compounds according to two or more of the preceding groups" should be treated as residual groups, and proposing additional groups if necessary.

Projet C 412 (chimie) – Afin de disposer d'une base pour la poursuite de l'élaboration du projet, le groupe de travail a approuvé le nouveau groupe principal A 61 K 8/00 et ses subdivisions au niveau à un point (voir l'annexe 32 du présent rapport).

L'OEB a été invité à présenter une proposition concernant le mode de classement dans le secteur des "cosmétiques ou préparations similaires pour la toilette" compte tenu de la décision du groupe de travail d'introduire des règles locales relatives à la dernière place appliquées uniquement aux groupes à un point.

Des observations ont été demandées :

– sur la proposition devant être présentée par l'OEB;

– sur le point de savoir s'il convient de créer une nouvelle sous-classe couvrant les "cosmétiques" ou un nouveau groupe principal à la fin du schéma de classement de la sous-classe A 61 K à la place du groupe principal A 61 K 8/00, compte tenu du fait que la création de la nouvelle sous-classe permettrait d'élaborer une structure de classement plus facile à utiliser et de conserver l'application générale de la règle de la dernière place dans la sous-classe A 61 K, mais supprimerait les "cosmétiques" du secteur des préparations médicinales qui y est étroitement lié et réduirait les possibilités d'insérer dans la classe A 61 de nouvelles sous-classes au cours de révisions ultérieures de la classification;

– sur le point de savoir si le groupe 8/001 devrait couvrir uniquement les préparations cosmétiques caractérisées par un aspect particulier et d'application générale, ainsi que le propose le rapporteur dans la note 2) suivant le groupe A 61 K 8/00 (voir l'annexe 32 du dossier de projet), ou s'il devrait être utilisé pour le classement selon plusieurs aspects des préparations cosmétiques caractérisées par un aspect particulier et une application particulière;

– sur le point de savoir si les préparations cosmétiques caractérisées par un aspect particulier et possédant une activité thérapeutique doivent être classées à la fois dans les groupes 8/001 et A 61 K 9/00 ou réunies en un seul endroit;

– sur l'exactitude du libellé du groupe 8/37, concernant en particulier le terme "formulations";

– sur le lien entre les groupes 8/37 et 8/371 et le groupe C 11 B 9/00 existant;

– sur le point de savoir si le groupe 8/411 couvre les produits insectifuges;

– sur l'exactitude du libellé du groupe 8/461 compte tenu de la note 2) suivant le groupe 8/00 qui a été approuvée (voir l'annexe 32 du présent rapport);

– sur le point de savoir si les "préparations de nettoyage ou de bain pour la peau et la chevelure" peuvent être combinées dans le groupe 8/671 en raison de leurs similitudes et compte tenu du groupe A 61 K 8/220 proposé (voir l'annexe 32 du dossier de projet);

– sur le lien entre les groupes 8/063, 8/461 et 8/671 et la sous-classe C 11 D et sur la nécessité d'introduire des renvois pour délimiter leur portée;

– sur les autres points de la proposition du rapporteur (voir l'annexe 32 du dossier de projet), étant entendu que les groupes intitulés "composés selon deux des groupes précédents ou plus" doivent être traités comme des groupes résiduels et en proposant des groupes supplémentaires si nécessaire.

ANNEX 32 A 61 K [Project-Rapporteur : 412/ES] <SC04056E>

Note(s) after the title

(3) In this subclass, with the exception of group 8/00, in the absence – – –

N ***8/00*** ***Cosmetics or similar toilet preparations*** *(casings or accessories for storing or handling of solid or pasty toilet or cosmetic substances A 45 D 40/00)*

N *Note(s) after 8/00*

(1) Where a preparation primarily used for a non-medical purpose is stated to have therapeutic activity, classification is also made in subclass A 61 P.

(2) Preparations for general use, or without specific use mentioned in the claims or examples, are classified in group 8/461 or its subgroups.

N *8/001* • *characterised by special physical form*

N	*8/033*	• *Make-up preparations; Preparations for removing make-up; Body powders*
N	*8/049*	• *Manicure or pedicure preparations*
N	*8/063*	• *Preparations for care of the hair; Preparations for affecting hair growth, for removing hair or for aiding hair removal*
N	*8/289*	• *Preparations for care of the teeth, of the oral cavity or of dentures; Dentifrices, e.g. toothpastes; Mouth rinses*
N	*8/37*	• *Formulations or additives for perfume preparations*
N	*8/371*	• *Anti-perspirants or body deodorants (deodorisation of air A 61 L 9/00)*
N	*8/411*	• *Barrier preparations; Preparations brought into direct contact with the skin for affording protection against external influences, e.g. sunlight, X-rays or other harmful rays, corrosive materials, bacteria or insect stings (chemical means for combating harmful chemical agents A 62 D 3/00)*
N	*8/461*	• *Preparations for care of the skin; Preparations for unspecified or general cosmetic use*
N	*8/671*	• *Washing or bathing preparations*

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Early Proposal
17 January 2001

Project C412 / Subclass A61K
Ref.: IPC/WG/4/5 Prov., par. 10, p.7 and its technical annex 32

1. Introduction

At it's 4th Session, the WG adopted the one dot entries of newly created group A61K8/00 for cosmetic and similar preparations. It also adopted the principle of multiple classification and local last place rules in this main group as well as a note explaining were to classify preparations for general use.
The EPO was invited to submit a proposal concerning further classification philosophy in main group A61K8/00. This proposal is submitted herewith. As the Report of WG4 already asked a question about note (2) proposed in RP of annex 32 to the project file, this note is not repeated here.
Subgroups referred to are to be found in RP of annex 32 to the project file.

2. EP classification philosophy for maingroup A61K8/00:

For search purposes, classification should be based on the following general idea:
a document is to be classified for the chemical aspect ànd for each specific application mentioned:
==> a chemical preparation used for an application covered by **8/033 - 8/061** should thus be classified in one (or more) of these groups and in the chemical skin groups (**8/464-8/65**). In the same way preparation for specific hair applications should be classified in **8/219 - 8/233** and receive a second classification according to the composition in groups **8/066-8/212**
==> in cases were specific chemical groups exist for specific applications, both aspects are classified using only one classification entry, e.g. **8/24**, **8/374** or **8/464**
The ultimate purpose being not to lose any chemical information.

3. EP-proposal for Notes after group A61K 8/00:

[(1) Where a preparation primarily used for a non-medical purpose is stated to have therapeutic activity, classification is also made in subclass A61P <adopted at WG4>]

[(2) Preparations for general use, or without specific use mentioned in the claims or examples, are classified in group A61K8/461 or its subgroups <adopted at WG4>].
[(3) <see note (2) in RP of annex 32 (p.4) to the project file and question 3 in the Report of WG4>]

(4) In each set of groups 8/066 to 8/212, 8/24-8/266, 8/292-8/36, 8/374-8/404, 8/418-8/446, 8/464 to 8/65, in the absence of an indication to the contrary, classification is made in the last appropriate place

(5) Except for uses for which chemical entries exist e.g. A61K8/237, in this group for each specified use, classification is made for the use itself as well as for the chemical composition of the preparation concerned, using the claims or examples as guidance, i.e.

- when classification is made in one or more of groups A61K8/033 to 8/061 for the specific use, classification is also made in groups 8/464 to 8/65 for the composition

- similarly,

- - when classification is made in one or more of the groups 8/219 to 8/233, classification is also made in groups 8/066 to 8/212

- - when classification is made in one or more of the groups 8/269 to 8/287, classification is also made in groups 8/464 to 8/65

- - when classification is made in group 8/369 classification is also made in groups 8/292 to 8/36.

- when classification is made in group 8/415, with the exclusion of its subgroups, classification is also made in groups 8/464 to 8/65 as far as compounds others than UV absorbers are concerned.

Paul Daeleman

Japan Patent Office 10 April 2001

Project:C-412 Subclass:A61K

As *cosmetics preparations having therapeutic activity* should also be classified under A61P, we do not agree to collect this kind of cosmetics in one place (See the Note(s) after 8/00 (1) of A61K in ANNEX 32: Rapporteur).

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
9 April 2001

Project C412 / Subclass A61K

Ref.: Annex 33 to the project file

I. General reflections on the actual state of the discussions

1.This project started back in 1998 and has led, after many rounds of discussions, to the adoption of a number of A61K8 groups, which actually only replace the existing A61K7 groups.
Complementary to this, EP was invited to propose some explaining notes to indicate how these groups and those who still have to be adopted are supposed to be used in the context of multi aspect classification.

2. The starting principles for defending the followed direction of the discussions, were:
- the continuation of the general out-line of the existing IPC/ECLA scheme (see adopted groups/proposals)
- the multi-aspect classification approach (see EP proposal of January 2001).

3. Since 1998 there have been a number of developments influencing the needs/tools of a search examiner. There are the improved electronic tools, there is de reform of the IPC (stimulation of multi-aspect classification provisions in IPC).

4. Observing were we stand now in this project, it is questionable whether we are on the correct road. The notes proposed by EP are rather artificial and difficult to apply. They can not guaranty a consistent application by different classifiers. Furthermore future revisions of IPC might become complicated because of these notes.

5. For all these reasons, EP:
- withdraw its proposal for the notes after group A61K8/00 (annex 34 to the project file)
- ask the members of the WG to reconsider fundamentally this project (see below)
- apology for the inconvenience caused by this change in opinion in this late stage of the discussions.

6. To come to a simple system that is easy to apply in a consistent way and that facilitates the application of the multi aspect classification approach, EP would like to come back to an earlier suggestion (see DE comments in annex 19, annex 23 and following comments): the creation of two sets of entries:
- one for the chemical nature of the cosmetic preparations
- one for their application.

This system should be applied according to the recommendations of the Reform WG (see IPC/REF/3/2, par 31) concerning the subject matter in a patent document to be classified:
"-all invention information, i.e. technical information representing an addition to the state of the art, using the claims as guidance
- other information which could be useful for search purposes."
In concrete, classification should be made taking the claims and examples as guidance.

7. Such an approach has already met the approval of the working group in other cases, like for the classification of the therapeutic activity of medical preparations (A61P).
One possible way for implementing this multi aspect classification system for "Cosmetics" could be, the creation of the new main group A61K8/00 for the chemical composition aspect (comparable with A61K31/00, etc. for the medical preparations) and the creation of new subclass A61Q for the use or application aspect of the cosmetic preparations.

8. This might seam to imply, the WG has to start from zero again. This however is not the case:
- the groups adopted at WG4 (annex 33) might be the basis for the "application part" of the new scheme,
- the chemical groups as proposed in several annexes, the basis for the "chemical part".
To cause the least possible inconvenience to other Offices, EP is prepared to produce a detailed proposal.

II. Questions raised in annex 33 (Decision of WG)/Translation

In the light of the new situation as explained in point I. above, it does not seem to be opportune to answer the questions raised in annex 33 to the project file nor to prepare the French translation for the time being.

Paul Daeleman

412ep06c

The Canadian Intellectual Property Office CIPO OPIC L'Office de la propriété intellectuelle du Canada

Project Number: C412	Date: 03 April, 2001
Class/Subclass: A61K	Page 1 of 2

We are pleased to provide the comments below:

1) We generally support EPO=s proposal (Annex 34).

2) Even though the creation of a new subclass or group at the end of A61K would allow for the elaboration of a classification structure that is easier to use, and would also retain the overall application of the last place rule in A61K, we nevertheless favour the creation of main group A61K 8/00.

3) We would consider multi-aspect classification in group 8/001 to be more useful.

4) In our view, cosmetic preparations characterized by a special form and having therapeutic activity should be collected into one place (A61K 9/00).

5) We favour the use of Aformulations@ for 8/37.

6) We have no specific comments on the relationship between 8/37, 8/371 and C11B 9/00.

7) We consider that group 8/411 should cover insect repellants.

8) We consider the current wording to be adequate given the potential for inventions to take care of the skin that are not characterized by a special physical form or without a specific application.

9) We would prefer that Awashing and bathing preparations for the skin and the hair@ not be combined in group 8/671 even though they can be perceived as similar.

10) Concerning the relationship between groups 8/063, 8/461 and 8/671 and subclass C11D, we

would reiterate the argument that classification of ambiguous composition in both schemes should, in most cases, ensure adequate classification. References are always useful to delimit the scope of a group/subclass, and we would support their creation.

11) We are in general agreement with the remainder of the Rapporteur=s proposal, and concur with the notion that wording such as Acompounds according to two or more of the preceding groups@ should be treated as residual groups.

Nancy Beauchemin

Swedish Patent and Registration Office

IPC Revision Project C 412, subclass A61K **April 11, 2001**

COMMENTS
relating to IPC/C 412/98 Annex 33 and 36

SE supports the suggestion made in broad outline by EP in Annex 36, paragraphs 6 and 7, and is looking forward to a detailed proposal from EP. SE can imagine an approach like the classification of medicinal preparations in A61K31-A61K48 and A61P.

For this reason we do not comment on the question raised in Annex 33.

Helena Danielsson

INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE **FR - avr. 2001**

Projet IPC / C **412/98**
Sous-classe **A 61 K**

À la 4ème session de IPC/WG, des observations ont été demandées :

1. Sur le point de savoir s'il convient de créer une nouvelle sous-classe couvrant les cosmétiques ou un nouveau groupe principal à la fin du schéma de classement de la sous-classe A61K à la place du groupe principal A61K 8/00.

   Une nouvelle sous-classe présentera plus de facilités d'utilisation que la création d'un groupe principal, la séparation des cosmétiques des produits pharmaceutiques n'est pas un gros problème dans la mesure ou il sera possible d'effectuer un classement dans chacune des deux sous-classes.

2. Sur le point de savoir si le groupe 8/001 devrait couvrir uniquement les préparations cosmétiques caractérisées par un aspect particulier et d'application générale ou être utilisées pour le classement selon plusieurs aspects des préparations caractérisées par un aspect particulier et une application particulière.

   A notre avis le groupe 8/001 devrait être utilisé pour des préparations caractérisées par un aspect particulier et une application générale, les cas particuliers à application particulière étant classés dans les sous groupes ultérieurs.

3. Sur le point de savoir si les préparations cosmétiques caractérisées par un aspect particulier et possédant une activité pharmaceutique doivent être classés à la fois dans les groupes 8/001 et A61k 9/00 ou réunis dans un seul endroit.

   Un classement double nous paraît être la meilleure solution, d'autant plus que cosmétiques et produits pharmaceutiques risquent d'être séparés.

4. Sur l'exactitude du libellé du groupe 8/37.

   Le libellé proposé nous semble clair et exact dans sa formulation actuelle.

5. Sur le lien entre les groupes 8/37 et 8/371 et le groupe C11B-9/00 existant.

   Un lien existe entre 8/37 et C11B 9/00et un renvoi peut être envisagé; par contre ce lien ne nous semble pas exister pour le sous-groupe 8/371.

6. Sur le point de savoir si le groupe 8/411 couvre les produits insectifuges.

   Il semble effectivement que le groupe 8/411 couvre les produits insectifuges dans sa formulation actuelle, cependant il serait plus clair de le préciser , afin d'éviter les ambiguïtés.

7. Sur les autres points de la proposition du rapporteur (composés selon deux des groupes précédents ou plus) doivent être traités comme des groupes résiduels.

   La présence de groupes résiduels permet de ménager l'avenir et offre une solution de classement dans les cas ou aucun groupe spécifique n'est conforme à l'invention.

OFICIUL DE STAT PENTRU

INVENTII SI MARCI

Date:April ,2001

RO COMMENTS

Project : C 412

Class/Subclass : **A 61 K**

Comments were invited on :

- *the proposal submitted by EPO concerning the classification philosophy in the concerned area in relation with the decision of applying the last place rule only for one dot groups.*

Giving the EPO decision to withdraw the notes proposed in Annex 34 to the project file we have no more proposal to comment on. Regarding the problem raised by EPO we agree to reconsider the project by creating a special subclass for the application of the cosmetic preparation. We have done this in the past for medicinals and for pesticides. It is better to do this than mixing chemical and application aspects of the cosmetics. In this way we have answered to the second question from the report.

Now we will try to answer however to some of the question from the report. Even if they don=t refer to chemical aspects of the cosmetic preparations.

- *whether cosmetics preparation characterized by a special form and having therapeutic activity should be classified in both groups 8/001 and A61K 9/00 or should be collected in one place.*

Probably the classification of the special form will be made in the new subgroup 8/001,

A 61 K 9/00 referring to the special form of the medicinal preparation but not to the therapeutic activity.

In the future the classification of the chemical aspect of the cosmetic preparations will be combined with the classification symbols of A 61 P and the new subclass to be created.

Multi-aspect classification is desirable in this area.

- *the correctness of the wording of the group 8/37, in particular of the term Aformulations@.*

- *the relationship between groups 8/37, 8/371 and the existing group C11B 9/00.*

The term Aformulation@ would appear for the first time in the IPC in the wording of the group 8/37. It isn=t incorrect but however we would prefer to use another term, for instance Acompositions@ as it stands now in the existing scheme, or Amaterials@ or, better Asubstances@. At the same time it would be desirable to have a reference to C11B 9/00 (essential oils C11B 9/00) and to delete the last/second part from the title of the subclass C11B/principal group 9/00 which refers to perfumes. We don=t see any obvious relationship between 8/371 and C11B 9/00. The anti-perspirants are supposed to contain an active ingredient not only a perfume which could be equally present in any cosmetic preparation.

- *whether group 8/411 covered insect repellants.*

Yes, we do believe so. Perhaps a reference to A01N for repellents as such could be useful.

- *the correctness of the wording of subgroup 8/461, in the light of the approved Note (2) after group 8/00; and*

- *whether Awashing and bathing preparation for the skin and the hair@ could e combined in group 8/671, in view of their similarity, taking into account the proposed 8/220.*

If it will be decided to create a new classification scheme for application aspects of the cosmetics, then this problems will be solved in a new manner.

- *the relationship between groups 8/063, 8/461 and 8/671 and subclass C11D and whether any references delimiting their scope were needed.*

We agree with the proposal of the Rapporteur in Annex 32, page 3 regarding this problem and with the proposed note in C11D.

Mirela Georgescu

SPANISH PATENT AND TRADEMARK OFFICE

ES Comments	
IPC Project: 412 **Subclass: A61K**	**Date: April 16, 2001**

Firstly, we thank EP for its proposal in annex 34 relating to the philosophy for classifying cosmetics and similar toilet preparations. We know that there is a lot of work behind it.

With regard to this philosophy, we fully agree on the classification of both, the chemical composition as well as the use or application of the cosmetic preparations. We also agree with EP on the difficulty to apply the proposed notes in annex 34 and we also wonder whether it is time to reconsider the project.

Furthermore, we support the proposal made in Annex 36, namely the creation of two sets of entries that would allow the classification of the cosmetic compositions according to the chemical composition and the specific application.

We would like to express our gratitude to EP, who is prepared to produce a new proposal. Since 1998, when a revision request suggesting a simple subdivision between chemical and biological compositions was sent by ES, the scope of the project has grown so much that it has become practically a new project. Although, as stated by EP , part of the adopted scheme could be used for this new proposal, ES knows that the great expertise of EP will be needed. For this reason, ES deeply welcomes the EP´s offer and wonders whether it could become the Rapporteur of the new project.

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trademark Office	Class/Subcl.: **A61K**
	Date : 19.04.2001
DE - Comments — C412	

Re: Comments on IPC/WG4/5 Project C412 Annex 33 to the project file

- *the proposal submitted by EPO*

We welcome the decision of EP in Annex 36 to withdraw the proposal from Annex 34 and to submit a detailed proposal on the basis of two schemes - one for the chemical nature and one for their application, which facilitates the application of the multi aspect classification. We appreciate to reconsider the project taking into account our earlier suggestion from Annex 19.

Without having a detailed proposal to comment on we express some remarks to the questions raised in Annex 33.

- *whether cosmetics preparation characterised by a special form and having therapeutic activity should be classified in both groups 8/001 and A61K 9/00 or should be collected in one place.*

The scheme for the chemical nature of cosmetic preparations should provide entries for preparations characterised by a special form. The therapeutic activity should be classified in A61P. Multi aspect classification is desirable.

- *the relationship to the existing group C11B 9/00.*

The relationship to C11B 9/00 should be clarified by a reference.

- *the relationship to subclass C11D and whether any references delimiting their scope were needed.*

We refer to our comments on that in Annex 28. Subject matter should be classified In A61K, when the invention relates to preparations which are ”cosmetically active”. Preparations should be classified in C11D, when the invention relates to compounds or compositions concerning the cleaning or washing properties, e.g. surfactant mixtures. A reference delimiting the scope is needed. The introduction of an informative note how to classify in these subgroups could be helpful as well. Multiple classification in both schemes should not be avoided.

H. P. Gerster

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Report
21 May 2001

Project C412 / Subclass A61K

Ref.: - Annex 33 to the project file (WG Decision)
- Annexes 34-42 (comments by Offices)

I. introduction

1. At its 4th session, the WG adopted new maingroup A61K8/00 and its subdivisions at one dot level, replacing IPC7 entry A61K7/00 for cosmetic or similar toilet preparations.
The EPO was invited to submit a proposal for clarifying the classification philosophy. Comments were invited on this proposal, on a number of questions relating to the adopted new groups, as well as on the remainder of Rapporteur Proposal of annex 32.

2. Apart from the early EP proposal (annex 34), comments were received from the JP, EP, CA, SE, FR, RO, ES and DE Offices (annexes 35 - 42).

3. In their early proposal, EP formulated some notes to clarify the classification philosophy, however, in their comments of April 09 (annex 36) this proposal was withdrawn, because this Office realised that the application of these notes would be complicated and lead to inconsistent classification amongst different Offices. Therefore EP proposed to come back to the earlier proposal of applying a systematic multi-aspect classification (MAC), in this particular case, meaning classification of both the chemical composition and the use aspect.

4.The ES Office, as Rapporteur, agreed with this new approach (see annex 41), invited the EPO to submit a concrete proposal and suggested that this Office would take over as Rapporteur.

5. Informally, EP already agreed with ES to do so and thus, awaiting the official approval by the WG, prepared the present Report (RR) and Proposal (RP).

6. In this RR, first the answers of Offices on the questions raised by WG4 will be dealt with, as far as considered appropriate taking into account the new developments as described in points 3-4 above (see point II). Next the new EP proposal will be presented (see point III).

II. Comments received on the questions raised at WG4 (see annex 33 to the project file).

1. Early EP proposal

- SE, RO, ES and DE agree with the withdrawal of the early EP proposal of annex 34.
- JP and FR do not give specific comments on the proposal nor on its withdrawal.
- Ca support EP's proposal, but these comments were made before the withdrawal.

Taking into account the new situation created by the withdrawal of the proposal and the suggestion to come back to the idea of multi-aspect classification for chemical composition and use, no further comments on the questions of WG4 were made by some of the commenting Offices (SE, ES, EP).

2. Where to place "Cosmetics" in section A ?
- CA favours the creation of main group A61K8/00 for "cosmetics".
- FR is in favour of the creation of a new subclass as this would give more facilities in the use of the scheme.

3. Group 8/001(special physical form)
- CA would consider MAC to be more useful.
- FR is of he opinion that 8/001 should be used for preparations for general use only.

4. Groups 8/001 and 9/00 (cosmetics having special form and therapeutic activity)
- Referring to adopted note (1) after 8/00 (annex 32), JP do not agree to collect this kind of cosmetics in one place.
- CA on the contrary, is of the opinion that these cosmetics should be collected in one place (A61K9/00).
- FR believe that a double classification could be the best solution.
- RO refer to the MAC proposed by EP in annex 36.
- According to DE, MAC is desirable. The scheme for the chemical nature should provide entries for preparations with special form. The therapeutic activity could be classified in A61P.

5. Correctness of the wording of group 8/37
- CA favour the use of the term "formulation".
- FR agree with the adopted wording.
- RO would prefer "substances" (or "compositions" or materials").

6. Relationship between groups 8/37, 8/371 and C11B9/00
- CA has no specific comments.
- FR believe a reference could be considered as there is some relationship between 8/37 and C11B9/00. For 8/731 such a relationship does not seem to exist
- RO thinks a reference to C11B9/00 in 8/37 would be desirable. The last/second part from the title of subclass C11B/principal group 9/00, which refers to perfumes, should be deleted. No relationship between 8/371 and C11B9/00 is found.
- DE state that a reference should clarify the relationship with C11B9/00.

7. Whether group 8/411 covers insect repellants
- CA: 8/411 should cover insect repellants.
- FR: to avoid ambiguity, it should be made clear that repellants are included.
- RO: yes; a reference to A01N for repellants as such could be useful.

8. Correctness of the wording of group 8/461
- CA consider the wording as being correct.
- RO refer to the new approach suggested in annex 36 to solve the problem.

9. Group 8/671 (washing and bathing preparations)
- CA prefer not to combine preparations for washing and bathing in group 8/671.
- RO refer to the new approach to solve this problem.

10. Groups 8/063 - 8/461, 8/671 and subclass C11D
- CA suggest that classification in both schemes of ambiguous compositions should in most cases ensure adequate classification. Creation of references would be supported.
- RO agrees with R proposal in annex 32, p.3 and with the proposed note in C11D.
- DE refer to their earlier comments of annex 28. A reference delimiting the scope is needed. An explicative informal note could be useful as well. MAC should not be avoided.

11 Remainder of Rapporteur Proposal (annex 32 to the project file)
- CA are in general agreement with the remainder of RP, taking into account the correction made for the "residual groups".
- FR support the creation of such residual groups.

III. New proposal

As mentioned in annex 36, an approach similar to the one used for medical preparations (A61K/A62P) is (re-)suggested. In extenso a systematic (as far as appropriate) MAC for the chemical composition and the use. To be consistent with the medical part, the chemical composition should be classified in A61K (e.g. A61K8/00), the application aspect or use in a new subclass (e.g. A61Q).
This general idea is already supported by SE, RO, SE and DE.
In the joined proposal, a number of the remarks made by Offices has been incorporated.

1. Uses of cosmetic preparations
Adopted groups A61K8/033 to 8/671 could be transferred to A61Q1/00 to 17/00, completed with some of the subgroups of annex 32 (See "R"- proposal).

2 Chemical composition of cosmetic preparations
Chemical entries from annex 32 were taken as basis for the chemical scheme under A61K8/00 Some entries for the physical form were added too under this subclass. (See "R" -proposal).
We apologies for the late sending of this report and proposal, but it seemed rather important to present a well founded and detailed proposal to avoid any further delay in the discussions for this project. The preparation took much longer then we had expected.

Paul Daeleman

412ep07r

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Proposal
21 May 2001

Project C412 / Subclass A61K

I. Subclass A61K

< "D" notes after
A61K delete amendment to note (3) as adopted by WG4 (see annex 33 to the project file)>

D 7/00 + subgroups < transferred to A61K8/00 and A61Q>

D note after 7/00

"N" 8/00 Cosmetics or similar toilet preparations --- ; soap or detergent compositions C11D)
< amendment of group already adopted at WG4; see annex 33>

< "D" notes after 8/00 as adopted by WG4 (see annex 33)>

< "D" groups 8/001 to 8/671 as adopted by WG4 (see annex 33) >

N Notes after
8/00 Note
(1) In each set of groups 8/01 to 8/014, 8/02 to 8/14 and 8/20 to 8/725, in the absence of an indication of the contrary, classification is made in the last appropriate place.
(2) Use of cosmetics or similar toilet preparations is further classified in subclass A61Q

N 8/01 . characterised by the form of the product made with the preparations

N 8/013 . . Tissues, wipes or patches

N 8/017 . . Face masks

N 8/02 . characterised by special physical form of the preparations

N 8/04 . . Liquid compositions with two or more distinct layers

N 8/06 . . Dispersions

N 8/065 . . . Aerosols; Foams

N 8/08 . . . Emulsions

N 8/083 . . . . Microemulsions

N 8/087 . . . . Multiple emulsions, e.g. water-in-oil-in-water

N 8/09 . . . Suspensions

N 8/095 . . . Microbeadlets; Microspheres; Granules; Microgranules
N 8/10 . . Encapsulated compositions

N 8/103 . . . Microcapules

N 8/107 . . . Nanocapsules

N 8/12 . . Vesicles, e.g. liposomes

N 8/123 . . Micelles

N 8/127 . . Liquid crystals

N 8/14 . . Special physical form not provided for in groups 8/04 to 8/127

N 8/20 . characterised by the composition

N 8/22 . . containing inorganic compounds

N 8/221 . . . Halogens

N 8/223 . . . . Fluorides or derivatives thereof

N 8/225 . . . Peroxides; Oxygen; Ozone

N 8/227 . . . Sulfur; Selenium; Tellurium; Derivatives thereof

N 8/229 . . . Phosphorous or derivatives thereof

N 8/23 . . . Silicon or derivatives thereof

N 8/231 . . . Aluminium or derivatives thereof

N 8/233 . . . Zinc or derivatives thereof

N 8/235 . . . Zirconium or derivatives thereof

N 8/237 . . . Titanium or derivatives thereof

N 8/24 . . containing organic compounds

N 8/243 . . . Hydrocarbons

N 8/247 . . . . Halogenated hydrocarbons

N 8/26 . . . containing oxygen

N 8/261 . . . . Alcohols

N 8/262 . . . . . Alcohols having more than seven atoms in an unbroken chain

N 8/263 . . . . . Phenols

N 8/264 . . . . Ketones, e.g. benzophenone

N 8/265 . . . . . Quinones

N 8/266 . . . . Acids; Salts or anhydrides thereof

N 8/267 . . . . . Polycarboxylic acids

N 8/271 . . . . . Hydroxycarboxylic acids; Ketocarboxylic acids

N 8/272 . . . . .Aromatic, i.e. where the carboxylic acid group is directly linked to the aromatic nucleus

N 8/273 . . . . Esters of carboxylic acids

N 8/275 . . . . . the alcohol moiety containing two or more hydroxy groups

N 8/277 . . . . Percompounds, e.g. peracids

N 8/279 . . . . alkoxylated derivates

N 8/28 . . . containing nitrogen (8/265 takes precedence)

N 8/281 . . . . Amines

N 8/282 . . . . . Aromatic amines, i.e. where the amino group is directly linked to the aromatic nucleus

N 8/283 . . . . . Indoanilines; Indophenol; Indoamines

N 8/284 . . . . . Aminophenols

N 8/285 . . . . . Quaternary ammonium compounds (8/265 takes precedence)

N 8/286 . . . . Amides

N 8/287 . . . . Guanidines, e.g. biguanides, bisbiguanides

N 8/288 . . . . Aminocarboxylic acids or derivatives thereof, e.g. aminocarboxylic acids containing sulfur; Salts; Esters or N-acylated derivatives thereof

N 8/289 . . . . alkoxylated derivatives

N 8/30 . . . containing sulfur (A 61 K 8/288 takes precedence)

N 8/303 . . . . containing sulfuric acid derivatives, e.g. sodium lauryl sulfate

N 8/307 . . . . containing sulfonic acid derivatives; Salts

N 8/32 . . . containing heterocyclic compounds

N 8/321 . . . . with one nitrogen as only hetero atom

N 8/3212 . . . . . having five member rings, e.g. pyrrolidone carboxylic acid

N 8/3214 . . . . . having condensed rings, e.g. indol

N 8/3216 . . . . . having six member rings

N 8/323 . . . . . having sulfur as an exocyclic substituent, e.g. pyridinethion

N 8/324 . . . . with more than one nitrogen as the only hetero atom

N 8/325 . . . . . containing pyrimidine ring derivatives, e.g. minoxidil

N 8/326 . . . . . Triazines

N 8/327 . . . . with oxygen as the only hetero atom

N 8/328 . . . . with sulfur as the only hetero atom

N 8/329 . . . . alkoxylated derivatives

N 8/34 . . . containing phosphorus

N 8/345 . . . . Phospholipids, e.g. lecithin

N 8/347 . . . . alkoxylated derivatives

N 8/36 . . . containing atoms other than carbon, hydrogen, halogen, oxygen, nitrogen, sulfur or phosphorus

N 8/365 . . . . Organosilicon compounds

N 8/38 . . . Sugars; Derivatives thereof

N 8/383 . . . . Nucleosides; Nucleotides; Nucleic acids

N 8/385 . . . . alkoxylated derivatives

N 8/387 . . . Steroids This subclass covers compounds as defined in C07J

N Note after 8/387

Note

This group covers steroids, as defined in note (1) after the title of subclass C07J

N 8/40 . . . Proteins; Peptides; Polypeptides; Derivatives or degradation products thereof

N 8/403 . . . . Collagen; Gelatin; Keratin; Derivatives or degradation products thereof

N 8/407 . . . . Enzymes

N 8/441 . . . Vitamins

N 8/443 . . . Sphingolipids, e.g. ceramides, cerebrosides, gangliosides

N 8/445 . . . compounds having a perfluro group, e.g. perfluoroethers

N 8/447 . . . Organic fluorides

N 8/44 . . . Non-macromolecular organic compounds not provided for in groups A 61 K 8/243 to A 61 K 8/447

N 8/46 . . containing organic macromolecular compounds

N 8/48 . . . Polysaccharides

N 8/481 . . . . Cellulose; Quaternized cellulose derivatives

N 8/483 . . . . Starch; Amylose; Amylopectin; Derivatives thereof

N 8/484 . . . . Alginic acid; Salts thereof

N 8/485 . . . . Mucopolysaccharides, e.g. hyaluronic acid; Derivatives thereof

N 8/487 . . . . Chitin; Chitosan; Derivatives thereof

N 8/488 . . . . Galactomannans, e.g. guar; Derivatives thereof
N 8/489 . . . . Cyclodextrins

N 8/50 . . . obtained by reactions involving only carbon-to-carbon unsaturated bonds

N 8/503 . . . . homo- or copolymers as defined in C08L23/00

N 8/505 . . . . Homo- or copolymers as defined in C08L33/00

N 8/52 . . . obtained by reactions otherwise than those involving only carbon-carbon unsaturated bonds
N 8/523 . . . . Polyesters

N 8/524 . . . . Polyethers

N 8/525 . . . . Polyurethanes

N 8/527 . . . . Polyamides

N 8/54 . . . . Polysiloxanes

N 8/543 . . . . . saturated

N 8/545 . . . . . unsaturated

N 8/547 . . . . . containing besides the atoms of the backbone atoms other than carbon and hydrogen

N 8/56 . . . Block copolymers

N 8/58 . . . Graft copolymers

N 8/62 . . Oils, fats or waxes not covered by one single of the preceding groups 8/243 to 8/58; Derivatives thereof, e.g. hydrogenation products

N 8/623 . . . of vegetable origin

N 8/625 . . . of animal origin

N 8/627 . . . . of insects, e.g. shellac

N 8/64 . . Products of undetermined constitution, e.g. antibodies ; Derivatives thereof

N 8/65 . . . of inanimate origin

N 8/66 . . . of vegetable origin, e.g. plant extracts

N 8/68 . . . of mammals or birds

N 8/70 . . . of species other than mammals or birds

N 8/72 . . . of microorganisms

II. Subclass A61Q

N	A61Q	USE OF COSMETICS OR SIMILAR TOILET PREPARATIONS
N	Note after A61Q	Notes (1) This subclass covers the use of cosmetics or similar toilet preparations as mentioned in the claims or examples, already classified as such in main group A61K8/00. (2) Where a preparation primarily used for non-medical purpose is stated to have therapeutic activity, classification is also made in subclass A61P
N	1/00	Make-up preparations; Preparations for removing make-up; Body powders
N	1/02	. Preparations containing skin colorant, e.g., pigments
N	1/04	.. for lips
N	1/06	... Lipsticks
N	1/08	.. for cheeks, e.g. rouge
N	1/10	.. for eyes, e.g. eyeliner, mascara
N	1/12	. Face or body powders for grooming, adorning or absorbing
N	1/14	. Make-up removing compositions
N	3/00	Manicure or pedicure preparations
N	3/02	. Nail coatings
N	3/02	. Nail coating removers
N	5/00	Preparations for care of the hair
N	5/02	. Preparations containing hair conditioning substances
N	5/04	. Preparations for cleaning the hair
N	5/06	. Preparations for permanent waving or straightening the hair
N	5/08	. Preparations for styling the hair
N	5/10	. Preparations for bleaching the hair
N	5/12	. Preparations for dyeing the hair
N	7/00	Preparations for affecting hair growth
N	7/02	. Preparations for inhibiting or slowing hair growth
N	9/00	Preparations for removing hair or for aiding hair removal
N	9/02	. Shaving preparations (shaving soaps C11D)

N 9/04 . Depilatories

N 11/00 Preparations for care of the teeth, of the oral cavity or of dentures; Dentifrices, e.g. toothpastes; Mouth rinses

N 11/02 . Preparations for deodorizing, bleaching or disinfecting dentures

N 13/00 Formulations or additives for perfume preparations (essential oils or perfumes C11B9/00)

N 15/00 Anti-perspirants or body deodorants (deodorisation of air A61L9/00)

N 17/00 Barrier preparations; Preparations brought into direct contact with the skin for affording protection against external influences, e.g. sunlight, X-rays or other harmful rays, corrosive materials, bacteria or insect stings (chemical means for combatting harmful chemical agents A62D3/00)

N 17/02 . Containing insect repellants (pest repellants A01N)

N 17/04 . Topical sun or radiation screening or tanning preparations

N 19/00 Preparations for care of the skin

N 19/02 . for chemically bleaching or whitening the skin

N 19/04 . for chemically tanning the skin (topical sun or radiation screening or tanning preparations 17/04)

N 19/06 . Anticellulitis preparations

N 19/08 . Antiageing preparations

N 19/09 . Washing or bathing preparations

III. Subclass C11D

C11D

C Title DETERGENT COMPOSITIONS (special washing compositions ---

Paul Daeleman

412ep08p

ANNEX 45

SPANISH PATENT AND TRADEMARK OFFICE

IPC Revision Project 412 4th June 2001

We fully agree with Rapporteur's proposal of creating a new subclass A61Q with multiple aspects classification (MAC) with similar philosophy to subclass A61P.

In this new Subclass we do not agree to send "shaving soaps" (brackets in subgroup.9/02) to C11D, because shavins soaps are not normally alone, they are always in the form of preparations, further they are cosmetic products, and they should be kept in A61K 8/00 (Cosmetics).

412es10c.wpd

IPC/C 413/98 Rev.3
ORIGINAL: English/French
DATE: June 5, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE

GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: **GB** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **B 01 D** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **Création de sous-groupes**	

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 413/98	ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal / Demande de révision avec proposition détaillée			12.98
2	Comments / Observations		EP	05.99
3	Counterproposal / Contre-proposition		EP	05.99
4	Comments / Observations		SE	05.99
5	Comments / Observations		CA	05.99
6	Comments / Observations		RO	05.99
7	Comments / Observations		JP	07.99
8	Comments / Observations		DE	07.99
9	Rapporteur report / Rapport du rapporteur		GB	09.99
10	Rapporteur proposal / Proposition du rapporteur		GB	11.99
11	Decision of the Working Group / Décision du groupe de travail	Rev.1	WG	12.99
12	Proposal / Proposition	Rev.1	EP	03.00
13	Comments / Observations	Rev.1	EP	03.00
14	Comments / Observations	Rev.1	GB	03.00
15	Comments / Observations	Rev.1	DE	03.00

RAPPORTEUR : GB **TECHNICAL FIELD/DOMAINE TECHNIQUE : C**

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 413/98	ORIGIN/ ORIGINE	DATE
16	Comments	/ Observations	Rev.1	RO	03.00
17	Comments	/ Observations	Rev.1	CA	05.00
18	Comments	/ Observations	Rev.1	CA	05.00
19	Rapporteur report	/ Rapport du rapporteur	Rev.1	GB	05.00
20	Rapporteur proposal	/ Proposition du rapporteur	Rev.1	GB	05.00
21	Decision of the Working Group	/ Décision du groupe de travail	Rev.2	WG	09.00
22	Comments	/ Observations	Rev.2	EP	09.00
23	Proposal	/ Proposition	Rev.2	EP	09.00
24	Comments	/ Observations	Rev.2	JP	09.00
25	Comments	/ Observations	Rev.2	CA	09.00
26	Comments	/ Observations	Rev.2	RO	09.00
27	Comments	/ Observations	Rev.2	DE	11.00
28	Comments	/ Observations	Rev.2	GB	11.00
29	French version of approved amendments	/ Version française des modifications approuvées	Rev.2	FR	11.00
30	Comments	/ Observations	Rev.2	SE	11.00
31	Rapporteur report	/ Rapport du rapporteur	Rev.2	GB	11.00
32	Rapporteur proposal	/ Proposition du rapporteur	Rev.2	GB	11.00
33	Decision of the Working Group	/ Décision du groupe de travail	Rev.3	WG	01/01
34	Comments	/ Observations	Rev.3	EP	04.01
35	Comments	/ Observations	Rev.3	US	04.01
36	French version of approved amendments	/ Version française des modifications approuvées	Rev.3	FR	04.01
37	Comments	/ Observations	Rev.3	JP	06.01
38	Comments	/ Observations	Rev.3	EP	06.01
39	Comments	/ Observations	Rev.3	CA	06.01
40	Comments	/ Observations	Rev.3	RU	06.01
41	Comments	/ Observations	Rev.3	FR	06.01
42	Comments	/ Observations	Rev.3	RO	06.01
43	Comments	/ Observations	Rev.3	GB	06.01

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 413/98	ORIGIN/ ORIGINE	DATE
44	Comments	/ Observations	Rev.3	DE	06.01
45	Comments	/ Observations	Rev.3	FR	06.01
46	Rapporteur report	/ Rapport du rapporteur	Rev.3	GB	06.01

ANNEX 33

EXCERPT FROM DOCUMENT IPC/WG/4/5/
EXTRAIT DU DOCUMENT IPC/WG/4/5

Project C 413 (chemical) – The Working Group approved new groups in the area of "chromatography," proposed by the Rapporteur (see Annex 36, relating to subclass B 01 D, to this report).

The United States of America was requested to submit a proposal on the rearrangement of the approved groups according to the standardized sequence of groups in the IPC, elaborated by the ad hoc IPC Reform Working Group (see Annex IV to document IPC/REF/4/4).

Comments were invited on:

– the proposal to be submitted;

– any overlap between two-dot subgroups of the existing group B 01 D 15/08, caused by the expression "operational features" in the title of group 15/10, and how that overlap could be eliminated;

– whether the wording of group 15/26 should refer to "separation technique" rather that to "separation mechanism."

In respect of the remainder of the Rapporteur's proposal (see Annex 32 to the project file), the Working Group requested the following actions.

The EPO was requested to carry out a study of the potential file size of the proposed group B 01 D 53/13, which should become a subgroup of the existing group B 01 D 53/02, and, if necessary, propose additional subdivisions of the former group.

Comments were invited on:

– the study to be carried out by the EPO;

– the desirability of the proposed group B 01 J 20/295, taking into account that it could exhaust the contents of its hierarchically superior group B 01 J 20/281 (see Annex 21 to the project file);

– proposed amendments with regard to groups B 01 J 39/00, 39/06 and 41/06, in particular whether any additional references were needed.

Projet C 413 (chimie) – Le groupe de travail a approuvé la création de nouveaux groupes dans le secteur de la “chromatographie”, proposée par le rapporteur (voir l’annexe 36 du présent rapport relative à la sous-classe B 01 D).

Il a été demandé aux États-Unis d’Amérique de présenter une proposition concernant le réagencement des groupes approuvés en fonction de la séquence normalisée des groupes dans la CIB, élaborée par le Groupe de travail ad hoc sur la réforme de la CIB (voir l’annexe IV du document IPC/REF/4/4).

Des observations ont été demandées :

– sur la proposition qui doit être présentée;

– sur le chevauchement éventuel des sous-groupes à deux points dans le groupe B 01 D 15/08 existant, du fait de l’expression “operational features” qui figure dans le titre du groupe 15/10, et sur la manière de l’éviter;

– sur le point de savoir si, dans le libellé du groupe 15/26, il doit être question de “separation technique” plutôt que de “separation mechanism”.

En ce qui concerne le reste de la proposition du rapporteur (voir l’annexe 32 du dossier de projet), le groupe de travail a demandé les mesures ci-après.

Il a été demandé à l’OEB d’effectuer une étude sur la taille possible des dossiers du groupe B 01 D 53/13 proposé, qui devrait devenir un sous-groupe du groupe B 01 D 53/02 existant et, si nécessaire, de proposer des subdivisions supplémentaires de ce groupe.

Des observations ont été demandées :

– sur l’étude qu’effectuera l’OEB;

– sur l’opportunité du groupe B 01 J 20/295 proposé, compte tenu du fait que ce groupe pourrait épuiser le contenu du groupe B 01 J 20/281 qui lui est hiérarchiquement supérieur (voir l’annexe 21 du dossier de projet);

– sur les modifications qu’il est proposé d’apporter en ce qui concerne les groupes B 01 J 39/00, 39/06 et 41/06, notamment sur le point de savoir si des renvois supplémentaires sont nécessaires.

ANNEX 33 A 23 C [Project-Rapporteur : 413/GB] <SC04057E>

N *Note(s) after 9/14*

When classifying in this group, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.

ANNEX 34 A 61 K [Project-Rapporteur : 413/GB] <SC04058E>

N *Note(s) after 35/00*

When classifying in this group, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.

ANNEX 35 A 61 M [Project-Rapporteur : 413/GB] <SC04059E>

Note(s) after the title

N *(3)* *When classifying in this subclass, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.*

ANNEX 36 B 01 D [Project-Rapporteur : 413/GB] <SC04060E>

15/00 – – – **liquids with solid sorbents** (using liquid sorbents 11/00; ion exchange processes or materials, sorbent materials in general B 01 J, e.g. sorbents for chromatography 20/281; for investigating or analysing materials G 01 N 30/00)**; Apparatus therefor**

N	*Note(s) after 15/08*		*In order that group 15/08 may provide a basis for a complete search with respect to chromatography in general, all subject matter of general interest is classified in this group even if it is classified primarily in the application-oriented groups, for example dairy products A 23 C 9/148, treatment of blood e.g. A 61 M 1/36, optically active organic compounds C 07 B 57/00 or peptides C 07 K 1/16.*
N	*15/10*	• •	*characterised by constructional or operational features*
N	*15/12*	• • •	*relating to the preparation of the feed*
N	*15/14*	• • •	*relating to the introduction of the feed to the apparatus*
N	*15/16*	• • •	*relating to the conditioning of the fluid carrier*
N	*15/18*	• • •	*relating to flow patterns*
N	*15/20*	• • •	*relating to the conditioning of the sorbent material*
N	*15/22*	• • •	*relating to the construction of the column*
N	*15/24*	• • •	*relating to the treatment of the fractions to be distributed*
N	*15/26*	• •	*characterised by the separation mechanism*
N	*15/28*	• • •	*Adsorption chromatography*
N	*15/30*	• • •	*Partition chromatography*
N	*15/32*	• • •	*Bonded phase chromatography, e.g. with normal bonded phase, reversed phase or hydrophobic interaction*
N	*15/34*	• • •	*Size-selective separation, e.g. size-exclusion chromatography; Gel filtration; Permeation*
N	*15/36*	• • •	*involving ionic interaction, e.g. ion-exchange, ion-pair, ion-suppression or ion-exclusion*
N	*15/38*	• • •	*involving specific interaction not covered by one or more of groups 15/28 to 15/36, e.g. affinity, ligand, chiral or complexation chromatography*
N	*15/40*	• • •	*using supercritical fluid as mobile phase or eluent*
N	*15/42*	• •	*characterised by the development mode, e.g. by displacement or by elution*

ANNEX 37E B 01 J [Project-Rapporteur : 413/GB] <SC04061E>

N	*20/282*	• •	*Porous sorbents (ion exchange 39/00 to 41/00)*	R

ANNEXE 37F **B 01 J** **[Project-Rapporteur : 413/GB]** **<SC04072F>**
(T:FR) - SC/03/3 **<SC03055E>**

	Rubrique-guide avant 20/00	**<u>– – – la filtration; Absorbants ou adsorbants pour la chromatographie; Catalyseurs</u>**
C	***20/00***	*– – – la filtration; Absorbants ou adsorbants pour la chromatographie; Procédés pour – – – gaz B 01 D 53/02, 53/14)*
N	*20/281*	• *Absorbants ou adsorbants spécialement adaptés pour la chromatographie préparative, analytique ou de recherche*
N	*20/282*	• • *Absorbants ou adsorbants poreux (échange d'ions 39/00 à 41/00)*
N	*20/283*	• • • *à base de silice*
N	*20/284*	• • • *à base d'alumine*
N	*20/285*	• • • *Polymères*
N	*20/286*	• • *Phases reliées chimiquement à un substrat, p.ex. à de la silice ou à des polymères*
N	*20/287*	• • • *Phases non polaires; Phases inversées*
N	*20/288*	• • • *Phases polaires*
N	*20/289*	• • • *par l'intermédiaire d'un espaceur*
N	*20/29*	• • *Phases chirales*
N	*20/291*	• • *Absorbants ou adsorbants sous forme de gel*
N	*20/292*	• • *Absorbants ou adsorbants liquides*

ANNEX 38 **C 02 F** **[Project-Rapporteur : 413/GB]** **<SC04062E>**

	Note(s) after the title		
N		*(2)*	*When classifying in this subclass, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.*
		(3)	`<Former note (2)>`
		(4)	`<Former note (3)>`

ANNEX 39 C 07 B [Project-Rapporteur : 413/GB] <SC04063E>

Note(s) after the title

N *(5)* *When classifying in this subclass, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.*

ANNEX 40 C 07 C [Project-Rapporteur : 413/GB] <SC04064E>

Note(s) after the title

N *(7)* *When classifying in this subclass, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.*

(8) <Former note (7)>

ANNEX 41 C 07 K [Project-Rapporteur : 413/GB] <SC04065E>

Note(s) after the title

N *(7)* *When classifying in this subclass, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.*

(8) <Former note (7)>

ANNEX 42 C 10 G [Project-Rapporteur : 413/GB] <SC04066E>

N *Note(s) after 25/00*

When classifying in this group, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.

ANNEX 43 C 11 B [Project-Rapporteur : 413/GB] <SC04067E>

N *Note(s) after 3/10*

When classifying in this group, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.

ANNEX 44 C 12 H [Project-Rapporteur : 413/GB] <SC04068E>

Note(s) after the title

(1) In this subclass, – – –

N *(2)* *When classifying in this subclass, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.*

ANNEX 45 C 12 N [Project-Rapporteur : 413/GB] <SC04069E>

N *Note(s) after the title*

When classifying in this subclass, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.

ANNEX 46 C 13 D [Project-Rapporteur : 413/GB] <SC04070E>

N *Note(s) after 3/00*

When classifying in this group, classification is also made in group B 01 D 15/08 insofar as subject matter of general interest relating to chromatography is concerned.

ANNEX 47 G 01 N [Project-Rapporteur : 413/GB] <SC04071E>

D *30/38* *(transferred to B 01 J 20/281 - 20/292)*

N *30/89* • *Inverse chromatography, i.e. with the analyte in stationary phase*

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Early Comments
17 January 2001

Project: C413 **Subclass: B01D**

Re.: IPC/WG/4/5 Prov., par.10, p. 8-9

1. In his Report of 15 May 2000 (see annex 19, point 9) Rapporteur raised the problem of the absence of a proper entry for gas chromatography for preparative applications.
In response to that, EP and R proposed to create B01D53/13 (see annex 32, p.2).
During the discussions at the fourth session of the WG, a question was raised about the number of documents involved.

2. The EPO was therefore requested to carry out a study of the potential file size of the proposed group B01D53/13, which should become a subgroup of the existing group B01D53/02, and, if necessary, propose additional subdivisions of the former group.

3. In ECLA, the corresponding entry is:

B01D53/02B **. .** *[N: with wetted adsorbents; Chromatography (analytical chromatography G01N30/00 - G01N30/96; for liquids B01D15/08)]*

This group takes precedence over groups B01D53/04 and 53/06.
In EPODOC, group 53/02B contains 142 in-file documents (January 2001).

4. After analysing the actual content and usefulness of this ECLA group, the EP experts made the following reflections:
- the group has a two part title, only the second part referring to "chromatography"
- in this technical area, applicants tend to make improper use of the term "chromatography" for indicating separation processes by adsorption
- many documents in this group relate to analytical separation and are classified in G01N30 (also)
- the field of preparative gas chromatography is not active.
This means that the number of documents unambiguously relating to preparative gas chromatography is far less than the mentioned number of 142 und thus the existence of ECLA group B01D53/02B should not be considered as valid reason for creating an IPC entry under B01D53/02 for the said subject matter.

5. In conclusion: EP advise the WG not to create an entry for gas chromatography because of the small number of documents involved and the low level of activity.

Paul Daeleman

413ep07c

USPTO COMMENTS	
REVISION PROJECT C 413 **Class/subclass**: B 01 D	**Date:** January 29, 2001

The USPTO volunteered to submit a proposal that rearranges the approved subgroups under group B 01 D and "sorbent chromatography materials" created under B 01 J into the "Standardized Sequence of Main Groups for IPC Subclasses" (IPC/REF/4/4 Annex IV). It is easier to do this for Main Groups because their scope is broader than subgroups, but the same principles can be applied to subgroups in most instances.

In the USPC, because of sequential priority and our general inclusiveness rule, subgroups tend to be arranged based on additional factors that are more art and situation specific. For example, in mechanical arts subgroups are frequently arranged

1. based on their degree of specialization,
2. based on their relative complexity,
3. to reduce the potential for overlap, and
4. to enhance the ease of scope understanding by searchers.

We could not rearrange B 01 D 15/00 because the adopted groups are not mutually exclusive nor do they have a more-complex to less-complex relationship. Therefore, the rules for the "Standardized Sequence of Main Groups for IPC Subclasses" would not work well at this level.

In the B 01 J 20/00 scheme rearrangement below, we used the above criteria for creation of the suggested rearrangement of this main group. The important thing to remember in this illustration is that these criteria are useful but not absolute. In the end, only a detailed review of the patent documents that will be assigned to a main group can provide the classifier with the information essential to determining the best arrangement of its subgroups for searchers.

B01J CHEMICAL OR PHYSICAL PROCESSES, e.g. CATALYSIS, COLLOID CHEMISTRY; THEIR RELEVANT APPARATUS (processes or apparatus for specific applications, see the relevant places for these processes or apparatus, e.g. F26B 3/08) [2]

20/00	Solid sorbent compositions or filter aid compositions; Sorbents for chromatography; Processes for preparing, regenerating or reactivating thereof (use of sorbent compositions in liquid separation B01D 15/00, use of filter aid compositions B01D 37/02; use of sorbent compositions in gas separation B01D 53/02, B01D 53/14)	
20/281	. Sorbents specially adapted for preparative,	Subgroup is presented higher up because the

	analytical or investigative chromatography	sorbent is specialized to a particular chromatographic method
20/282	. . Porous absorbents (ion exchange 39/00 to 41/00)	
20/283	. . . based on silica	
20/284	. . . based on alumina	
20/285	. . . Polymers	
20/286	. . Phases chemically bonded to a substrate, e.g. to silica or to polymers	
20/287	. . . Non-polar phases; Reversed phases	
20/288	. . . Polar phases	
20/289	. . . via a spacer	
20/29	. . Chiral phases	
20/291	. . Gel sorbents	
20/292	. . Liquid sorbents	
20/28	. characterised by their form or physical properties [3]	Basic group subject matter with features for different function
20/30	. Processes for preparing, regenerating or reactivating [3]	
20/32	. . Impregnating or coating [3]	
20/34	. . Regenerating or reactivating [3]	
20/02	. comprising inorganic material [3]	This group would be considered as details under the subdivision of the basic subject matter
20/04	. . comprising compounds of alkali metals, alkaline earth metals or magnesium [3]	
20/06	. . comprising oxides or hydroxides of metals not provided for in group B01J 20/04 [3]	
20/08	. . . comprising alumin[i]um oxide or hydroxide; comprising bauxite [3]	
20/10	. . comprising silica or silicate [3]	
20/12	. . . Naturally occurring clays or bleaching earth [3]	
20/14	. . . Diatomaceous earth [3]	
20/16	. . . Alumino-silicates (B01J 20/12 takes precedence) [3]	
20/18	. . . . Synthetic zeolitic molecular sieves [3]	
20/20	. . comprising free carbon; comprising carbon obtained by carbonising processes (active carbon C01B 31/08) [3]	

20/22	. comprising organic material [3]	This group would be considered as details under the subdivision of the basic subject matter
20/24	. . Naturally occurring macromolecular compounds, e.g. humic acids or their derivatives [3]	
20/26	. . Synthetic macromolecular compounds [3]	

INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE **FR - avr. 2001**

Projet IPC / C **413**
Sous-classe **B 01 D**

PROPOSITION DE VERSION FRANÇAISE

(ref : annexes 33 à 47 du document IPC/WG/4/5)

ANNEX 33 **A 23 C** **[Project-Rapporteur : 413/GB]** **<SC04057E>**

N *Note(s) après 9/14*

Lors du classement dans le présent groupe, un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.

ANNEX 34 **A 61 K** **[Project-Rapporteur : 413/GB]** **<SC04058E>**

N *Note(s) après 35/00*

Lors du classement dans le présent groupe,un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée .

ANNEX 35 **A 61 M** **[Project-Rapporteur : 413/GB]** **<SC04059E>**

Note(s) après le titre

N *(3)* *Lors du classement dans la présente sous-classe, un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.*

ANNEX 36 **B 01 D** **[Project-Rapporteur : 413/GB]** **<SC04060E>**

15/00

– – – **liquides par des adsorbants ou des absorbants solides** (utilisant des adsorbants ou des absorbants liquides 11/00; procédés ou matériaux pour échange d'ions , matériaux adsorbants ou absorbants en général B 01 J, p.ex. adsorbants ou absorbants pour chromatographie 20/281; pour la recherche ou l'analyse de matériaux G 01 N 30/00); **Appareillages pour ces procédés**

N	*Note(s) après 15/08*		
			Afin que le groupe 15/08 puisse servir de base pour une recherche complète relative à la chromatographie en général, toute la matière d'intérêt général est classée dans ce groupe même si elle est classée en premier lieu dans les groupes axés vers l'application, par exemple produits laitiers A 23 C 9/148, traitement du sang p. ex. A 61 M 1/36, composés organiques optiquement actifs C 07 B 57/00 ou peptides C 07 K 1/16.
N	*15/10*	• •	*caractérisée par des caractéristiques de structure ou de fonctionnement*
N	*15/12*	• • •	*relatives à la préparation de l'alimentation*
N	*15/14*	• • •	*relatives à l'introduction de l'alimentation dans l'appareil*
N	*15/16*	• • •	*relatives au conditionnement du fluide vecteur*
N	*15/18*	• • •	*relatives aux modèles d'écoulement*
N	*15/20*	• • •	*relatives au conditionnement de la matière adsorbante ou absorbante*
N	*15/22*	• • •	*relatives à la structure de la colonne*
N	*15/24*	• • •	*relatives au traitement des fractions à répartir*
N	*15/26*	• •	*caractérisée par le mécanisme de séparation*
N	*15/28*	• • •	*Chromatographie d'adsorption*
N	*15/30*	• • •	*Chromatographie de partage*
N	*15/32*	• • •	*Chromatographie en phase liée, p.ex. avec une phase normale liée, une phase inverse ou une interaction hydrophobe*
N	*15/34*	• • •	*Séparation par sélection de forme, p.ex. chromatographie par exclusion de forme; Filtration sur gel; Perméation*
N	*15/36*	• • •	*impliquant une interaction ionique, p.ex. échange d'ions, paire d'ions, suppression d'ions ou exclusion d'ions*
N	*15/38*	• • •	*impliquant une interaction spécifique non couverte par un ou plusieurs des groupes 15/28 à 15/36, p.ex. chromatographie d'affinité, chromatographie par ligand, chromatographie chirale ou avec formation de complexes*
N	*15/40*	• • •	*utilisant des fluides supercritiques comme phase mobile ou comme éluant*
N	*15/42*	• •	*caractérisée par le mode de développement, p.ex. par déplacement ou par élution*

ANNEX 38 **C 02 F** **[Project-Rapporteur : 413/GB]** **<SC04062E>**

Note(s) après le titre

N *(2)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.*

(3) <Ancienne note (2)>

(4) <Ancienne note (3)>

ANNEX 39 **C 07 B** **[Project-Rapporteur : 413/GB]** **<SC04063E>**

Note(s) après le titre

N *(5)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée*

ANNEX 40 **C 07 C** **[Project-Rapporteur : 413/GB]** **<SC04064E>**

Note(s) après le titre

N *(7)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concerné*

(8) <Ancienne note (7)>

ANNEX 41 **C 07 K** **[Project-Rapporteur : 413/GB]** **<SC04065E>**

Note(s) après le titre

N *(7)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée*

(8) <Ancienne note (7)>

ANNEX 42 C 10 G [Project-Rapporteur : 413/GB] <SC04066E>

N *Note(s) après 25/00*

Lors du classement dans le présent groupe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée

ANNEX 43 C 11 B [Project-Rapporteur : 413/GB] <SC04067E>

N *Note(s) après 3/10*

Lors du classement dans le présent groupe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée

ANNEX 44 C 12 H [Project-Rapporteur : 413/GB] <SC04068E>

Note(s) après le titre

(1) Dans la présente sous-classe, – – –

N *(2)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/ 08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée*

ANNEX 45 C 12 N [Project-Rapporteur : 413/GB] <SC04069E>

N *Note(s) après le titre*

Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée

ANNEX 46 C 13 D [Project-Rapporteur : 413/GB] <SC04070E>

N *Note(s) après 3/00*

Lors du classement dans le présent groupe, un classement dans le groupe B01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée

ANNEX 47 G 01 N [Project-Rapporteur : 413/GB] <SC04071E>

D 30/38 (transféré en B 01 J 20/281 à 20/292)

N 30/89 • *Chromatographie inverse , p.ex. avec l'analyte dans la phase stationnaire*

Japan Patent Office 10 April 2001

Project:C-413 Subclass: B01D

– any overlap between two-dot subgroup of existing group B01D 15/08……
We do not find any problem in hierarchy of B01D 15/10-15/42, considering actual use in our practice.

– whether the wording of 15/26 should refer to "separation technique" rather that to "separation mechanism".
Considering the relation to B01D 15/10 (2-dot), we prefer "separation mechanism" to "separation technique" as the wording of B01D 15/26 (2-dot).

– the desirability of the proposed B01J 20/295…..
We do not think it necessary to create B01J 20/295. It is a general rule to classify the subject matter in a hierarchically superior group where there is no appropriate subgroup. And it meets the case.

– proposed amendments…..B01J 39/00, 39/06 and 41/06 ….any additional references were needed.
We think the references are needed.

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
04 April 2001

Project: C413 **Subclass: B01D**

Re.: WG-decision (annex 33 to the project file)

1. Standardized sequence (see US proposal in annex 35 to the project file)

The reason for promoting a standardizes sequence of groups in IPC is said to be the benefit for search of such a sequence. To EP it is not clear why the proposed sequence should be more beneficial to the searcher than the actual one, which seems to have some logic . Furthermore it should be born in mind that in B01J20/00 the last place rule applies, so the possible consequences of changing the order of subgroups have to be investigated.

2. **Expression "operational features" in group B01D15/10**

The subgroups of the resp. two dot groups illustrate the intended scope of these two dot entries. As the reformed IPC promotes multi aspect classification, a possible partial overlap should be no problem.

3. **Group B01D15/26**

"Separation techniques" might be preferable.

4. **Remainder of Rapporteur Proposal** (see annex 32 to the project file)

4.1 Preparative gas chromatography: as explained in annex 34 to the project file, EP is of the opinion now that no entry should be created for preparative gas chromatography, because of the small number of documents and the low activity in this field.

4.2 Proposed group B01J20/295
This group is considered to be necessary to be able to introduce, on the advanced level, subgroups as indicated in annex 20 to the project file (B01J20/62 to 20/68)

4.3 Ion exchange chromatography
Main group B01D15/00 is referring out ion exchange in general to B01J. In this subclass we thus find entries for chromatographic ion exchange (B01J39/06 for cation, B01J41/06 for anion exchange). Nevertheless there is group B01D15/04 relating to separation using ion-exchange adsorbents.

The adoption of group B01D15/36 (see TA 36 in annex 33 to the project file) give rise to the following situation:
- B01J39/06 and B01J41/06: ion-exchange sorbent materials for chromatography
- B01D15/04: non chromatographic separation processes using ion-exchange sorbent materials
- B01D15/36: chromatographic processes involving ionic interaction, e.g. ion-exchange.

The wordings of B01J39/06 and 41/06 should thus be changed to exclude processes, in accordance with the proposed changes for these groups in annex 32 to the project file. See also the amendment for the guide heading before B01J39/00 proposed in this annex (B01D15/50 should read now 15/36).

Because of existing note (3) before group B01J39/00, a precedence reference might have to be added to groups 39/08 and 41/08 giving precedence to 39/06 rep. 41/06. An alternative could be to delete note (3) and to renumber group 39/06 into 39/30 and group 41/06 into 41/30 (LPR).

In concreto this would need all the following amendments:

C Guide heading before B01J39/00
----- separation by liquid ion-exchangers B01D, e.g. B01D11/00; ion exchange chromatography B01D15/36 - - -

C B01J39/06 . . Cation exchangers for chromatographic processes (processes B01D15/36)

C B01J39/08 - - - - cation exchangers (B01J39/06 takes precedence); Treatment - - -

C B01J41/06 . . Anion exchangers for chromatographic processes (processes B01D15/36)

C B01J41/08 - - - - anion exchangers (B01J41/06 takes precedence); Treatment - - -

5. Other points

5.1 Deleted entry in G01N

Technical annex 47 of annex 33 to the project file has to be corrected: the correct group to be deleted from subclass G01N is 30/48 (and not 30/38)

5.2 New catchwords

It might be useful to add the following new entries in the Catchword Index to the IPC:
- under **CHROMATOGRAPHY**:
sorbents for - B01J20/281

- **SORBENTS for chromatography** B01J20/281

Paul Daeleman

413ep08c

The Canadian Intellectual Property Office CIPO OPIC L'Office de la propriété intellectuelle du Canada

Project Number: C413	Date: 3 April 2001
Class/Subclass: B01D	Page 1 of 1

CIPO is pleased to offer comments on the proposed schedule for B01D 15/08+ in Annex 33 of the project file.

Subgroup

15/24 The concept of Afractions to be distributed@ is not understood. We would like to know whether it refers to the feed, the product or some other stream.

15/28 According to the McGraw-Hill Encyclopedia of Science and Technology, the term Aadsorption chromatography@ is a general term for all chromatography involving a solid sorbent. It is, therefore, not a Acharacterization@ in the sense of subgroup B01D 15/26. We recommend that the subject matter of this subgroup be distributed in B01D 15/10+.

15/36 In our opinion, this subject matter belongs in B01J 39/06 and 41/06 with ion-exchange chromatography.

15/38 As a matter of style, we prefer to see residual subject matter classified in the hierarchically superior group. We would suggest, therefore, the removal of the first phrase, Ainvolving specific interaction not covered by one or more of the groups 15/28 to 15/36@.

15/40 We do not regard the use of supercritical fluid to be a Aseparation mechanism@. We recommend that this subject should be distributed between the subgroups 15/10 and 15/42.

15/42 We would prefer to see this subject indented under the hierarchically superior group 15/10 as an operational feature.

Although the **USPTO** in Annex 35 has declined to put the subgroups in a standardized sequence, **CIPO** would like to suggest to the Working Group that the various types of chromatography (with the exception of adsorption chromatography) be considered Aspecialized@ and should appear at the beginning of this schedule rather than in the second half.

Gerry Guzzo
Section Head

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project: C413	**Date: 5.06.01 10:45 AM**
Class/subclass: B01D	**Page 1 of 2**

IPC/WG/4/5 invited comments on following:

■ The proposal submitted by USPTO.

We do not support the rearrangement of subgroups suggested by USPTO because of the last place rule being in force in group B01J 20/00 (see note(4)).

According to this rule, in the scheme suggested by USPTO sorbents for chromatography should be classified in subgroups B01J 20/02-20/26. For example, sorbent for chromatography based on silica should be classified in B01J20/10, but not in B01J 20/283.

■ Any overlap between two-dot subgroups of the existing group B01D 15/08, caused by the expression "operational features" in the title of group 15/10, and how that overlap could be eliminated.

Subgroups B01D 15/26-15/40 are subgroups of common interest in relation to chromatography. They are provided for supplementary classification of subject matter referred to application-oriented places, i.e. to indicate separation mechanism in concrete chromatographic process. All inventions in the field of chromatography relate either to sorbents or to constructional or operational features. Besides, there may be information referred to development mode of chromatographic process. The classification of chromatography being discussed is based on these aspects (groups B01J 20/00, B01D 15/08-15/24,15/42). But groups B01D 15/26-15/40 embrace subject matter of all above mentioned groups. So the overlap appears. In our opinion, it should be eliminated by introducing the indication to precedence. Two variants are possible here.

a) Groups B01D 15/26-15/40 take precedence.

In this case groups B01D 15/26-15/40 apart from information relating to the separation mechanism will contain information relating to constructional or operational features and development mode of processes with definite separation mechanism even if it is not disclosed exhaustively. This information is of no interest to the users dealing with groups B01D 15/26-15/40, because only "chemical" aspect of the separation process is important for them (e.g. a specialist concerned in ion-exchange mechanism is not interested in how the feed is introduced to the apparatus). At the same time a specialist dealing with groups B01D 15/10-15/24,15/42 will have to search, for example, in one of the groups B01D 15/10-15/24 and also in each of the groups B01D 15/26-15/40.

b) Groups B01D 15/10-15/24,15/42 take precedence.

In this case a specialist dealing e.g. with constructional and operational features of chromatography would not need to search in groups B01D 15/26-15/40 and a specialist dealing with separation mechanism, i.e. chemist, would not have to search in groups B01D 15/10-15/24.

So we suggest to introduce the precedence reference in group 15/26:

"15/26 . . characterised by the separation mechanism (15/10-15/24,15/42 take precedence)".

■ Whether the wording of group 15/26 should refer to "separation technique" rather that to "separation mechanism".

We prefer "mechanism". In our opinion, this term reflects the contents of the subgroup B01D 15/26 better than "technique" according to the wording of its three-dot subgroups.

■ The study to be carried out by the EPO.

We support the proposal of the EPO not to create an entry for gas chromatography.

■ The desirability of the proposed group B01J 20/295, taking into account that it could exhaust the contents of its hierarchically superior group B01j 20/281 (see Annex 21 to the project file).

The group B01J 20/295 is desirable because it relates namely to the form or physical properties of sorbents and B01J 20/281 may contain any other information (e.g. information relating to several subgroups of B01J20/281 at once, or if the sorbent is not disclosed sufficiently in relation to its form or physical properties).

■ Proposed amendments with regard to groups B01J 39/00, 39/06 and 41/06, in particular whether any additional references were needed.

We share R's opinion (Annex 32 to the project file) and support the modification, proposed by the EPO (Annex 38) in groups B01J 39/00, 39/06, 39/08, 41/06 and 41/08.

M.Sobolev

INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE **FR - avr. 2001**

Projet IPC / C **413**
Sous-classe **B 01 D**

À la 4ème session de IPC/WG, des observations ont été demandées :

1. Sur le point de savoir si le libellé du groupe 15/26, il doit être question de technique de séparation plutôt que de mécanisme de séparation.

   Le terme **technique de séparation** , nous semble plus approprié et devrait probablement répondre en partie à la question précédente à savoir le chevauchement entre les sous-groupes à 2 points dans le groupe B01D 15/08.

2. Sur les modifications qu'il est proposé d'apporter en ce qui concerne les groupes B01D-39/00, 39/06, 41/06, notamment sur le point de savoir si des renvois supplémentaires sont nécessaires.

   Il ne semble pas nécessaire de multiplier les renvois du fait de la parfaite clarté des groupes et de leur proximité.

OFICIUL DE STAT PENTRU **Date** : April 2001

INVENÞII 0I MÃRCI Page: 1 of 2

RO COMMENTS

PROJECT :**C 413**

Class/Subclass : **B01D**

Comments were invited on :

- *the proposal submitted by US regarding the rearrangement of the approved groups according to the standardized sequence in the IPC*;

We don=t think the US proposal beneficial because we consider that the sorbents for chromatography have a special use (i.e. for chromatography) but they are not special per se for justify their placement in a higher hierarchical position . Therefor we don=t see in these case the need for rearrangement of subgroups.

-*any overlap between the two-dots groups of the existing group B01D 15/08, caused by the expression Aoperational features A in the title of group* 15/10 *and how that overlap could be eliminated*;

We consider that the overlap problems could appear not because of the wording of the group 15/10, but because of the fact that A the constructional and operational features@ which characterize chromatography depend on the Amodes of operation@ (according to Perry=s Chemical Engineer=s Handbook, seventh edition , cap.16-38) , which are now placed in the subgroup 15/42. Therefore, we would prefer to see the subject matter of the group 15/42 in a higher hierarchical place, may be in 15/10 .

-*whether the wording of group 15/26 should refer to Aseparation technique@ rather than to Aseparation mechanism@*

We prefer the wording of group 15/26 to refer to Aseparation mechanism@ rather than Aseparation technique@ because the separation in the adsorbtion processes is characterized by the transport and/or dispersion mechanisms and not by the techniques.
We don=t support the creation of the subgroup 15/28 for Aadsorbtion chromatography@ because this term is a general term for all types of chromatography involving a solid sorbent and not a particular separation mechanism;

- *how A preparative gas chromatography@ should be classified*
We appreciate the study carried out by EPO for the potential file size of the proposed group B01D 53/13, but in the light of the considerations from the annex 19 item 9 we consider also that some documents relating strict to this subject matter were not correct classified, because@ preparative gas chromatography@ is not mentioned in the whole IPC at least as an example . Therefore, we are in favor of creation of a new entry for Apreparative gas chromatography@ in B01D 53/13 with the wording given by EPO in the annex 22 pag.2.We consider also that, this new entry could, in a way, moderate the disproportion in approach in the IPC, between the two types of selective adsorbtion, i.e. liquid or gas chromatography .

-proposed amendments with regards to groups B01J 39/00 , 39/06 and 41/06 ,in particular whether any additional references were needed.
We consider that, the subject matter of the subgroup B01D 15/36 relating to ion -exchange chromatography belongs in B01J 39/06 and 41/06 as a particular case of ion exchange technique.We consider also, that the amendments for B01J 39/06 and 41/06 proposed by EPO invite to disscutions, because the proposed subgroups are given in the proposal as two-dots subgroups, subdivisions for the existing 39/04 and 41/04 which cover only the processes using organic exchangers.The cation or anion exchangers used in chromatography could be both organic or inorganic.

Mirela Georgescu

UK Patent Office **Date: 10 April 2001**

Comments on Project C413, Subclass B01D

Comments were invited on:
B the US proposal for a standardised sequence;

We agree that a standardised sequence would serve no useful purpose in B01D 15/00 due to the relatively flat nature of the scheme as regards complexity. The increased efficiency afforded by multiple aspect classification here seems to mitigate against the usefulness of a top-to-bottom precedence anyway, although one could choose in 15/08 for one of constructional/operational features or separation mechanism to be first.

We can=t really see the point of a top-to-bottom scheme in an area which uses the similar last place rule so, although the US scheme for B01J seems OK as regards the standardised sequence, it probably wouldn=t be worth following the standardised sequence here.

B any overlap between two-dot subgroups of the existing group B 01 D 15/08, caused by the expression Aoperational features@ in the title of group 15/10, and how that overlap could be eliminated;

We think the subgroups of 15/10 and 15/26 would make overlap unlikely in practice although the split between core and advanced level here might cause problems. Perhaps classification definitions would help.

B whether the wording of group 15/26 should refer to Aseparation technique@ rather that to Aseparation mechanism.@

We slightly prefer Aseparation mechanism@ in this context.

B the study carried out by the EPO re B 01 D 53/13

From EPO study it appears this group is not worthwhile.

B the desirability of the proposed group B 01 J 20/295, taking into account that it could exhaust the contents of its hierarchically superior group B 01 J 20/281 (see Annex 21 to the project file);

We are not sure exhaustion is necessarily a difficulty in this case.

B proposed amendments with regard to groups B 01 J 39/00, 39/06 and 41/06, in particular whether any additional references were needed.

We think these amendments are worthwhile to collect subject matter relating to chromatography in B01D 15/08. If these amendments are worthwhile then we think that the references are necessary although it may be argued that they are only informative.

Jim Calvert

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trademark Office	Class/Subcl.: **B01D**
	Date : 03.05.2001
DE - Comments — C413	

Re: Comments on IPC/WG4/5 Project C413 Annex 33 to the project file

- *the proposal submitted by US (Annex 35)*

We don't see the benefits of the arrangement of B01J20/00 along the lines of the standardized sequence over the actual scheme with the similar last place rule.

- *overlap caused by the expression "operational features" in the title of group* 15/10

A possible overlap should be no problem taking into account the multi-aspect-classification. The scope of the two dot entries under 15/08 is clear. The wording of these groups should not be amended and references are not necessary

- *the wording of group 15/26*

We prefer "separation technique".

- *how " preparative gas chromatography" should be classified*

The creation of an entry for preparative gas chromatography is not necessary according to the study carried out by EPO (Annex 34). But we prefer the introduction of subgroup B01D 53/13 (see Annex 32) for that subject matter despite this study of EPO, because "preparative gas chromatography" is not mentioned in the whole IPC. The new group will collect all documents, which are spread over the IPC at one distinct place.

- *desirability of group B01J 20/295*

This group will cause overlap problems and will exhaust B01J 20/281 probably. This group should not be created.

- *proposed amendments with regards to groups B01J 39/00 , 39/06 and 41/06*

We prefer to change the scope of B01J 39/06 and 41/06 from processes to materials instead of moving the new subgroup B01D 15/36 to B01J 39/00 and 41/00. We support the proposal from EPO from Annex 38 therefore with the exception that B01J 39/06 and 41/06 should stay as one dot entries.

H. P. Gerster

INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE **FR - mai 2001**

Projet IPC / C **413**
Sous-classe **B 01 D**

VERSION FRANÇAISE

Ce document a été établi sur la base de notre proposition, après consultation des autres offices et du Bureau international.

(ref : annexes 33 à 47 du document IPC/WG/4/5)

B 01 D

ANNEX 33 **A 23 C** **[Project-Rapporteur : 413/GB]** **<SC04057E>**

N *Note(s) après 9/14*

Lors du classement dans le présent groupe, un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.

ANNEX 34 **A 61 K** **[Project-Rapporteur : 413/GB]** **<SC04058E>**

N *Note(s) après 35/00*

Lors du classement dans le présent groupe,un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée .

ANNEX 35 **A 61 M** **[Project-Rapporteur : 413/GB]** **<SC04059E>**

Note(s) après le titre

N *(3)* *Lors du classement dans la présente sous-classe, un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.*

ANNEX 36 B 01 D [Project-Rapporteur : 413/GB] <SC04060E>

15/00 – – – **liquides par des adsorbants ou des absorbants solides** (utilisant des adsorbants ou des absorbants liquides 11/00; procédés ou matériaux pour échange d'ions , matériaux adsorbants ou absorbants en général B 01 J, p.ex. adsorbants ou absorbants pour chromatographie 20/281; pour la recherche ou l'analyse de matériaux G 01 N 30/00); **Appareillages pour ces procédés**

N *Note(s) après 15/08*

Afin que le groupe 15/08 puisse servir de base pour une recherche complète relative à la chromatographie en général, toute la matière d'intérêt général est classée dans ce groupe même si elle est classée en premier lieu dans les groupes axés vers l'application, par exemple produits laitiers A 23 C 9/148, traitement du sang, p. ex. A 61 M 1/36, composés organiques optiquement actifs C 07 B 57/00 ou peptides C 07 K 1/16.

N *15/10* • • *caractérisée par des caractéristiques de structure ou de fonctionnement*

N *15/12* • • • *relatives à la préparation de l'alimentation*

N *15/14* • • • *relatives à l'introduction de l'alimentation dans l'appareil*

N *15/16* • • • *relatives au conditionnement du fluide vecteur*

N *15/18* • • • *relatives aux formes d'écoulement*

N *15/20* • • • *relatives au conditionnement de la matière adsorbante ou absorbante*

N *15/22* • • • *relatives à la structure de la colonne*

N *15/24* • • • *relatives au traitement des fractions à répartir*

N *15/26* • • *caractérisée par le mécanisme de séparation*

N *15/28* • • • *Chromatographie d'adsorption*

N *15/30* • • • *Chromatographie de partage*

N *15/32* • • • *Chromatographie en phase liée, p.ex. avec une phase normale liée, une phase inverse ou une interaction hydrophobe*

N *15/34* • • • *Séparation par sélection en fonction des dimensions, p.ex. chromatographie par exclusion en fonction de la taille; Filtration sur gel; Perméation*

N *15/36* • • • *impliquant une interaction ionique, p.ex. échange d'ions, paire d'ions, suppression d'ions ou exclusion d'ions*

N *15/38* • • • *impliquant une interaction spécifique non couverte par un ou plusieurs des groupes 15/28 à 15/36, p.ex. chromatographie d'affinité, chromatographie par ligand, chromatographie chirale ou avec formation de complexes*

N *15/40* • • • *utilisant un fluide supercritique comme phase mobile ou comme éluant*

N *15/42* • • *caractérisée par le mode de développement, p.ex. par déplacement ou par élution*

ANNEX 38 **C 02 F** **[Project-Rapporteur : 413/GB]** **<SC04062E>**

Note(s)
après le titre

N *(2)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.*

(3) <Ancienne note (2)>

(4) <Ancienne note (3)>

ANNEX 39 **C 07 B** **[Project-Rapporteur : 413/GB]** **<SC04063E>**

Note(s)
après le titre

N *(5)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée*

ANNEX 40 **C 07 C** **[Project-Rapporteur : 413/GB]** **<SC04064E>**

Note(s)
après le titre

N *(7)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concerné*

(8) <Ancienne note (7)>

ANNEX 41 **C 07 K** **[Project-Rapporteur : 413/GB]** **<SC04065E>**

Note(s)
après le titre

N *(7)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée*

(8) <Ancienne note (7)>

ANNEX 42 C 10 G [Project-Rapporteur : 413/GB] <SC04066E>

N *Note(s)*
après 25/00

Lors du classement dans le présent groupe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée

ANNEX 43 C 11 B [Project-Rapporteur : 413/GB] <SC04067E>

N *Note(s)*
après 3/10

Lors du classement dans le présent groupe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée

ANNEX 44 C 12 H [Project-Rapporteur : 413/GB] <SC04068E>

Note(s)
après le titre

(1) Dans la présente sous-classe, – – –

N *(2)* *Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/ 08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée*

ANNEX 45 C 12 N [Project-Rapporteur : 413/GB] <SC04069E>

N *Note(s)*
après le titre

Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée

ANNEX 46 C 13 D [Project-Rapporteur : 413/GB] <SC04070E>

N *Note(s)*
après 3/00

Lors du classement dans le présent groupe, un classement dans le groupe B01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée

ANNEX 47 G 01 N [Project-Rapporteur : 413/GB] <SC04071E>

D 30/38 (transféré en B 01 J 20/281 à 20/292)

N 30/89

- *Chromatographie inverse , p.ex. avec l'analyte dans la phase stationnaire*

UK Patent Office **Date: 29 May 2001**

Rapporteur Report on Project C413, Subclass B01D , B01J

Comments have been received from EP, US, FR, JP, CA, RU, RO, GB, DE.

Background and Comments

In the report of the fourth Working Group (document IPC/WG/4/5 - Annex 44) the following points were raised:

S *US were asked to propose an ordering of the adopted groups on the basis of the standardised sequence arising from the Reform work. Comments on this were invited.*

US were unable to usefully apply the standardised sequence to B01D 15/00 and did not propose a scheme. CA suggest a re-ordering. A proposed ordering of the groups under B01J 20/00 was made by US. This found no support from those commenting, the consequences of the rearrangement under the last place rule being cited as a reason.

R therefore concludes that such rearrangement is not worthwhile.

S does overlap exist between the 2 dot sub-groups under B01D 15/08 (15/10, 15/26, 15/42 in Annex 33). Any such overlap arising may be due to the expression >operational features= in adopted group B01D 15/10.

JP, EP, UK, DE see no problem with overlaps being created. UK suggest that classification definitions may help ensure this. CA, RU, RO do see problems and comment as to why. RU suggest introduction of a precedence rule to avoid problems.

Given an even split of opinion, R does not propose any amendment, but discussion of this in view of the reasons given for potential problems is suggested for next WG.

S whether the wording of group 15/26 should be >separation mechanism= (as adopted) or >separation technique=.

Opinion on this point is split between JP, RU, RO, UK who prefer >separation mechanism= and EP, FR who prefer >separation technique=.

R suggests the majority view which retains the wording as previously adopted.

S EP were asked to study the potential file size of proposed group B01D 53/13. Comments were invited on the desirability of this group.

The EP study concluded that the proposed group B01D 53/13 was unnecessary for reasons given in Annex 34. RU and UK support this view. RO and DE hold the view that this group is necessary as there is currently no place for preparative gas chromatography and documents which would go into this group are currently incorrectly classified across the IPC.
R therefore does not suggest adoption of B01D 53/13.

S comments were invited on the desirability of having proposed group B01J 20/295, in view of the possibility of this leaving group B01J 20/281 empty.

JP and DE do not support the introduction of group B01J 20/295. EP, RU, UK wish to see this group adopted, EP stating that this will allow introduction of further sub-divisions as per Annex 20 (B01J 20/62-20/68).

R proposes introduction of the following (as Annex 32):

N B01J 20/295 . . characterised by their form or by physical properties not covered by groups B01J 20/282 to B01J 20/292

S comments on proposed amendments to groups B01J 39/00, 39/06, 41/06 (Annex 32) were sought.

There is general support for the need for amendments to these groups. EP propose an amended wording (Annex 38), including proposals for 39/08, 41/08. This proposal has support from RU and DE. DE and RO raise the issue of how far these groups should be indented. The adopted group B01D 15/36 removes processes and apparatus from existing B01J 39/06, 41/06 which currently relate to >chromatographic ion-exchange processes=. The proposals made so far provide for these subgroups to be amended to relate only to ion-exchange materials for chromatography. Subgroups B01J 39/08, 41/08 relate to ion-exchange materials in general and appear to be the places where ion-exchange materials for chromatography are currently classified. Thus R suggests that deletion of subgroups B01J 39/06, 41/06 could be considered and that the Working Group discuss this option and the two options outlined in Annex 38 by EP as detailed below :

i)

C Guide heading before B01J 39/00
---- separation by liquid ion-exchangers B01D , e.g. B01D 11/00; ion exchange chromatography B01D 15/36 C

D B01J 39/06

D B01J 41/06

ii)

C Guide heading before B01J 39/00

---- separation by liquid ion-exchangers B01D , e.g. B01D 11/00; ion exchange chromatography B01D 15/36 C

D Note (3) before B01J 39/00

D B01J 39/06
N B01J 39/30 . Cation exchangers for chromatographic processes (processes B01D 15/36)

D B01J 41/06

N B01J 41/30 . Anion exchangers for chromatographic processes (processes B01D 15/36)

iii)

C Guide heading before B01J 39/00
---- separation by liquid ion-exchangers B01D , e.g. B01D 11/00; ion exchange chromatography B01D 15/36 C

C B01J 39/06 . Cation exchangers for chromatographic processes (processes B01D 15/36)

C B01J 39/08 . Use of material as cation exchangers (B01J 39/06 takes precedence); Treatment of material for improving the cation exchange properties

C B01J 41/06 . Anion exchangers for chromatographic processes (processes B01D 15/36)

C B01J 41/08 . Use of material as anion exchangers (B01J 41/06 takes precedence); Treatment of material for improving the anion exchange properties

Other Matters

EP correctly point out that technical annex 47 of Annex 33 should refer to G01N 30/48 and not to G01N 30/38.

EP also suggest Catchwords amendments.

CA also make the following comments on adopted groups B01D 15/24, 15/28, 15/36, 15/40 :

B01D 15/24, CA are not clear what is meant by >fractions to be distributed=. R understands this to refer to the product stream and if this is what is understood by other offices, R proposes to retain subgroup B01D 15/24 as adopted.

B01D 15/28, CA state that >adsorption chromatography= is a general term for chromatography with a solid sorbent. R notes that 15/08 relates to selective adsorption and thus understands that group 15/26 would form the location for non-chromatography selective adsorption subject matter characterised by the separation mechanism, and that 15/28 would form the home for chromatography subject matter characterised by the separation mechanism and not falling within groups 15/30 to 15/38. R proposes that if this is understanding finds agreement with the other offices that group B01D 15/28 remain as adopted.

B01D 15/36, CA feel this subject matter belongs in B01J 39/06, 41/06. Other comments express support for retaining this adopted group and making the amendments to B01J necessary to remove chromatographic processes from B01J. R suggests adopting this latter course of action.

B01D 15/40, CA do not regard use of supercritical fluid to be a >separation mechanism=, instead preferring to have use of supercritical fluid under subgroups 15/10 and 15/42. R believes that this opinion has certain validity and proposes that the Working Group discuss whether this subject matter might be better placed indented under B01D 15/10. Note that this hierarchy was introduced by EP in Annex 3.

Graham Lynch
UKPTO

IPC/C 415/98 Rev.1
ORIGINAL: English/French
DATE: June 5, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE

GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: **GB** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 08 J** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Clarification of wordings** **TYPE DE RÉVISION :** **Clarification de libellés**	

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 415/98	ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal / Demande de révision avec proposition détaillée		GB	12.98
2	Comments / Observations		EP	05.99
3	Comments / Observations		SE	05.99
4	Comments / Observations		CA	05.99
5	Comments / Observations		RO	05.99
6	Comments / Observations		US	05.99
7	Comments / Observations		DE	07.99
8	Rapporteur report / Rapport du rapporteur		GB	09.99
9	Rapporteur proposal / Proposition du rapporteur		GB	09.99
10	Comments / Observations	Rev.1	RO	06.01

RAPPORTEUR : GB **TECHNICAL FIELD/DOMAINE TECHNIQUE : C**

ANNEX 10

OFICIUL DE STAT PENTRU
INVENÞII 0I MÃRCI

Date : April 2001

RO COMMENTS

PROJECT : **415**
Class/Subclass : **C08J**

Comments were invited on *:*

- *the proposal submitted by GB to amend the wording of reference to B29 following the title of C08J and of subgroups C08J 5/00 and 11/00*

We are in favor of the wording of the reference to B29 following the title of C08J proposed by the Rapporteur in annex 9 of the file. We consider also, that a more specific reference to B29 B or B29 C in C08J 5/00 is more beneficial rather than to delete it , taking into consideration that, the subject matters of this subgroups are very related.

Mirela Georgescu

IPC/C 422/00 Rev.2
ORIGINAL: English/French
DATE: June 5, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
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GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: **GB, US** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 15/40 B** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **Création de sous-groupes**	

ANNEX/ ANNEXE	CONTENT/CONTENU	SEE/VOIR C 422/00	ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal / Demande de révision avec proposition détaillée		GB	12.99
2	Proposal / Proposition		US	03.00
3	Comments / Observations		RU	05.00
4	Comments / Observations		GB	05.00
5	Comments / Observations		DE	05.00
6	Comments / Observations		JP	05.00
7	Comments / Observations		EP	05.00
8	Comments / Observations		SE	05.00
9	Comments / Observations		US	06.00
10	Decision of the Working Group / Décision du groupe de travail	Rev.1	WG	09.00
11	Rapporteur report / Rapport du rapporteur	Rev.1	GB	09.00
12	Rapporteur proposal / Proposition du rapporteur	Rev.1	GB	09.00
13	Comments / Observations	Rev.1	EP	09.00
14	Comments / Observations	Rev.1	JP	09.00

RAPPORTEUR : GB **TECHNICAL FIELD/DOMAINE TECHNIQUE : C**

ANNEX/ ANNEXE	CONTENT/CONTENU		SEE/VOIR C 422/00	ORIGIN/ ORIGINE	DATE
15	Comments	/ Observations	Rev.1	RU	09.00
16	Comments	/ Observations	Rev.1	DE	11.00
17	Comments	/ Observations	Rev.1	SE	11.00
18	Comments	/ Observations	Rev.1	US	11.00
19	Rapporteur report	/ Rapport du rapporteur	Rev.1	GB	11.00
20	Decision of the Working Group	/ Décision du groupe de travail	Rev.2	WG	01/01
21	Comments	/ Observations	Rev.2	CA	03.01
22	Comments	/ Observations	Rev.2	SE	03.01
23	Comments	/ Observations	Rev.2	RU	03.01
24	Comments	/ Observations	Rev.2	EP	03.01
25	Comments	/ Observations	Rev.2	JP	03.01
26	Comments	/ Observations	Rev.2	DE	03.01
27	Rapporteur report	/ Rapport du rapporteur	Rev.2	GB	04.01
28	Decision of the Working Group	/ Décision du groupe de travail	Rev.2	WG	06.01
29	Comments	/ Observations	Rev.2	EP	06.01
30	Comments	/ Observations	Rev.2	RU	06.01
31	Comments	/ Observations	Rev.2	EP	06.01
32	Comments	/ Observations	Rev.2	RO	06.01

UK Patent Office **Date: 15 November 2000**

Rapporteur Report on Project C422, Subclass C15B

Background

GB submitted a proposal in December 1999 to provide a new subclass for combinatorial chemistry. Following discussion at the third meeting of the Revision Working Group GB provided a consolidated proposal (Annex 12). Comments on this proposal have been received from EP, JP, RU, DE, SE, US.

Notes

The responses appear broadly in favour of the proposal made by **R** in Annex 12, the comments made mainly address the relationship between C15B and existing IPC areas, fine-tune the proposal and discuss certain questions raised in the proposal.

1. Relationship with existing IPC

The responses have much discussion regarding this point and there is much support for the use of C15B as secondary or multi-aspect classification. **R** feels that this is particularly relevant to claims to libraries defined by Markush-type formulae. In these cases it has been suggested that the existing IPC classification for the compound type be used, with a C15B classification also attached to indicate that a library is involved. In this way a searcher wishing to access all compounds of a particular type can do this in one location, searchers particularly interested in such compounds in chemical libraries can extract these documents using the C15B mark. It has been pointed out that classifying libraries in the existing IPC may be very laborious where a large number of potential compounds may be present.

The alternative is to break down C15B 5/00 in the same detail as used in the existing chemical areas and use this as a primary classification, this would mean that searchers interested in all examples of a particular compound type would have to search both the existing IPC and C15B. It seems to **R** that some sub-division of C15B is required to prevent the content of this classification becoming very large in size.

It is right to focus on the purpose of classification as an aid to searching in this way and this raises further questions about combinatorial chemistry. It can be argued that a chemical library as an intimate mixture of compounds is distinct from an array type library where the individual compounds are physically separated, and that to search a claim to a mixture library defined by a Markush-type structure requires only searching of chemical libraries, but that search of a claim to an array type library defined by the same Markush-type structure must cover that structure in library and non-library areas.

R feels that classification of libraries defined by Markush-type structures in existing IPC areas with the addition of C15B as a secondary classification is valid. However, in other sub-groups (apparatus, screening methods etc) the subject matter will be specifically adapted for combinatorial chemistry use and C15B will be a primary classification, this is acknowledged by **JP** and **DE**. **US** provide detailed analysis on this and other topics, much of which **R** is in agreement with. The definitions do need tightening. The intention of **R** in the proposal was that compound was meant not just in the sense of small organic molecules but to include alloys, inorganic and biological materials.

2. Areas of existing IPC identified as relevant to C15B

A01N, A61K, A61P, B01D, B01J, B01L, C01B-C30B, C07B, C07C, C07D, C07H, C07K, C12Q, C12R, G01N.

3. Fine-tuning

Comments relating to the subgroups of the proposal in Annex 12 have been received :

C15B 1/00 Screening

DE and **JP** (see proposal Annex 14) feel that there is no clear distinction between this subgroup and 3/00 Identification. **R** agrees that screening and identification are often closely linked but believes that it is usually clear whether the invention is in the screening or identification technique and would keep these as two separate groups. The views of others are sought on this point.

EP and **US** point out that it should be made clear that all sorts of activity may be selected for, including catalytic activity and physical properties. **R** agrees and suggests that the C15B 1/00 definition should read :

ÀScreening is defined as the process of determining whether compounds in a chemical library have a desired chemical, **physical** or biological activity, *without* necessarily identifying the precise chemical nature of the compound(s) being screened

Directed molecular evolution is a process where library members displaying a desired activity are amplified/reproduced and fed through further, increasingly stringent rounds of selection for the desired activity. ›Mutations: are often introduced at the amplification/reproduction stage in order to provide further diversity closely related to those compounds selected in the screening process.@

Directed molecular evolution does appear to relate to dynamic libraries. **R** feels that the invention in such methods will generally lie in the selection pressure applied to the library and that 1/00 is the correct place for directed molecular evolution. **SE** suggest a 3 dot entry 5/43 under 5/42 biochemical synthesis, but it may be that directed molecular evolution may proceed via non-biochemical syntheses.

C15B 3/00 Identification

See above
C15B 5/00 Preparation, libraries

RU and **DE** express support for this subgroup in general terms, **JP** and **EP** present certain amendments in alternative proposals.

Form / presentation in C15B 5/30 refers to, for example, where the library is displayed on a phage or cell system or as a solid phase array (microtitre well plates). This group could be further divided to include arrays and mixtures, e.g.:

5/30 . characterised by the form / presentation of the library

5/32 . . arrays

5/34 . . mixtures

The groups 5/48, 5/50, 5/52 in the proposal from **EP** are intended to be included in 5/44 and 5/46 by **R**. **R** agrees with the incorporation of a one dot entry for virtual / mathematical conception of libraries, and with the residual 5/56 suggested by **EP**. Opinions are sought on whether 5/58 suggested by **EP** is welcomed.

US points out that the construction of 5/00 is inconsistent, with 5/10 apparently redundant. **R** agrees, removal of group 5/24 could solve this problem.

C15B 7/00 Apparatus

R does not see any need to distinguish between apparatus and devices, with devices apparently falling within the area of apparatus.

C15B 9/00 **DE** agrees on need for a residual group.

EP proposes re-ordering the subgroups to reflect the logical order in using combinatorial techniques, i.e. synthesis, screening, identification. **R** is very much in favour of this, but notes that the use of ›place‹ rules may influence this. **SE**, **US** are also in favour of this.

EP suggests removing the wording ›combinatorial‹ from head groups, this would exclude libraries which were arrays of selected existing compounds or plant isolates. The use of libraries alone invites confusion with book libraries so **R** suggests ›chemical libraries‹ would be clearer. A possible class title would be :

C15B Combinatorial chemistry; Chemical libraries.

However, techniques for preparing non-combinatorial libraries would be found elsewhere in the IPC, so **R** would develop the **EP** proposal in Annex 13 to read:

1/00 Preparation of combinatorial libraries

3/00 Chemical libraries *per se*

5/00 Screening of chemical libraries; directed molecular evolution

7/00 Identification of selected products present in chemical libraries

9/00 Apparatus specially adapted for use in chemical library technology

11/00 Chemical library technology aspects not provided for in groups C15B 1/00 to C15B 9/00

To answer the point raised by **JP**, the subclass symbol C15B was decided upon at the previous Revision Working Group as it was pointed out that C40B would be placed in the Metallurgy sub-section which is clearly incorrect.

Relating to points made by **JP**, **R** does not feel that technology such as preparation of building blocks, linkers, use of solid phase supports should be classified in C15B except where these are specifically adapted for use in combinatorial/library techniques and have no utility elsewhere.

R does not feel that it is yet time for a revised proposal including subgroup breakdown as there is insufficient detailed agreement about the breakdowns.

4. Responses to Questions Raised in Annex 12

1. How to break down main group C15B 1/00 (screening) ?

EP, **RU** suggest breakdown by type of activity sought, **R** generally agrees but wonders whether certain screening methods could be applicable to more than one desired type of activity. **EP** also suggest breakdown by method of screening (see **SE** Annex 8) and **RU** also suggest presentation of target. **US** support breakdown by chemical nature of library.

2. Should a sub-group for disclosures relating to monitoring, control and optimisation of the preparation of combinatorial libraries appear as a one dot entry under C15B 5/00 (preparation) ?

RU, EP and **US** believe such disclosures should be classified in 5/00 (if virtual/conceptual aspect in **EP** response) or 7/00 as appropriate. **US** asks if 9/00 is appropriate for computer methods of optimisation.

3. Does apparatus for screening and identification in combinatorial chemistry belong under main groups 1/00 and 3/00 as appropriate or under 7/00 (apparatus) ?

EP, **RU**, **SE** and **US** feel that such apparatus should be classified in a group 7/00 having a widened definition.

4. Should libraries *per se* be included with preparation of libraries in C15B 5/00 ?

EP strongly feel libraries *per se* should form a separate sub-group, **JP** and **SE** agree with this. **RU** and **US** feel libraries *per se* should be included in 5/00, as in the proposal from **R**, **DE** agree with this adding that directions to where else in the IPC particular compound classes should be classified.

Graham Lynch

U.K. Patent Office

ANNEX 20

EXCERPT FROM DOCUMENT IPC/WG/4/5/
EXTRAIT DU DOCUMENT IPC/WG/4/5

Project C 422 (chemical) – This Project was referred to a subsidiary body (see paragraphs 22 to 25, below). In so deciding, the Working Group underlined the importance of the Project relating to the recently emerged and rapidly growing technology of "combinatorial chemistry" and the urgent need for finalizing the Project in time for the next edition of the IPC.

The Working Group agreed that technology of "combinatorial chemistry" included many aspects not covered by appropriate places in the IPC, which required elaboration of a comprehensive classification scheme that could also be used for multiple classification in combination with other areas of the IPC. The Working Group indicated that, for elaboration of a classification scheme covering "combinatorial chemistry," it would be necessary to prepare detailed classification definitions clarifying various concepts relating to this technology.

The Working Group reviewed a proposed classification scheme at main group level, prepared by the Rapporteur (see Annex 19 to the project file) and noted that, for several main groups, definitions had already been proposed by the United States of America and the United Kingdom (see Annexes 2 and 19 to the project file).

In order to provide additional background material for the discussions of the subsidiary body, comments were invited on:

– whether a separate main group was needed for chemical libraries or whether they could be combined with preparatory methods in one main group, citing relevant examples of patent documents;

– whether the proposed main group 7/00 could be combined with the proposed main group 5/00 and, if that was not the case, how the wording of the former group could be modified, in order to avoid any overlap between those groups;

– the proposed definition of a library (see Annex 2 to the project file), in particular in respect of the terms "intentionally," "unitary" and "biologicals" used therein;

– the proposed definition of a method for preparing a library (see the said Annex 2);

– the proposed definition of the term "screening" (see Annex 19 to the project file), in particular whether it should refer to "property" rather than to "activity";

– the proposed definition of the concept of "directed molecular evolution" (see the said Annex 19).

– the position of a classification scheme covering “combinatorial chemistry” in section C, taking into consideration the nature of possible members of “combinatorial libraries,” and whether the choice of the position would necessitate modifications to the subsection structure.

The Working Group agreed that further subdivision of main groups in the area of “combinatorial chemistry” would be necessary and invited comments on how such subdivision could be made, and how deep it should be.

In view of the limited time remaining until the session of the subsidiary body, the Working Group requested its members to strictly follow the deadlines established for the Project.

Projet C 422 (chimie) – Ce projet a été renvoyé devant un organe subsidiaire (voir les paragraphes 22 à 25 ci-après). À cet égard, le groupe de travail a souligné l’importance de ce projet concernant la technique récente et en pleine évolution de la “chimie combinatoire” et la nécessité de l’achever à temps pour l’intégrer dans la prochaine édition de la CIB.

Le groupe de travail a convenu que la “chimie combinatoire” comporte de nombreux aspects qui ne sont pas couverts dans les endroits appropriés de la CIB, ce qui nécessite l’élaboration d’un schéma de classement détaillé qui pourra aussi servir au classement multiple en combinaison avec d’autres secteurs de la classification. Le groupe de travail a indiqué que l’élaboration d’un schéma de classement détaillé couvrant la “chimie combinatoire” repose sur la mise au point de définitions de classement précisant les différentes notions qui se rapportent à cette technique.

Le groupe de travail a passé en revue un projet de schéma de classement au niveau des groupes principaux établi par le rapporteur (voir l’annexe 19 du dossier de projet) et a noté que, pour plusieurs groupes principaux, des définitions ont déjà été proposées par les États-Unis d’Amérique et le Royaume-Uni (voir les annexes 2 et 19 du dossier de projet).

Afin de réunir des informations supplémentaires pour les délibérations de l’organe subsidiaire, des observations ont été demandées :

– sur le point de savoir s’il faut créer un groupe principal distinct pour les bibliothèques chimiques ou si ces dernières peuvent être combinées avec les méthodes préparatoires dans un groupe principal, en citant des exemples pertinents de documents de brevet;

– sur le point de savoir s’il convient de combiner le groupe principal 7/00 proposé avec le groupe principal 5/00 proposé et, dans la négative, sur la façon dont il convient de modifier le premier afin d’éviter tout chevauchement entre les deux;

– sur le projet de définition d'une bibliothèque (voir l'annexe 2 du dossier de projet), en particulier au regard des termes "intentionally", "unitary" et "biologicals" qui y figurent;

– sur le projet de définition d'une méthode de préparation d'une bibliothèque (voir l'annexe 2 précitée);

– sur le projet de définition du terme "screening" (voir l'annexe 19 du dossier de projet), et notamment sur le point de savoir s'il faut utiliser le mot "property" (propriété) plutôt qu'"activity" (activité);

– sur le projet de définition de la notion de "directed molecular evolution" (voir l'annexe 19 précitée).

– sur l'emplacement d'un schéma de classement couvrant la "chimie combinatoire" dans la section C, compte tenu de la nature des membres éventuels des "bibliothèques combinatoires" et sur le point de savoir si le choix de l'emplacement entraînera des modifications dans la structure des sous-sections.

Le groupe de travail a convenu qu'il sera nécessaire d'introduire de nouvelles subdivisions des groupes principaux de la "chimie combinatoire" et a demandé des observations sur la manière de procéder ainsi que sur la profondeur de la subdivision.

Compte tenu du peu de temps qui reste avant la session de l'organe subsidiaire, le groupe de travail a prié ses membres d'observer scrupuleusement les délais impartis pour le projet.

The Canadian Intellectual Property Office CIPO OPIC L'Office de la propriété intellectuelle du Canada

Project Number: **C**422	Date: February 05, 2001
Class/Subclass: C40B/C15B	Page 1_ of 1

We believe that a separate main group is not needed for chemical libraries and preparatory methods since most of time the claims are directed to the product per se, especially in this area.

We also believe that the main group 5/00, 7/00 should remain as a separate group.

We agree with the proposed definitions.

Nancy Beauchemin

Swedish Patent and Registration Office

IPC Revision Project C 422, subclass C15B **February 5th, 2001**

COMMENTS
relating to IPC/WG/4/5

Comments were invited on

- **whether a separate main group was needed for chemical libraries or whether they could be combined with preparatory methods in one main group, citing relevant examples of patent documents?**

We maintain our opinion in our earlier comment (Annex 17) that a library could be regarded as a product and that the preparation of the library as a process. There are ways of characterising a chemical library without mentioning the method for its preparation. If "libraries *per se"* is placed as a sub-group under the proposed main group for preparation of libraries there will be no place for classification of applications disclosing only the libraries *per se*.

Regardless of whether it is probable or not that an inventor will apply for a patent for only the library *per se,* where no preparation method is described, we consider that the IPC should provide a solution for this. For that reason, we would like to have a separate main group for libraries *per se*.

- **whether the proposed main group 7/00 could be combined with the proposed main group 5/00 and, if that was not the case, how the wording of the former group could be modified, in order to avoid any overlap between those groups?**

We believe that there it is possible that these groups may overlap some times. However, we think that they should be separated, since the purposes of the methods are different. We suggest that the titles could be supplemented with examples. For instance

5/00 Screening of libraries, e.g. for activity or function of compounds disclosed

7/00 Identification of selected products present in libraries, e.g. identification of structure, formula or composition of compounds disclosed

- **the proposed definition of a library (Annex 2), in particular in respect of the terms "intentionally," "unitary" and "biologicals" used therein**

We believe that the definition made by US in Annex 2 may be slightly modified. We consider that the term "unitary" is not appropriate. It could be interpreted as if the members of the library should have

some characteristic in common, but that is not obligatory for said members. Further, the word "biological" might be unclear and should be replaced.

We prefer to define a library as an intentionally created collection of a plurality of biological or chemical compounds, biological entities or other materials, where the collection should be treated as a unit.

- **the proposed definition of a method for preparing a library (Annex 2)**

As a classification note we prefer more simplified English phrasing than in Annex 2, such as:

- This subclass covers methods of preparing a library if the methods, applied in their entirety, result in the library.
- This subclass covers preparation and separation of libraries for the purpose of deconvolution.
- Classification of a method of preparing a library combined with separation of the library into its individual components is based on the individual components of a library, unless the separation is made for the purpose of deconvolution

For the rest we do not have any strong opinion about how a method of preparing a library should be defined.

- **the proposed definition of the term "screening" (Annex 19), in particular whether it should refer to "property" rather than to "activity"**

We think is that the definition of the term "screening" made by US in Annex 2 and made by GB in Annex 19 complement each other. Screening is defined as the process of determining whether members in a chemical library have a desired chemical, physical or biological property, without necessarily identifying the precise chemical nature of the compounds being screened. The screening should involve the library as a whole.

- **the proposed definition of the concept of "directed molecular evolution" (Annex 19)**

We prefer the definition made by GB in Annex 19.

- **the position of a classification scheme covering "combinatorial chemistry" in section C, taking into consideration the nature of possible members of "combinatorial libraries," and whether the choice of the position would necessitate modifications to the subsection structure**

We have no strong opinion about the position of a classification scheme covering "classification" in section C. We only have experience of combinatorial libraries for biological and chemical materials,

but we should be careful not making IPC to restricted but provide a solution that prepares IPC for classification of libraries of other possible members.

- **how a further subdivision of main groups in the area of "combinatorial chemistry" could be made, and how deep it should be**

As suggested in Annex 8 we still prefer to break down the main group regarding the method of screening according to the method used for screening.

At the moment, we have not any further suggestions on the subdivision of the area of combinatorial chemistry.

Helena Danielsson

ANNEX 23

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments on Project C 422 (C15B)	
Project: C 422	**Date: 9.03.01 2:31 PM**
Class/subclass: C 15B	**Page 1 of 2**

IPC/WG/4/5 invited comments on following questions:

- whether a separate main group was needed for chemical libraries or whether they could be combined with preparatory methods in one main group, citing relevant examples of patent documents.

Chemical libraries are characterized by chemical nature and form/presentation.

We think that there is no particular need for creation of a separate main group for libraries, as chemical libraries could be classified under appropriate groups for preparation of them. If it is expected to be sufficient documents relating only to libraries per se, a separate main group for chemical libraries would be useful for facilitating searches. We believe that subdivision of this main group should be based on both aspects: chemical nature and form/presentation of chemical libraries.

- whether the proposed main group 7/00 could be combined with the proposed main group 5/00 and, if that was not the case, how the wording of the former group could be modified, in order to avoid any overlap between those groups.

Taking into account GB proposed definition of "screening", we don't see any overlap between group 5/00 for screening and group 7/00 for identification. We think there is no need to combine them.

- the proposed definition of a library (see Annex 2 to the project file), in particular in respect of the terms "intentionally", "unitary" and "biologicals" used therein.

We are in favour of US proposed definition of chemical library. In our opinion it is desirable to clarify the term "biologicals".

- the proposed definition of a method for preparing a library (see the said Annex 2).

We support classification definition for method of preparing a library proposed by US.

- the proposed definition of the term "screening" (see Annex 19 to the project file), in particular whether it should refer to "property" rather than to "activity".

We are in favour of definition of "screening" proposed by GB (in An.19). But may be in future the term "property" will be more preferable as it is wider than "activity".

- the proposed definition of the concept of "directed molecular evolution" (see the said Annex 19).

We support classification definition of concept of "directed molecular evolution", proposed by GB (in An.19).

- the position of a classification scheme covering "combinatorial chemistry" in section C, taking into consideration the nature of possible members of "combinatorial libraries", and whether the choice of the position would necessitate modifications to the subsection structure.

We have no strong opinion in respect of the position of the considered subclass. In list of cited examples there is no documents relating to libraries of inorganic compounds or materials

E.Loubiako

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
7 February 2001

Project: C422 **Subclass: C40B/C15B**

Re.:IPC/WG/4/5, par.10

* EP notice with satisfaction that, in relation to the technology of "combinatorial chemistry", the WG agreed on the principle of multiple classification in combination with other areas of the IPC.

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* As far as the questions raised at WG4 are concerned, these are the comments of the EP Office:

1) Libraries and their preparation

As stated before, EP strongly defend the creation of separate entries for the libraries as such and for their preparation.

This separate entry for libraries as such could however contain two types of documents: documents claiming libraries as such but also documents claiming preparations of specific libraries. This would be in line with the IPC practice for polymers, where the preparation of specific polymers is classified in the entries for these polymers as such, not in the entries for general polymerisation processes. Furthermore, documents disclosing libraries as such should also be classified for the class of compounds defined by the claimed library, if appropriate, in a similar way as when documents disclosing compounds defined by Markush type formula are classified.

So the "preparation" entry would focus on the methodology for preparing (any kind) of libraries (array/solution of libraries/...).

Examples: - preparations: WO0039751, WO0043333
- libraries per se: WO0076974, FR2792936.

In conclusion:
- when a process is claimed, classification is made in the "preparation" group
- when a library is claimed, classification is made in the "library per se" group
- when a library and a process are claimed, classification is made in the "library per se" group only if the process is dependent on the library) or in both the "preparation" group and the "library per se" group, depending on the situation.

2) Screening and identification

For screening and identification, which are clearly different activities, different methods are used. The emphasis can be put on the deconvolution means rather than on the screening itself. So from the point of view of both classification and search, separate entries are to be preferred.

Suitable wordings for the two entries could be:

Screening of libraries.

Identification of screened library members, e.g. chemical structure determination.

3) Definition of "library"

The words "intentionally" and "unitary" are ambiguous and too restrictive and thus should not be used. Only one member or a mixture of members might be involved. "Virtual" libraries are not restricted to computerised ones, so the i.e. should be replaced by e.g. With all these remarks in mind EP would like to propose the following (amended) definition:

A library is a created collection of a plurality of biologicals, compounds or other materials. The collection is useful as a test vehicle for determining which of its members (or mixture(s) of members) posses(es) useful properties. A library might exist as:
(1) a solution
(2) a physical admixture
(3) an (ordered) array
(4) a plurality of members present on a support and affixed thereto by chemical bonding , by physical attractive forces, or by coating, or
*(5) a "virtual library", **e.g.** one whose members exist only as representations within a computer or on a computer-readable medium.*

4) Definition of "method of preparing a library"

As it should be possible to classify **any** method for preparing a library in the new entry for preparations, the definition for "method" should in no way be restrictive and cover the preparation of combinatorial as well as non-combinatorial libraries

5) Definition of "screening"

We agree with the proposed definition of annex 19. We prefer the term "property". If however we use *"property or activity"* we are sure to cover everything we want to cover. Instead of "compound" , "*member(s) of the library*" should be used.

6) Definition of "directed molecular evolution"

Here too, we would like to use *"property or activity"*. As directed molecular evolution does relate to "*dynamic combinatorial libraries*" EP would like to have this expressed in the definition.

7) Position in section C

Class C30 exists since IPC3, so it was created when Section C was already divided in subsection Chemistry and subsection Metallurgy. When C30 was created, this subdivision of Section C was clearly overlooked.

Libraries relate to organic chemistry as well as to inorganic chemistry, alloys and even single crystals. The new library class thus will cover almost the complete Section C. Thus it would be more logical to create C40B rather than C15B.
To solve the problem with the existing subsections the most easy solution is to delete the subsection titles, which to the experience of the EP office have no practical utility. The alternative would be to create a third subsection for C30 and C40 for which a very artificial title would have to be invented.

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* As far as further subdivisions for the main groups to be adopted are concerned, to EP it is clear that for this new and growing area such subdivisions are necessary. However, it seems to be rather premature to discuss this in detail in this early stage.

Paul Daeleman
422ep03c

ANNEX 25

Project C422 (chemical)

JP Comments and Proposals

February 5, 2001
JAPAN PATENT OFFICE

1. *How to break down main group C15B 1/00 (screening) ?*

We found it unnecessary to separate a main group for screening and that for identification.
Breakdown by activity or target, as proposed by EP, RU, etc., will lead to a keyword search by enzyme or factor of each target after all, and such breakdown would be meaningless. Breakdown by method of screening, as proposed by EP, would not be proper either. Because, we think that parallel method or split method should originally be covered in preparation methods, and that identification of screened compounds should be covered in "identification".
Thus, we could not find any aspect to break down "screening" itself any further, and we propose to combine "screening" and "identification" into one main group.

* How to break down main group C15B 7/00 (screening or identification) ?
We do not think it necessary to break down the aspects already covered by G01N (e.g. identification method using NMR) here again. Instead, we should subdivide here these technologies related to identification not covered in G01N (e.g. tags).
For example, we propose as follows:

7/00		screening or identification of selected compounds present in combinatorial libraries
7/10	・	by methods dependent on the particular synthetic methodology used to prepare the library
7/12	・・	by the spatial position of the selected compound(s)
7/14	・	by detection tags or labels associated with the selected compound(s)
7/16	・	by iterative deconvolution

2. We agree that *a subgroup for disclosures relating to monitoring, control, optimization of the preparation of combinatorial libraries should appear under main group 5/00 for "preparation".*

3. We think that *apparatus for preparation, screening and identification in combinatorial chemistry should belong under 9/00 (apparatus).*
It would be more effective to separately create a main group for apparatus and its subgroups for those especially adapted for respective use rather than breaking down subgroups for apparatus under each main group. Because, in many cases, apparatus used in combinatorial chemistry technology have combined use of preparation, screening, and identification.
We propose the breakdown of the main group as follows:

9/00		Apparatus specially adapted for use in combinatorial chemistry technology
9/02	・	Apparatus specially adapted for preparation
9/04	・	Apparatus specially adapted for screening
9/06	・	Apparatus specially adapted for identification
9/09	・	Apparatus specially adapted for preparation and screening
9/10	・	Apparatus specially adapted for preparation and identification

9/12 ・ Apparatus specially adapted for screening and identification
9/14 ・ Apparatus specially adapted for preparation, screening and identification
9/16 ・ Apparatus not provided for in groups 7/00 to 7/14

4. We agree to create separate main groups 3/00 (libraries per se) and 1/00 (preparation of libraries). However, we do not think it necessary to finely subdivide the main group 3/00 (libraries per se), since multi-aspect classification would be introduced.

For example, we propose as follows:

3/00 Libraries per se (e.g. low molecular organic compounds, polymers, polynucleotides, polypeptides, enzymes and their use inventions
3/02 ・ arrays
3/04 ・ mixtures

5. *Others*

[1] Subclass notation

Whether the subclass should be C40B or C15B to cover combinatorial chemistry technologies should be reviewed after defining the coverage of the subclass.

[2] Definition of combinatorial chemistry in the new subclass

We agree with the comment on the definition of the subclass in EP comment dated September 18, 2000 [“We think that the wording used should also encompass inorganic and non-biological entities, e.g. oxides, alloys. Therefore, the wording ‘molecular entities’ seems too specific and limiting. Similarly the word ‘product(s)’ should be used instead of ‘compound(s)’ ”].

However, we prefer the word “material” to “product”, and would like to propose the following definition of combinatorial chemistry in the new subclass and Notes after the definition.

****

(Definition)

“Combinatorial Chemistry Technology” means the technology to efficiently create many chemical materials (libraries) by combining a plurality of partial chemical structures or ingredients which are selected to obtain various types of chemical libraries.

“Combinatorial Chemistry Technology” includes:

(1) Methods to synthesize chemicals using combinatorial chemistry techniques and those typically used in such process (e.g. synthesizing devices, linkers, carriers, building blocks, etc.)
(2) Various kinds of chemical libraries synthesized by combinatorial chemistry techniques
(3) Methods to identify or screen various kinds of chemical libraries synthesized by combinatorial chemistry techniques, and those means and things used in the method (e.g. screening devices, tags, etc.) with characteristics specially adapted for combinatorial chemistry technology

Where the technical subject of an invention relates to “Combinatorial Chemistry Technology” above, it should be given the relevant classification.

Notes

(1) This subclass covers elements and already classified as such in Section A, B, C or G.

(2) Documents classified in this subclass should also be classified in appropriate subclasses providing for their structural or functional features in their corresponding fields.

(3) The classification symbols for this subclass are not listed first when assigned to patent documents.

(4) The main group 7/00 (libraries per se) covers organic compounds (e.g. low molecular organic compounds, polymers, polynucleotides, polypeptides, enzymes and their use inventions), inorganic compounds (e.g. glass, metal, alloy, and their use inventions)

*****

Also we propose to insert references (compounds and subclasses concerned, such as

C07C, C07D) in the title of main group 3/00 (libraries per se).

[3] In the field of Combinatorial Chemistry Technology, there are many applications

relating to means and things used in preparation, identification, etc. which have technical characteristics in many cases. And we propose a main group to cover these subjects and its subdivision as follows:

11/00 Subjects not provided for in groups 1/00 to 9/00
11/02 · linkers per se
11/04 · solid support
11/06 · tags per se, labels per se

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trademark Office	Class/Subcl.: **C15B**
	Date : 21.02.2001
DE - Comments — C422	

Re: Comments on IPC/WG/4/5

- **whether a separate main group was needed for chemical libraries or whether they could be combined with preparatory methods in one main group, citing relevant examples of patent documents?**

In applications containing “libraries *per se claims”* the claimed libraries are characterized by their chemical nature in most cases and a specific process for their preparation is not disclosed always. A separate main group for chemical libraries might be useful therefore. But this separate main group must be used bearing in mind the principle of multiple classification in combination with the relevant areas of IPC 7. The libraries have to be classified in these areas as well.

- **whether the proposed main group 7/00 could be combined with the proposed main group 5/00 and, if that was not the case, how the wording of the former group could be modified, in order to avoid any overlap between those groups?**

There is an overlap between main groups 7/00 and 5/00 because the screening of a library is followed by the identification of selected products in most documents. However the possibility of cases which deal with the screening or the identification of screened library members only might justify the separation in two main groups. We support the wording for these entries proposed by EPO in Annex 24, in the light of the principle of multiple classification.

- **the proposed definition of a library (Annex 2), in particular in respect of the terms “intentionally,” “unitary” and “biologicals” used therein**

We believe that the terms “intentionally” and “unitary” are ambiguous and should be avoided. These terms are not necessary at all. The definition in Annex 2 summarises all materials, which is too broad. In particular the terms “biologicals” and “other materials” should be better specified, by using entities, compositions and/or preparations. Very important for the definition is the fact, that the collection should be treated as a unit (see SE-proposal from Annex22).

- **the proposed definition of a method for preparing a library (Annex 2)**

We prefer a broad definition which excludes the individual preparation of individual members of the library. We support the first and second part of the definition from the SE-proposal from Annex 22.

- **the proposed definition of the term “screening” (Annex 19), in particular whether it should refer to “property” rather than to “activity”**

In the definition should be mentioned the two expressions “property” and “activity” in order to avoid the exclusion of subject matter from the subclass. The term “compounds” should be replaced by “members” as discussed by the working group.

- **the proposed definition of the concept of “directed molecular evolution” (Annex 19)**

In this definition the term “property “ should be added as well.

- **the position of a classification scheme covering “combinatorial chemistry” in section C, taking into consideration the nature of possible members of “combinatorial libraries,” and whether the choice of the position would necessitate modifications to the subsection structure**

The classification scheme for “combinatorial chemistry” should be placed at the end section C, because possible members of “combinatorial libraries” could cover alloys until single crystals, which are classified at the end of section C of the current IPC.

- **how a further subdivision of main groups in the area of “combinatorial chemistry” could be made, and how deep it should be**

It is necessary to subdivide most of the main groups in this area. We have some proposals in Annexes 2, 7, 8, 12, 13 and 14. The workability of the suggested subdivisions should be tested using the cited examples by US and other offices (see comments of USPTO in Annex 9). The subdivision has to be limited to broad subgroups by using the principle of multiple classification in combination with the current IPC.

H. P. Gerster

UK Patent Office **Date: 16 March 2001**

Rapporteur Report on Project C422, Subclass C15B

Introduction

At the Working Group held in November 2000, the importance of this project was noted and the decision was taken to have a separate body devote time exclusively to this project in recognition of this. To facilitate these discussions document IPC/WG/4/5 asked for comments on a number of points. Comments have been received from CA, SE, RU, EP, JP, DE and the views expressed are collated below:

Summary of Comments

- are separate main groups required for chemical libraries per se and preparatory methods, or can these be combined in a single main group?

CA support a single main group for both areas.
SE, EP, JP (positions as noted in Annex 19) and DE support separate main groups for libraries per se and methods for preparation, RU can see some justification for this position while not being wholly in favour. Note that US have previously expressed support for a single group.

- are separate main groups for screening and identification required, and how could wording of group for screening be improved to clarify any distinction?

CA, SE, RU, EP, DE support maintaining these as separate groups
JP is against separating screening and identification.
SE, EP (supported by DE) suggest improvements to the wordings used to define these.
R notes that consensus is to retain separate groups for screening and identification , this position would be supported by GB.

- comments were sought on the definition of library suggested in Annex 2 (US):

CA and RU support the definition put forward by US.
SE, EP, DE are not satisfied with this definition in existing form, term ›unitary‹ causes particular problems. Terms ›intentionally‹ ›biologicals‹ needs further defining.
EP and JP suggest alternative definitions.

- is definition of ›screening‹ in Annex 19 acceptable, in particular whether ›property‹ or ›activity‹ should be referred to?

CA, RU, EP agree with the definition. There is support for stating ›property or activity‹ to avoid unwanted exclusions of subject matter from the definition. EP, DE mention replacing ›compounds‹ with ›members‹.

- *is definition of ›directed molecular evolution‹ in Annex 19 acceptable?*

CA, SE, RU agree with the definition, EP, DE suggest that ›property‹ be added to definition as per ›screening‹ above. EP propose explicit reference to ›dynamic combinatorial libraries‹.

- *where in IPC C should ›combinatorial chemistry‹ be positioned?*

The chief consideration of respondents is that subject matter should not accidentally be excluded from ›combinatorial chemistry‹ by the positioning. EP suggest removing sub-section titles to prevent this.

- *comments on further sub-divisions of main groups were invited :*

JP suggest some quite detailed breakdowns in certain areas. Other respondents acknowledge the likely necessity to break down main groups as suggested in previous proposals. R suggests using the main group proposal given in Annex 19, and reporduced below, as the basis for initial discussions at Subgroup D as there is still some divergence as to the basic way to go in further subdivisions, but also feels the various other proposals will provide a good basis for detailed work.

C15B

1/00 Preparation of combinatorial libraries

3/00 Chemical libraries *per se*

5/00 Screening of chemical libraries; directed molecular evolution

7/00 Identification of selected products present in chemical libraries

9/00 Apparatus specially adapted for use in chemical library technology

11/00 Chemical library technology aspects not provided for in groups 1/00 to 9/00

Graham Lynch

ANNEX 28

EXCERPT FROM DOCUMENT IPC/WG/D/2
EXTRAIT DU DOCUMENT IPC/WG/D/2

ELABORATION OF A SUBCLASS COVERING COMBINATORIAL CHEMISTRY

1. Discussions were based on document IPC/WG/4/5 and the project file of Project C 422, in particular on the rapporteur report appearing as Annex 27 to the project file, in the light of the instructions given by the IPC Revision Working Group (see document IPC/WG/4/5, paragraph 10, Project C 422). Subgroup D agreed on a number of amendments to the IPC (see the Technical Annexes to this report).

2. Following the request made by the IPC Revision Working Group, Subgroup D considered the most appropriate place for a classification scheme covering combinatorial chemistry and agreed that, since members of combinatorial libraries could represent microorganisms, compounds, alloys and other substances, a new class (C 40), rather than the initially proposed class C 15, should be created at the end of section C. In order to provide a more logical structure of section C, Subgroup D also agreed to create a new subsection embracing the subject matter in question.

3. Subgroup D discussed how to classify non-combinatorial libraries, namely, arrays of substances obtained by non-combinatorial methods or which origin was not specified, and decided that such libraries should also be covered by the new subclass because no appropriate place could otherwise be provided in the IPC.

4. Subgroup D realized that class C 40 was the first class in the IPC created in the course of IPC reform and that its elaboration should be influenced by new features that the reform was bringing in the IPC. To this end, Subgroup D elaborated classification definitions for subclass C 40 B and for basic concepts thereof relating to “libraries” and “combinatorial synthesis.”

5. Subgroup D agreed on the main group structure of subclass C 40 B. In considering the order of main groups, Subgroup D noted that the ad hoc IPC Reform Working Group had elaborated a standardized sequence of main groups in IPC subclasses which was intended to serve as guidance when new subclasses were created or substantially revised. In attempting to introduce that standardized sequence proceeding from the most complex to less complex subject matter, Subgroup D came to the conclusion that its application in the field of combinatorial chemistry was difficult, namely in deciding which subject matter, methods or apparatus, was the most complex. It was also unclear which type of methods should be listed first. Subgroup D finally felt that, in this particular case, the standardized sequence of main groups was not beneficial because of the limited size of the classification scheme and the low risk of overlapping between main groups in subclass C 40 B. Subgroup D agreed, accordingly, to recommend to the IPC Revision Working Group that the sequence of main groups approved in subclass C 40 B, corresponding to basic successive stages of combinatorial technology, should be retained.

6. With regard to the subject matter relating to "methods specially adapted for identifying library members," Subgroup D decided that a separate main group 7/00 could be created for this subject matter. In order to confirm the correctness of this decision, Subgroup D requested the EPO to prepare examples of patent documents illustrating the main group and invited its members to submit comments on the examples in time for the fifth session of the IPC Revision Working Group. The EPO was also invited to propose a note clarifying the borderline between screening and identification on one hand, and between subclass C 40 B and other subclasses, for example, G 01 N, in respect of screening and identification on the other.

7. Subgroup D decided that the technology of combinatorial chemistry should be subject to multi-aspect classification by combining symbols of subclass C 40 B with symbols of other relevant areas of the IPC. To this effect, Subgroup D elaborated a note explaining how multi-aspect classification should be applied in relation to library members and to methods and apparatus covered by the subclass.

8. Subgroup D noted that the problem of classifying library members, in view of their large number, was similar to the problem described in paragraph 71 of the Guide to the IPC in respect of "Markush"-type formulae and agreed that classification rules for library members should follow the procedure set up in paragraph 71. Subgroup D also agreed to recommend that, in the future revision of the Guide, paragraph 71 should be reconsidered with a view to its extension to cover also library members.

9. Subgroup D decided that relevant areas of the IPC which should be used in association with subclass C 40 B should be determined and indicated in the note explaining application of multi-aspect classification. The Delegation of the EPO volunteered to propose, by April 20, 2001, a list of most relevant of such places, as well as the draft of respective notes specifying their use in combination with subclass C 40 B, to be introduced in those places. Comments on the proposal to be submitted by the EPO were invited by May 15, 2001.

10. Finally, Subgroup D agreed to create one-dot subgroups in main group 9/00 relating to apparatus used in combinatorial chemistry and with libraries and invited comments, by May 15, 2001, on the desirability of the creation of one-dot subgroups in other main groups of subclass C 40 B, particularly in respect of "directed molecular evolution," "virtual libraries" and non-combinatorial versus combinatorial processes.

TECHNICAL ANNEXES
(see paragraph 9 of this report)

ANNEX 1 C 40 [Project/Rapporteur: 422/GB]

N	Subsection title before C40	COMBINATORIAL TECHNOLOGY
N	Title	COMBINATORIAL CHEMISTRY; LIBRARIES

ANNEX 2 C 40 B [Project/Rapporteur: 422/GB]

N	Title	COMBINATORIAL CHEMISTRY; LIBRARIES e.g. CHEMICAL LIBRARIES
N	Note(s) after Title	

When classifying in this subclass, subject matter of interest is also classified in other appropriate places:

(a) library members are also classified in the appropriate places elsewhere in the IPC (e.g. in section C) according to established procedure relating to "Markush"-type formulae (see paragraph 71 of the Guide).

(b) methods or apparatus covered by this subclass are also classified for their biological, chemical, physical or other features in the appropriate places in the IPC, if such features are of interest, e.g.

< a list of places will follow>

N	1/00	Libraries
N	3/00	Methods of creating libraries, e.g. combinatorial synthesis
N	5/00	Methods of screening libraries
N	7/00	Methods specially adapted for identifying library members

N	9/00	Apparatus specially adapted for use in combinatorial chemistry or with libraries
N	9/02	. Integrated apparatus specially adapted for creating libraries, screening libraries and for identifying library members
N	9/04	. Integrated apparatus specially adapted for both creating and screening libraries
N	9/06	. Integrated apparatus specially adapted for both creating libraries and identifying library members
N	9/08	. Integrated apparatus specially adapted for both screening libraries and identifying library members
N	9/10	. for creating libraries
N	9/12	. for screening libraries
N	9/14	. for identifying library members
N	11/00	Subject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries

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ANNEX 3 C 40 B [Project/Rapporteur: 422/GB]

SUBCLASS DEFINITIONS

This subclass provides for the following subject matter:

(1) libraries themselves
(2) chemically or physically modified libraries
(3) methods of creating libraries, e.g. combinatorial synthesis
(4) methods of screening libraries or subsets thereof for desired activity or property
(5) methods for identifying library members
(6) apparatus specially adapted for creating or screening libraries or for identifying library members
(7) miscellaneous processes or products specially adapted for combinatorial chemistry or libraries

LIBRARY

A library is a created collection of a plurality of compounds, microorganisms or other substances. The collection is useful as a test vehicle for determining which of its members or its subsets of members possess activities or properties of interest. A library might exist for example as:

(1) a solution
(2) a physical admixture
(3) an ordered or unordered array
(4) a plurality of members present on a support and affixed thereto, e.g. by chemical bonding, by physical attractive forces or by coating

COMBINATORIAL SYNTHESIS

Combinatorial synthesis is the preparation of sets of diverse entities by the combination of sets of chemical building blocks, e.g. reagents.

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Early Comments
19 April 2001

Project: C422 **Subclass: C40B**

Re.:IPC/WG/D/2

* Subgroup D agreed on creating new (sub)class C40(B) for Combinatorial Chemistry/Libraries and adopted:
- a number of main groups
- one dot subgroups for apparatus
- a set of subclass definitions
- a note explaining the modalities for applying multi-aspect classification (MAC) in respect to this new subclass.

* EP was invited:
- in relation to the MAC
-- to propose a list of the most relevant places in the IPC which should be associated with subclass C40B
-- to formulate a draft for a "standard" note to be introduced in those places
- to propose a note after adopted main group 7/00 (Identification) to clarify the borderline between identification and screening on one hand and between this subclass and other subclasses, e.g. G01N, on the other, in respect to identification and screening.
- to cite some sample documents to illustrate the intended content of main group 7/00.
These drafts and examples are presented herewith.

---

* **EP proposal:**

1) Most relevant areas of the IPC which should be used in association with subclass C40B:

A01N, A61K, A61P, B01D, B01J, B01L, Section C, G01N, G01R, G01T, G03F, G06K, G09F

2) Standard note to be introduced in the (sub)classes specified in point 1) above, exemplified for subclass A01N:

N Note after A01N:

Note (4) ***When classifying in this subclass, subject matter of interest relating to Combinatorial Chemistry or Libraries is also classified in C40B***

3) Note after C40B7/00 (Identification)

N Note after C40B7/00

Note ***In this group, the following term is used with the meaning indicated:***
- "identifying" means determining the exact nature, e.g. chemical structure or sequence listing, of a particular library member or of a particular subset of library members.

Remark: As an explanatory note after a group should only give information about this group, no reference is made to screening. Making the borderline between identifying and screening (and other places of IPC, e.g. G01N) more clear, therefore should probably better be done on the "main group definition" level.

*** Examples:**
The following documents illustrate what kind of subject matter should be classified in adopted main group C40B7/00 (Methods specially adapted for identifying library members).

M Analysis of their position in space, e.g. use of grids of phials:
US6153375 (Cambridge Combinatorial)
WO00/51058 (General Scanning, Ltd.)
EP1048723 (Hitachi Software)
Armstrong et al., (1996) Chimia, vol. 50, pp. 258-260

M Encoding/tagging/labelling techniques
1. Encoding in general; chemical and other types:
WO97/37953 (Glaxo)
WO95/28640 (Columbia University/Cold Spring Harbor Laboratory) (claims 1, 54, 56)
WO00/21909 (Pharmacopoeia)
Baldwin et al., JACS (1995) vol. 117, pp 5588 - 5589
Ohlmeyer et al., PNAS (1993), vol. 90, pp. 10922-10926
Geysen et al., Chemistry & Biology (1996), vol. 3, pp. 679-688
Czarnik, PNAS (1997), vol. 94, pp. 12738-12739

2. Binary chemical encoding :
Ohlmeyer et al., PNAS (1993), vol. 90, pp. 10922-10926
Chabala et al., Perspectives in Drug Discovery and Design (1994), vol. 2, pp. 305-318

3. Other chemical encoding:
US6168913 (Abbott Laboratories)

4. Isotope labeling:
WO97/37953 (Glaxo)
Geysen et al., Chemistry & Biology (1996), vol. 3, pp. 679-688

5. Radiofrequency encoding:
WO98/18550 (Chiron)
Xiao et al. (2000), Biotechn. Bioeng. (Combinatorial Chemistry), vol. 71, pp. 44-50
Armstrong et al., (1996) Chimia, vol. 50, pp. 258-260

6. Encoding by means of physical features:
WO00/01475 (University of Hertfordshire)

7. Colour encoding:

WO97/30784 (university of St. Andrews)
Guiles et al., (1998), Angew. Chem. Int. Ed., vol. 37, pp. 926-928

8. Identification using alphanumeric characters:
WO99/55456 (Central Research Laboratories)
WO97/30784 (university of St. Andrews)

M Deconvolution techniques
1. Iterative deconvolution
US6121433 (ISIS Pharmaceuticals)
US5891737 (ZymoGenetics)
US5807683 (Brenner)
WO99/45150 (ISIS Pharmaceuticals)

2. Other types of deconvolution(no resynthesis needed)
WO99/58476 (Chiron Corp.)

Remark: Although deconvolution, most of the time, involves both preparation and screening, its purpose is the identification of the library members. This justifies the classification in this main group for identification (cf.. annex 25 to the project file).

Paul Daeleman

422ep04s

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project: C 422	**Date: 5.06.01 11:40 AM**
Class/subclass: C40B	**Page 1 of 2**

Re: IPC/WG/D/2

1. We support the EPO proposed list of areas of the IPC which could have relationship with the area of "combinatorial chemistry". We have doubts regarding the subclass G09F and propose to include subclass G06T (17/00 ?).

2. We are in favour of the wording of standard note, proposed by the EPO.

3. As for the meaning of term "identifying" we would prefer slight modification, e.g. as: "identifying" means determining the precise chemical nature or sequence listing of a particular library member or of a particular subset of library.

4. We agree that examples of patent documents prepared by the EPO illustrate group 7/00. We also agree with the EPO opinion that deconvolution should be classified in group for identification.

5. In our viewpoint, "directed molecular evolution" should be covered by group 7/00 because the result of this process is selection and identification of one or more members of library. We think that patent documents relating to SELEX process would be classified in main group 7/00.

6. In regards to virtual libraries we believe that if there are inventions relating to virtual compound(s), special places for them should be created. But we think that attention should be given to the question of classifying virtual compound(s) in general, e.g. on the level of the Guide to the IPC.

7. In our opinion, group 5/00 for screening could be subdivided according to particular properties which can be screened for. Although we accept that one method (or apparatus) can be used for screening different properties, we think that as a rule each type of screened property needs in particular method (or apparatus). So we propose to use table **I** of application W098/47613 for subdividing main group 5/00, e.g. as follows.

5/00 Methods of screening libraries

5/02 . characterised by the properties screened

5/04 . . electrical properties, e.g. superconductivity, dielectric constant.

5/06 . . thermal properties, e.g. coefficient of expansion, volatility or vapor pressure

5/08 . . mechanical properties, e.g. stress, anisotropy, adhesion

5/10 . . morphology properties, e.g. crystalline or amorphous

5/12 . . optical properties, e.g. refractory index, absorption, spectral characteristics

5/14 . magnetic properties, e.g. magnetoresistance or magnetorestriction

5/16 . chemical properties, e.g. composition, complexation, acidity-basity catalysis, impurities reactivity with substrate

E. Loubiako

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
22 May 2001

Project: C422 **Subclass: C40B**

Re.: annex 28 to the project file (WG Decision/Subgroup D)

* In our opinion no further subgroups should be created, as for the core level, the scheme as adopted by Subgroup D (see annex 28, p.3-4) is considered to be sufficient. This opinion seems to be endorsed by the other TO's.

* Complementary to the note after maingroup 7/00, as proposed by EP in their early comments (see annex 29 to the project file), and after some discussions in the Trilateral context we propose to add the following second note.

N new note after C40B7/00 *(2) Identification methods are proper for this main group only if specially adapted for combinatorial technology. Subclasses C12Q and G01N provide for similar processes that are not adapted for combinatorial technology.*

Some considerations about this note:
- should this note appear in IPC itself or would it be more appropriate to incorporate it in the informative layer of the IPC
- to the users of the IPC, such a note, only after main group 7/00, might give the impression that this group is (somewhat) different from the other main groups, while what is explained in this note for 7/00 is also valid for subject matter classified in the other main groups and their related entries elsewhere in IPC.

Paul Daeleman

422ep05c

OFICIUL DE STAT PENTRU INVENÞII 0I MÃRCI

Date : May 2001

RO COMMENTS

PROJECT : C 422
Class/Subclass : C40B

Comments were invited on *:*

- the EPO proposed list of the most relevant places in the IPC which should be associated with subclass C40B

We are in favor of EPO proposed list of the most relevant places in the IPC which should be associated with subclass C40B .

- the standard note to be introduced in the most relevant subclasses used in association with subclass C40B

We support the wording for the standard note proposed by EPO.
At the same time we consider that this wording could be taken as a model for rewording the note (b) after the subclass title. We found that this note (b) is a little bit unclear. Which are the chemical or biological features of a method or apparatus which are to be classified elsewhere?
We would like to propose a simplified form such as :
(b) other relevant information (type of reaction or constructional features) regarding the methods or apparatus covered by this subclass are also classified in the appropriate places in the IPC, if such *information are of interest, e.g.....*

- the note after adopted main group 7/00

We are in favor of the wording of the first note after C40B 7/00 as proposed by EPO. The libraries could be of different natures not only chemical, for instance microorganisms.
As for the new second note after C40B 7/00, we consider that it would be more appropriate to incorporate it in the informative layer of the IPC. We agree that such a note only after main group 7/00 could give the impression of a different approach of the main groups of the subclass. In fact we are in the frame of the new especially created subclass C40B for combinatorial technologies, which means that all subject matters which are specially adapted for the combinatorial technologies are proper for the main groups of the subclass.

- the desirability of the creation of one dot subgroups in other main groups of subclass C40B, particularly in respect of Adirect molecular evolution@, Avirtual libraries@ and non-combinatorial versus combinatorial processes.

We agree that for the time being the scheme adopted by the Subgroup D is sufficient. Regarding the Avirtual libraries@ we consider that the virtual libraries could be created using a soft program, their structure will appear on the screen but they doesn:t exist until putting into practice the designed structures and as such they cannot make the object of a classification matter.
We do not consider that it is necessary to have in this subclass an entry for the non-combinatorial processes. This could induce confusion between the subject matters and
could create overlaps with other appropriate places of the IPC.

M. Georgescu