

Committee on WIPO Standards (CWS)

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CREATION OF A TASK TO ESTABLISH REQUIREMENTS FOR THE DELIVERY OF LEGAL STATUS INFORMATION BY INDUSTRIAL PROPERTY OFFICES

Document prepared by the Secretariat

1. Document CWS/3/7 contains a proposal to establish a new WIPO standard for the exchange of patent legal status data by industrial property offices. This proposal is presented by the International Bureau for consideration and approval by the Committee on WIPO Standards (CWS).

2. The European Patent Office (EPO) has prepared the document “Legal Status moving towards XML” regarding the above-mentioned proposal. This document is reproduced as the Annex to this document for consideration by the CWS.

3. *The CWS is invited to note the comments by the EPO reproduced in the Annex to this document.*

[Annex follows]

LEGAL STATUS MOVING TOWARDS XML

Document prepared by the European Patent Office (EPO)

1. INTRODUCTION

The exchange of Legal Status information is not currently covered by any standard. The processing thereof can therefore be laborious. Industry frequently stresses the importance of standards for optimising the processing and use of information. There are repeated requests by industry to WIPO and the EPO to take action to deliver better legal status information. A first step towards a better legal status information would be an agreed standard for the exchange of said information.

Taking advantage of a modernisation of our Legal Status, the EPO has been analysing the available data to abstract a generic model.

This report shares the EPO findings.

2. EPO ROADMAP

2.1. The data

The EPO legal status database (INPADOC) covers 61 countries. The analysis of the data shows substantial differences among countries as to richness and granularity of data.

The current system also does not allow to capture the full richness of some data.

2.2. The model

The current trend is to defined strict data structures providing an accurate validation of incoming data. Clearly when considering our current system, the variations across countries of the legal procedures and the different levels of richness and granularity of the data, such strict approach cannot be applied to the current data.

Consequently the EPO is opting for a stepped approach. First the EP suggests a transitional model, to bring the participants slowly towards a high quality strict product at a later stage.

The EPO has been working on the transitional model for the last year while validating against available data. The model proposes a flexible approach based on WIPO ST.17 for the classification of legal status events. The EPO does not exclude that the active use of WIPO ST.17 for classification purposes could result in a revision of the classes.

At a later stage it is proposed to move towards a stricter model.

2.3. The Implementation timeline

The EPO aims starting test production in 2013 and full scale production in 2014.

3. WIPO RECOMMENDATION

The EPO welcomes the initiative to open a discussion on Legal Status information and supports further discussion at task force level. The EPO believes that an appropriate way forward would be to take advantage of existing fora and therefore include this topic into the already available task forces such as the existing WIPO ST.36 Task Force, thereby making optimum use of the already available framework. This work could be incorporated into this Task Force in the course of Q2/2013.

[End of Annex and of document]