

Committee on WIPO Standards (CWS)

Eighth Session

Geneva, November 30 to December 2 and December 4, 2020

SUMMARY BY THE CHAIR

INTRODUCTION

Agenda Item 1: Opening of the session

1. The eighth session was opened by the Director General of WIPO, Mr. Daren Tang, who welcomed the participants.

Agenda Item 2: Election of the Chair and two Vice-Chairs

2. The CWS unanimously confirmed Mr. Jean-Charles Daoust (Canada) as Chair and Mr. Sergey Biryukov (Russian Federation) as Vice-Chair, according to the established practice of the Committee. For the vacant position of second Vice-Chair, the CWS unanimously elected Mr. Siyoung Park (the Republic of Korea) for this session.

DISCUSSION OF AGENDA ITEMS

Agenda Item 3: Adoption of the agenda

3. The CWS adopted the agenda as proposed in document CWS/8/1 PROV.2.

Agenda Item 4 (a): Proposal for a new standard on Web API

4. Discussions were based on document CWS/8/2.

5. The CWS noted the content of the document, in particular the proposed Standard with recommendations for processing and communicating intellectual property (IP) data with web Application Programming Interfaces (APIs). The proposed Standard is intended to facilitate the processing and exchange of IP data in a harmonized way over the web. The CWS was informed that in paragraph 12 (c) of the document the referenced rule "RSG-148" should be corrected with "RSJ-148, renumbered as RSJ-151".

6. The CWS also noted the activities of the API Task Force since its seventh session.

7. The API Task Force proposed having the International Bureau implement a unified catalog of APIs which IP Offices (IPOs) expose externally. The catalog is intended to provide a portal on WIPO website, for users to identify web services provided by IPOs, with a simple search function where possible.
8. The API Task Force proposed modifying the description of Task No. 56 now that the draft standard has been completed, as indicated in paragraph 20 of document CWS/8/2, to continue improving the new WIPO standard and related works such as a unified catalog.
9. The CWS adopted the new WIPO Standard ST.90 with the name "Recommendation for processing and communicating intellectual property data using Web APIs (Application Programming Interfaces)", as presented in the Annex to document CWS/8/2.
10. The CWS approved the proposed modification of the description of Task No. 56, which now reads: "Ensure the necessary revisions and updates of WIPO Standard ST.90; Support the International Bureau in developing a unified catalog of APIs that are made available by Offices; and Support the International Bureau in promoting and implementing WIPO Standard ST.90."
11. The CWS also approved the proposal for the International Bureau to provide a unified catalog available on the WIPO website and report progress at its next session, as outlined in paragraph 17 of document CWS/8/2.

Agenda Item 4 (b): Proposal for a new standard on multimedia marks

12. Discussions were based on document CWS/8/3.
13. The CWS noted the content of the document, in particular the proposed Standard with recommendations for the electronic management of motion and multimedia marks. The Standard covers presentation, electronic processing, and publication of applications for motion and multimedia marks, whether submitted electronically or on paper. The Standard is intended to facilitate data processing and exchange of information regarding motion or multimedia marks among industrial property offices.
14. One delegation proposed removing the word "graphical" from paragraph 11, to broaden the types of designs covered by that paragraph.
15. One delegation proposed several corrections and clarifying edits to the text:
 - Promoting the bullet under definition 3(g) that starts with "container" to a separate definition 3(h);
 - Starting a new sentence in paragraph 19 at the word "including" and clarifying the language to remove ambiguity;
 - Deleting the reference to national legislation in paragraph 24;
 - Softening the language in footnote 8 to "Each office could choose, for instance"; and
 - Adding a missing period after "quality" in paragraph 29.
16. The CWS adopted new WIPO Standard ST.69 with the name "Recommendation for the electronic management of motion and multimedia marks", with the revisions proposed by delegations, with final text as presented in document [CWS/8/ITEM 3/ST69](#). The CWS agreed to discontinue Task No. 49 as the assigned work is now considered complete.

Agenda Item 4 (c): Proposal for a new standard on trademark legal status data

17. Discussions were based on document CWS/8/4.
18. The CWS noted the content of the document, in particular the proposed Standard with recommendations for the exchange of trademark legal status data. The proposal follows the model of WIPO Standard ST.27 for patent legal status data and WIPO Standard ST.87 for

industrial design legal status data. The proposed Standard is intended to facilitate access to trademark data by IP information users, IPOs, IP data providers, the general public and other interested parties. This aims to benefit availability, reliability and comparability of legal status data for trademarks in registration systems worldwide, including the Madrid System.

19. The CWS adopted new WIPO Standard ST.61 with the name "Recommendation for the exchange of trademark legal status data", as reproduced in the Annex to document CWS/8/4.

20. During the session, the Task Force proposed collecting implementation plans with mapping tables from IPOs for the new Standard.

21. The CWS requested the Secretariat to issue a circular inviting IPOs to assess their business practices and IT systems with regard to WIPO ST.61, and submit an implementation plan and mapping table for their Office.

Agenda Item 4 (d): Proposal for a new standard on design representations

22. Discussions were based on document CWS/8/5.

23. The CWS noted the content of the document, in particular the proposed Standard with recommendations to create, store, display, manage, publish and exchange electronic representations of industrial designs. The recommendations are intended to maximize re-use of electronic representations for applicants filing the same design at multiple IPOs.

24. Several delegations provided comments and suggestions on whether to treat SVG as a preferred format or alternative format within the Standard. After several rounds of discussion, the CWS agreed to remove all references to SVG from the draft and refer the issue to the Design Representation Task Force.

25. In addition, one delegation proposed a number of comments and suggestions to improve the proposed draft standard. The International Bureau proposed new text to address the those inputs. Finally the CWS agreed on the new text.

26. During the session, the International Bureau proposed to revise the description of Task No. 57 to reflect the completed and remaining work.

27. The CWS adopted new WIPO Standard ST.88 with the name of "Recommendations for electronic representation of industrial designs", with SVG removed for further consideration by the Task Force, and with the other revisions proposed by delegations, as shown by the final text presented in document [CWS/8/Item 5/ST88](#).

28. The CWS approved the proposed modification of Task No. 57, which now reads: "Ensure the necessary revisions and updates of WIPO Standard ST.88". The CWS requested the Design Representation Task Force to present a proposal at the ninth session of the CWS for treatment of SVG format in ST.88.

Agenda Item 4 (e): Proposal for the revision of WIPO Standard ST.26 (Task No. 44)

29. Discussions were based on document CWS/8/6 Rev.

30. The CWS noted the content of the document, in particular the proposal to revise WIPO Standard ST.26 from the Sequence Listings Task Force. The revisions provide updates necessary to ensure the smooth transition to WIPO ST.26 from WIPO ST.25 by the "big-bang" implementation date of January 1, 2022 at national, regional and international levels. The CWS also noted that the PCT Working Group, held in October 2020, had already agreed on the necessary changes to PCT Regulations on the assumption that the necessary revisions will be approved by the CWS.

31. The CWS noted the work plan of the Sequence Listings Task Force and the progress in WIPO Sequence software tool development. Several delegations requested that training and support material be provided by the International Bureau in a language other than English. The CWS fully supported the initiative of the International Bureau to provide online trainings covering both WIPO Standard ST.26 and WIPO Sequence for Offices' staff and patent applicants, with several delegations providing statements to this effect. The Secretariat encouraged IPOs to inform the International Bureau of their training requirements by emailing standards@wipo.int.

32. The CWS approved the proposal for the revised WIPO ST.26, as reproduced in the Annex to document CWS/8/6 Rev.

33. The CWS encouraged IPOs to share their implementation plan to transition from WIPO Standard ST.25 to ST.26, as indicated in paragraph 23 of document CWS/8/6 Rev.

Agenda Item 4 (f): Proposal for the revision of WIPO Standard ST.27

34. Discussions were based on document CWS/8/7.

35. The CWS noted the content of the document, in particular the proposed revisions to update supplementary data fields of WIPO Standard ST.27 for alignment with the new XML schema components for patent legal status data added to version 4.0 of WIPO Standard ST.96 (Processing of intellectual property information using XML).

36. One delegation proposed merging the three legal status standards (ST.27, ST.87, and ST.61) into a single standard, to avoid duplication of information and improve efficiency of maintenance. Several delegations supported this proposal. The International Bureau suggested that this proposal should be raised within the Legal Status Task Force, where it can be considered under the existing mandate of Task No. 47.

37. The CWS approved the proposed revision to WIPO ST.27 "Exchange of Patent Legal Status Data", as reproduced in the Annex to document CWS/8/7.

Agenda Item 4 (g): Proposal for the revision of WIPO Standard ST.37 (Task No. 51)

38. Discussions were based on document CWS/8/8.

39. The CWS noted the content of the document, in particular a proposed revision of WIPO Standard ST.37 to address updates required by releases 3.2 and 4.0 of WIPO ST.96 for XML components. The CWS also noted a decision by the PCT Minimum Documentation Task Force to use WIPO ST.37 as the basis of capturing patent publication information.

40. The CWS approved the proposed revision to WIPO ST.37 version 2.1, as described in paragraphs 11 and 12 of document CWS/8/8. The CWS also indicated its support for the authority file web portal.

41. The CWS requested the Authority File Task Force to present a proposal for necessary revisions to WIPO ST.37 at the next session of the CWS, in light of the proposal by the PCT Minimum Documentation Task Force, as indicated in paragraphs 8 and 9 of document CWS/8/8.

42. The CWS approved the date March 1 for the provision of annual authority file updates by IPOs and requested the Secretariat to issue a circular in February 2021 inviting IPOs to update their authority file information.

Agenda Item 5 (a): Publication of the survey results on numbering systems of IP Offices

43. Discussions were based on document CWS/8/9 Corr.

44. The CWS noted the content of the document, in particular the results of the survey on numbering systems used by IPOs for published documents and registered rights, which capture the practices of 50 Offices.

45. The CWS approved publication of the results of the survey on IPO numbering systems as described in paragraph 7 of document CWS/8/9 Corr. along with further information that IPOs will provide by the end of 2020.

Agenda Item 5 (b): Publication of the survey results on public access to patent information (PAPI), part 1

46. Discussions were based on document CWS/8/10.

47. The CWS noted the content of the document, in particular the results of the survey on the content, practices, functionalities and future plans of IPOs with respect to patent information available to the public, which 60 Offices responded to.

48. The CWS approved publication of the PAPI survey results on the WIPO website as reproduced in the Annex of document CWS/8/10.

Agenda Item 5 (c): Publication of the survey results on the use of 3D models and 3D images in IP data and documentation

49. Discussions were based on document CWS/8/11.

50. The CWS noted the content of the document, in particular the results of the survey on use of 3D models and 3D images by IPOs, which are informing discussions of the 3D Task Force to develop a new Standard on digital 3D objects.

51. The CWS approved publication of the 3D survey results on the WIPO website as reproduced in the Annex of document CWS/8/11.

Agenda Item 6: Consideration of the Work Program and Tasks List of the CWS

52. Discussions were based on document CWS/8/12.

53. The CWS noted the content of the document, in particular the updated information on the CWS Work Program and Tasks list agreed on at the seven session of the Committee in 2019.

54. The CWS requested the Secretariat to incorporate the agreements reached at the eighth session into the CWS Work Program and the CWS Work Program Overview as described in paragraph 2 of document CWS/8/12.

Agenda Item 7 (a): Report by the ICT Strategy for Standards Task Force (Task No. 58)

55. Discussions were based on document CWS/8/13.

56. The CWS noted the content of the progress report on Task No. 58, including the result of prioritization of 40 Recommendations which is reproduced in the Annex to document CWS/8/13 based on results of the survey within the Task Force. The CWS also noted the work plan of the ICT Strategy for Standards Task Force, which includes the preparation of a draft strategic roadmap for consideration at the ninth session of the CWS.

57. Taking into account the suggestion and support by delegations, the CWS requested the International Bureau to invite all Offices to respond the survey on the priority of 40 Recommendations and to report the result of survey at its ninth session.

Agenda Item 7 (b): Report by the XML4IP Task Force (Tasks No. 41, No. 53 and No. 64)

58. Discussions were based on document CWS/8/14.

59. The CWS noted the content of the document, in particular the release of WIPO Standard ST.96 version 4.0 in June 2020, which contains new schema components for geographical indications and copyright orphan works data. The CWS also noted that the International Bureau plans to provide a centralized repository for sharing Offices' implementation schema of WIPO ST.96 and a platform for developers to share their experience as requested by the CWS.

60. The CWS also noted the results of the WIPO ST.96 implementation survey conducted within the Task Force. Out of the eleven responses, six were in favor at this stage of communicating PCT data with the International Bureau in WIPO ST.96 format, in a similar manner to data exchange in the Madrid and Hague Systems.

61. The Task Force proposed discontinuing Task No. 53 as complete since WIPO ST.96 version 4.0 includes schema components for geographical indication data. Any necessary revisions to these components will be made by the XML4IP Task Force under the framework of Task No. 41. The CWS approved the request by the XML4IP Task Force to discontinue Task No. 53.

62. The CWS noted the progress on Task No. 64 and delays in providing JavaScript Object Notation (JSON) schema as well as the intention to present draft recommendations on JSON for IP data for consideration at the ninth session.

63. The CWS also noted the workplan of the XML4IP Task Force including the proposed development of the centralized repository to share Offices' customized schema components and the establishment of a collaborative work platform for Offices and XML developers to share experience and knowledge of implementing WIPO ST.96. The CWS requested that the XML4IP Task Force present a proposal at the ninth session for an appropriate platform to engage with external developers.

64. The CWS noted that as of March 31, 2021, the WIPO ST.96 format (version 4.0 onwards) will be the only authoritative and supported source of structured data for Hague bi-lateral data exchange from Offices to the International Bureau.

Agenda Item 7 (c): Report by the Blockchain Task Force (Task No. 59)

65. Discussions were based on document CWS/8/15.

66. The CWS noted the content of the document, in particular the progress report on Task No. 59 by the Blockchain Task Force.

67. The CWS noted the activities and the work plan of the Task Force, in particular its recent discussions set out in paragraph 11 of document CWS/8/15, including its reaffirmation that the whitepaper of Blockchain uses in the IP ecosystem and the new WIPO Standard should encompass all types of IP rights and the entire IP lifecycle.

Agenda Item 7 (d): Report by the Name Standardization Task Force (Task No. 55)

68. Discussions were based on document CWS/8/16.

69. The CWS noted the content of the document, in particular the progress report on Task No. 55 by the Name Standardization Task Force. The Task Force began collecting examples from its Members of their practices for maintaining or improving the quality of applicant data. This information is expected to form the basis of recommendations on data quality to support more effective name standardization techniques.

70. The CWS requested the Task Force to prepare proposed recommendations for quality of applicant data to support name standardization at the next session of the CWS, as indicated in paragraph 4 of document CWS/8/16.

Agenda Item 7 (e): Report by the 3D Task Force (Task No. 61)

71. Discussions were based on document CWS/8/17.

72. The CWS noted the content of the document, in particular the progress report on Task No. 61 by the 3D Task Force. This includes a preliminary draft standard for use of digital 3D models and images for patents, trademarks and industrial designs. The Task Force expects to present a revised draft in 2021 for consideration of adoption by the CWS. The CWS also noted the work plan of the Task Force for 2021.

73. The Task Force proposed to study in detail search capabilities for digital 3D models, including existing practices, promising technologies, and criteria for comparison of three-dimensional models and 3D images, in digital form. A revision was proposed to the description of Task No. 61 to reflect this work, as presented in paragraph 13 of document CWS/8/17.

74. During the session, the Secretariat proposed adding the word "digital" before "3D" in the description of Task No. 61, to better reflect the title of the draft standard being prepared.

75. The CWS approved the proposed modifications to the description of Task No. 61, which now reads: "Prepare a proposal for recommendations on digital three-dimensional (3D) models and images, including methods of search for 3D models and 3D images."

Agenda Item 7 (f): Report by the Digital Transformation Task Force (Task No. 62)

76. Discussions were based on document CWS/8/18.

77. The CWS noted the content of the document, in particular the progress report on Task No. 62 by the Digital Transformation Task Force and encouraged IPOs to more actively participate in the Task Force discussions. A definition of electronic publication was presented by the Task Force.

78. The Secretariat received a suggestion to update Part 6 of the *WIPO Handbook (Recommended minimum contents for IPO websites)*. The Digital Transformation Task Force proposed to take on this work, which requires modifying Task No. 62.

79. The CWS approved the proposed modification of Task No. 62, the description of which now reads: " Review WIPO Standards: ST.6, ST.8, ST.10, ST.11, ST.15, ST.17, ST.18, ST.63 and ST.81, and WIPO Handbook Part 6, in view of electronic publication of IP documentation; and propose revisions of those Standards and materials if needed."

Agenda Item 7 (g): Report by the Legal Status Task Force (Task No. 47)

80. Discussions were based on document CWS/8/19.

81. The CWS noted the content of the document, in particular the progress report on Task No. 47 by the Legal Status Task Force. The Task Force intends to continue making targeted adjustments to events in the legal status standards where needed, as new issues with IPO mappings and implementations are brought to the Task Force's attention.

82. During the session, one delegation proposed adding a clause reflecting the proposal to study merging legal status standards to the description of Task No. 47. Several delegations supported this proposal.

83. The CWS approved the revision of Task No. 47, the description of which now reads: "Ensure the necessary revisions and updates of WIPO Standards ST.27, ST.87, and ST.61; prepare supporting materials to assist the use of those Standards in IP community; analyze the potential of merging the three standards ST.27, ST.87, and ST.61; and support the XML4IP Task Force to develop XML components for legal status event data."

84. The CWS requested the Legal Status Task Force to present a proposal for use of reserved characters in WIPO ST.27 at the next session of the CWS.

Agenda Item 7 (h): Report by the Trademark Standardization Task Force (Task No.60)

85. Discussions were based on document CWS/8/20.

86. The CWS noted the content of the document, in particular the progress report on Task No. 60 by the Trademark Standardization Task Force. The Task Force reported discussions between Task Force Members and the Madrid Working Group about issues with INID code 551 for collective, certification, and guarantee marks. The Task Force has not yet reached agreement on what course of action to recommend to the CWS for INID code 551 of WIPO Standard ST.60.

87. The CWS requested the Task Force to present a recommendation on whether to maintain or split INID code 551 for collective, certification, and guarantee marks in WIPO Standard ST.60 at the next session of the CWS.

Agenda Item 7 (i): Report by the PAPI Task Force (Task No. 52)

88. Discussions were based on document CWS/8/21.

89. The CWS noted the content of the document, in particular the progress report on Task No. 52 by the PAPI Task Force. A revised questionnaire was proposed for Part 2 of the survey on public access to patent information (PAPI).

90. One delegation proposed adding a new question on whether IP Offices are considering discontinuing their Official Gazette in favor of online publication services. The new question reads as follows:

Q32. Is your Office / Organization considering to discontinue the official gazettes, and instead make related publication data available only via public online services?

- YES, discontinuation of the official gazettes is scheduled or already implemented
- YES, discussions and consideration to discontinue the official gazettes are ongoing
- NO, we do not have any plans to discontinue the official gazettes

91. The CWS approved the questionnaire for Part 2 of the survey, as presented in the Annex to document CWS/8/21, with the new question proposed above. The CWS requested the Secretariat to issue a circular inviting IP offices to take part in the survey.

Agenda Item 8 (a): Report by the International Bureau on the provision of technical advice and assistance for capacity building to industrial property offices in connection with the mandate of the CWS

92. Discussions were based on document CWS/8/22.

93. The CWS noted the content of the document, in particular the 2019 activities of the International Bureau, related to providing technical advice and assistance for capacity building to IPOs, regarding dissemination of IP standards information.

94. The CWS also noted that document CWS/8/22 serves as a basis of the relevant report presented to the WIPO General Assembly in 2021, as requested at its 40th session in October 2011 (see paragraph 190 of document WO/GA/40/19).

Agenda Item 8 (b): Report on the Annual Technical Reports (ATRs)

95. Discussions were based on document CWS/8/INF/4.

96. The CWS noted the content of the report, in particular the 2019 activities of responding IPOs. At the seventh session, the CWS requested a proposal to improve ATRs, considering the complexity of the questionnaires, the duplication of other WIPO questionnaires, and the availability of this information on IPO websites. The International Bureau did not have an opportunity this year to discuss improvements to the ATR process using the ATR channel.

97. The CWS requested that the International Bureau present a proposal to improve ATRs at the next session of the CWS.

Agenda Item 8 (c): Update of WIPO Sequence tool development

98. Discussions were based on document CWS/8/INF/5.

99. The CWS noted the content of the document, in particular the progress of developing WIPO Sequence software tools, which will be used by applicants and Offices around the world to author and verify WIPO ST.26-compliant sequence listings. Version 1.0 of the tool was launched on November 4, 2020 on the WIPO website at <https://www.wipo.int/standards/en/sequence/index.html>.

Agenda Item 8 (d): Update of Authority File Web Portal

100. Discussions were based on document CWS/8/INF/6.

101. The CWS noted the content of the document, in particular the current status of the Authority File Web Portal on WIPO website. Twenty Offices currently provide authority file datasets to the International Bureau and a further ten Offices have indicated they will be providing this information in the near future.

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