

## Комитет по стандартам ВОИС (КСВ)

Десятая сессия  
Женева, 21–25 ноября 2022 года

### ОТЧЕТ ЦЕЛЕВОЙ ГРУППЫ ПО ПРАВОВОМУ СТАТУСУ

*Документ подготовлен руководителем Целевой группы по правовому статусу*

#### СПРАВОЧНАЯ ИНФОРМАЦИЯ

1. На своей девятой сессии, состоявшейся в 2021 году, Комитет по стандартам ВОИС (КСВ) отметил прогресс Целевой группы по правовому статусу в изучении возможности объединения стандартов ST.27, ST.87 и ST.61 по передаче данных о правовом статусе. Поскольку Целевая группа не достигла согласия относительно продолжения работы по объединению этих стандартов, КСВ попросил Целевую группу рассмотреть вопрос о том, следует ли продолжать работу по объединению, и представить соответствующую рекомендацию на десятой сессии, и, при необходимости, подготовить обновленную формулировку задачи № 47. КСВ утвердил изменения стандарта ST.27 в отношении индикаторов событий. КСВ также одобрил публикацию полученных от Ведомств интеллектуальной собственности (ВИС) сопоставительных таблиц по стандарту ВОИС ST.61 (см. пункты 45-56 документа CWS/9/25).

#### ОТЧЕТ О ПРОДЕЛАННОЙ РАБОТЕ

2. В марте 2022 года Секретариат опубликовал сопоставительные таблицы по стандарту ВОИС ST.61, представленные одиннадцатью ВИС, в части 7.13.3 Справочника ВОИС. В июле 2022 года Секретариат добавил двенадцатую сопоставительную таблицу, представленную Ведомством интеллектуальной собственности Европейского союза (ВИСЕС).

3. При разработке плана работы Целевой группы на 2022 год руководитель Целевой группы проконсультировался с членами Целевой группы относительно их планов и намерений по его реализации. Несколько членов отметили, что прежде чем продолжить работу над открытыми вопросами, стоящими перед Целевой группой, желательно было бы выделить больше времени для осуществления стандартов ST.27, ST.87 и ST.61. По мнению этих членов, лучшее понимание того, как осуществить стандарты правового статуса в их собственных системах, обеспечит лучшую подготовку к рассмотрению различных альтернатив, представленных Целевой группе. Это включает вопросы о целесообразности добавления индикаторов событий, принятых для стандарта правового

статуса патентов, т.е. ST.27, в стандарты правового статуса товарных знаков и промышленных образцов, т.е. ST.61 и ST.87 соответственно, а также находящиеся на рассмотрении Целевой группы предложения по пересмотру событий и категорий в стандарте ST.27.

4. Основываясь на этих отзывах, руководитель Целевой группы принял решение о приоритизации работы над учебными материалами по стандартам правового статуса, с тем чтобы помочь ВИС в их усилиях по их осуществлению. При планировании дальнейшей работы над учебными материалами по правовому статусу особенно ценным оказался опыт и отзывы Секретариата, который в июле 2022 года провел работу с ВИС по подготовке вебинаров и материалов для всеобщего перехода на новый стандарт ST.26 в установленную дату. Секретариат намерен поделиться планами по подготовке учебных материалов с Целевой группой по правовому статусу для ознакомления после десятой сессии.

#### ПОПРАВКИ К СТАНДАРТУ ST.87

5. Целевая группа также подготовила пересмотренную версию приложения II к стандарту ST.87, касающегося передачи дополнительной информации, которая представлена в приложении к настоящему документу. Целью пересмотра стало приведение стандарта ST.87 в соответствие с недавно обновленными стандартами ST.27 и ST.61. Основные поправки в предлагаемой пересмотренной версии приложения II стандарта ST.87 включают:

- разделение и расширение общих элементов данных, которые применяются ко всем категориям;
- объединение полей персональных данных для отражения подхода к общим компонентам в стандарте ST.96;
- добавление нескольких новых пояснительных пунктов, таких как «Причина недействительности»; и
- замена некоторых специфических для патентов формулировок из предыдущей версии.

#### ПРЕДЛАГАЕМАЯ ПОПРАВКА К ФОРМУЛИРОВКЕ ЗАДАЧИ № 47

6. В связи с тем, что КСВ и Целевая группа не нашли способа продолжения работы по возможному объединению трех стандартов правового статуса, Целевая группа предлагает прекратить работу по объединению. В связи с этим Целевая группа предлагает следующую поправку к формулировке задачи № 47:

Подготовить предложения по пересмотру и обновлению стандартов ВОИС ST.27, ST.87 и ST.61; подготовить дополнительные материалы в целях содействия использованию этих стандартов сообществом ИС; проанализировать возможность объединения трех стандартов, ST.27, ST.87 и ST.61, и оказать помощь Целевой группе по XML для ПС в разработке XML-компонентов для данных событий, касающихся правового статуса

7. КСВ предлагается:

(a) принять к сведению содержание настоящего документа;

(b) рассмотреть и утвердить предлагаемые поправки к стандарту ST.87, содержащиеся в приложении к настоящему документу; и

(c) утвердить поправку к формулировке задачи № 47, приведенную в пункте 6 выше.

[Приложение следует]

## ANNEX II of ST.87

### SUPPLEMENTARY EVENT DATA

*Adopted by the Committee on WIPO Standards (CWS)  
at its sixth session on October 19, 2018*

1. Each status event code may be accompanied by supplementary event data. There is supplementary event data that is specific to events in a particular category and there is common supplementary event data which is common to all events. The common supplementary event data includes (1) the effective country or region, (2) the gazette issue number, ~~and~~ (3) comment (i.e. free text), (4) a prior relevant event date, and (5) a relevant rule. The "effective country or region", is the country or region where the event has legal effect, which is particularly relevant for regional IPOs where the effect of an event, such as discontinuation due to non-payment of renewal fees, only has effect in some of the countries where the IP right is active. The "gazette issue number" is the issue of the national/regional gazette where the particulars of the national/regional/international event are made public. IPOs will be able to provide additional associated data which is not specified in the "comment" entry. The "prior relevant event date" is the date of a prior event which is relevant to the current event, such as the start of a fee payment time period which has expired. The "relevant rule" is an Office-specific rule, regulation, law, or other principle which was applied to reach the event outcome.
2. The Table below shows what supplementary data fields may be used for different categories. The first row shows common elements that may be used in any category, and subsequent rows show the data elements specific to each category. Note that the supplementary data elements indicated in this Standard are general descriptions of the types of data that may be provided. The particular formats and allowed values for supplementary data are defined in data representation standards, such as WIPO ST.96 for eXtensible Markup Language (XML).

Category Code	Category Title	Category Description	Supplementary event data
n/a	All categories	This shows common data elements that may be used in any category.	<ol style="list-style-type: none"> <li>1. <u>Effective country or region</u></li> <li>2. <u>Gazette issue number</u></li> <li>3. <u>Comment (i.e. free text)</u></li> <li>4. <u>Prior Relevant Event Date</u></li> <li>5. <u>Relevant Rule (e.g. rule number)</u></li> </ol>
A	Application filing	This category is a group of events related to the filing of an application. It includes, for example, when a national or regional IPO or the International Bureau of the World Intellectual Property Organization receives an application for the registration of an industrial design together with any additional indications, elements, documentation and/or fees necessary to obtain a filing date under national or regional law or convention or the Hague Agreement as applicable. This category also includes events related to the filing of a divisional application, continuation, continuation in part, or an application for conversion.	<del>1. Effective Country or Region</del> <del>2. Gazette Issue Number,</del> <del>3. Comment (i.e. free text)</del> <ol style="list-style-type: none"> <li>1. Related Document Identification (e.g. parent document ID)</li> <li>2. Priority Date</li> <li>3. International Application Filing Date</li> <li>4. Regional Filing Date</li> <li>5. Name of Applicants</li> <li>6. Divided Applications</li> </ol>
B	Application discontinuation	This category is a group of events related to the discontinuation of an application. It includes, for example, when an application has been voluntarily withdrawn by the applicant, was deemed to be withdrawn, abandoned or lapsed or was refused by the IPO. The events in this category may move an application from the filing stage, examination stage or pre-registration challenge stage into the termination likely/termination stage.	<ol style="list-style-type: none"> <li>1. <u>Reason Not In Force</u></li> <li><del>2. Effective Country or Region</del></li> <li><del>3. Gazette Issue Number,</del> <del>Comment (i.e. free text)</del></li> </ol>

C	Application revival	<p>This category is a group of events related to the revival, reinstatement or restoration of an application after it has been discontinued. It includes, for example, when an application was revived following a request for application revival after payment of an outstanding fee, responding to an outstanding action or decision which had resulted in the application being discontinued, or following an appeal. The events in this category may move an application from the termination likely/termination stage into the filing stage, examination stage or pre-registration challenge stage.</p>	<p><del>1. Effective Country or Region</del>  <del>2. Gazette Issue Number</del>  <del>3. Comment (i.e. free text)</del></p> <p>1. Discontinuation Date</p> <p>2. Reason Not In Force</p> <p>3. Prior Use Rights Indicator</p>
D	Search and examination	<p>This category is a group of events related to the examination proceeding and prior art searches that occur before registration of an industrial design and/or the grant of an IP right. It includes, for example, a formality examination or a substantive examination. It also includes a request for a prior art search and an announcement of the intention of the IPO to register the industrial design and/or grant an IP right. The events in this category may move an application from the filing stage or the pre-registration challenge stage into the examination stage.</p>	<p><del>1. Effective Country or Region</del>  <del>2. Gazette Issue Number</del>  <del>3. Comment (i.e. free text)</del></p> <p>1. Search Category (e.g. first, further invention, additional search due to shift in scope of claims)</p> <p>2. Requester of Search (e.g. applicant, third party, or independently by the IPO)</p> <p>3. Requester of Examination (e.g. applicant, third party, or independently by the IPO)</p> <p>4. Publication Data</p> <p>5. Priority Data</p> <p>6. Related Documents Data (e.g. regional filing data, international filing data)</p> <p>7. Applicant Data</p>
E	Pre-registration review request	<p>This category is a group of events related to the request for a pre-registration review. It includes, for example, a request for a pre-registration opposition, pre-registration re-examination, or pre-registration limitation. It also includes when such a request was inadmissible, rejected or withdrawn. The events in this category may move an application from the examination stage or the termination likely/termination stage into the pre-registration challenge stage.</p>	<p><del>1. Effective Country or Region</del>  <del>2. Gazette Issue Number</del>  <del>3. Comment (i.e. free text)</del></p> <p>1. Details of Court/Tribunal (e.g. name of court, tribunal, IPO body)</p> <p>2. Party Name(s)</p> <p>3. Representative's Name(s) &amp; Contact Details</p> <p>4. Review Procedure Data (e.g. opposition date, reference, language)</p>

F	Industrial design registration	This category is a group of events which relate to the effective grant date of an IP right and/or entry of the industrial design into the IPO's register. It includes, for example, when an industrial design is registered and/or an IP right was granted following an examination, an appeal, pre-registration review or inadmissibility, rejection or withdrawal of a pre-registration review request. The events in this category may move an application from the examination stage or the pre-registration challenge stage into the registration stage.	<p><del>1. Effective Country or Region</del></p> <p><del>2. Gazette Issue Number</del></p> <p><del>3. Comment (i.e. free text)</del></p> <p>1. Name of Registered Owner</p> <p>2. Reference to Pre-registration Review Decision (e.g. court or tribunal order following pre-registration review)</p> <p>3. <b>Priority Data</b></p>
H	IP right cessation	This category is a group of events related to the cessation of an IP right. It includes, for example, the cessation of an IP right following an IP right review, an appeal, a refusal to reinstate, or a lapse or expiry. The events in this category may move an IP right from the registration stage or the post-registration challenge stage into the termination likely/termination stage.	<p><del>1. Effective Country or Region</del></p> <p><del>2. Gazette Issue Number</del></p> <p><del>3. Comment (i.e. free text)</del></p> <p>1. <b>Legal Effect Start Time</b> <del>Ex tunc</del> <del>or Ex nunc Indicator</del></p> <p>2. Decision Authority Category (e.g. national court, tribunal, IPO)</p> <p>3. <b>Reason Not In Force</b></p>
K	IP right revival	This category is a group of events related to the revival, reinstatement or restoration of an IP right after its cessation. It includes, for example, the request for the revival and the decision to revive an IP right, including by way of an appeal. The events in this category may move an IP right from the termination likely/termination stage into the registration stage or the post-registration challenge stage.	<p><del>1. Effective Country or Region</del></p> <p><del>2. Gazette Issue Number</del></p> <p><del>3. Comment (i.e. free text)</del></p> <p>1. Reinstatement Reason Category (e.g. following payment of fee)</p> <p>2. Cessation Date</p> <p>3. Expiry Date</p>
L	IP right review request	This category is a group of events related to a request for a review after registration of an industrial design and/or the grant of an IP right. It includes, for example, a request for a post-registration opposition, post-registration examination, limitation, reissue, surrender, or invalidation. It also includes when such a request was inadmissible, rejected or withdrawn. The events in this category may move an IP right from the registration stage or the termination likely/termination stage into the post-registration challenge stage.	<p><del>1. Effective Country or Region</del></p> <p><del>2. Gazette Issue Number</del></p> <p><del>3. Comment (i.e. free text)</del></p> <p>1. Party Name(s)</p> <p>2. Representative's Name(s) &amp; Contact Details</p> <p>3. <b>Review Procedure Details</b> (e.g. opposition date, reference, language)</p>

M	IP right maintenance	This category is a group of events related to the maintenance of a granted IP right in full or amended form. It includes, for example, an IP right being maintained in full or amended form following a full or partial renewal, an appeal, an IP right review or the inadmissibility, rejection or withdrawal of a request for an IP right review. The events in this category may occur in the registration stage or may move an IP right from the post-registration challenge stage into the registration stage.	<p>1. <del>Effective Country or Region</del></p> <p>2. <del>Gazette Issue Number</del></p> <p>3. <del>Comment (i.e. free text)</del></p> <p>1. IP Right Review Details (i.e. information about the IP right review, including court order details for example)</p> <p>2. Decision Authority Category (e.g. court, tribunal, IPO)</p> <p>3. Renewal Details (e.g. length of renewal)</p> <p>4. Post-registration Examination Certificate Number</p>
N	Termination	This category is a group of events related to the termination of an application or an IP right without a possibility of its revival. It includes, for example, when an application or IP right was terminated by the IPO or a court. The events in this category are not available to all IPOs.	<p>1. Reason Not in Force</p> <p>2. <del>Effective Country or Region</del></p> <p>3. <del>Gazette Issue Number</del></p> <p><del>Comment (i.e. free text)</del></p>
P	Document modification	This category is a group of events related to modifications of an application, IP right document or other document, which occur outside the context of a pre-registration review or IP right review. It includes, for example, amendments and corrections of errors in applications and IP right documents. The events in this category may occur during any stage.	<p>1. <del>Effective Country or Region</del></p> <p>2. <del>Gazette Issue Number</del></p> <p>3. <del>Comment (i.e. free text)</del></p> <p>1. Publication identification</p> <p>2. Modified Part of Document Category (e.g. bibliographic information, priority claim, specification, claims, drawings)</p> <p>3. Modification Category (e.g. amendment or correction)</p> <p>4. Previously Published (erroneous) Content</p> <p>5. New (corrected) Content</p>
Q	Document publication	This category is a group of events related to document publication by the IPO. It includes, for example, publication of an application, IP right document or bibliographic information by the IPO. The events in this category may occur during any stage.	<p>1. <del>Effective Country or Region</del></p> <p>2. <del>Gazette Issue Number</del></p> <p>3. <del>Comment (i.e. free text)</del></p> <p>1. Publication Identification</p>



R	Party data change	<p>This category is a group of events related to the IPO recording changes in party data. It includes, for example, when the IPO records changes to a party concerned with the application or IP right, e.g. the applicant(s), owner(s), creator(s) or representative(s). It also includes events related to the recording of changes in party contact information. The events in this category may occur during any stage.</p>	<p><del>1. Effective Country or Region</del>  <del>2. Gazette Issue Number</del>  <del>3. Comment (i.e. free text)</del></p> <ol style="list-style-type: none"> <li>1. Party Data Change Category (e.g. owner change, creator change, representative change, owner contact information change, creator contact information change, representative contact information change)</li> <li>2. Previous Party Name/Contact Information</li> <li>3. Previous Party Country Code</li> <li>4. New Party Name/Contact Information</li> <li>5. New Party Country Code</li> <li>6. Assignment Document Number (e.g. number associated with transfer of IP right)</li> <li>7. Ownership Transfer Date</li> <li>8. Legal Proceedings Details (if applicable)</li> </ol>
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S	Licensing information	<p>This category is a group of events related to the IPO recording licensing information and amendments to such records. It includes, for example, when an IPO records that a license, pledge or security interest has been agreed to, amended, cancelled or transferred. The events in this category may occur during any stage.</p>	<ol style="list-style-type: none"> <li>1. <del>Effective Country or Region</del></li> <li>2. <del>Gazette Issue Number</del></li> <li>3. <del>Comment (i.e. free text)</del></li> <li>4. <del>License Registration Number</del></li> <li>5. <del>License Record Category (e.g. initial record, amendment, cancellation)</del></li> <li>6. <del>License Status (e.g. active, inactive, terminated)</del></li> <li>7. <del>License Start Date</del></li> <li>8. <del>Term of License (i.e. duration of license) / License End Date</del></li> <li>9. <del>Name of Licensor(s)</del></li> <li>10. <del>Country Code of Licensor</del></li> <li>11. <del>Name of Licensee(s)</del></li> <li>12. <del>Country Code of Licensee</del></li> </ol> <ol style="list-style-type: none"> <li>1. <u>License Data (e.g. registration number, record, type, status, start and end dates)</u></li> <li>2. <u>Licensor Data (e.g. name, contact information, country code)</u></li> <li>3. <u>Licensee Data (e.g. name, contact information, country code)</u></li> </ol> <ol style="list-style-type: none"> <li>4. Licensing Information Amendment Category (i.e. which terms were amended)</li> <li>5. Territory of License Validity</li> <li>6. Legal Proceeding Details (if applicable)</li> </ol>
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T	Administrative procedure adjustment	This category is a group of events related to the adjustment of an administrative procedure conducted by the IPO. It includes, for example, granting an extension of an administrative time limit or continued processing of a necessary procedure. It also includes a suspension, stay or interruption of an administrative procedure, or the resumption of a suspended, stayed or interrupted administrative procedure. The events in this category may occur during any stage.	<p><del>1. Effective Country or Region</del></p> <p><del>2. Gazette Issue Number</del></p> <p><del>3. Comment (i.e. free text)</del></p> <p>1. Adjustment Category (e.g. time extension, suspension, stay, resumption, interruption, delay in communication services, as-of-right extension granted, IPO disruption, IPO irregularity)</p> <p>2. Reason for Adjustment (e.g. natural disaster, IPO delay, court delay, applicant/patentee delay)</p> <p>3. Start and End Date (e.g. date at which the adjustment starts and date at which the adjustment ends)</p>
U	Payment	This category is a group of events related to the payment of fees. It includes, for example, payment of a renewal, maintenance or other designation fee. The events in this category may occur during any stage.	<p><del>1. Effective Country or Region</del></p> <p><del>2. Gazette Issue Number</del></p> <p><del>3. Comment (i.e. free text)</del></p> <p>1. Fee Category (e.g. registration fee, maintenance fee, renewal fee, designation fee)</p> <p><del>4. Paid to Date (i.e. the date up to which the fees have been paid, e.g. no renewal fees will be required until that date)</del></p> <p><del>5. Next Fee Due Date (i.e. date at which the next fee becomes due)</del></p> <p><del>6. Year of Fee Payment</del></p> <p>2. <u>Payment Details (e.g. payment status, year of fee payment)</u></p> <p>3. <u>Renewal Details (e.g. length of renewal, scope changes, next fee due date)</u></p>
V	Appeal	This category is a group of events related to an appeal of a decision made during the prosecution of an IP right. It includes, for example, a request by the applicant, IP right owner, or third party for an administrative or court appeal of any decision made during the prosecution of an IP right and the procedural outcome of such an appeal. The substantive outcome of the appeal may be mapped to an event in another category, for example, application discontinued, application revived, IP right granted, IP right ceased, or IP right maintained. The events in this category may occur during any stage.	<p><del>1. Effective Country or Region</del></p> <p><del>2. Gazette Issue Number</del></p> <p><del>3. Comment (i.e. free text)</del></p> <p>1. Appellate body</p> <p>2. Decision Being Appealed</p> <p>3. Appellate Decision Details</p> <p>4. Decision Citation</p>

W	Other	This category covers events which cannot be categorized under any other Category. It is recommended to use this category as a last resort for unusual cases, where a liberal interpretation of the description of all other Categories would fail to adequately describe the national/regional/international event (e.g. legacy events or interim/internal events).	<p>1. <del>Effective Country or Region</del></p> <p>2. <del>Gazette Issue Number</del></p> <p>3. <del>Comment (i.e. free text)</del></p> <p>1. National/regional/international Event Description</p>
Y	Correction and deletion of event information	This category is a group of events related to the correction or deletion of erroneous event information that the IPO previously provided. It includes, for example, correction in the status event code of an application or IP right provided under this Standard or the correction or deletion of an event that was announced erroneously in a gazette, IP register or other published documentation. The events in this category may occur during any stage.	<p>1. <del>Effective Country or Region</del></p> <p>2. <del>Gazette Issue Number</del></p> <p>3. <del>Comment (i.e. free text)</del></p> <p>1. Status Event Identification (Status Event Code and Date; or Unique Identifier)</p> <p>2. Previously Published Erroneous Content</p> <p>3. New Corrected Content</p>

[Annex III of ST.87 follows]

[Конец приложения и документа]