

## **Patent Cooperation Treaty (PCT) Text Processing Task Force**

**First Session**  
**Geneva, January 29 to 31, 2024**

### **TEXT PROCESSING TASK FORCE - SUMMARY**

*Document prepared by the International Bureau*

#### **INTRODUCTION**

1. The first session of the PCT Text Processing Task Force took place as a virtual meeting from January 29 to 31, 2024.
2. The International Bureau has established this Task Force to seek expert input, from Offices performing functions under the PCT, and representatives of user organizations with observer status in the PCT Working Group, on initiatives to enable the further development of processing in full text format. With this advice, International Bureau aims to encourage more widespread filing and processing of international applications in full text format, and by so doing improve the quality of PCT publication, reduce formalities defects, bring about greater efficiency, provide more self-service options for applicants, and enable the delivery of new services, including the filing and publication of color drawings.
3. The meeting was attended by delegations from twenty-three Member States, two International Intergovernmental Organizations and seven Non-Governmental Organizations.
4. The documents for this session of the Task Force are available at:  
[https://www.wipo.int/meetings/en/details.jsp?meeting\\_id=81130](https://www.wipo.int/meetings/en/details.jsp?meeting_id=81130).

#### **SUMMARY**

5. Following an introduction of the International Bureau's goals in establishing the Task Force, see document [PCT/EF/TPTF/1/2](#), the International Bureau asked for advice on requirements for and on outline proposals on how to update the filing, processing and publication requirements within the PCT to facilitate more effective and widespread filing and processing of international applications in full text format in the international phase.

6. The International Bureau presented its perspective on the requirements for, and the current landscape of, full text processing within the PCT System and continued with the introduction of initiatives listed in document [PCT/EF/TPTF/1/3](#). Delegations offered comments and suggestions with respect to the proposed initiatives. The meeting closed with the International Bureau agreeing to consolidate the suggestions into this summary and to propose an agenda for the next session of the Task Force.

7. Following the meeting the International Bureau demonstrated the features of its document converter solution as integrated in ePCT filing and as an independent demonstration facility that can be accessed via the Task Force Wiki forum at:  
<https://www3.wipo.int/confluence/pages/viewpage.action?pageId=1524564160>.

## LANDSCAPE

8. In introducing the current landscape for full text processing, the International Bureau observed that now, with the receiving Office in China converting all its PDF applications into XML added to the set of international applications filed in XML format, the availability of XML for applications in the PCT system is now slightly more than 50% of all applications. Delegations advised that:

- (a) there is a significant investment across many Offices and applicants, in PDF based filing systems, and the transition to a full text processing environment across PCT needs to be well designed to avoid insurmountable project costs and incompatibilities of archive records;
- (b) a small residual number of international applications are filed on paper;
- (c) some applicants are presented with multiple electronic filing systems that have different file formatting requirements;
- (d) applicants in some jurisdictions are subject to national security laws;
- (e) in addition to the XML processing in place at CNIPA, JPO and KIPO the USPTO, in production, and the EPO, in pilot, are currently implementing DOCX filing solutions for their own procedures;
- (f) where there is full text processing in place, there is some alignment, but the existing implementations deliver different variations of XML content within two WIPO Standards containing the XML specifications ST.36 and ST.96;
- (g) the CWS has suspended further development of WIPO Standard ST.36 whereas development of ST.96 is ongoing, and there are discussions on the use of text in drawings at the PCT MIA and in an EPO working group on the convergence of practice;
- (h) currently most documents are prepared in DOCX format which itself is now based on an XML file. However, it is a format that is very flexible, and new implementations may provide data fragments such as the existing math and chem that is not processed by standard stylesheets ensuring accurate reproduction;
- (i) across the landscape applicants, many of whom trust filing in PDF format, are concerned that any transformation of the application 'as filed', from the files that were signed or approved by the applicant, could have an impact on the rights established and consequently they need to have confidence in the conversions and any necessary safeguards; and,
- (j) study of the current status of full text filing and the requirements for color drawings, whether there is a requirement for black and white only, across Offices is required to

provide the Task Force with an up-to-date catalogue of national patent electronic filing implementations.

9. It was proposed that item 11(j), the study of the current status, could be obtained using a survey in the Wiki forum as one of the initial activities of the Task Force. This should establish a better understanding of the investment required and the obstacles to overcome in transitioning to XML processing within Offices.

#### **INITIATIVES AND REQUIREMENTS**

10. Following an introduction by the International Bureau of the group of proposed initiatives under the heading “*Growing full text format filing volumes through customer experience improvements*”, comprising, (A1) common infrastructure for conversion to XML, (A2) completion of XML conversion feature set, (A3) customer experience improvements encouraging post filing upload and comparison of replacement document(s) in full text formats, (A4) enabling the filing and publication of color drawings, and (A5) reinforcement of filing auditability, the Task Force considered the initiatives and advised requirements.

11. The representatives of attorney organizations expressed the need to:

- (a) be able to submit the documents that the applicant signed;
- (b) deliver some benefits or add-ons for the applicants to make full text filing efficient;
- (c) have the ability to file color drawings and without the need for corrections caused by limitations in conversion to black and white images;
- (d) have consistency across Offices in the formats accepted and processed;
- (e) be able to know that a DOCX will be accepted by the filing software before filing;
- (f) have clear processes and timelines for addressing any conversion issues without losing applicant rights;
- (g) reduce the number of, and simplify the processing of formality errors (includes the conversion errors); and,
- (h) have a means of processing any residual paper filings (this could potentially extend to PDF filings in the long term).

12. Furthermore, national Office delegations expressed their need to:

- (a) in view of the significant investment in current processing systems, resource any transition to full text processing;
- (b) design systems that would enable archived files to be processed in any new processing environment;
- (c) have a common and understood archive format for filings (DOCX or ST.36 or ST.96 or combination thereof) and a means of making lossless transformations as necessary;
- (d) have a common approach for markup of amendments and corrections through paragraph markup or entire document/section replacement versioning;
- (e) give consideration to the filing of drawings as they are often prepared by a separate process; and,

(f) understand the entire feature-set, such as chemistry or MathML, of accepted documents and the treatment of those features supported in full text processing to ensure accurate processing and rendering.

13. Following an introduction by the International Bureau of the group of proposed initiatives under the heading, "*Common infrastructure across Offices for the processing of international applications in full text format*", comprising, (B1) a full text submission path and document exchange between all receiving Offices, international authorities and the International Bureau, (B2) use of an updated stylesheet to generate image-based publication from processed full text applications, (B3) evolution of markup requirements for changes in patent documents, and (B4) simplification of the processing of drawing texts, the Task Force considered the initiatives and advised requirements.

14. National Office delegations expressed their need to:

- (a) have a coordinated approach, so that filing systems used by applicants, where a choice of filing Office and filing software is possible, will be consistent and compatible
- (b) have common stylesheets and markup available so that all Offices would be able to benefit from precise markup of changes to documents; and,
- (c) with respect to B4 coordinate the various ongoing fora to avoid parallel discussions

15. Following an introduction by the International Bureau of the group of proposed initiatives under the heading, "*Delivering confidence in filing certainty through coordinated legal provisions*", comprising, (C1) amendments to rule 11 to specify full text processing formality requirements, and, (C2) strengthening provisions to protect applicants from full text processing conversion errors, the Task Force considered the initiatives and advised requirements.

16. The representatives of attorney organizations expressed the need to have certainty on the legal status of the files submitted, the files created by conversion processes and an understanding of any evidence that can be relied on to show that a conversion error has been made.

17. National Office delegations expressed their need to:

- (a) confirm, in view of the availability of DOCX, ODT, ST.36 and ST.96 all of which are XML based formats, the electronic filing file format selection used as the legal copy for text processing at patent Offices; and,
- (b) consider, when updating rules for electronic filing as to whether drawings should have different formality requirements, compared to text matter, and be allowed to be submitted in a separate file format.

## **NEXT STEPS**

18. Following suggestions made during this session a substantive discussion on the options for file formats used in processing and used as archive copies will be held at the next session.

19. In addition to holding the next session, it is proposed to start the collection of information on the landscape of patent application processing in full text formats, including the identification of challenges and opportunities, through the Wiki forum.

20. A second session of the Task Force is expected to take place later in 2024.

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