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WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)

MEETING OF INTERNATIONAL AUTHORITIES
UNDER THE PATENT COOPERATION TREATY (PCT)

Thirteenth Session
Geneva, May 3 to 5, 2006

RECORDATION AND PUBLICATION OF SEARCH STRATEGIES

Document prepared by the Secretariat

SUMMARY

1. International Authorities are invited to indicate the extent to which search strategies are presently recorded during national and international search and to give further consideration to whether it may be desirable to make search strategies available to Offices, applicants and third parties to a greater extent than is currently provided for in the international search report for some, or all international applications.

BACKGROUND

2. The issue of recording search strategies was last considered in substance by the Meeting at its eighth session, held in Washington, D.C., from May 5 to 9, 2003. Document PCT/MIA/8/2 contained draft International Search and Preliminary Examination Guidelines for discussion, including the following draft paragraph (underlining and strikeout denote insertions and deletions which had been proposed relative to the draft which had been under discussion at the seventh session):

“Rule 43.6(b)-(c)

“4.57 [AU-S-7.12] [The search history setting forth the search conducted to develop the prior art references cited in the International Search Report [must] [may] be ~~is to be~~ retained on the search file. This includes details of ~~all~~ any patent and non-patent literature

searches as well as searches conducted on the Internet. The IPCs corresponding to any prior art cited in the International Search Report based on a classification search must be provided. The key word query logic corresponding to relevant art cited in the International Search Report based on a text search must be provided. Similarly, the search query from any amino acid or nucleic acid sequence search, chemical structure search or other non-classification or non-text searches corresponding to any art cited in the International Search Report must be provided. The query used from the combination of any of the foregoing searches corresponding to relevant art cited in the International Search Report must be provided. Providing the actual search query from these search histories is generally and easily accomplished by direct printing of the search query from the automated system used to construct and perform the search query from a given electronic search resource. All specific search queries used by the examiner must be recorded. Where an electronic database is used in carrying out the international search, the name of the database, the vendor providing the database, and the actual search queries used to develop the prior art references must be recorded.

“Examiners are encouraged to record the search history to include any searches used to determine compliance with the requirements of novelty, inventive step, industrial applicability, support, sufficiency, or other appropriate requirements. However, unless required at the option of the International Searching Authority, there is no requirement to include the details of all patent and non-patent literature searches that were performed during the search process.

~~“Once the international application has been published, an electronic version of the complete search that was performed, including all queries used for each searched database and all other information about the search necessary to update or reconstruct that search, will be available in association with the Search Copy of the international application to any interested party.]”~~

3. The Meeting’s discussion of this paragraph (see document PCT/MIA/8/6, paragraphs 38) is outlined as follows:

“38. *Paragraph 4.57:* The third sentence should be deleted. The Authorities took different views as to whether and to what extent details concerning the search strategy used by the examiner could and should be recorded in the file of the International Searching Authority, in particular concerning search terms used in the consultation of electronic databases (see, in particular, the alternatives “must” and “may” in line 2). Certain Authorities believed that such details should be recorded wherever possible and that examiners should be encouraged to do so, particularly having regard to the usefulness of such information to other Offices under possible “work sharing” arrangements when processing the same application in the national phase. Other Authorities believed that the recording of full details of search strategies was impracticable, that such a requirement would be impossible for examiners to meet, and that misleading results would follow. It was agreed that further consideration of the matter was needed, including in the context of the more general question of a common quality framework. In any event, the Authorities agreed to consider further the possibility of mandatory recording of such details in specific cases, such as searches of databases of nucleotide and/or amino acid sequence listings.”

4. Following re-ordering of the chapters and further discussion of drafting issues during the ninth session and using the Meeting's electronic forum, this entry was established as paragraph 15.58 of the PCT International Search and Examination Guidelines, as follows:

“Recording the Search

“Rule 43.6(b) to (c)

“15.58 In recording the search history of the International Search, the examiner lists the classification identification of the fields searched. If the IPC is not used for this purpose, the classification used is indicated. See paragraph 16.49. Depending on the policy of an International Searching Authority, the examiner may find it useful to record the search history in sufficient detail to allow examiners of national stage applications to fully interpret and rely upon the international search. This includes recording the details of any patent and non-patent literature searches as well as searches conducted on the Internet, including the key words and query operators, expressed as complete search queries to the extent practical, logic employed as the basis of a text search which resulted in the discovery of prior art, or the amino acid or nucleic acid sequence employed as the basis of a sequence search and the sequence alignment corresponding to prior art cited in the international search report that was obtained from the sequence search, or the chemical structure employed as the basis of a chemical structure search or details of other non-classification or non-text searches performed. See paragraphs 16.49 through 16.56 for additional guidance on recordation of the search history. The recorded search history should also include any query used in any of the foregoing searches. Provision of the actual search query from these search histories is generally easily accomplished by direct printing of the search query from the automated system used to construct and perform the search query from a given electronic search resource. Where an electronic database is used, the name of the database should be provided; the actual search queries used may also be useful information that, depending on the policy of the International Searching Authority, may be provided and made available to examiners of national stage applications if practical. Examiners are also encouraged to record the search history to include the details of searches used to determine compliance with the requirements of novelty, inventive step, industrial applicability, support, sufficiency, or other appropriate requirements. However, unless required at the option of the International Searching Authority, there is no requirement to include all details of patent and non-patent literature searches that were performed during the search process.”

RECORDING AND UNDERSTANDING SEARCH STRATEGIES

5. The main issues which should be considered in any proposal relating to the recording and making available of search strategies are the practicality of recording the details efficiently and the utility of the results to those who may be given access to the details at a later stage.

6. The International Searching Authority's search strategy may be of interest to the International Preliminary Examining Authority, designated and elected Offices, the applicant or third parties in order to determine what has been searched for and, by extension, whether any further search may be beneficial. For applicants, this may give confidence in the strength of any granted patents. Offices may wish to use the information to help assess the extent to which a search performed by another Office can replace their national search. Third parties may find it of assistance in assessing the commercial benefits of conducting further validity searches in respect of the patents of a competitor.

7. The possibilities for recording the search strategy depend primarily on:
 - (a) the level of detail of information concerning the search which is desired;
 - (b) the type of systems used for making the search;
 - (c) the extent to which customization of systems can be justified; and
 - (d) the additional burden on examiners which can be justified.

8. In most databases, it is relatively simple to record a search statement used. For example, using the Questel·Orbit language, the “his” (history) command returns the search sets and the number of results in each search set for the search in the current file; details of similar commands for some of the other common database providers appear in Table 1 of Annex I of this document. This information could be included in a session log (if this is supported by the relevant software) or cut and pasted to an appropriate document. Where the Authority has control of the software used to access the database, this process could be automated if required.

9. For a very simple search, this process might be sufficient to see how the citations result from the search strategy. However, in most cases, processes may be used which make it either difficult to record in detail how the search was conducted, or else difficult to interpret the record accurately at a later stage. The specialized databases available for different areas of technology may provide particular difficulties, or else simplify matters in particular cases, but a few of the more general issues are outlined below.

10. In many cases, rather than relying on keywords and classification terms to narrow the search down to a very small number of documents, the examiner may use a search strategy which returns a relatively large number of results, which he then looks through using a combination of titles, abstracts, full text views (possibly with searching of the text independent of the database query) and images, depending what is available through the particular database used. While the main search strategy might show the outer limits of the search, it would probably not make clear, without further manual annotation, how the examiner selected the particular documents used as citations, particularly where the person reading the search strategy does not have access to systems which permit the same types of search techniques to be used. On the other hand, to record all of the text and images returned from the databases might take an enormous amount of space and would be very difficult to analyse. Making such information readily available to a wide audience might also have copyright implications, depending on the databases concerned.

11. Furthermore, the examiner might undertake several different searches for different purposes in different databases. Some of these might be intended to be as comprehensive as possible, intended to locate the main subject matter of the invention; others might be less thorough, intended only to pick out examples of auxiliary features to support arguments related to inventive step. Without manual annotation of the different searches it may sometimes be difficult to determine the intended purpose and scope of each part, which could give a false impression of the actual search performed. Similarly, where a search is curtailed for good reasons (see paragraph 15.57 of the International Search and Preliminary Examination Guidelines), it might not be apparent, without further annotation, why the search strategy did not include some potentially relevant databases, classification terms or keywords.

12. Some databases, particularly those accessed through the Internet using a web browser rather than a specialized program, do not offer easy recording of the searches made. However, in general these tend to only allow relatively simple searches to be made and it may be fairly simple to record the details of any search manually, which might be only a minor burden since in most arts such databases would be used only rarely.

13. The basic operators used in a search strategy which are specific to the search language used would be fairly easy to understand for a person familiar with searching using other search languages. However, some advanced searching techniques, such as those including cross-file searching or ones highly specific to certain databases, may be difficult to understand for anyone without a detailed knowledge of the (sometimes proprietary) systems used by the examiner.

MAKING SEARCH STRATEGIES AVAILABLE

14. As indicated above, making search strategies available would have implications for International Authorities both in system development and, depending on the manner of implementation, in examiner time. There are also risks that the information may not be properly understood by its readers (either because it cannot be complete or else because it requires specialized knowledge). Nevertheless, many Offices and users alike have an interest in seeing the search strategies used by Authorities and the main audience of this information would be experienced searchers who should understand most of the issues involved. Improved availability of information concerning searches made by other Offices could also have benefits for the International Authorities themselves, both in respect of their national phase work on individual applications and in learning good practice from other Authorities.

15. If some or all International Authorities were prepared to record the search strategies in a manner permitting them to be made available, there would be two broad possibilities for giving access to the information without the need to amend Article 30 or Rule 94:

(a) the international search report form could be modified to ease the inclusion of search strategies (in principle, these can already be included in the “fields searched” box, but in practice the box would have to refer to a continuation sheet since it would usually be too small); or

(b) the search strategy, or more detailed notes if desired, could be included in the file record to be made open to public inspection after publication of the international application, either by the International Bureau or by the International Searching Authority.

EXISTING APPROACHES

16. Examples of approaches taken by two Authorities in the course of their national procedures are shown in the Annexes:

(a) Annex I contains an extract from paragraph 719.05 of the United States Patent and Trademark Office *Manual of Patent Examining Procedure* (Edition 8, revised October 2005). This indicates what the examiner should record on a “Search Notes” page in respect of searches other than complete searches of all documents filed under a particular US or IPC classification (such searches are dealt with in other parts of paragraph 719.05, not reproduced). The search notes page is available to the public through the Office’s electronic file inspection system, *Public PAIR*.

(b) Annex II contains paragraph 2.13.9.8 of the Australian Patent Office *Manual of Practice and Procedures* (January 2006) and extracts from the Annex to which it refers, setting out the contents of a “Search Information Statement”. The statement is open to public inspection on the application file.

17. *The Meeting is invited to discuss:*

(a) *the extent to which search strategies are and/or could be recorded for internal purposes in their national and international search work;*

(b) *whether and how this information could usefully be made available to the public in the case of international applications, either by all Authorities or by those whose systems would permit a useful result; and*

(c) *whether the utility and presentation of the information might vary depending on the subject matter of the international application.*

[Annexes follow]

ANNEX I

EXTRACT FROM USPTO MANUAL OF PATENT EXAMINING PROCEDURE,
PARAGRAPH 719.05 (“FIELD OF SEARCH”)¹

...

II. “SEARCH NOTES” BOX ENTRIES

Entries made in the “SEARCH NOTES” box are of equal importance to those placed in the “SEARCHED” box **. They are intended to complete the application file record of areas and/or documents considered by the examiner in his or her search. The examiner *>will< record the following searches in this box and in the manner indicated, with each search dated and initialled:

**>

(A) *A limited classification search.* A limited classification search is defined as a search of a patent document classification database limited by a text query or a set of text queries or other means. If a limited classification search was performed, the class and subclass followed by an appropriate annotation must be recorded in the “SEARCH NOTES” box section of the OACS² “Search Notes” page along with the date that the search was performed (or updated) and the examiner’s initials.

Examples

414/1 (U.S. only)

238/6 (1954 to date)

250/13 (cursory)

705/14 (text search only - see search history printout)

4C083 AC10 (F-term, abstract only)

A61B 5/00N4P (ECLA, text search of full doc - see search history printout)

G06F1/2 (text search only - see search history printout)

(B) *Text search only was performed in a particular database (no classification or limited classification search was performed).* If a text search was performed in a particular database and no classification or limited classification search was performed, the following entry must be recorded in the “SEARCH NOTES” box section of the OACS “Search Notes” page: “See search history printout(s)” along with the date that the search was performed (or updated) and the examiner’s initials. A copy of the search history printout must be included in the application file.

An on-line computerized literature searching service which uses key terms and index terms to locate relevant publications in many large bibliographic databases is available in the Scientific and Technical Information Center (STIC). Members of the STIC staff are assigned to assist examiners in selecting key terms and to conduct a search. A complete search history in the form of a printout must be included in the application file. The following entry must be recorded in the “SEARCH NOTES” box section of the OACS “Search Notes” page: “See search history printout(s)” along with the date that the search was performed (or updated) and the examiner’s initials.

¹ Asterisks (*/**) and arrows (><) indicate deletions and insertions relative to the previous edition of the Manual.

² OACS: Office Action Correspondence System

(C) < A *consultation* with other examiners to determine if relevant search fields exist in their areas of expertise. If the subclass is not searched, record the class and subclass discussed, followed by “(consulted).” This entry may also include the name of the examiner consulted and the art unit.

Examples

24/ fasteners (consulted)
24/ fasteners (consulted J. Doe A.U. 3501)
24/201 R-230 AV (consulted)

*>

(D) < A *search of a publication* **> in paper form located through a manual search (non-electronic search) <, e.g., a library search, a text book search, a Chemical Abstracts search, etc. Record according to the following for each type of literature search:

(1) *Abstracting publications*, such as Chemical Abstracts, record name of publications, list terms consulted in index, and indicate period covered.

Examples

Chem. Abs, Palladium hydride Jan.-June 1975
Eng. Index, Data Conversion Analog to Digital 1975

(2) *Periodicals* - list by title, volume, issue, pages and date, as appropriate.

Examples

Popular Mechanics, June-Dec. 1974
Lubrication Engineering, vols. 20-24

(3) *Books* - list by title, author, edition or date, pages, as appropriate.

Example

Introduction to Hydraulic Fluids, Roger E. Hatton, 1962

(4) *Other types of literature* not specifically mentioned herein (i.e., catalogs, manufacturer’s literature, private collections, etc.).

Record data as necessary to provide unique identification of material searched.

Example

Sears Roebuck catalog, Spring-Summer, 1973.

**

A cursory or browsing search through a number of materials that are not found to be of significant relevance may be indicated in a collective manner, e.g., “Browsed STIC shelves under QA 76.5” or “Browsed text books in STIC relating to.....” More detailed reviews or searches through books and periodicals or any search of terms in abstracting publications should be specifically recorded, however.

**

(E) A *review of art cited in a parent application* or an original patent, as required for all continuation and continuation-in-part applications, divisional applications, reissue applications and reexamination proceedings, or a review of art cited in related applications. Record the

application number of a parent application that is still pending or abandoned, followed by “refs. checked” or “refs. ck’ed.” If for any reason not all of the references have been checked because they are not available or clearly not relevant, such exceptions should be noted.

Examples

S. N. 495,123 refs. checked

S. N. 490,000 refs. checked

S. N. 480,111 refs. checked except for Greek patent to Kam

S. N.410,113 refs. not checked since the file was not available

Record the patent number of a parent or related application that is now patented or of an original patent now being reissued with “refs. checked” or “refs. ck’ed.”

Examples

Pat. 3,900,000 refs. checked

Pat. 3,911,111 refs. ck’ed

**

A. >Search History< Printouts

>Any time that an electronic search was performed (i.e., limited classification search, or text search), examiners must include a complete search history in the form of a printout to be placed in the application file (scanned into IFW³). The printout must include the following minimum information:

- (1) all the search logic or chemical structure or sequence(s) used as a database query;
- (2) all the name(s) of the file(s) searched and the database service;
- (3) the date the search was made or updated; and
- (4) the examiner’s initials.

It would be improper to merely list the tool/database, e.g., “EAST”⁴ or identify the search queries in the “SEARCH NOTES” box section of the OACS “Search Notes” page. A search history printout should be devoid of result printouts to limit the “bulk search printouts.”

Regarding nucleotide and peptide sequence searches, these searches must be documented by printout(s). A copy of a printout for each database source searched must be included in the application file. Each printout must include all the information up to the “ALIGNMENTS” section.<

Most of the database services accessed in application searches provide a command to display or print the search history which includes most, if not all, of the minimum required information for documenting database searches. Table 1 below lists the history command for each database service and which of the required minimum documentation elements are missing when the history command is entered. The missing elements may be documented by writing them on the printout of the search history or by supplying further portions of the search transcript which do include the missing elements. In some instances, depending on the database service, the log off command will supply the missing data element. ** For example, this is the case with searches in STN and Questel-Orbit; the name of the database service is not provided by entering the history command and must be supplied by the inclusion of the log off command. Another example is with WEST⁵. Neither the Freeform Search page nor the Show S Numbers page prints

³ IFW: Image File Wrapper

⁴ EAST: Examiner Automated Search System

⁵ WEST: Web-based Examiner Search Tool

the date of the search, therefore, the date of the WEST search must be documented in writing. For IFW processing, see IFW Manual section 3.7.

If there are several search statements in the history, the statement or statements of which the results were reviewed should be indicated by circling them in BLACK INK. **

Database Service	History Command	Name of Database Service	Search Logic	Name of File Searched	Date of Search
Dialog	ds; show files ²	no	yes	yes	missing ³
STN ¹	d his full	no ⁵	yes	yes	yes
Questel-Orbit	hi ² or his ²	no ⁵	yes	yes	missing ³
Lexis Nexis TM	r ²	no	yes	yes	yes
ABSS System	none	yes ³	yes ⁴	yes	yes
EAST	Details grid ⁸	no ¹⁰	yes	yes	yes
WEST	Free Form Search page ⁹ Show S Numbers page	yes	yes	yes	missing ¹¹

¹ In a structure search in STN, in addition to “d his full”, the structure should be printed out while in the Registry File. The command string for this is “d L# que stat,” where L# is the number of the answer set of a full file structure search.

² Need to enter history command for each file searched before changing file or logging off.

³ Information provided as part of search result file for each request.

⁴ Search query sequence provided as part of search result file for each request.

⁵ Displayed by log off command.

⁶ Name and number of file provided at file entry; number only of file given when leaving the file; number only of last file accessed given at log off.

⁷ Name of the file given at file entry and when leaving the file; name of last file accessed given at log off.

⁸ Print details grid for Active folder to document current search; print Details grid for Saved folder to document saved search.

⁹ Print Freeform Search page to document current search; print Show S Numbers page to document saved search.

¹⁰ Shown on printed EAST cover page.

¹¹ Must be written in BLACK INK.

B. Explanation of Table Terminology

History Command - Generally, a display of what the user has asked the search software to do. Will display the search logic entered by the user. Some histories are limited to display of the searches done only in the current file while others deliver a complete record of what file or files were accessed and all searches done since sign on. Dialog, Questel-Orbit, and LexisNexis TM are services limited to display of the searches done only in the current file.

Name of Database Service - Most services do not display this information as part of the search transcript. None of the services in the table, except WEST, list that information as part of

the history command. However, Questel-Orbit, and STN supply the name of the database service during log off.

Search Logic - Generally, a display of the search commands executed by the search software. For a structure or sequence search, this can be a printout of the structure or sequence used to query the system.

Name of File Searched - This is the name of the collection of data accessed. In some services, the file name is only displayed when the file is selected and not in response to the history display command; Dialog and Questel-Orbit are two such services. For example, Dialog supplies only the file number with the log off command. The file number alone is not adequate documentation of a search. The name of the file is required.

Date of Search - WEST, Dialog, and Questel-Orbit do not display the date of search as part of the history command. Dialog and Questel-Orbit supply the date of search during log off; the date of search for WEST must be written on the search report.

**

C. Other Databases

For other types of publicly accessible computer accessed databases (e.g., CD-ROM databases, specialized databases, etc.), record data as necessary to provide unique identification of material searched and sufficient information as to the search query or request so that the search can be updated. The record should also document the location of the database and its form (CD-ROM, etc.).

Example: Citing a biotech CD-ROM database

Entrez: Sequences, National Center for Biotechnology Information, Version 7.19.91b (CD-ROM, TC 1600) Searched HIV and vaccine; neighbored Galloway article dated 6/5/91 on April 1, 1990.

Example: Citing a nonbiotech CD-ROM database

Computer Select, (November, 1991), Ziff Davis Communications Co., (CD-ROM, STIC), Searched Unix and emulation on December 1, 1991.

...

[Annex II follows]

ANNEX II

EXTRACTS FROM AUSTRALIAN PATENT OFFICE
MANUAL OF PRACTICE AND PROCEDURES**2.13.9.8 Recording the Search Details**

The Search Information Statement (SIS) is used as a definitive record of the search undertaken or relied on during national examination, including when and where a search was conducted and what related art was found and/or relied on.

This is a useful record for examiner's directly involved in the examination task or in examining related applications but is also required for internal QA processes and to meet the needs of applicants, opponents and other third parties, as well as foreign patent offices to which evidence of the search may be given.

Therefore it is important that the information sheet is filled out comprehensively. The details required to be recorded on the SIS, instruction on its use and examples are included at Annex D [*extracts of which are shown below*].

[ANNEX D1 of Manual of Practice and Procedures]

SEARCH INFORMATION STATEMENT

Information Element	Data Required
- Application No.:	5 or 10 digit application number or Innovation Patent number (autopopulated in PAMS ⁶)
- IPC Classification: (For eCasefiles only)	Current IPC for the application (auto-populated in PAMS)
- Search(s) relied on:	Application/patent number, publication code and date relevant to each earlier search relied on including foreign and AU searches. Information not readily available from the published source can be attached.
- Other search results considered:	Type and filing date of other search results considered, particularly S27 ⁷ or S45(3) ⁸ results
Australian Search Report (if applicable)	
- Reason for search:	The reason for the search. Search here means any original or additional search activity including top-ups
- Claims not searched and reason:	An indication, if applicable, of the claims not searched and why, eg search reserved due to lack of unity

⁶ PAMS: Patent Administration & Management System

⁷ Section 27 of the Australian Patents Act 1990 permits any person to send the Commissioner a notice that an invention is either not new or does not involve an inventive step at any time between the application becoming open to public inspection and it being accepted.

⁸ Section 45(3) of the Australian Patents Act 1990 requires the applicant to inform the Commissioner of the results of searches relating to corresponding applications filed outside Australia (with some exceptions).

- Search Team:	Name or initials of 3-person team with the search examiner first
- Databases consulted & search strategy:	The name of the database and the detailed search strategy for each database consulted including all search terms and limitations used. If separately attaching the search strategy, indicate here that it is attached.
- Search Results:	Documents listed according to ISR standard, eg publication date, relevance indication (X,Y,A) and claims to which they are relevant.
- Search completion date:	The date of actual completion of the original search activity, ie the same meaning as under the PCT
Documents cited in Examination or otherwise Relevant	Those documents actually cited plus those that are otherwise considered relevant. Details required are: <ul style="list-style-type: none"> • Document description (CC and number for patent documents); • Indication of relevance (X,Y,A) during the examination process. For example, documents cited in novelty objections are marked (X) even though those objections may be subsequently overcome during examination. • Indication of the source of the citation if that is unclear. This will normally be the case for documents arising from s27 or s45(3) results <p>Cross-reference can be made to documents listed in any AU original search results on the SIS, eg "as above" or by reference number. See annex D4.</p>
- Examiner:	The name of the examiner completing the original or supplemental SIS (auto-populated in PAMS)
- Section:	The relevant examination section
- Date:	The date the original (or supplemental) SIS was completed

Examples of the details required are provided in Annexes D3, D4 and D5. D3 illustrates the simple case where an ISR is relied on; D4 where there is an Australian original search. D5 illustrates the format for a supplemental SIS which should be prepared if additional searching is conducted or information considered at a further report stage. A supplemental SIS should indicate the date of the original and any other supplementary SIS and then only needs to list the additional information.

[Extract from Annex D2 of Manual of Practice and Procedures]

SIS - EXAMINER NOTES (Interim)

...

- e) It is preferable that database and search strategy details are included directly on the form but separate printouts, if necessary, may be attached to the printed SIS. The inclusion of long search strategies as annexes to the SIS document in Word is also acceptable, but in all cases the relevant field should include a reference, eg "See attached".

- f) Search strategy information should be recorded and copied to the SIS electronically wherever possible to avoid rekeying. On-line strategy examiners will be able to facilitate this in relation to WPAT and other databases while for Internet, USPTO, espace and similar searches the strategy can be copied directly from the resulting search results page. Examiner's may wish to use a temporary text or Word file to collect strategy information during searching for transfer to the SIS when the search is complete.

...

[Annex D4 of Manual of Practice and Procedures]

SEARCH INFORMATION STATEMENT

Application/IP No.: 99999/99
IPC Classification : H04N7/173
Search(s) relied on: AU (2 July 2003)
Other search results considered: S45(3) filed 21 April 2003

AUSTRALIAN SEARCH REPORT

Reason for search: Original search
Additional search - Whole contents top-up
- Claims not covered by existing search
- Other:

Claims not searched and reason: 21 - 34 Lack of unity

Search team: SE, AR, CH

Databases consulted & search strategy:

USPTO - 1976 to present for: ((interpolation AND (CDMA OR "spread spectrum"))) AND oversampl\$):

File : WPAT

SS Results

- 1 6846 CDMA
- 2 5281 SPREAD SPECTRUM
- 3 967923 RECEIV+ OR TRANSCEIV+
- 4 6674 (1 OR 2) AND 3
- 5 13270 INTERPOLAT+
- 6 6857 FIRST AND SECOND AND SAMPL+ AND (FREQUENC+ OR RATE? OR SPEED?)
- 7 606 OVER SAMPL+
- 8 492 OVERSAMPL+
- 9 7776 6 OR 7 OR 8
- 10 67 4 AND 9
- 11 38 4 AND 5
- 12 8 10 AND 11
- 13 97 10 OR 11

SEARCH RESULTS

(Citation of document, with indication, where appropriate, of the relevant passages followed by the category and claim no(s))

- (1) US 5332238 A (Boruci) 26 July 1994
Col. 2 lines 21-29
Category X,Y Claims 1-20
- (2) WO 98 52184 A (Elo Touchsystems Inc) 30 October 1996

Category Y Claims 17-20

- (3) EP 0 740264 A (Gore) 30 October 1996
Category A

AU Search completion date: 2 July 2003

DOCUMENTS CITED IN EXAMINATION OR OTHERWISE RELEVANT

(Indicate relevance during examination. Source of additional search results should be indicated eg S45(3) or S27)

(1) to (3) as above

US 5 555 321 (A) (From S45(3))

Examiner: Steve Examiner **Section:** A1

Date: 2 July 2003

- End SIS -

[End of Annex II and of document]