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PROGRESS REPORT ON THE REVISION OF WIPO STANDARD ST.36

Document prepared by the Secretariat

Introduction

1.   Since the tenth session of the Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT), held in November 2008, the ST.36 Task Force has reviewed the pending issues outlined in paragraphs 20 to 21 of document SCIT/SDWG/10/5, and also revised WIPO Standard ST.36 two times in March and September in accordance with new Proposals For Revision (PFRs). In addition, the ST.36 Task Force has been using the new platform for its electronic forum, i.e., Wiki space (hereinafter called the "Wiki eForum"), offered and run by the International Bureau (IB). The Task Force also adopted a linear format of PFR replacing a box form to facilitate discussions via Wiki eForum.

2.   The ST.36 Task Force held one informal meeting during the week of the tenth session of the SDWG. The agenda, list of participants, minutes and copies of presentations given at the meeting can be found on the ST.36 Task Force's website at:
http://www.wipo.int/scit/en/taskfrce/st36/background.htm.

Revision of WIPO Standard ST.36

3.   The ST.36 Task Force established the revision cycle of Annex A (Model DTD: xx-patent-document.dtd) and Annex C (ICEs: International Common Elements) to WIPO Standard ST.36 twice per year, i.e., in March and September, if necessary. In accordance with the revision cycle, the Task Force revised Annexes A and C two times in 2009.

4.   The ST.36 Task Force considered the following seven PFRs from October 2008 to August 2009:

-   PFR ST.36/2008/002 regarding "first and second last name";

-   PFR ST.36/2008/005 regarding "earlier search request";

-   PFR ST.36/2008/007 regarding "e-mail purpose";

-   PFR ST.36/2009/001 regarding "ostyle", "formula-text", "amended-claims" and the reordering of the sub-elements of "book", "online", and "serial";

-   PFR ST.36/2009/002 regarding "search report";

-   PFR ST.36/2009/003 regarding PCT 2009 Rule changes;

-   PFR ST.36/2009/004 regarding transmittal of supplementary search information.

5.   The Task Force agreed to adopt six PFRs ST.36/2008/002, ST.36/2008/005, ST.36/2008/007, ST.36/2009/001, ST.36/2009/002, and ST.36/2009/003 and to drop PFR ST.36/2009/004. The completed PFRs including the dropped PFR by the Task Force are available on the ST.36 PFR website at: *http://www.wipo.int/scit/en/taskfrce/st36/pfr-already-adopted.html.*

6.   The Task Force revised Annexes A and C to reflect the agreed PFRs ST.36/2008/002, ST.36/2008/005, and ST.36/2008/007 in March 2009 and revised again these two Annexes to reflect the agreed PFRs ST.36/2009/001, ST.36/2009/002, and ST.36/2009/003 in September 2009. The latest version, 2.2, of Annexes A, as well as the latest version 2.2 of Annex C, to WIPO Standard ST.36 are available on the WIPO's website at: *http://www.wipo.int/standards/en/xml_material/st36/.* The previous versions and revision history of Annexes A and C are also available on the WIPO's website at: *http://www.wipo.int/standards/en/xml_material/st36/revision-history/index.html.*

Recommendation of Citation Practice Task Force

7.   The SDWG requested the ST.36 Task Force to review the recommendations by the Citation Practices Task Force elaborated in paragraph 12 of document SCIT/SDWG/9/3 (see paragraph 35 of SCIT/SDWG/9/12).

8.   The ST.36 Task Force reviewed the recommendation and observed practices carried out by IPOs. The Task Force agreed on the review note that is reproduced as the Annex to this document.

New versions of Industry Standard DTD

9.   The ST.36 Task Force conducted a survey within the Task Force to find out how IP Offices use XML tagging for non-text elements and whether the introduction of new versions of industry-standard DTDs such as mathml2.dtd in WIPO Standard ST.36 is necessary (see paragraph 21 of document SCIT/SDWG/10/5). Seven IPOs (AU, CH, DK, EP, JP, KR, and RU) replied to the survey. According to the survey, most IPOs use the industry-standard DTDs which are recommended in WIPO Standard ST.36, i.e., MathML, version 2, for mathematical formulas and OASIS XML table DTD for tables (see paragraphs 93 to 98 of WIPO Standard ST.36). The Task Force, therefore, agreed that WIPO Standard ST.36 should not be revised at that moment to reflect the new version of industry-standard DTDs because IPOs were not currently in a position to change or update their practices. This issue would be revisited later.

10.   The survey is available on the ST.36 Task Force website at: *http://www.wipo.int/scit/en/taskfrce/st36/background.htm*.

ST.36 Task Force Wiki eForum

11.   The ST.36 Task Force discussed the use of Wiki eForum to provide better accessibility and more interactive communication among members than the email-based platform at the informal meeting mentioned in paragraph 2, above. It was agreed that the Wiki eForum, web-based platform, would be trialed by the four Task Forces dealing with XML-related WIPO Standards, i.e., the ST.36, ST.66, ST.86 and XML4IP Task Forces as pilot users. In accordance with the agreement, the IB launched the Wiki eForum in March 2009. The former email-based electronic forum platform has no longer been available for discussion since the Wiki eForum was launched.

12.   The Task Force expected that the Wiki eForum would provide better accessibility and more interactive communication among members than the former email-based platform. The Wiki eForum can be accessible anytime and anywhere if the Internet is available. The Wiki eForum provides better search function as well as email notification of new proposals or comments posted on the eForum depending on the user's setting.

Use of Linear Format for PFR

13.   The ST.36 Task Force has been using a box form of PFR for submitting a proposal for revision of WIPO Standard ST.36 since 2008. The box form is useful and convenient for facilitating discussions via the former email-based platform. However, it is considered inappropriate for web-based discussions via the Wiki platform. To facilitate discussions via Wiki eForum, the Task Force revised the PFR format based on box form by linear format. The use of linear format allows for posting the PFR on Wiki pages directly rather than attaching the PFR to its introductory page.

14.   *The SDWG is invited to:*

        (a)   note the results of the work of the ST.36 Task Force and the report of the Task Leader, as set out in this document;

        (b)   consider whether there is a need for guidelines that applicants and IPOs should follow to uniquely identify the different parts of a patent document across different publication platforms, as referred to in paragraph 7 of the Annex to this document; and

        (c)   consider whether a new task for the preparation of the said guidelines should be added to the SDWG Task List and whether the SDWG Members would be able to provide the necessary human resources to draft a proposal that could be subsequently discussed by the SDWG, as referred to in paragraph 7 of the Annex to this document.

[Annex follows]

ANNEX

REVIEW OF RECOMMENDATIONS
BY THE CITATION PRACTICES TASK FORCE

1.   The SDWG requested the ST.36 Task Force to review the recommendations by the Citation Practices Task Force elaborated in paragraph 12 of document SCIT/SDWG/9/3 (see paragraph 35 of SCIT/SDWG/9/12).

2.   With regard to the importance of the consistency of numbering parts of patent documents and the importance of minimizing long paragraphs (see paragraphs 12.1 and 12.2 of document SCIT/SDWG/9/3), in relation to the current WIPO Standard ST.36, the ST.36 Task Force took note, but could take no further action because the WIPO Standard ST.36 ICEs contain the necessary elements to identify different parts of a patent document, e.g., paragraph numbering tags, but consistency of numbering and length of paragraphs cannot be controlled by those XML tags. In order to apply the elements in a consistent way to patent documents, the best practice guidelines or tools (such as style sheets) are needed. The said best practice guidelines could include, for example, recommendations for implementation of paragraph numbering, long paragraphs, and how documents should be rendered consistently. Such guidelines would be beneficial for optimizing consistent rendering of documents across different formats of a single patent document (e.g., html, xml, or PDF) as well as across different IPO and commercial provider publication platforms.

3.   Furthermore, in relation to the issue of inconsistency of paragraph numbering, the Task Force has observed that a single patent document could potentially be rendered quite differently with different paragraph numbers depending on where and how the document is rendered. The Task Force has noted three potential causes for inconsistency of paragraph numbering:

        (a)   different ways of rendering XML-tagged applications provided directly by the applicant;

        (b)   different ways of creating OCR versions of paper, image or PDF format applications submitted by the applicant; and

        (c)   different ways of reprocessing published rendered image versions of applications which were originally filed in XML-tagged format.

4.   The Task Force believes that guidelines should recommend that where Offices create text-based formats from paper, image or PDF data, the processing should seek to recognize documents which already contain paragraph numbering and to maintain that numbering in the text-based version. Paragraph numbering should not be changed in such documents in cases where numbering exists in the original.

5.   With regard to the elements "maths" and "chemistry" (see paragraph 12.3 of document SCIT/SDWG/9/3), the relevant elements already exist in WIPO Standard ST.36 which refers to industry-standard DTDs (see paragraphs 93 to 98 of WIPO Standard ST.36). No agreement on a chemistry standard within the W3C has been reached. Therefore, the ST.36 Task Force agreed that the addition of an industry-standard for chemistry to WIPO Standard

ST.36 should be postponed until the W3C standard for chemistry would be ready. The ST.36 Task Force also agreed that no further clarification would be required to identify gene sequence lists.

6.   In respect to further XML tags to aid the creation of citation references (see paragraph 12.4 of document SCIT/SDWG/9/3), the ST.36 Task Force observed that the ST.36 ICEs contain the necessary XML tags to create citation references and IPOs can choose tags in accordance with their practice. For example, the element "embodiments-example" in the ST.36 ICE can be used for examples in a chemical patent application. The Task Force, therefore, determined that no further XML tag would need to be added to WIPO Standard ST.36.

7.   The ST.36 Task Force would like to invite the SDWG to consider whether there is a need for guidelines (including, e.g., guidelines on the application of certain structural element or attribute tags provided by WIPO Standard ST.36) that applicants, when filing patent applications, and IPOs, when publishing patent documents, should follow in order to uniquely identify the different parts of a patent document across different publication platforms. The ST.36 Task Force also invites the SDWG to consider whether a new task for the preparation of the said guidelines should be added to the SDWG Task List and whether the SDWG Members would be able to provide the necessary human resources to draft a proposal that could be subsequently discussed by the SDWG.

[End of Annex and of document]