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SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION (IPC UNION)

COMMITTEE OF EXPERTS

Twenty-Eighth Session
Geneva, March 1 to 5, 1999

REPORT

adopted by the Committee of Experts

INTRODUCTION

1. The Committee of Experts of the IPC Union (hereinafter referred to as "the Committee") held its twenty-eighth session in Geneva from March 1 to 5, 1999. The following members of the Committee were represented at the session: Austria, Belgium, Canada, China, Denmark, France, Germany, Ireland, Japan, Netherlands, Norway, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, United Kingdom, United States of America (21). The European Patent Office (EPO) was also represented. The list of participants appears as Annex I to this report.

2. The session was opened by Mr. M. Makarov, Head, International Patent Classification Section, Inter-Office Information Services and Operational Affairs Department, WIPO, who welcomed the participants on behalf of the Director General of WIPO.

OFFICERS

3. The Committee unanimously elected Mr. S. de Vries (Netherlands) as Chairman and Mrs. M.L. Haulica (Romania) and Mr. B. Geyer (Germany) as Vice-Chairmen.

4. Mr. M. Makarov (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

5. The Committee unanimously adopted the agenda, which appears as Annex II to this report.

CONCLUSIONS, DISCUSSIONS AND DECISIONS

6. As decided by the Governing Bodies of WIPO at their tenth series of meetings (see document AB/X/32, paragraphs 51 and 52), held from September 24 to October 2, 1979, the report of this session reflects only the conclusions (decisions, recommendations, opinions, etc.) of the Committee and does not, in particular, reflect the statements made by any participant, except where any reservation in respect of any specific conclusion of the Committee was made or repeated after the conclusion was arrived at.

REPORT ON THE ADVANCED IPC SEMINAR

7. The Committee noted an oral report by the International Bureau on the Advanced IPC Seminar held in Newport, United Kingdom, in December 1998, and expressed its appreciation with the results achieved in the course of the Seminar proceedings and by the Task Force established by the Seminar in order to detail its recommendations. The Committee noted, in particular, that, although the initial task of the Seminar as given by the Committee was to prepare draft recommendations in respect of the IPC revision policy and revision procedure, the lectures and presentations delivered at the Seminar had shown the need to take a broader stand and to consider also the use and structure of the IPC, with the aim of accommodating the Classification to the electronic age and to the requirements of the user.

RECOMMENDATIONS OF THE ADVANCED IPC SEMINAR AND THE TASK FORCE

8. Discussions were based on document IPC/SEM/98/11 containing a summary of proceedings of the Seminar and document IPC/CE/28/2 containing proposals submitted by the Task Force members and a plan of action elaborated by the International Bureau.

9. The Committee endorsed the Seminar’s point of view that the IPC, being the only patent classification used worldwide, maintained its value as an universal search tool, which is also language-independent. However, its efficient and effective application in the electronic environment required changes to the IPC itself and the methods of its revision and use.

10. The Committee agreed that the recommendations elaborated at the Seminar and the plan of action for their implementation should be considered in the light of long-term goals of the IPC development which should be included in the Committee strategic plan to create a reformed international patent classification for the electronic society of the new millennium, functioning in digital libraries interconnected by global information networks.

11. The Committee agreed that such international classification of the new millennium should be essentially characterized, in particular, by its consistent application worldwide, uniform rules of use, high searching power and possibility of accommodating additional search tools on a common platform. It was indicated that an optimal structure of such classification could be represented by a multi-layer composition with different layers of classification or indexing details addressed to different types of users.

12. Having realized that the long-term goals of the IPC development could be further specified and amended in the course of the IPC reform, the Committee agreed on a provisional outline of the long-term goals, appearing in Annex III to this report, with a view to revisiting them in the forthcoming Committee's sessions, following consideration thereof in the framework of the task relating to the elaboration of the Committee strategic plan (see paragraph 14, below).

Transitional Period

13. Proceeding then to the consideration of the Seminar recommendations which principally pursued achievement of medium-term goals of the IPC development, the Committee agreed on the need, simultaneously with the reforming of the IPC, to continue, on a limited scale, its revision in order to accommodate in the Classification changes necessitated by technological progress. For the purpose of the timely conducting the IPC reform, the Committee agreed to depart from the five-year revision periods applied since the first edition of the IPC and to introduce a transitional shortened revision period during which modifications to the IPC structure and contents, IPC revision and application should be elaborated. The transitional period will cover the years 1999 to 2002, such that the eighth edition of the IPC will enter into force on January 1, 2003.

14. The Committee agreed that, for the detailed consideration of tasks of the IPC reform, a special IPC body should be established and agreed to create the ad hoc IPC Reform Working Group (hereinafter referred to as "the Reform Working Group") whose mandate would include the drafting of the Committee strategic plan (see paragraph 22, below) and the full elaboration, in the light of the IPC long-term goals, of the further tasks which it was entrusted with (see paragraph 30, below) during the transitional period so that the results of the elaboration could be implemented as of the year 2003. The Committee also empowered the Reform Working Group to create, if necessary, Task Forces for consideration of certain tasks.

15. In order to provide continuity in the IPC revision following the transfer of the preparatory revision work from the former PCIPI, the Committee agreed to create the IPC Revision Working Group (hereinafter referred to as "the Revision Working Group") with a mandate to deal with the revision of the IPC (see in more detail paragraphs 34 to 37, below).

16. The Committee agreed that members of the Reform Working Group and the Revision Working Group would be member States and observer organizations of the IPC Union. Other Member States of WIPO, intergovernmental organizations and international non-governmental organizations could be invited to participate as observers at the sessions of the Working Groups.

Resources

17. The Committee realized that for the simultaneous revision and reform of the IPC sufficient resources would be required from its members and observers and that resources that could be allocated by industrial property offices for the IPC area were inevitably limited. In this respect, the Committee underlined the importance of appropriate funding for the accommodation of the Classification to the electronic era.

18. In order to inform the Assembly of the IPC Union, which is the competent body to deal with all matters concerning the maintenance and development of the Union, of the commencing IPC reform, the Committee elaborated a recommendation to the Assembly to take note of the need for the IPC reform, the strategy applied by the Committee, and to invite members and observers of the IPC Union to provide internal resources necessary for the implementation of the reform. The text of the recommendation appears in Annex IV to this report.

19. With regard to the resources available in WIPO, the Secretariat reported on the ongoing discussions of the WIPO Program and Budget for the 2000-01 biennium, in particular that program activities relating to information technology and intellectual property information services, including the development of international classifications, jointly with the activities of the Standing Committee on Information Technologies (SCIT) would be covered by Main Program 12 financed from the Special Reserve Fund. The Secretariat informed the Committee that a certain increase in financing those program activities was proposed in the draft budget in comparison with the 1998-99 biennium.

20. The Committee noted that sufficient allocation of resources in the International Bureau would be a prerequisite for the effective management and successful implementation of the IPC reform. In view of this, the Committee requested its members to bring to the attention of the Program and Budget Committee the need for sufficient human and financial resources to undertake the IPC reform when considering the budget for the 2000-01 biennium.

21. When discussing the recommendations and the proposed plan of action to implement the IPC reform, the Committee arrived at certain decisions, observations and instructions to its Working Groups, which are described below.

Recommendations Relating to the IPC General Structure and Principles

22. The Committee agreed to include the following task in the program of the Reform Working Group: "Elaborate long-term goals and a strategic plan for the development of the IPC."

23. The IPC revision policy should be reconsidered in the light of the IPC long-term goals and should be elaborated during the transitional revision period. Until that time, in essence the revision policy which had been established for the sixth revision period should be applied.

24. It was noted that the International Bureau would prepare a background material for consideration of the task relating to the review of the hybrid systems in the IPC.

Cooperation with the Standing Committee on Information Technologies (SCIT)

25. In order to establish a close cooperation between the Committee and the SCIT, the International Bureau was requested to prepare an informative paper addressed to the SCIT, outlining the bearing of the IPC on the Intellectual Property Digital Libraries (IPDL)-project (see paragraph 10, above), as well as the Committee's projects concerned with information technology and drawing the attention of the SCIT to the need, in view of the IPC reform, for the priority allocation of resources under WIPO Program 12 for IPC-related projects. The Committee noted that the informative paper would be submitted, by April 1, 1999, to its members and observers, with the deadline for comments by May 1, 1999.

Recommendations relating to the Revision Period, the Revision Procedure and Implementation of the Results of the Revision

26. The Committee noted that the International Bureau intended to conduct a pilot project on the use of automated tools for the reclassification and indexing of patent files in the course of the 2000-01 biennium.

27. The Committee endorsed the recommendation of the Seminar to continue, during the transitional period, the revision work on the basis of the revision projects deferred from the previous revision period, as indicated in the IPC Revision Program (see paragraph 33, below). The Committee also agreed that new revision requests could be accepted in the revision program only if they related to classification places covering new emerging technologies. For such requests, a simplified procedure was authorized allowing their submission directly to the Revision Working Group via the International Bureau. The Committee underlined, however, that caution should be exercised by the Revision Working Group in deciding whether or not to accept a revision project in the program and, in the case of doubt, the request should be forwarded to the Committee for a final decision.

28. The Committee agreed, in principle, with the recommendation to augment the role of rapporteurs for revision projects by giving them the status of project leaders and the responsibility of taking decisions on when the project should be submitted for consideration by the Revision Working Group. However, the Committee instructed the Revision Working Group to test that new procedure by applying it in several projects selected from different technical fields.

Recommendations Relating to Training in the Use of the IPC

29. With regard to the task relating to the development of a general question and answer pamphlet on the application of the IPC, members and observers of the Committee were requested to submit any available material relevant for the elaboration of this task by the Revision Working Group.

Task Elaboration Procedure

30. Finally, the Committee agreed on the distribution of tasks emanating from the recommendations of the Advanced IPC Seminar among its Working Groups and the International Bureau, as presented in Annex V to this report, and appointed offices-rapporteurs for the tasks considered as priority, to provide leadership in their elaboration.

31. In view of the need to prepare background material for the discussions of the working groups concerned, the Committee requested comments on the tasks included in the program of the IPC reform to be submitted by April 15, 1999, and the rapporteur reports by May 10, 1999.

32. Having noted that the Committee normally meets once a year, some Delegations indicated a possible need for creating an executive body to take policy decisions, by correspondence, in respect of the urgent matter, in the time periods between the sessions of the Committee. The Committee invited its members and observers to consider this possibility and comment thereon by December 1, 1999.

IPC REVISION DURING THE TRANSITIONAL REVISION PERIOD

33. The Committee considered the IPC revision program, contained in document IPC/CE/28/3, listing the IPC revision projects deferred to the seventh IPC revision period and several projects adopted at its twenty-seventh session, with the deadlines established for particular projects, and adopted the said program as it appears in Annex VI to this report. In connection herewith, the Committee noted that, apart from projects 411 to 421, much work had already been done with relation to the projects listed in the said program. As for the possibility to include new revision projects, see paragraph 27, above.

34. The Revision Working Group (see paragraph 15, above) would deal with the preparation of the revision of the IPC during the transitional period (until the end of 2002), based on the revision program approved by the Committee. Its working methods would be identical to those employed in the PCIPI Working Group on Search Information. The Rules of Procedure of the Revision Working Group would consist of the General Rules of Procedure of WIPO, supplemented and amended by the Rules of Procedure of the IPC Committee of Experts

35. In order not to lose valuable time in the short revision period, the Committee authorized the Revision Working Group to widen the original scope of a revision project, if needed.

36. The Revision Working Group would meet twice per year in two-week sessions, if necessary, and have the right to create subsidiary bodies which would receive directions from, and would report to, the Revision Working Group. A maximum of two weeks of sessions of the subsidiary bodies would be authorized to take place per year, but a meeting of a subsidiary body should not take place if less than three offices intend to participate.

37. The Committee instructed the Revision Working Group to carefully plan its workload and duration of its sessions, bearing in mind the limited time available for sessions of IPC bodies and the likely need for extra time for sessions of the Reform Working Group. In connection herewith, the Committee requested the Revision Working Group to consider the feasibility of shortening by two days its two-week session to be held in the second half of 1999.

NEXT SESSIONS OF THE COMMITTEE AND ITS WORKING GROUPS

38. The Committee noted the tentative time for its next session, namely: March 2000.

39. The Committee also noted the dates for the sessions of its Working Groups in 1999:

ad hoc IPC Reform Working Group:	first session: May 25 to 28, 1999 second session: November 1999
IPC Revision Working Group:	first session: May 31 to June 11, 1999 second session: November 1999.

40. This report was unanimously adopted by the Committee at its closing meeting on March 5, 1999.

[Annexes follow]