

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION  
(IPC UNION)****COMMITTEE OF EXPERTS****Twenty-Ninth Session  
Geneva, March 13 to 17, 2000****RECOMMENDATIONS FORMULATED BY THE  
AD HOC IPC REFORM WORKING GROUP***Document prepared by the International Bureau*

1. At its first and second sessions, held, respectively, in May and November 1999, the ad hoc IPC Reform Working Group considered the tasks of the IPC reform, qualified as priority at the twenty-eighth session of the Committee of Experts (see document IP/CE/28/5, Annex V), and other relevant topics, and formulated a number of recommendations to the Committee. These recommendations are summarized in the Annex to this document.

2. *The Committee of Experts is invited to adopt the recommendations formulated by the ad hoc IPC Reform Working Group.*

[Annex follows]

ANNEX

RECOMMENDATIONS FORMULATED BY THE  
AD HOC IPC REFORM WORKING GROUP

RECOMMENDATIONS RELATING TO THE TWO-LEVEL STRUCTURE OF THE  
REFORMED IPC

Excerpt from document IPC/REF/2/2

“15. The discussions centered round the two-level structure of the reformed IPC in view of the complexity of the subject. It was agreed that the core and advanced levels of the IPC should be fully compatible. The Working Group arrived at certain conclusions which are disclosed in the following paragraphs.

“16. The core level should represent “the complete symbols of the Classification” in the sense of the Strasbourg Agreement. The Classification within the core level would be mandatory and would be used by members and observers of the IPC Union for classifying inventions. The core level should embrace the worldwide collection of patent documents.

“17. The advanced level should represent a further elaboration of the core level. Any member or observer of the IPC Union can choose to use its entries for classifying and indexing inventions. The advanced level should embrace at least the PCT minimum documentation.

“18. It was recommended that further discussion of the core and advanced levels should take into consideration possible legal aspects involved in the light of the Strasbourg Agreement.

“19. The Working Group agreed that the contents of the core level should be defined. It could correspond to the classification part of the seventh edition of the IPC, with eventual amendments which could be introduced during the transitional revision period, or it could represent a restricted version of the seventh edition. In the latter case, classification entries not included in the core level should be included in the advanced level of the IPC.

“20. Some Delegations were in favor of the first solution since, in their opinion, the restriction of the IPC, for example, to two-dot groups level, could make the IPC inefficient for searching of national collections in actively developing technical fields for medium-sized offices and would deprive French-speaking users of the large part of the Classification. Other Delegations were in favor of the second solution because they felt that the current IPC was too complex for use by small offices.

“21. Consequently, the International Bureau was requested to seek the views of all members and observers of the IPC Union regarding the contents of the core level of the IPC, in time before the next session of the Committee of Experts.

“22. The Working Group also briefly discussed how the revision and publication of the reformed IPC should be provided and agreed as follows:

“(a) The procedure as well as the criteria for revision, respectively, of the core and advanced level should be elaborated, taking into account the strong relationship between the core and advanced levels.

“(b) The revision of the core level with the subsequent adoption of the proposed amendments by the Committee of Experts should be elaborated so as to ensure the highest quality of the core level necessary for the consistent classification worldwide.

“(c) The revision of the advanced level should be provided through an accelerated procedure.

“(d) Amendments to the core and advanced levels should be incorporated in the IPC by the International Bureau. For supervising the revision of the advanced level, a special subcommittee, including International Searching Authorities under the PCT, could be appointed by the Committee of Experts.

“(e) The publication of the complete IPC should be regularly performed by the International Bureau. The International Bureau should also provide for the expeditious publication of amendments to the advanced level of the IPC.”

#### RECOMMENDATIONS RELATING TO TASK No. 3 (“CONSIDER THE INTRODUCTION OF ELECTRONIC DATA ILLUSTRATING THE CONTENTS OF IPC ENTRIES”)

##### Excerpt from document IPC/REF/1/2

“19. Discussions were based on Annex 6 to project file IPC/R 3/99, containing the rapporteur report submitted by the United States of America and, in particular, on the six points summarizing the written comments.

“21. With regard to point 2, the Working Group agreed that the inclusion of chemical formulae in the IPC would be desirable, in particular in the places where only generic chemical names are used. It was recommended that the IPC Revision Working Group should decide in which places those formulae would be included as part of the text of the IPC and where only hyperlinks to the formulae should be introduced. Furthermore, it was decided that drawings and other graphical information should also be introduced, when necessary, in order to better illustrate the contents of an entry.

“22. The creation of classification definitions was strongly supported when discussing point 3 of the rapporteur report. It was agreed that these definitions should be part of the IPC and appear both in the electronic and the paper versions of the IPC. This consideration was also applied to expanding and modifying notes and references, as recommended by the Rapporteur.

“23. Given the difficulty in the elaboration, the cost of development and the maintenance of synonyms or catch-term lists, proposed in point 5 of the rapporteur report, and the fact that such lists could not be part of the IPC, their introduction in the IPC was not considered as a matter of priority.”

Excerpt from document IPC/REF/2/2

“23. Discussions were based on the summary of replies to WIPO Circular No. IPC 17, prepared by the International Bureau (see Annex 17 to project file IPC/R 3/99 Rev.1), in particular on the conclusions drawn by the International Bureau and relating to different types of electronic data.

“24. With regard to exemplifying patents for new IPC groups, the Working Group agreed that, whereas exemplifying patents were necessary in the revision process for precisely defining the scope of new groups, their introduction in the new IPC editions was not generally needed since the sufficient number of patent documents would be available under the new groups as a result of classifying new documents therein or reclassifying the backlog file.

“25. With regard to terms or expressions having a defined meaning in the IPC, the Working Group considered it desirable to provide electronic access to definitions of those terms and expressions included in the Guide to the IPC, by introducing respective hyperlinks. It was noted that, in certain places of the IPC, the standard terms and expressions might have a meaning deviating from the defined meaning.

“26. Concerning illustrating chemical formulae, the Working Group was of the opinion that their introduction in the electronic layer would be extremely useful for easier understanding of chemical areas of the IPC. The Working Group agreed that it would be sufficient to provide illustrating formulae in general chemical areas of the IPC, namely in main groups of section C where they were needed.

“27. The Working Group indicated that introduction of chemical formulae in the IPC could be carried out in the form of a special project outsourced to an external contractor selected from providers of available chemical databases. The contractor should be requested to prepare a database of chemical formulae hyperlinked to relevant places in the IPC, on the basis of the preselected list of places.

“28. With regard to illustrating drawings and other graphical information, the Working Group agreed that such drawings and graphical material could be introduced in the IPC parts where they were needed for illustrating the contents of the places. The Working Group requested its members and observers to select those places and provide the International Bureau with electronic images representing typical drawings and graphical material for the subject matter in question.

“29. With regard to classification definitions, the Working Group underlined that the classification definitions should represent the most important explanatory material in the IPC and should constitute part of the Classification itself. They could be incorporated in the IPC sections or presented as a separate publication in the complete set of the printed IPC. The Working Group agreed that classification definitions should be introduced at least in all active IPC subclasses and that, in their preparation, existing IPC notes defining the contents of places and technical terms should be used, taking into account the experience accumulated by the United States Patent and Trademark Office in the elaboration of classification definitions.

“31. With regard to informative references, the Working Group agreed that they should in principle be included only in the electronic layer of the IPC and noted that their preparation for particular areas of the IPC had already been started by the IPC Revision Working Group and would be continued as needed. The Working Group also noted that introduction of informative references between function-oriented and application places of the IPC could be achieved by using the existing references in function-oriented places and the reverse reference list.”

#### RECOMMENDATIONS RELATING TO TASK No. 4 (“CONSIDER THE ELABORATION OF RULES FOR MULTIPLE CLASSIFICATION IN THE IPC”)

##### Excerpt from document IPC/REF/1/2

“25. Discussions were based on Annex 5 to project file IPC/R 4/99, containing the discussion paper submitted by Japan. The advantage of multi-aspect classification schemes in the electronic environment was noted. In this respect, it was decided to recommend to the Committee that the IPC Revision Working Group should systematically consider the possibility of introducing parallel multi-aspect classification schemes in the ongoing revision projects.”

##### Excerpt from document IPC/REF/2/2

“32. Discussions were based on the report submitted by Japan summarizing the work carried out by the Task Force, which included a last place rule search table, a table showing the correspondence between function-oriented and application places in the IPC and a table showing the administration of place rules in various offices.

“33. The Working Group agreed that, although multiple classification in the electronic environment was desirable and in fact already applied by many offices, it could not be automatically introduced by eliminating place rules in the IPC. The Working Group considered that the last place rule was useful in most of the subclasses where it was applied, whereas in some others it could be abolished. In a similar way, precedence notes could not be in general replaced by multiple classification. Multi-aspect classification schemes could be more broadly introduced in the IPC where desirable.

“34. Finally, the Working Group concluded that multiple classification and the first and last place rules should be further considered in a broader context of providing of uniform and simplified rules in the IPC.”

RECOMMENDATIONS RELATING TO TASK No. 6 (“STUDY FACTORS INFLUENCING AN INSUFFICIENT LEVEL OF THE CONSISTENCY IN THE APPLICATION OF THE IPC AND ELABORATE MEASURES FOR INCREASING THE CONSISTENCY”)

Excerpt from document IPC/REF/1/2

“32. Discussions were concentrated on the factors influencing the consistency in the application of the IPC, indicated by the United States of America (see the rapporteur report in Annex 6 to the project file IPC/R 6/99).

“33. With regard to those factors and possible ways of limiting their influence, the following remarks and recommendations were made:

“(a) In principle, the use of concordances between other classification systems and the IPC for classifying according to the IPC should be avoided.

“(b) The Working Group noted difficulties in classifying published unexamined patent applications in view of unclear claims, possible lack of novelty and other reasons, but underlined the importance of those publications as the most complete source of information on potential inventions. In order to provide the full classification data relating to published unexamined applications, the Working Group recommended that industrial property offices be encouraged to classify additional information, i.e. non-trivial technical information given in the description, which is not claimed. It was also indicated that classification changes occurring in respect of patent documents published at subsequent publication levels should be reflected in the planned master classification database.

“(c) The standardization of the IPC structure and the introduction of uniform rules and classification definitions could be achieved in the long term, in the course of the development of the IPC. The need for such standardization, rules and definitions should always be taken into account by the IPC Revision Working Group when considering IPC revision projects. The ways of practical implementation of these long-term objectives should be outlined in the strategic plan for the development of the IPC.

“(d) Additional electronic data illustrating the contents of the IPC entries could significantly contribute to the consistent classification.

“(e) Modern Internet- and computer-based training tools would be needed for classifiers in industrial property offices in order to provide uniform approach to the classification procedure.

“(f) To increase the efficiency of the patent search using the IPC, patent family information should be included in the master classification database.

“(g) The IPC should provide classification places for any patentable subject matter. Insufficient coverage of the IPC in this respect should be remedied by an X-notation revision procedure.

“(h) In order to ensure the consistent application of the IPC by classifiers working with different language versions of the Classification, all attempts should be made, in revising the authentic English and French versions, to use adequate, well defined technical terminology.”

Excerpt from document IPC/REF/2/2

“41. The Working Group confirmed the conclusions made at its first session concerning the factors influencing the insufficient consistency in the application of the IPC and the possible ways of limiting their influence (see document IPC/REF/1/2, paragraph 33). It was noted that the revision of the Guide to the IPC, in order to provide for a more comprehensive explanation of the principles and rules of the IPC, was an additional important factor in improving the consistency in the application of the IPC and that revision of the Guide should be one of the tasks of the IPC Reform. Prior to that revision, general policy principles should be reconsidered, indicating in a precise manner:

“(a) what is the subject matter in a patent document that should be classified;

“(b) how to select a classification place where it should be classified; and

“(c) how to retrieve information, i.e., how to use the IPC for search purposes.”

RECOMMENDATIONS RELATING TO TASK No. 8 (“STUDY OF THE POSSIBILITY OF COOPERATION BETWEEN OFFICES IN THE RECLASSIFICATION OF BACKLOG PATENT FILES”)

Excerpt from document IPC/REF/2/2

“43. Discussions were based on Annex 7 to project file IPC/R 8/99 Rev.1, containing a summary of replies to WIPO Circular No. IPC 18 concerning reclassification of backlog patent files. The following offices have reclassified or intend to reclassify, at least partly, their national collections according to the latest edition of the IPC: Germany, Kyrgyzstan, Norway, Portugal, Republic of Moldova, Romania, Russian Federation, Slovenia and Sweden. Germany and the EPO reclassify the entire PCT minimum collection according to their internal classification schemes which are based on the latest edition of the IPC. All offices could provide their reclassification data to populate the future Master Classification Database. The Delegation of Japan announced at the meeting that the Japanese Patent Office reclassifies the national collection according to the internal classification scheme which is based on the latest edition of the IPC.

“44. The Working Group noted that the EPO had the intention to reclassify the entire patent collection of the PCT minimum documentation according to the advanced level of the reformed IPC and to introduce in the internal database Doc-DB the reclassification data available from other offices. This data, through the patent family system, would cover the major part of the world patent collection. Reclassification of the limited amount of the remaining patent documents could be outsourced to an external contractor or automatic reclassification tools could be used, should the relevant pilot project be successful. The Working Group also noted that the Doc-DB data would be included in the future Master Classification Database. The Working Group agreed that, when the structure of the reformed IPC has been finally clarified, the contents of the Master Classification Database should be defined and the procedure of reclassification be detailed.”

[End of Annex and of document]