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STATUS OF IPC REFORM

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1. At its twenty-eighth session, held in March 1999, the Committee of Experts decided to launch the reform of the IPC with the aim of accommodating the Classification to the electronic age and to new requirements of the user. In so deciding, the Committee agreed on the need, simultaneously with reforming the IPC, to continue, on a limited scale, its revision in order to introduce in the Classification changes necessitated by technological progress.

2. For the purpose of timely conducting IPC reform, the Committee agreed to depart from the five-year revision periods applied since the first edition of the IPC and to establish a transitional shortened revision period during which modifications to the IPC structure and contents, IPC revision and application should be elaborated under the reform. As indicated by the Committee, 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 (see document IPC/CE/28/5, paragraph 13).

3. With the approaching end of the transitional revision period, it becomes necessary to review the status of IPC reform as of the year 2001 so as to estimate the work which remains to be done. Such a review should also cover the IPC revision program established by the Committee.

4. At the start of the reform, the intention of the Committee was that the next (eighth) edition of the Classification would already incorporate basic features of the reformed IPC and would also contain revision changes resulting from the current revision program. After the initial (transitional) period of the reform, IPC reform would be continued to realize long-term goals of the development of the IPC (see Strategic Plan for the Development of the IPC published in Annex III to document IPC/CE/29/11).

5. According to the Strasbourg Agreement, amendments to the Classification shall be notified to the competent authorities of the countries of the IPC Union six months before their entering into force. If the eighth edition of the IPC, which should already basically represent the reformed Classification, enters into force on January 1, 2003, it should be published by July 1, 2002. Given the necessary preparatory period for the first publication of the new edition, even on the Internet only, last amendments to the current edition should be adopted by the Committee in early spring 2002. Thus, there is approximately one year that remains until the end of the transitional revision period.

6. With regard to the IPC revision program, it is being carried out by the IPC Revision Working Group. The revision program established by the Committee for the transitional revision period contained 76 revision projects. During the years 1999-2000, 37 projects have been completed by the Working Group. For the remaining 39 projects, much work has already been done. It seems feasible that the whole revision program, with the exception of several projects, could be completed by the Working Group at its two sessions in 2001.

7. The IPC reform program is being carried out by the ad hoc IPC Reform Working Group. The initial reform program adopted by the Committee contained 13 tasks. Subsequently, three more tasks were added to initiate work on new aspects of the IPC reform, which were revealed in the course of its progress. Out of 16 tasks, two tasks have been completed by the Working Group and respective recommendations have been adopted by the Committee. As follows from the status of the IPC reform program for the year 2000, as determined by the Working Group (see Annex VI to document IPC/REF/4/4), three remaining tasks (Nos. 3, 5 and 14) are close to completion, on eight tasks (Nos. 2 (9), 4, 8, 12, 13, 15 and 16), substantial work still has to be done and on two tasks (Nos. 7 and 10) work has not yet started.

8. In addition to elaboration of remaining tasks on the IPC reform program, the ad hoc IPC Reform Working Group should also deal in 2001 with the revision of the Guide to the IPC. Despite the expected heavy workload of the Working Group, it seems feasible that it could basically complete the elaboration of the tasks of the IPC reform program in the year 2001. However, additional efforts would be required from the members of the Working Group, in particular it would clearly be necessary to extend its autumn session in 2001 to two weeks.

9. Elaboration of tasks of IPC reform means creation of new, and modification of existing, principles and rules for the reformed IPC. Their implementation in the IPC will require a huge work relating to particular changes, which will be necessary to introduce in the Classification. Most of the reform tasks should result in specific amendments of the IPC. Such is, for example, Task No. 3 under which the ad hoc IPC Reform Working Group agreed on a broad introduction of classification definitions in the IPC and provisionally approved the

classification definition format. Creation of classification definitions for subclasses and main groups of the IPC will necessitate the participation of technical experts of industrial property offices. The IPC Revision Working Group was requested therefore to start the necessary work in 2001, in parallel with the carrying out the revision of the IPC.

10. Upon completion, at least the following tasks will require the specific changes to the IPC which should be made by the IPC Revision Working Group: Task No. 3 "Introduction of electronic data illustrating the contents of IPC entries," Task No. 5 "Review of the hybrid systems in the IPC," Task No. 14 "Determination of the most appropriate contents of the core level of the reformed IPC," Task No. 15 "Feasibility of introducing a simplified set of rules in the IPC."

11. Given the heavy workload of the IPC Revision Working Group relating to pending revision projects, it would be in a position to prepare the changes to the IPC needed for implementation of the results of IPC reform to a small extent only. For example, it would be possible to prepare classification definitions for only 20 to 30 subclasses out of 620 classification subclasses in the seventh edition of the IPC.

12. The practical implementation in the IPC of the results of IPC reform to a significant extent would require approximately two years of work of members of the IPC Revision Working Group beyond the year 2001. This would imply that a new IPC edition which may essentially be considered as the reformed IPC could be finalized by the beginning of 2004. It could then enter into force on January 1, 2005.

13. Based on the above review of the status of the IPC reform and IPC revision, two options are suggested for consideration by the Committee:

(a) Option A: to retain the current planning of the transitional revision period so that the eighth edition of the IPC would enter into force on January 1, 2003; and

(b) Option B: to extend the transitional revision period by two years so that the eighth edition of the IPC would enter into force on January 1, 2005.

14. The advantage of Option A would be the possibility of using new, accelerated revision methods as of the year 2003 already. As indicated in paragraph 11, above, the next edition of the IPC would however incorporate only a few features of the reformed IPC.

15. The advantage of Option B would be more time available for the comprehensive completion of IPC reform and implementation of its results in the Classification itself. Option B is concerned however with the publication of the next edition two years later.

16. The Committee of Experts is invited to consider and decide on one of the options indicated in paragraph 13, and convey its decision to the Assembly of the IPC Union for approval.