

ANNEX V

REVISION POLICY AND REVISION PROCEDURE FOR THE REFORMED IPC

REVISION POLICY

Core level

1. The main goal of the revision of the core level is to improve the IPC as a universal information tool. The development of the core level should ensure its efficiency as:
 - (a) a search tool for the retrieval of patent information contained in national patent collections;
 - (b) an instrument for the orderly arrangement of patent documents in order to facilitate access to technological and legal information contained therein;
 - (c) a basis for selective dissemination of information to all users of patent information;
 - (d) a basis for the preparation of industrial property statistics which in turn would permit the assessment of technological development in various areas.
2. The data needed for serving the purposes referred to in paragraph 1(b) to (d), above, will be available from the Master Classification Database. This database will contain the IPC data of patent documentation classified according to the current edition of the IPC.
3. Revision of the core level should be undertaken when needed in order to accommodate new technologies or to increase the quality of the IPC by clarifying its text. For accommodating the new technologies, revision of the core level should be carried out in harmony with revision of the advanced level.
4. Revision of the core level should also be undertaken in order to provide new subdivisions of groups having a very large file size and a very high rate of growth of the national patent documentations. Such revision should be based on the classification schemes in the advanced level.
5. Revision of the core level could also be required by revision carried out at the advanced level when, for example, changes proposed to the advanced level would require modifications at subclass or main group level of the IPC.
6. Indexing schemes should not be created in the core level.

Advanced level

7. The main goal of the revision of the advanced level is to improve the IPC as an effective search tool for the retrieval of patent information contained in large international patent collections. The development of the advanced level is also to ensure its efficiency as a tool for investigating the state of the art in given fields of technology.

8. Revision of the advanced level should be undertaken when needed in order to accommodate the IPC to the excessive file size and high rate of growth of the PCT minimum documentation classified in IPC groups of the advanced level, to change the classification structure in areas where it has become inefficient for searching or to increase the quality of the advanced level by clarifying the text of the IPC.

9. The possibility of meeting the search needs in a certain area of the IPC by another search technique, for example, text searching, should be taken into consideration before commencing revision of the advanced level in that area.

10. Indexing schemes, associated with respective classification schemes, could be created in the advanced level, where desirable for efficient searching.

REVISION PROCEDURE

11. A new revision procedure for the reformed IPC will be supported by a modern IPC management system. To this end, the International Bureau has carried out its IBIS project aimed at the modernization of the former IPC Information System (IPCIS) and the establishment of an Internet-based, open IPC management system which will incorporate new features resulting from the IPC reform and which includes the advanced IPC electronic forum. Industrial property offices, when proposing amendments to the IPC, will be authorized to directly introduce the proposed amendments in the IPC, namely, in the discussion view of the IPC which will be available on the WIPO website. The amendments then could be incorporated into the current version of the IPC.

12. The preliminary testing of the proposed amendments to the IPC by an office-proponent should be a prerequisite for submitting a revision proposal. In respect of revision proposals which are concerned with the transfer of subject matter to new or existing classification places, the testing should include carrying out reclassification of at least 10% of the search file concerned.

Core level

13. The revision procedure should be initiated by the International Bureau which should regularly invite members of the IPC Committee of Experts and the intergovernmental organizations referred to in Article 5(2) of the Strasbourg Agreement to submit proposals for amendments to the core level in accordance with the revision criteria for the core level which are defined in paragraph 14, below.

14. The revision proposals for the core level could relate to one or more of the following categories:

- (a) X-notations;
- (b) Creation of IPC places covering new technologies for which no distinct place in the IPC exists;
- (c) Clarification of wordings in order to improve consistency in classifying or to avoid overlap with other places of the IPC;
- (d) Subdivision of IPC groups having a very large file size and a very high rate of growth of the national patent documentation;
- (e) Modifications required by revision changes to the advanced level.

15. Any revision proposal should be accompanied by a revision request explaining the reasons for the revision and indicating to which of the revision categories the proposal relates. The revision request should also contain the numerical data concerning the file size and rate of growth for the Category-d proposals (see paragraph 14, above), citations of patent documents illustrating proposed new groups and information on the testing of the proposal.

16. The revision proposal should be posted on the WIPO IPC website (discussion view of the IPC) and the revision request should be submitted to the IPC electronic forum.

17. If an office is not in a position to prepare a revision proposal but wishes to solve a classification problem in the IPC, it can submit only the revision request to the IPC electronic forum. Such a request should explain the reasons for its submission and indicate that the revision proposal cannot be elaborated by an office-proponent. The elaboration of the proposal will then be entrusted to an office-rapporteur if the revision request is accepted to the revision program.

18. The International Bureau should forward the revision requests and proposals for consideration by the IPC Revision Working Group

19. The IPC Revision Working Group should evaluate all requests to ensure that they comply with the revision policy and the revision criteria laid down by the Committee and described in this document, determine the need for them and their priority. Revision requests approved by the Working Group should be included in the IPC core level revision program. For each approved request, a project file should be created. The Working Group should establish time frames for individual actions on the project (comments, rapporteur report) and should appoint an office-rapporteur.

20. The offices-rapporteurs should be responsible for organizing discussions on the project through the IPC electronic forum, taking decisions as to when the project should be submitted for consideration by the Working Group and preparing the rapporteur report. The objective of the rapporteurs should be to accomplish as much work as possible by electronic communication, so that the project could basically be approved, in one of the authentic language versions, at a single session of the Working Group. Rapporteur's proposals should be posted on the WIPO IPC website (discussion view).

21. When amendments to the core level are approved by the Working Group in one of the authentic language versions, a volunteering office should prepare respective amendments in the other authentic language version. Upon completion of the project in both language versions, the amendments should be forwarded for adoption to the Committee. Endorsed amendments should be included in the next edition of the IPC.

Advanced level

22. Revision of the advanced level should be carried out through an accelerated procedure in order to provide conditions for the quick accommodation of the advanced level to changing search needs. All member States of the IPC Union and the intergovernmental organizations referred to in Article 5(2) of the Strasbourg Agreement are authorized to submit proposals for amendments to the advanced level in accordance with the revision criteria for the advanced level which are defined in paragraph 23, below.

23. The revision proposal for the advanced level could relate to one or more of the following categories:

- (a) Subdivision of IPC groups having an excessive file size and a high rate of growth of the PCT minimum documentation;
- (b) Change of the classification structure where it has become inefficient for searching;
- (c) Clarification of wordings in order to improve consistency in classifying or to avoid overlap with other places of the IPC.

24. For each group proposed to be subdivided, either the file should contain at least an average of 200 patent documents of the PCT minimum documentation (with one document per patent family) or the rate of growth of the PCT minimum documentation should be at least 50 patent documents for the most recent year for which statistics are considered.

25. When proposing new groups, it should be expected that as an average 50-100 patent documents (with one document per patent family) from the PCT minimum documentation should be covered by each such new group.

26. The quantitative criteria indicated in paragraphs 24 and 25, above, should be applied in a flexible manner and the IPC Special Subcommittee, when considering revision proposals, is authorized to depart from these criteria when this is justified by cost/benefit reasons.

27. As the core level of the IPC should be stable, proposed amendments to the advanced level should be compatible with the core level and should not imply modifications to the relevant parts of the core level without good reason. If such modifications are necessary, they should be treated in accordance with the revision procedure for the core level.

28. Any revision proposal should be accompanied by a revision request explaining the reasons for the revision and indicating to which of the revision categories the proposal relates. The revision request should also contain the numerical data concerning the file size and rate of growth of the PCT minimum documentation for the Category-a proposals (see paragraph 23, above), citations of patent documents illustrating proposed new groups and information on the testing of the proposal. The revision proposal should be posted on the WIPO IPC website (discussion view of the IPC) and the revision request should be submitted to the IPC electronic forum.
29. The International Bureau should forward the revision requests and proposals for consideration by the IPC Special Subcommittee which should be established by the Committee of Experts for supervision of the revision of the advanced level.
30. The composition of the Special Subcommittee will be determined by the Committee of Experts and reconsidered every three years. An industrial property office may be elected to the Special Subcommittee if it assumes responsibility to do at least 20% of the total reclassification work in respect of the PCT minimum documentation in the following three years.
31. The Special Subcommittee should deliver reports at least once a year to the Committee of Experts on the work carried out, which results should be reviewed by the Committee of Experts and, if needed, necessary corrections should be made.
32. The mandate of the Special Subcommittee should include evaluation of revision requests for the advanced level to ensure that they comply with the revision policy and the revision criteria laid down by the Committee and described in this document, determining the need for them and their priority, and taking decisions with regard to the discussion of the proposed amendments. The Special Subcommittee should conduct its work using electronic communication whenever possible.
33. Revision requests approved by the Special Subcommittee should be included in the IPC advanced level revision program. For each approved request, a project number should be assigned. The Special Subcommittee should appoint an office-rapporteur for each project.
34. Within two months after approval of the request, industrial property offices could submit comments thereon on the IPC electronic forum. If no comments are submitted within that period, the amendments should be considered as approved and should be incorporated by the International Bureau in the advanced level of the IPC.
35. If comments are submitted on the proposed amendments, the Rapporteur should, within one month, post the Rapporteur's proposal, taking account of the comments, or to submit reasons for rejecting the comments. When posting the Rapporteur's proposal, the Rapporteur could request additional comments from interested offices. For submitting additional comments and preparing the revised Rapporteur's proposal, one-month periods should apply.
36. If no additional comments are requested by the Rapporteur, the Rapporteur's proposal should be considered and approved by the Special Subcommittee. Upon approval of the amendments in one of the authentic language versions, they should be incorporated by the International Bureau in the advanced level.

37. After the approval of the amendments by the Special Subcommittee, responsible industrial property offices should carry out reclassification of search files of the PCT minimum documentation and make the results of reclassification available in the Master Classification Database.

38. The amendments to the advanced level should enter into force when the results of reclassification of respective search files of the PCT minimum documentation are made available in the Master Classification Database, but not earlier than three months after their approval by the Special Subcommittee. The International Bureau should continuously update the advanced level of the IPC and make it available on the WIPO IPC website.

39.* Within three months after the approval of the amendments by the Special Subcommittee, respective amendments to the other authentic language version should be incorporated by the International Bureau in the advanced level.

[Annex VI follows]

* This paragraph indicates only the time frame for the preparation of the amendments to the advanced level in the other authentic language version and does not include details of procedure therefor. These details of procedure will later be elaborated, in particular under Task No. 16 (“Study Ways and Means for the Establishment of the French Version of the Advanced Level of the IPC”).