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SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)

COMMITTEE OF EXPERTS

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DEVELOPMENT OF CLASSIFICATION TOOLS FOR TRADITIONAL KNOWLEDGE

Document prepared by the Secretariat

1. At its thirty-first session, held in February/March 2002, the Committee of Experts considered a report of the Task Force on Classification of Traditional Knowledge which had been established at the thirtieth session of the Committee. The Committee instructed the Task Force to continue its work and to start preparation of an IPC revision proposal with regard to classification of traditional knowledge documentation (see document IPC/CE/31/8, paragraphs 36 to 40).
2. The Annex to this document contains a report of the Task Force on Classification of Traditional Knowledge on the work carried out in the year 2002.
3. *The Committee of Experts is invited to take note of the report submitted by the Task Force.*

[Annex follows]

ANNEX

WIPO TASK FORCE ON CLASSIFICATION OF TRADITIONAL KNOWLEDGE

Report prepared by the International Bureau

INTRODUCTION

1. At its thirty-first session, held in February 2002, the Committee of Experts of the IPC Union considered the report of the Task Force on Classification of Traditional Knowledge and instructed the Task Force to continue its work and to start preparation of an IPC revision proposal with regard to classification of traditional knowledge documentation. The Committee indicated that, in view of the urgency of the matter, it would be highly desirable that the revision results were available already in the next edition of the IPC.
2. The Committee agreed with the conclusion in the report of the Task Force that the most efficient way of developing classification tools for traditional knowledge would be their integration into the IPC. However, the Committee noted that only a few entries in the IPC were available for classifying such subject matter, and substantial revision of the Classification could be required in this regard, including creation of a new subclass covering traditional knowledge subject matter.
3. The Committee requested the Task Force to prepare a revision request with a revision proposal and to submit it for consideration to the IPC Revision Working Group by the end of 2002, with the view of its inclusion in the IPC revision program.

WORK CARRIED OUT BY THE TASK FORCE

4. According to the instruction of the Committee of Experts, the established work program of the Task Force included the following actions:
 - consideration of the creation of a new subclass or other applicable place in the IPC covering traditional knowledge subject matter;
 - elaboration of revision proposals based on the previous study;
 - preparation of a revision request and a revision proposal;
 - submission to the IPC Revision Working Group;
 - preparation of the Task Force report to the Committee of Experts.

5. In submitting their proposals and comments, the Task Force members were directed by the list of actions with respective deadlines, which were indicated in the work program. The present report summarizes the work carried out by the Task Force so far.
6. All Task Force members took active part in the discussion of an appropriate classification scheme for traditional medicine. Detailed revision proposals were submitted by China, India, Japan and the United States of America. Japan submitted the F-term-based revision proposal. China and the United States of America proposed a limited revision of the traditional medicine area in the IPC, at group level, without substantial changes to the existing classification structure. India proposed to create a new subclass for traditional medicine which could collect subject matter currently classified in various parts of the IPC main group A61K 35/00.
7. For the decision on the desirable size of the classification scheme for traditional medicine, it was important to estimate the volume of the patent and non-patent documentation relating to this subject matter. It is believed that a major part of the traditional medicine documentation has been created in China and India. Although it does not belong to the PCT minimum documentation, the traditional knowledge documentation should be given significant importance in the establishment of the appropriate classification scheme for medicinal preparations.
8. According to the estimates made by International Bureau, there are approximately 18,000 published PCT minimum patent documents under the IPC subgroup A61K 35/78, and in addition, more than 15,000 patent documents published in China. Regarding the non-patent documentation, there are approximately 215,000 non-patent documents in the field of medicine based on the use of plants, published in China, and 35,000 published in India.
9. Directed by the intention of the Committee of Experts to revise the area of traditional medicine already for the next edition of the IPC, the Task Force finally came to the conclusion that only a limited revision of this area is currently feasible, since the next edition of the IPC should be published by July 1, 2004, and only a short time period—during the year 2003—is available to the IPC Revision Working Group for consideration of a revision proposal. The Task Force agreed that a more detailed revision could be carried out at a later stage, in the course of the next IPC revision period.
10. A revision request with a revision proposal in the field of traditional medicine was prepared by the International Bureau, on behalf of the Task Force. The proposal, basically relating to the creation of the new IPC main group A61K 36/00 for medicinal preparations containing plants, was submitted to the IPC Revision Working Group for consideration. At its eighth session, held in November/December 2002, the Working Group agreed to include the submitted proposal in the IPC revision program as a new revision project C 425 (see document IPC/WG/8/8, paragraphs 8 to 11).
11. The IPC Revision Working Group also established the time frame and compiled a list of questions for consideration of the proposal, in order to provide for the completion of the project until the publication of the next edition of the IPC.

12. As has been concluded by the Committee of Experts, an important issue would be how the future revised IPC could be linked to traditional knowledge resources classifications which may be developed in various countries, such as China and India, and how to best organize access to traditional knowledge documentation which is in public domain. Work in this regard should be continued in parallel with the work on the revised IPC.

[End of Annex and of document]