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WORLD INTELLECTUAL PROPERTY ORGANIZATION
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**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)**

COMMITTEE OF EXPERTS

**Thirty-Fifth Session
Geneva, October 25 to 29, 2004**

IMPLEMENTATION IN THE IPC OF THE REFORM RESULTS

Document prepared by the Secretariat

1. At its thirty-fourth session, held in February 2004, the Committee of Experts agreed to postpone the entering into force of the reformed IPC for one year and extended the validity period of the current, seventh, edition of the IPC until December 31, 2005 (see document IPC/34/10, paragraph 43). The Committee decided that the additional year should be used for the enhanced implementation in the IPC of new features introduced by IPC reform. Tasks relating to the implementation in the IPC of the reform results are carried out by the IPC Revision Working Group.
2. At its thirty-fourth session, the Committee of Experts confirmed its decision relating to the systematic introduction of residual main groups in IPC subclasses where those groups were not present and requested the IPC Revision Working Group to consider whether the introduction of residual main groups could be efficiently carried out in time before the entering into force of the next edition of the IPC (see document IPC/CE/34/10, paragraphs 24 to 26). Annex I to this document contains a relevant excerpt of the report of the eleventh session of the Working Group which relates to this task.

3. At its thirty-fourth session, the Committee of Experts also considered the project relating to references in the advanced level of the IPC, pointing to places outside their hierarchical branch. The Committee adopted the notes for warning classifiers and searchers about potential problems concerned with such references and agreed that those notes should be considered as a preliminary solution only which was necessary in view of the large number of possibly affected references and the high degree of intellectual work that such a comprehensive solution would entail. The Committee also agreed that a comprehensive and consistent solution would be highly desirable and requested the IPC Revision Working Group to investigate if further steps towards the comprehensive solution could be taken before the entering into force of the next edition of the IPC (see document IPC/CE/34/10, paragraphs 28 to 31). Annex II to this document contains a relevant excerpt of the report of the eleventh session of the Working Group which relates to this task.

4. The Committee of Experts is invited to take note of the contents of the Annexes to this document and to make decisions as necessary.

[Annexes follow]

ANNEX I

EXCERPT FROM DOCUMENT IPC/WG/11/7

INTRODUCTION OF RESIDUAL MAIN GROUPS IN IPC SUBCLASSES

22. Discussions were based on Annexes 1 to 7 to project file WG 111, containing a proposal prepared by the International Bureau on a procedure for introducing residual main groups, and comments submitted thereon.

23. In view of the experience obtained by studying some examples proposed in said Annex 2, the Working Group agreed that an “en masse” introduction of residual main groups, based on the recommendations given in said Annex 1 and by using a standard wording for the title of residual main groups, would not be possible.

24. It was therefore decided that each subclass should be considered individually and a rapporteur was appointed for each subclass. The duty of the rapporteur would be:

- to confirm recommendations not to create a new residual group if the scope of a subclass appears to be exhausted by its main groups, as indicated in said Annex 1;
- to confirm exhaustiveness of titles of existing residual groups (see said Annex 1);
- to propose titles for new residual groups, where needed, and to briefly explain that proposal, in particular when the proposal differs from the recommendation given in said Annex 1; this would facilitate reviewing of rapporteur proposals by the commenting office. In that respect it was noted that consultation of the relevant rearrangement project file would be helpful.

It was further agreed that:

- a standard title for residual groups should be used whenever possible; however, the rapporteur should carefully investigate if such a standard title would be appropriate or whether a particular title would be required in order to adequately define the scope of a residual main group;
- in general, only one new residual main group should be created per subclass; however, in some subclasses, e.g., in subclasses with multiple titles, several new residual main groups could be needed. The symbol of a single new residual group should be 99/00 whenever possible. Otherwise, the symbol should be 999/00.

25. The rapporteurs were requested to submit their proposals by September 1, 2004. While all offices were invited to comment on the proposals to be submitted, the Working Group agreed to assign, for each rapporteur office, a monitor office to review the proposals made by the rapporteur office and to submit its comments by October 1, 2004. In that respect, new rearrangement projects were created, as indicated in Annex G to this report, which Annex contains a table showing the agreed distribution of work.

26. The Working Group also invited the rapporteurs to indicate any problems they would encounter with respect to titles, references or notes and whether new definition, maintenance or revision projects would be needed in order to resolve such problems. The Working Group noted that, in some complex cases, it could therefore be necessary to postpone decisions on the introduction of new residual main groups beyond the entering into force of IPC-2006. In such cases, the “super-residual” groups could be used instead.

[Annex II follows]

ANNEX II

EXCERPT FROM DOCUMENT IPC/WG/11/7

CONSIDERATION OF REFERENCES IN THE ADVANCED LEVEL OF THE IPC

35. Discussions were based on Annex 3 to project file WG 091, containing a proposal of the International Bureau on a procedure for a systematic categorization of references in the advanced level of the IPC, pointing to places outside their hierarchical branch, in order to reduce the number of consultations of the advanced level for core level users of the IPC, and on Annexes 4 and 5 containing comments submitted by the United States of America and the EPO on said proposal.

36. The principle of the categories, as indicated in said Annex 3, was approved. It was, however, noted that precedence references (category 2(a)) could not automatically be repeated in the corresponding core level groups, since this repetition might be unclear, or even wrong, as such precedence references would then cover all subgroups of such core level groups. These references should therefore be considered intellectually, case by case, in order to determine which precedence references could be repeated in the core level.

37. It was agreed that the International Bureau would make available, by August 30, 2004, four separate lists of groups with references corresponding to categories 1(a), 1(b), 1(c) and 2(a) and a list of groups with references of the remaining categories.

38. The following offices volunteered to check the above lists or references. Ireland for sections A and C, Sweden for section F, the United Kingdom for section B, EPO for sections D and E and the International Bureau for sections G and H.

39. The checking would consist of reviewing the automatic categorization of lists 1(a), 1(b), 1(c) and 2(a), indicating which precedence references of category 2(a) could be repeated in the core level and in determining which references from the list of "remaining categories" were limiting and which were informative (for definitions of limiting and informative references, see document IPC/CE/31/8, paragraph 17).

40. The volunteering offices were also invited to indicate for which of the references categorized as limiting the indication of this by the asterisk could be omitted, for example, when the estimated number of documents classified in the referred place is very small compared to the file size of the corresponding core level group, bearing in mind that "the final solution should provide for a fully self-sufficient version of the core level which would not require any consultation of the advanced level" (see document IPC/CE/34/10, paragraph 30).

41. Participating offices were invited to submit the results of their checking by November 15, 2004, at the latest, in order to allow consideration of this matter at the next session of the Working Group in December 2004.

[End of Annex II and of document]