

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)**

COMMITTEE OF EXPERTS

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

IMPLEMENTATION OF IPC REFORM AT INDUSTRIAL PROPERTY OFFICES

Document prepared by the Secretariat

1. The International Bureau issued, on August 2, 2004, WIPO Circular No. IPC 123, informing the members and observers of the IPC Union, as well as States not members of the IPC Union but applying the IPC for classification of their patent documents, of the decision of the IPC Committee of Experts to postpone entering into force of the reformed IPC for one year, until January 1, 2006 (see document IPC/CE/34/10).
2. The International Bureau included in this Circular a questionnaire in order to collect information about the current stage of implementation of IPC reform, respective plans of industrial property offices and problems encountered in the implementation of the reform. The Circular including the questionnaire is reproduced as Annex I to this document.
3. A survey of replies, prepared by the International Bureau, appears as Annex II to this document.
4. *The Committee of Experts is invited to consider the survey contained in Annex II to this document.*

[Annexes follow]

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ANNEX I

**WORLD INTELLECTUAL PROPERTY
ORGANIZATION**

世界知识产权组织

**ORGANIZACION MUNDIAL
DE LA PROPIEDAD INTELECTUAL**



**ORGANISATION MONDIALE
DE LA PROPRIÉTÉ INTELLECTUELLE**

المنظمة العالمية للملكية الفكرية

**ВСЕМИРНАЯ ОРГАНИЗАЦИЯ
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ**

C. IPC 123
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August 2, 2004

Re: Implementation of IPC Reform

Madam,
Sir,

At its thirty-fourth session, held in February 2004, the Committee of Experts of the IPC Union decided to postpone entering into force of the reformed IPC for one year, until January 1, 2006 (see document IPC/CE/34/10, paragraph 43).

This decision was taken to provide more time to industrial property offices for the accommodation of their internal systems to the requirements of IPC reform and better opportunities for the creation of the Master Classification Database (MCD) which will include the bibliographic data of the worldwide collection of patent documents. When created, the Master Classification Database should contain the IPC data of patent documents classified only according to the next, eighth, edition of the IPC (reformed IPC) which edition will be published in June 2005.

This will provide possibilities for performing patent searches with the use of the eighth edition of the IPC only and will eliminate the need to rely on superseded previous IPC editions. The Committee of Experts agreed that implementation of IPC reform by industrial property offices should be considered at its thirty-fifth session to be held from October 25 to 29, 2004.

The purpose of this Circular is to collect information about the current stage of implementation of IPC reform, respective plans of industrial property offices and problems encountered in the implementation of the reform.

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C. IPC 123
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2.

The attached questionnaire covers four areas relating to implementation of IPC reform: recording of IPC symbols on the front page of patent documents; checking the validity of IPC symbols on published patent documents; submission of the bibliographic data of new patent documents to the MCD; and reclassification of retrospective patent collections for loading the reclassification data in the MCD.

You are kindly invited to complete the questionnaire in light of the information above and additional explanations provided in the questionnaire. It would be appreciated if the questionnaire could be returned to the International Bureau by October 1, 2004. The electronic version of the questionnaire is available at the address: <http://www.wipo.int/classifications/ipc/en/index.html>, under the heading "Circulars," and should be returned to the e-mail address ipc.mail@wipo.int.

Yours sincerely,



Francis Gurry
Deputy Director General

Annex to WIPO Circular No. IPC 123

QUESTIONNAIRE RELATING TO THE IMPLEMENTATION OF IPC REFORM

To be returned to: World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland
ipc.mail@wipo.int

Reply submitted by:

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Recording of IPC symbols on the front page of patent documents

From January 1, 2006, onwards, IPC symbols should be presented on the front page of patent documents in a tabular form, with the use of various font styles for distinguishing different types of symbols (see the revised WIPO Standard ST.10/C attached to this questionnaire).

1. Please describe any problems that your Office may have with this presentation of IPC symbols.

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Checking the validity of IPC symbols on published patent documents

The IPC valid symbols file, produced by the International Bureau of WIPO, is used by offices for checking the validity of IPC symbols assigned to patent documents before their publication. In the pre-reformed IPC, the IPC valid symbols file was produced for each edition of the IPC and underwent no changes until a new edition entered into force. In the reformed IPC, its core level will be stable during three-year revision cycles, however, amendments to the advanced level may be made every three months. The International Bureau will produce the IPC valid symbols file for the eighth edition of the IPC in time for its entering into force and plans to update it, in the future, every three months, according to the amendments of the advanced level. Offices which plan to use the advanced level for classifying their published patent documents will need to foresee the periodical replacement of the valid symbols file in their internal IT systems.

Annex to WIPO Circular No. IPC 123, page 2

2. If your Office plans to use the advanced level of the reformed IPC, please describe any problems with the periodical update of the IPC valid symbols file that your Office can foresee.

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Submission of the bibliographic data of new patent documents to the Master Classification Database (MCD)

The bibliographic data of new patent documents published by offices after January 1, 2006, should regularly be submitted to the European Patent Office (EPO) for the inclusion in the MCD. These data should be delivered before the publication of patent documents in order to ensure the timely inclusion of the data in the MCD. For recording of symbols of the reformed IPC on machine-readable records, the revised WIPO Standard ST.8 has been adopted. The revised standard is attached to this questionnaire. For offices wishing to use the XML format for processing of patent documents, a new WIPO Standard ST.36 (“Recommendation for the Processing of Patent Documents using XML”) is under elaboration.

3. From which date in 2005 does your Office plan to start sending the bibliographic data of new patent documents classified according to the eighth edition of the IPC?

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4. If your Office plans to use the revised Standard ST.8 for recording IPC symbols, please provide details relating to formatting of the bibliographic data.

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5. Does your Office plan to use the future Standard ST.36 for sending the bibliographic data?

Yes

No

Annex to WIPO Circular No. IPC 123, page 3

Reclassification of retrospective patent collections for loading the reclassification data in the MCD

Reclassification according to the eighth edition of the IPC of patent documents published before January 1, 2006, and belonging to the PCT Minimum Documentation, as defined in the PCT Rule 34, will be ensured by a special committee consisting of major industrial property offices. Industrial property offices whose documents are not included in the PCT Minimum Documentation are encouraged to carry out reclassification of their retrospective patent collections. The questions below concern such industrial property offices. With a view to alleviating the workload of reclassification, offices, whose documents have patent family members in the PCT Minimum Documentation, may request that these documents be reclassified by automatic propagation of the reclassification data from the PCT Minimum Documentation. However, documents which have no such family members, for example, filed by residents of the country without filing abroad, should be reclassified by the industrial property offices concerned.

6. Is your Office prepared to carry out reclassification according to the eighth edition of the IPC of your patent documents published before January 1, 2006:

(a) of a complete collection of patent documents?

Yes

No

(b) of only patent documents having no family members in the PCT Minimum Documentation?

Yes

No

7. If the response to questions 6(a) or 6(b) is "Yes":

(a) when does your Office plan to carry out reclassification of patent documents published before January 1, 2006, and make the results of reclassification available to the EPO for loading in the MCD?

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(b) when would your Office be able to send the test reclassification data to the EPO?

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(c) will your Office use the core or the advanced level of the reformed IPC for reclassification of retrospective patent collections?

Core level

Advanced level

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(d) does your Office plan to use for sending the reclassification data a modified WIPO Standard ST.32 (including IPC information according to the revised Standard ST.8), the future Standard ST.36 or another standard (please, specify)?

ST.32

ST.36

Another standard

8. Remarks

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[Annex II follows]

ANNEX II

SURVEY OF THE REPLIES TO WIPO CIRCULAR No. IPC 123

prepared by the International Bureau

1. A total of 38 replies were received including 26 from States being members of the IPC Union (54 members), nine from States not being members of the IPC Union and three from the African Intellectual Property Organization, the Eurasian Patent Office and the European Patent Office, respectively.

2. Replies were received from the following Offices or Organizations:
African Intellectual Property Organization (OA), Austria (AT), Bulgaria (BG), Canada (CA), Croatia (HR), Estonia (EE), European Patent Office (EP), Eurasian Patent Office (EA), Finland (FI), France (FR), Germany (DE), Hungary (HU), Iceland (IS), Ireland (IE), Israel (IL), Japan (JP), Kazakhstan (KZ), Lithuania (LT), Madagascar (MG), Netherlands (NL), Nicaragua (NI), Portugal (PT), Republic of Korea (KR), Republic of Moldova (MD), Romania (RO), Russian Federation (RU), Serbia and Montenegro (YU), Slovakia (SK), Slovenia (SI), Spain (ES), Sweden (SE), Switzerland (CH), The former Yugoslav Republic of Macedonia (MK), Turkey (TR), Ukraine (UA), United Kingdom (GB), United States of America (US), Viet Nam (VN).

3. The answers to the eight questions included in the questionnaire can be summarized as follows:

Question 1: “Please describe any problems that your Office may have with this presentation of IPC symbols (according to revised WIPO standard ST.10/C).”

Twenty-three offices explicitly replied that they did not foresee any problems.
Two offices indicated that they had not yet taken decisions (AT, CH).
One office indicated that it would not use ST.10/C (IL).
Some offices mentioned necessary internal adaptations of IT systems being on the way.
Three offices indicated their dependency on the development of the SOPRANO software by the EPO (BG, FR, NL).
One office indicated problems with the adaptation of the MIMOSA software and also problems if a large number of symbols would have to be presented (RU).
One office indicated that the different fonts to be used would create problems for manually recording of IPC symbols in paper forms (OA).
One office raised the question of how symbols should be presented in search reports (ES).

Question 2: “If your Office plans to use the advanced level of the reformed IPC, please describe any problems with the periodical update of the IPC valid symbols file that your Office can foresee.”

Ten offices explicitly replied that, for the time being, they would not foresee any problem.

Some offices requested a detailed specification of the valid symbols file to be provided soon (CH, EP, EA, FR, SE).

Five offices indicated that there could be problems with such documents which would be published after the entering into force of amendments but would have been classified at a time when these amendments were not yet known to the classifier (DE, ES, FR, KR, MD). Such documents would have to be reclassified before publication. The question was raised when such reclassification data should be provided to MCD (MD). One office suggested that the valid symbols file should be available some time before the entering into force in order to check the symbols on documents to be published (FR). One office could foresee problems with updating databases utilizing the classification and the reclassification of manual search files (ES); another office also indicated problems with reclassifying the manual search file (YU).

One office replied that a revision period of three months would be too short and a longer period would be preferred (IL).

One office indicated that it would be helpful if the updated MCD be available at the same time as the IPC (CA).

Question 3: “From which date in 2005 does your Office plan to start sending the bibliographic data of new patent documents classified according to the eighth edition of the IPC?”

The dates indicated by the offices are given in the summary table, below.

Several offices indicated that they would not supply such data prior to the publication of the document (KR, US).

Question 4: “If your Office plans to use the revised Standard ST.8 for recording IPC symbols, please provide details relating to formatting of the bibliographic data.”

Thirteen offices explicitly stated they would use ST.8.

Question 5: “Does your Office plan to use the future Standard ST.36 for sending the bibliographic data?”

Twenty-five offices replied they would use ST.36.

Six offices replied they would not use ST.36.

One office replied that the decision had not yet been taken (GB).

(See the summary table, below.)

Question 6: “Is your Office prepared to carry out reclassification according to the eighth edition of the IPC of your patent documents published before January 1, 2006:

- (a) of a complete collection of patent documents?
- (b) of only patent documents having no family members in the PCT Minimum Documentation?”

Question 6(a):
Six offices replied with “Yes.”

Question 6(b):
Fourteen offices replied with “Yes.”
(See the summary table, below.)

Question 7: “If the response to questions 6(a) or 6(b) is “Yes”:

- (a) when does your Office plan to carry out reclassification of patent documents published before January 1, 2006, and make the results of reclassification available to the EPO for loading in the MCD?
- (b) when would your Office be able to send the test reclassification data to the EPO?
- (c) will your Office use the core or the advanced level of the reformed IPC for reclassification of retrospective patent collections?
- (d) does your Office plan to use for sending the reclassification data a modified WIPO Standard ST.32 (including IPC information according to the revised Standard ST.8), the future Standard ST.36 or another standard (please, specify)?”

Questions 7(a) and 7(b):
For the dates indicated by the offices, see the summary table, below.

Question 7(c):
Fifteen offices replied they would use the advanced level.
Five offices replied they would use the core level.
(See the summary table, below.)

Question 7(d):
Fifteen offices replied they would use ST.36.
Two offices replied they would use ST.32.
Two offices replied that, for the time being, they would continue to use their proprietary format (IE, SE).
(See the summary table, below.)

Question 8: “Remarks:”

Two offices requested support in training their staff in the use of the reformed IPC (MG, OA).

One office raised the question which kind of technological support for reclassification and maintenance offices could receive (HU).

One office requested support by the IB for the reclassification task (OA).

Since the details of Standard ST.36 have to be known for necessary adaptations of IT systems, several offices requested a definite specification of Standard ST.36 to be provided as soon as possible (MD, PT).

One office complained of a general lack of technical details (CH).

One office requested a particular document describing the time limits and other conditions to be met for supplying data to the MCD (RO).

One office indicated that they would probably have to use a modified ST.36 to be able to handle some specific national requirements (RU).

One office indicated they would start reclassifying their national collection to ECLA in 2005 (SE); another office indicated that they were currently testing classifying according to ECLA (ES).

One office requested a copy of the new IPC (in XML) by the end of 2004 in order to be in the position to implement it by the due date (GB); other offices also requested the availability before its official publication (UA, VN).

Summary of Replies to Questions 3 to 7 of Circular No. IPC 123
("Use of the Reformed IPC")

Question:		3	5	6(a)/6(b)	7(a)	7(b)	7(c)	7(d)
Country or Organization:								
Austria	AT	01/01/2006	Y	N/N	-	-	-	-
Bulgaria	BG	Soprano implement.	Y	-/Y	in 2006	mid 2006	A	ST.36
Canada	CA	01/01/2006	Y	N/N	-	-	-	-
Croatia	HR	01/2006	Y	N/N	-	-	-	-
EAPO	EA	Open	Y	N/Y	end 2005	end 2005	A	ST.36
EPO	EP	01/01/2006	Y	Y/-	<2006	N/A	A	-
Estonia	EE	04/2006	N	N/N	-	-	-	-
Finland	FI	end 2005	Y	N/Y		early 2006	A	ST.36
France	FR	01/01/2006	Y	-	-	-	-	-
Germany	DE	01/01/2006	Y	Y/N	mid 2006	in 2005	A	ST.36
Hungary	HU	30/11/2005	Y	N/Y	30/11/2005	30/9/2005	A	ST.36
Iceland	IS	-	-	-	-	-	-	-
Ireland	IE	<11/2005	Y	N/Y	11/2005	03/2005	C	other
Israel	IL	after PUB	N	N/N	-	-	-	-
Japan	JP	Trilat.data exchange	Y	-/-	-	-	-	-
Kazakhstan	KZ	-	-	-	-	-	-	-
Lithuania	LT	01/01/2006	Y	N/N	-	-	-	-
Madagascar	MG	01/10/2005	Y	N/Y	01/10/2005	1/3/2006	C	ST.32/36
Netherlands	NL	Soprano implement.	Y	N/N	-	-	A	-
Nicaragua	NI	01/10/2005	Y	Y/Y	01/10/2005	1/7/2005	A	ST.36
OAPI	OA	2006	Y	N/Y	01/2006*	-	A	ST.36
Portugal	PT	-	-	-	-	-	-	-
Republic of Korea	KR	01/2006	Y	Y/N	01/2006	N	A	ST.32 <2005 ST.36 >2005
Republic of Moldova	MD	12/2005	Y	N/Y	12/2005	12/2005	A	ST.36
Romania	RO	01/12/2005	Y	Y/N	VSF+ 60 days	VSF+ 60 days	A	ST.36
Russian Federation	RU	PUB- 1 week	Y	Y/-	11/2005	10/2005	A	ST.36
Serbia and Montenegro	YU	01/07/2005	N	N/N	-	-	A	ST.32
Slovakia	SK	01/12/2005	Y	N/Y	end 2006	09/2005	C	ST.36
Slovenia	SI	01/01/2006	Y	N/Y	09/2005	09/2005	C	ST.36
Spain	ES	01/01/2006	Y	-/Y	01/01/2006	-	A	ST.32
Sweden	SE	31/12/2005	-	N/Y	2005-2009	in 2004	-	other
Switzerland	CH	11/2005	Y	N/N	-	-	-	-

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Question:		3	5	6(a)/6(b)	7(a)	7(b)	7(c)	7(d)
Country or Organization:								
The former Yugoslav Republic of Macedonia	MK	01/01/2006	Y	N/Y	Q4/2005	Q4/2005	C	ST.36
Turkey	TR	Q1/2005	N	N/N	-	-	-	-
Ukraine	UA	12/2005	N	N/N	-	-	-	-
United Kingdom	GB	13/12/2005	open	N/N	-	-	-	-
United States of America	US	01/01/2006	Y	N/N	-	-	-	-
Viet Nam	VN	01/12/2005	N	N/N	-	-	-	-
Summary	38 replies							

A: Advanced Level

C: Core Level

N: No

Y: Yes

N/A: not applicable

PUB: Publication date

Q1, Q4: first, fourth quarter

VSF: Valid symbols file

<: before

* depending on support by IB

[End of Annex II and of document]