

# WIPO



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

**COMMITTEE OF EXPERTS**

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AMENDMENTS TO THE GUIDE TO THE IPC

*Document prepared by the Secretariat*

1. The Annex to this document contains a proposal, submitted by Sweden, concerned with the amendments to the Guide to the IPC.
2. *The Committee of Experts is invited to consider the proposal contained in the Annex to this document.*

[Annex follows]

## ANNEX

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# Swedish Patent and Registration Office

IPC Committee of Experts Project CE362

January 27th, 2005

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## Proposal for modification of the parts of the Guide describing the use of residual main groups

Several offices have expressed concern that the widespread introduction of residual main groups might distort classification practice within a subclass. During the Revision Working Group discussions of residual main groups there were several cases where the introduction of a residual main group was caused by very minor, or sometimes even questionable, gaps in the coverage of the other main groups. Since the residual main groups in many cases lack any technical restrictions they might attract subject matter that should actually be classified in other places. There are two cases that are particularly worrying, the first is "implicit scope situations" and the second is combination-type matter. In both these cases matter has to be classified in groups that do not explicitly provide for it. We think it would be desirable to mention in the Guide that the residual main groups are not intended for classification in such situations. The best place for such an instruction appears to be in paragraph 164, where we propose adding a second part. This is indicated in italics below, after the approved text, which is included for completeness:

164. Whenever invention information is covered by a subclass, but is not covered by any of its groups that include technical limitations, the invention information is classified in a residual main group of that subclass. To facilitate locating these main groups, such residual main groups, where they are necessary, are placed at the end of the subclass scheme and designated by the standard group symbol 99/00 whenever possible.

*Before classification in a residual main group the possibilities of classification in another subclass or in other main groups of the same subclass should be thoroughly investigated. Due respect should be given to paragraphs 92 to 99 above, which describe some situations where subject matter is classified in places whose titles do not explicitly provide for it. It should also be noted that combinations of subject matter that is covered by two or more different main groups should not be classified in a residual main group, unless the title or subgroups of the residual main group clearly indicate the opposite. The normal procedures for classification of combination-type subject matter are described in paragraphs 145, 150 and 154 above.*

It could of course be considered to add a separate paragraph instead of making an addition to paragraph 164, but this would require renumbering of all paragraphs below and probably modifying some references to these paragraphs.

Anders Bruun

[End of Annex and of document]