

WIPO



IPC/CE/37/4

ORIGINAL: English

DATE: February 3, 2006

E

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)

COMMITTEE OF EXPERTS

Thirty-Seventh Session
Geneva, February 14 to 17, 2006

COORDINATION OF IPC REVISION AND RECLASSIFICATION OF PATENT FILES

Document prepared by the Secretariat

1. At its fourteenth session, held in November 2005, in the framework of revision project C 432, the IPC Revision Working Group discussed the problem of future reclassification in the area impacted by the project (A01N 65/00) after adoption of the scheme under consideration, in view of the limited resources or the low priority given to this project by members of the Advanced Level Subcommittee (ALS). It was confirmed that this matter should be considered by the Committee of Experts and, in that respect, it was noted that the EPO would present a paper, on behalf of the Trilateral Offices, to the thirty-seventh session of the Committee, addressing the problem of reclassification for projects where an office of the ALS would not be able to commit sufficient resources (see paragraph 15 of document IPC/WG/14/3).
2. The Annex to this document contains a proposal, submitted by the EPO on behalf of the Trilateral Offices, entitled "IPC revision requests and availability of resources".
3. *The Committee is invited to consider the Annex to this document and to make decisions as necessary.*

[Annex follows]

ANNEX



Europäisches
Patentamt

European
Patent Office

Office européen
des brevets

Principal Directorate Tools/Documentation
Directorate 1.3.5 - Classification

The Hague, 23 January 2006

IPC revision requests and availability of resources

In IPC/WG/13/5, par. 21, the problem of insufficient reclassification resources for a project – which may be desirable as such – is raised, with the example of project C432. This document is intended to propose clarification of the procedures when such cases arise.

Cost/Benefit aspects

First of all, it must be determined, how desirable such a proposal really is. When an office is not prepared to reclassify documents, the cost/benefit relation needs to be investigated more closely than with other projects. It could turn out that the benefit is not high enough. The office proposing such a project should be able to prove its benefits.

These benefits could be expressed by comparing the estimated time for reclassification to the estimated savings during search. Additional estimations based on the procedure described in the CONOPS document and produced using MCD data could help to better quantify the real resource needs for individual offices.

Alternatives

There could be important reasons to actually implement a project in spite of the unavailability of resources in one or more offices. However, according to the principles of the IPC Reform, it cannot enter into force when reclassification cannot be guaranteed.

In this case, other options for reclassifying the documents must be found. These options may include:

- Distributing the reclassification work among other member offices of the Advanced level subcommittee

- Distributing the reclassification work among other offices, i.e. also among non-subcommittee members
- Semi-automatic reclassification, e.g. using text searches to identify appropriate new classifications for a certain amount of documents to be reclassified. Where applicable, this could reduce the amount of documents to be reclassified intellectually, however at the cost of a lower precision and the risk of incomplete coverage.
- Outsourcing reclassification to private companies

Especially in cases where one office or a group of offices has special interest to pursue the project in question, these offices should be ready to support reclassification activities.

Projects aimed at solving problems in the IPC should receive priority over projects aiming at “simple” subdivision, i.e. when resource problems arise in such a case, alternative solutions should be thoroughly explored.

Decision-making bodies

When alternative solutions (i.e. differing from CONOPS) are agreed between offices, probably the Committee of Experts should confirm the decision.

Advanced level

For revision projects in the advanced level, the member offices of the Advanced Level Subcommittee (ALS) are committed to reclassify PCT minimum documents in their working languages. This means that the members of the ALS must agree about the reclassification process already beforehand, at the moment of launching a project that may require substantial reclassification resources when finalized.

Core level

For revision projects in the core level, the Committee of Experts must agree to launch such a project. This means that all member offices of WIPO should reclassify their documents. Such an agreement therefore implicitly includes a commitment of all offices to reclassify their documents. In order to reach agreement at the moment of launching a project, offices in favour of starting it may be asked to offer assistance to offices not in a position to reclassify their documents.

Postponing a project

When no solution for reclassification can be found, the project in question should be put on a waiting list and it should be investigated at a later date, e.g. after one year, if a solution can be found. If even then no solution can be found, the project should be cancelled. However, if an office has reason to believe that the resource situation will improve on short term, it can request to keep a project on the waiting list and to perform another investigation within a reasonable timeframe.

[End of Annex and of document]