

WIPO



IPC/CE/38/5 Suppl.1
ORIGINAL: English only
DATE: October 4, 2006

E

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

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

COMMITTEE OF EXPERTS

Thirty-Eighth Session
Geneva, October 9 to 13, 2006

**COMMENTS ON THE WORKING PROCEDURE OF THE SPECIAL SUBCOMMITTEE
FOR THE SUPERVISION OF THE ADVANCED LEVEL**

Document prepared by the Secretariat

The Annex to this document contains comments on the working procedure of the Special Subcommittee for the Supervision of the Advanced Level (see document IPC/CE/38/5), submitted by Sweden.

[Annex follows]

ANNEX

Swedish Patent and Registration Office

Working Procedure of the ALS

September 30th, 2006

Comments

(relating to document IPC/CE/38/5)

Comments were not invited on this document, but we thought it would be more efficient to submit some comments in writing before the session. In general, the new document appears to be a significant improvement, but we still have some questions:

Paragraph 2 (c)

We are aware that the "i.e." of this paragraph already existed in the previous version, but we still think it represents an impracticable approach that, if applied to the letter, would risk degrading the IPC as a system.

Documents will be classified in the advanced level by dozens of offices around the world. Competence, ambition and classification practice will vary between these offices, and different language versions will be used. This will inevitably result in inconsistencies, misinterpretations and from time to time even pure misclassifications. Such inconsistencies cannot and should not be used in order to broaden and distort the scope of classification places. If one office force-fits documents into a classification place where they do not fit this malpractice should be corrected rather than be used for forming the future IPC. The IPC will have residual places everywhere, so there is no excuse for force-fitting. We propose replacing the "i.e." by "*i.e., ensure that classification places of the advanced level of the IPC enable accurate and consistent classification.*"

Paragraph 4 (c)

We do not think the ALS can create core level projects? Should the paragraph start by "*requests for creation of new core level (C) projects...*"?

Paragraph 5

We notice that this paragraph does not mention reporting of the extraordinary sessions. Could this please be clarified?

Paragraph 9

This is again wording that existed already in the previous version, but it still needs clarification. The text says "approve (a) project proposal", without saying what kind of proposal or what the effect of the approval is. It could be seen as meaning either "adopt a modification of the IPC" or "create a revision project" – or perhaps both? Since the core level is part of the advanced level the text can also be simplified. We propose replacing the first sentence by "*The IPC/WG will not, without prior consultation with the ALS, undertake any revision work in areas of the IPC where A projects are considered by the ALS*". We realise that "considered" is not a very clear word in the context, but can't think of anything better at the moment.

Paragraph 11 (c)

The text gives a long list of examples which actually don't clarify anything. We think the important word is "substantial", and we think it means "requiring reclassification". We propose replacing the first sentence by *"If proposed amendments to the advanced level include modifications to the core level beyond mere corrections or clarifications, the core level part of the revision proposal will be sent to the IPC/WG for consideration and a corresponding C project will be created."*

We also wonder whether this document will require modifications to the working procedures of the IPC/WG?

Anders Bruun

[End of Annex and of document]