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

COMMITTEE OF EXPERTS

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

IMPLEMENTATION OF IPC REFORM

Document prepared by the Secretariat

1. At its thirty-seventh session, held in February 2006, the Committee of Experts discussed issues concerned with the publication and entry into force of the eighth edition of the IPC.
2. The Committee considered the results of the survey conducted by the International Bureau among industrial property offices, concerning their plans to start assigning the symbols of the eighth edition of the IPC to published patent documents, to use the core or the advanced level of the IPC and to carry out reclassification of national patent collections according to the eighth edition.
3. The Committee noted that a major part of industrial property offices which had submitted replies had started assigning the symbols of the eighth edition of the IPC since January 1, 2006, when it had entered into force. The Committee, however, indicated that, according to the information received from the users, including the information reported at the IPC Forum, held on February 13, 2006, the quality of assigned classification was not sufficiently high, namely, sometimes erroneous symbols or symbols relating to the seventh edition were assigned and presentation of the symbols often did not follow the requirements of the new WIPO Standard ST.10/C.

4. The Committee requested its members and other offices applying the IPC to urgently implement measures for increasing the quality of assigned classification symbols, to introduce the procedure of validation of classification symbols on the basis of the IPC validity file produced by the International Bureau and to strictly follow WIPO Standard ST.10/C in recording the symbols (see document IPC/CE/37/9, paragraphs 15 to 17.)
5. Following those decisions of the Committee of Experts, the International Bureau convened the Meeting on the Implementation of IPC Reform which was held on July 3 and 4, 2006. It was attended by experts in information technology and classification experts. The purpose of the meeting was to discuss the status of the technical implementation of IPC reform at industrial property offices, to discover outstanding problems and to determine solutions therefor.
6. To assist in preparations for the Meeting, a questionnaire was sent to industrial property offices, requesting information on the classification of patent documents according to the eighth edition, use of WIPO Standards ST.10/C and ST.8, checking the validity of IPC symbols before publication of patent documents and use of the new features introduced by IPC reform in patent databases of industrial property offices.
7. The Meeting was attended by representatives of 25 industrial property offices. Several presentations, relating to various aspects of the implementation of IPC reform, were made by the International Bureau, the European Patent Office (EPO) and national offices. A number of brief reports on the status of the implementation of IPC reform were also submitted by national offices. These publications and brief reports are available under the IT meetings/20060703 folder on the IBIS website.
8. The Meeting also discussed outstanding problems of the implementation and possible solutions on the basis of a list of outstanding problems prepared by the International Bureau and a letter received from the Patent Documentation Group (PDG) in which several concerns were expressed with regard to the current stage of the implementation of IPC reform.
9. A summary of discussions at the Meeting, prepared by the International Bureau, is attached as Annex I to this document. A survey of the implementation of IPC reform at industrial property offices, prepared by the International Bureau on the basis of replies to the questionnaire sent to offices, appears as Annex II to this document.
10. Having considered the materials presented and discussed and at the proposal made by the International Bureau, the Meeting agreed on the conclusions relating to the implementation of IPC reform (as of July 2006), which follow.
11. IP offices are committed to IPC reform and most of the offices in industrialized countries have successfully implemented the reform. After the first months of the transitional period and deployment of modified administrative systems, the situation with the use of the reformed IPC has now stabilized and only a small number of classification errors can be detected in the classification data of offices, since the vast majority of offices have implemented the WIPO Standards ST. 10/C and ST.8 and the symbol validation procedure. A few offices in industrialized countries that, for various reasons, have not yet fully implemented the reformed IPC plan to do it in the next few months. It should be noted that, in general, preparations of IP offices for the reformed IPC took two years.

12. On the contrary, only a few IP offices in developing countries have started to use the reformed IPC or plan to do it in the near future. This is explained by various reasons: lack of necessary staff for modifying internal administrative systems and for training the examiners, difficulties in the stable access to the Internet, lack of portable carriers of the reformed IPC. The Committee of Experts should take urgent measures to assist IP offices in developing countries in the implementation of the reformed IPC. Such measures should include production of portable carriers of the reformed IPC, provision of IT tools assisting in translation of the reformed IPC into national languages, organizing of training courses, provision of further informative materials on the reform.

13. An important task for the near future would be the implementation of the new revision procedure, namely, preparation and publication of new versions of the advanced level of the IPC. The first such version, as planned, will enter into force on January 1, 2007. For this process, all necessary procedures, such as preparation of a new validity file, preparation of the French version of the amendments to the advanced level, reclassification of respective patent collections, should be done on time. Serious preparatory work will be needed to ensure smooth transition to the new version for IP Offices using the advanced level of the IPC.

14. More attention should be paid to promotion of the reformed IPC to the users of patent information. The advantages of the new IPC for the users should be explained in much more detail and all queries of the users should be duly considered, replied and, if needed, necessary amendments to the procedures of the reformed IPC should be made. More information should be provided for the users both, by WIPO and IP Offices, and published on the Internet, as well as made available and distributed on other media.

15. *The Committee of Experts is invited:*

(a) to take note of the contents of this document and its Annexes I and II;

(b) to approve the conclusions, relating to the implementation of IPC reform, given in paragraphs 11 to 14, above.

[Annexes follow]

ANNEX I

MEETING ON THE IMPLEMENTATION OF IPC REFORM

SUMMARY OF DISCUSSIONS

The Meeting took place in Geneva, at the WIPO's headquarters, from July 3 to 4, 2006. The following IP Offices were represented at the Meeting: Austria (AT), Brazil (BR), China (CN), Croatia (HR), Czech Republic (CZ), Denmark (DK), Finland (FI), France (FR), Haiti (HT), Ireland (IE), Italy (IT), Japan (JP), Mexico (MX), Norway (NO), Republic of Korea (KR), Romania (RO), Russian Federation (RU), Spain (ES), Sweden (SE), Switzerland (CH), United Kingdom (GB), United States of America (US), Ukraine (UA), Eurasian Patent Organization (EA), European Patent Office (EP) (25).

1. The Meeting was opened by Mr. F. Gurry, Deputy Director General, who welcomed the participants on behalf of the Director General of WIPO. Mr. M. Makarov acted as Chair of the Meeting.

The order of items in this Summary corresponds to the agenda of the Meeting. Several presentations made at the Meeting by the International Bureau (IB), the EPO and National IP Offices are available under IT Meetings/20060703 folder on the IBIS website. A brief disclosure of the presentations is given in this summary.

2. WIPO IT Tools Supporting the Reformed IPC

The International Bureau (IB) presented an overview of the present status of the implementation of IT tools supporting the reformed IPC. The IB reported that a new IPC management and publication system RIPCIS is now in production stage and is capable to generate IPC master files serving for the publication of the reformed IPC, as a source for various transformations and renditions, and for IPC-based products. The relevant documentation is published with the XML master files.

The IB informed the Meeting that the following main IPC tools and products are currently in production stage: TACSY (natural language search in the IPC), IPCVAL (IPC validity service), IPCA6TRANS (IPC translation toolkit). IPCCAT (IPC categorization tool) is operational with regard to the seventh edition of the IPC. Its retraining according to the eighth edition is currently in progress for the Spanish language and planned on the basis of patent documents in the English and French languages pending to the signature by WIPO and the EPO of a Memorandum of understanding relating to the provision of IPC-8 classified patent documents. The IB also announced a substantial reduction of the time required to transform IPC master files into the IPC Internet publication, through automation provided by the IPCPUBPREP toolkit.

The IB gave an overview of the process of the Internet publication of the reformed IPC and detailed characteristics of IT tools and products supporting the reformed IPC. The IB informed the Meeting that IPC8-CL, a CD-ROM containing the core level of the Spanish version of the eighth edition of the IPC, had been prepared and submitted to Spanish-speaking Latin-American countries. With regard to a new version of the IPC:CLASS CD-ROM containing the eighth edition in English and French, the IB indicated that its procurement process had been initiated. It is planned to issue this product in the second half of 2006.

3. Status of the Master Classification Database

The EPO presented the work done since the release, in December 2005, of the DVD containing the MCD backfile. DE and JP backfile collections would be additionally loaded, and a next DVD release is planned for August 2006. The new release would have the same structure as the first release. It would be issued in the form of two different products: a complete backfile DVD and an update of the first release only. The EPO informed the Meeting that loading of backfile data from other offices was planned for the third quarter of 2006. The Meeting noted that a complete collection of RU/SU documentation on CD classified according to IPC-8 was handed over to the EPO by the RU Delegation. One more release of the backfile DVD would be issued when a significant amount of the reclassification data were added to the MCD. The EPO confirmed that the backfile DVD product is free of charge for IP Offices and commercial organizations.

With regard to the submissions by IP Offices of the classification data to the MCD Front File, the EPO informed the Meeting that currently 24 offices had agreements with the EPO regarding a data format and their IPC-8 data were loaded in the MCD. Error reports, which did not include missing IPC symbols, were so far sent manually. A prototype system for the error retrieval mechanism and error correction by offices (web services) was under elaboration and would be available soon.

The EPO also provided statistical data relating to the MCD backfile and front file coverage by the classification data of the eighth edition of the IPC. As for the DOCDB backfile product, it would be produced in regular intervals.

4. Survey of the Implementation of IPC Reform at IP Offices

The International Bureau made an oral report of the results of the survey conducted among IP Offices and concerning the implementation of IPC reform. A questionnaire attached to WIPO Circular No. IPC 160 requested information about the use of the eighth edition of the IPC and the associated use of WIPO Standards ST.10/C, ST.8, the checking procedure of the validity of IPC symbols and IPC-8 attributes in patent databases of IP offices.

The IB reported that 38 offices had replied to the Circular and that the vast majority of them used the relevant WIPO Standards and applied a validity checking procedure. A few offices which had not yet completed these implementations planned to do it in the near future when installation of the new SOPRANO administrative system has been finalized.

A summary of replies to WIPO Circular No. IPC 160, together with a cumulative table, provides a compilation of the information received.

5. Implementation of IPC Reform in the PCT Database

The International Bureau presented an overview of main systems and databases supporting processing and publication of international applications and exchange of the data relating to applications, and described changes made to these systems and databases in view of IPC reform. The IB indicated how the validity file was used for marking errors in the classification data received from the International Searching Authorities (ISAs).

The IB reported that the entire collection of published international applications had been reclassified according to the eighth edition of the IPC, on the basis of the reclassification information available on the MCD backfile DVD product. There remain approximately 16,000 applications, mostly published in late 2005, which could not be reclassified. It is expected that this gap would be eliminated when the next release of the backfile DVD product was available.

With regard to the front file reclassification, the international applications submitted by the ISAs as classified according to the seventh edition were included in the reclassification. The reclassification procedure included conversion, where possible, of IPC-7 classification symbols to IPC-8 classification symbols with necessary attributes. The IB informed the Meeting that nearly 38,000 international applications had been processed in this way, out of which approximately 3,000 applications contained symbols which could not be converted because they have undergone changes in the eighth edition of the IPC. These cases would be reported to the ISAs for correction. The front file reclassification data would be submitted to the MCD and to interested parties. As a result of the reclassification, the PCT database can be searched using classification symbols of IPC-8 and new search indexes have been introduced for invention classification symbols and non-invention classification symbols.

6. Implementation of IPC Reform in Esp@cenet and EPODOC

The EPO made a presentation regarding changes introduced in EPODOC and Esp@cenet in view of IPC reform, the MCD being a classification data source for these search systems. Four new search fields have been introduced in EPODOC, relating to the IPC core/advanced and invention and non-invention information. The EPO explained the use of search indexes in the EPODOC database and provided examples illustrating various search strategies which became possible with the introduction of the eighth edition of the IPC.

More simple search indexes used in Esp@cenet also allowed to search IPC-8 related information by selecting such attributes of the eighth edition as core or advanced level or invention or non-invention information. The EPO also provided examples of searches in Esp@cenet using these attributes. The EPO underlined that search indexes relating to previous editions of the IPC had been retained in EPODOC and Esp@cenet, for maintaining the possibility of conducting global searches covering all editions of the IPC.

With regard to the plurality of classification symbols shown on patent documents in Esp@cenet (advanced level symbols, core level symbols, symbols belonging to IPC 1 to7), the EPO explained that this feature had been introduced in order to accommodate the needs of various types of users.

7. Implementation of IPC Reform at the United Kingdom Patent Office

The GB Office made a presentation of various aspects of the implementation of the reformed IPC in the Office. The Delegation explained that introduction of the reformed IPC was done in parallel with the introduction of the classification of GB patent documents according to ECLA, although the GB Patent Classification was also continuously in use for classifying new applications and searching in certain technological fields. It was decided to use an automated conversion of ECLA symbols to generate advanced level symbols of the eighth edition of the IPC.

An IT strategy for using IPC-8 and ECLA classification had been elaborated, indicating as the only significant risk that IT solutions may not be ready in time for mid-November 2005. In parallel with the adaptation of old internal systems, a new system – Classtool – has been elaborated which allowed recording of ECLA and IPC-8 classification symbols. Although automatic conversion of ECLA symbols to IPC-8 symbols was not always possible, less than 1% of cases needed examiners' intervention to provide symbols of IPC-8. The Delegation explained how the use of Classtool allowed searching and selecting of classification symbols and their exporting to other internal systems.

The Delegation also described how training of examiners in using the eighth edition of the IPC and ECLA had been carried out. Special training materials for IPC-8 have been elaborated, which became of interest for other countries, and 15 countries received them. Also additional guidance material was prepared for examiners using publications available on the Internet, in particular, on the WIPO website.

8. Implementation of IPC Reform at the Irish Patents Office

The IE Office presented background information on the history, legislation, patent collections and the number of patent applications filed with the Office and patents coming through the EPO route. The internal administrative system was in use since 1999 and required adaptation to the requirements of the reformed IPC. In view of the relatively small amount of national applications, the Office has chosen the core level of the eighth edition of the IPC for classifying the national collection. Since EP patents designating Ireland would be classified at the advanced level, a modified internal system had to be able to deal with patent documents at two levels and contain a conversion facility from the advanced to the core level.

The Delegation explained that the modified internal system allowed carrying out the following functions: management of dual level IPC entries, archiving, ST.8 mapping of existing symbols and deletion histories. The Delegations demonstrated several screen shots showing how various functions of the system were performed. The system allowed web-based searching by classification of national and European patent documents, at the core and advanced levels.

The Delegation informed the Meeting that a new system for the data exchange with the EPO was under preparation and the Office planned to start a regular exchange using EBD direct access as of January 1, 2007.

9. Implementation of IPC Reform at the Swedish Patent Office

The SE Office made a presentation of various processes and procedures which were necessary for the implementation of the reformed IPC. The policy decisions made included modifications to existing internal systems and data transfer methods, and the use of the advanced level of the eighth edition of the IPC in parallel with ECLA. One of the main procedural changes was entrusting examiners with the entering of IPC symbols at their PC workstations. This change required elaboration of revised instructions and workflow.

The Delegation informed the Meeting that classification for the frontfile publications was now made in the examiners' search record software which handles both the IPC and ECLA and handles non-public information – the IPC symbols are retrieved from the system at the publication stage. The internal administrative systems accept IPC-8 symbols, but do not internally use the IPC-8 format or attributes. Reclassification of the backfile documentation is made in another system.

In the framework of the publication procedure, checks include monthly reminders of unclassified applications which are automatically e-mailed to the examiners and the classification check which is made at the start of the publication procedure. The published patent documents are fully ST. 10/C compatible, a maximum of 15 IPC symbols are printed on a document. The Delegation demonstrated several screen shots illustrating various stages of the classification, reclassification and publication procedure. In respect of information for users about the reformed IPC, the Delegation explained that information was provided on the website of the Office and through various training courses.

10. Brief Reports from IP Offices

WIPO Circular No. C. 160, in addition to the request to complete the attached questionnaire, also requested IP Offices to submit brief reports on the status of the implementation of IPC reform. Such written reports were submitted by IP offices of Bulgaria, Czech Republic, Finland, Mexico, Norway, Russian Federation, Slovakia, Spain, Sweden, Switzerland, United States of America, Ukraine, Eurasian Patent Organization and European Patent Office. These reports are available under IT Meetings/20060703 folder in IBIS.

On the basis of these reports, the following Offices delivered oral reports at the Meeting: Czech Republic, Finland, Russian Federation, Spain, Switzerland, United States of America (accompanied by a live demonstration of tools used by examiners), Ukraine and Eurasian Patent Organization.

The Meeting noted that the submitted written and oral reports contained rich information concerning various approaches used by IP offices for the implementation of IPC reform. The Meeting paid particular attention to the following issues.

The RU Office reported of the publication of the complete version of IPC-8 and its core level in the Russian language on various carriers: on paper, on a CD-ROM and on the Internet. The Office explained that Russian-language users wished to have the eighth edition available on as many carriers as possible. The Meeting noted that the Russian version of the core level of IPC-8 could be made available to CIS countries and agreed to request the Eurasian Patent Organization to consider issuing a recommendation to small and medium-sized IP offices in its Member States to use the core level of the eighth edition in order to facilitate implementation by those Offices of IPC reform.

Preparation and publication of the Spanish version of the eighth edition of the IPC has been made in collaboration between WIPO and ES Office which has established a Fund in Trust with WIPO. The Spanish version of IPC-8 is available on the WIPO website. The above-mentioned IPC8-CL CD-ROM was also produced in the framework of this collaboration. In view of this, the Meeting agreed to request the ES Office to consider issuing a recommendation to small and medium-sized IP Offices in Latin-American countries to use the core level of IPC-8 for classifying their published patent documents.

The concordance from the US Patent Classification (USPC) to the IPC is available on the USPTO website. This concordance has been built on the basis of the statistical correlation between documents classified in particular areas of the USPC and ECLA.

The Meeting noted the importance for local users of national versions of the IPC eliminating the language barrier and requested IP Offices to inform the International Bureau of any new publications of such national versions.

11. Tool for Assisting in Translation of the IPC to Non-Authentic Languages

The IB, with the participation of the ES Office, made a presentation of IPCA6TRANS which is an IT toolkit assisting in the capture of the translation into other languages of texts extracted from the XML master files in the authentic languages. This tool has been developed by the IB with the financial support of the ES Office and was used for the preparation of the Spanish version of IPC-8.

The IB explained that the toolkit should be adapted to the local IT infrastructure and was foreseen as a customized solution with customized training. It allows management of the translation process, determining of the sequence of actions to be performed, translation in the Internet publication context and grouping of translation actions by technical fields. In the usual scenario, WIPO generates lists of actions, an office coordinator manages action lists and users perform lists of actions (translation, revision, etc.). The presentation was accompanied by detailed schemes showing how the translation process can be managed. The IB indicated that the user interface has been developed in English and that, in principle, IPCA6TRANS can be used for any language but specific cases should be tested. The IB indicated that the toolkit as implemented for the ES Office was available free of charge for IP Offices.

The ES Office informed the Meeting that this toolkit was successfully used for translation in the Office. It is also needed for maintenance of national versions of the IPC. The RU Office stated that they were interested in using this tool for translation of the amendments to the advanced level of the Russian version of IPC-8. The BR Office informed the Meeting that the Office was completing translation of the eighth edition of the IPC into Portuguese and is interested in using IPCA6TRANS for maintenance of the Portuguese version and for ensuring the consistency in translation.

12. Outstanding Problems and Possible Solutions

Discussions of this item were based on two source materials. The first was a list of outstanding problems prepared by the International Bureau. The second was a letter received from the Patent Documentation Group (PDG) in which several concerns were expressed with regard to the current stage of the implementation of the reformed IPC.

(a) List of Outstanding Problems

(i) Delivery by IP Offices of the classification data to the EPO Front Desk

The Meeting noted the progress in delivery of the classification data to the EPO Front Desk. Currently, 24 IP Offices regularly deliver, in an agreed format, the classification data of documents published in 2006 to the MCD. However, the Meeting agreed that the number of such offices should be greatly extended and requested the IP Offices which have not yet reached agreement with the EPO Front Desk in respect of the data format to do so as soon as possible and to start delivery of their front file classification data to the MCD. It was noted that several IP Offices in Latin-American countries were ready to send this data to the MCD.

(ii) Working lists for reclassification

It was noted that IP Offices could extract working lists for the backfile reclassification from the backfile DVD product. With regard to reclassification as a result of future revision of the advanced level of IPC-8, reclassification lists could be provided by the EPO. All the necessary documentation – the functional specification, the working list specification, the working list.dtd – is available on the IBIS website. The Meeting briefly discussed how working lists for reclassification could be posted on the Internet and presented in the form of webservices. It was suggested that WIPO and the EPO should jointly elaborate this task. It was also suggested that webservices for correction of the classification data and for reclassification could be combined in one system.

(iii) Error notifications to International Searching Authorities (ISAs)

The Meeting noted that WIPO had decided to assume full responsibility for the publication of correct IPC symbols on PCT applications using its symbol validity checking system. Symbols shown by ISAs as IPC-7 symbols but which could be converted to IPC-8 symbols, with necessary attributes, will be corrected. Symbols which could be more

specific in IPC-8 or are invalid in IPC-8 will be notified to ISAs as errors eight weeks before the publication. If corrections are not received in time for the publication, IPC symbols will be published as such and the error notification will be repeated until four weeks after the publication. Corrections received after the publication will be entered in the database but there will be no republication. WIPO will send the corrected IPC data to the MCD and to data subscribers. If during the validity checking in the MCD, classification errors would be discovered in the PCT applications, the MCD would notify WIPO for correction of errors.

(iv) Order of Recording of Classification Symbols

The Meeting noted that, on some patent documents published after January 1, 2006, a non-invention classification symbol is indicated at the first position; on other documents no invention classification symbols are indicated at all. According to the *Guide to the IPC* (paragraph 156), the order of classification symbols should be as follows: invention classification symbols, additional (non-invention) classification symbols, indexing codes. The Meeting agreed that systems for checking the validity of IPC symbols should be supplemented by two rules:

- a document should bear at least one invention classification symbol;
- a non-invention classification symbol should not be indicated at the 1st position on published patent documents.

(v) Future Contents of the IPC Master Files

As several Offices requested to have samples of master files for the next release of the IPC, the IB stated that, as no structural changes are envisaged for the master files of the next release, XML master files published for January 1, 2006 edition can be considered as samples. About possible use of the validity file for other purposes than the IPC validity checking, the IB explained that the contents of the IPC validity master file would be according to the approved specification of July 2005. However, possibilities for additional transformations of the master files (e.g. combining the validity and RCL files for advanced level reclassification purposes) could be discussed over the IPC-IT list server.

(b) Letter Received from the Patent Documentation Group (PDG)

The Meeting reviewed the letter received from the PDG and, in most cases, provided observations or additional information in respect of concerns expressed by the PDG relating to the current stage of the implementation of the reformed IPC. In some cases, additional information could not be provided in view of the absence at the Meeting of respective Offices or because participants who were present did not have full information on the issue concerned. The original numbering of the issues indicated in the letter was retained, and the additional information was provided where possible. When no additional information was provided, the bullets were left empty.

2. Problems and Inconsistencies

2.1 Some of the current IPC8 tools are difficult to use and should be made more user-friendly

The Revision Concordance List (RCL) for IPC-7/IPC-8 is basically the same as for previous editions (the RCL for IPC-6/IPC-7 was part of the Internet publication of IPC-7). It shows transfer of subject matter as a result of a revision from deleted or changed in scope entries of the previous edition to new or changed in scope entries of the new edition. It cannot be much simplified without the loss of the contents. Its use and structure are explained in the help file. However, additional explanations in the RCL table are planned for future versions of the advanced level of IPC-8. The level flag (C or A) allows switching between the core level and the advanced level presentations. This becomes clear when a cursor is put over the flag. In addition, the level flag C indicates core level entries when the IPC is presented in the advanced level. According to information of participants at the Meeting who conducted training courses on the reformed IPC, the meaning of level flags is well understood by trainees.

WIPO has started procurement of the PDF version of the advanced level of IPC-8 and this version is planned for publication in August this year.

2.2 Different Work Practice in Applying the New IPC symbols by the National Patent Offices

The FR Office has not yet completed the implementation of the reformed IPC because of difficulties with the implementation of the last version of the SOPRANO system.

The EPO applies the alphanumerical order of IPC symbols.

Initially, the PCT electronic form system of the USPTO allowed the examiner to choose an edition number and indeed defaulted to IPC-7 instead of IPC-8. The default value is now set to IPC-8.

2.3 MCD – Shortcomings of the First Version

The first delivery of the MCD was corrected by the second delivery in January 2006.

Records with missing inventive attributes were notified as errors to the Offices concerned. A new rule has now been introduced in the MCD symbol validation procedure: a document should bear at least one invention classification symbol. A new release of the MCD backfile DVD product will be issued in August this year. Its format will not change.

2.4 Inconsistencies in the IPC Data on Documents Published from January 2006

The situation with the presentation of IPC-8 symbols on published patent documents has significantly improved during the recent months and the number of errors in classification symbols is now relatively low.

Classification at subclass level is possible for IP Offices not applying substantial examination of granted patent documents.

A new rule is being introduced in the symbol validation systems of Offices, providing that a patent document should bear at least one invention classification symbol.

The situation with the presentation of IPC-8 symbols on patent documents has improved in the last three months. Documents with IPC-8 symbols without attributes, published at the beginning of 2006, will be converted into proper IPC-8 symbols or reclassified.

In respect of classification of international applications, WIPO depends on International Searching Authorities (ISAs). WIPO is constantly working with the ISAs attempting to receive classification information from the ISAs in time for publication and thus to decrease the number of unclassified international applications.

2.5 DOCDB Updates Inconsistencies

2.6 Communication

WIPO is constantly trying to get from IP Offices as complete information as possible and to complement the existing information by the new data. This information is generally available on the WIPO website.

WIPO plans to publish additional information materials regarding IPC reform, including information published on the Internet.

Representatives of IP Offices at the Meeting preferred that particular Offices were contacted in respect of their errors in using the reformed IPC.

The preparation of the new revision of the advanced level of IPC-8 has already started and IP Offices and other users would be thoroughly informed about this.

13. Conclusions

Having considered the materials presented and discussed and following the proposal by the International Bureau, the Meeting agreed on the following conclusions relating to the implementation of IPC reform.

(a) IP offices are committed to IPC reform and most of the offices in industrialized countries have successfully implemented the reform. After the first months of the transitional period and deployment of modified administrative systems, the situation with the use of the reformed IPC has now stabilized and only a small number of classification errors can be detected in the classification data of offices, since the vast majority of offices have implemented the WIPO Standards ST. 10/C and ST.8 and the symbol validation procedure. A few offices in industrialized countries that, for various reasons, have not yet fully implemented the reformed IPC plan to do it in the next few months. It should be noted that, in general, preparations of IP offices for the reformed IPC took two years.

(b) On the contrary, only a few IP offices in developing countries have started to use the reformed IPC or plan to do it in the near future. This is explained by various reasons: lack of necessary staff for modifying internal administrative systems and for training the examiners, difficulties in the stable access to the Internet, lack of portable carriers of the reformed IPC. The Committee of Experts should take urgent measures to assist IP offices in developing countries in the implementation of the reformed IPC. Such measures should include production of portable carriers of the reformed IPC, provision of IT tools assisting in translation of the reformed IPC into national languages, organizing of training courses, provision of further informative materials on the reform.

(c) An important task for the near future would be the implementation of the new revision procedure, namely, preparation and publication of new versions of the advanced level of the IPC. The first such version, as planned, will enter into force on January 1, 2007. For this process, all necessary procedures, such as preparation of a new validity file, preparation of the French version of the amendments to the advanced level, reclassification of respective patent collections, should be done on time. Serious preparatory work will be needed to ensure smooth transition to the new version for IP Offices using the advanced level of the IPC.

(d) More attention should be paid to promotion of the reformed IPC to the users of patent information. The advantages of the new IPC for the users should be explained in much more detail and all queries of the users should be duly considered, replied and, if needed, necessary amendments to the procedures of the reformed IPC should be made. More information should be provided for the users both, by WIPO and IP Offices, and published on the Internet, as well as made available and distributed on other media.

[Annex II follows]

ANNEX II

IMPLEMENTATION OF IPC REFORM BY INDUSTRIAL PROPERTY OFFICES

(Summary of Replies Received in Response to WIPO Circular No. IPC 160,
Issued on May 16, 2006)

1. On May 16, 2006, WIPO issued Circular No. IPC 160 including a questionnaire relating to the current status of implementation of IPC reform at industrial property offices. The International Bureau received a total of 38 replies, including 33 from States being members of the IPC Union (57 members), two from States not being members of the IPC Union, and three from intergovernmental organizations.
2. The answers to the five questions included in the questionnaire of Circular No. IPC 160 can be summarized as follows:

Question 1:

“Has your Office started publication of patent documents classified according to the reformed IPC (eighth edition)?

If the response to Question 1 is ‘No’, from which date does your Office plan to start publication of patent documents classified according to the eighth edition?”

Thirty-three out of 38 offices replied “Yes”. Only five offices replied that they have not yet started publication of patent documents classified according to the reformed IPC; four of them will start to do so in the near future (for the dates, see the table below).

Question 2:

“Does your Office follow WIPO Standard ST.10/C in presentation of classification symbols on published patent documents?

If the response to Question 2 is ‘No’, from which date does your Office plan to start using WIPO Standard ST.10/C in presentation of classification symbols on published patent documents?”

Thirty-two out of 38 offices replied “Yes”. Only four offices replied that they have not yet started using Standard ST.10/C in presentation of classification symbols; one of them will do so in the near future (for the dates, see the table below).

Question 3:

“Does your Office follow WIPO Standard ST.8 in exchange of classification data on machine-readable records?”

If the response to Question 3 is ‘No’, from which date does your Office plan to start using WIPO Standard ST.8 in exchange of classification data on machine-readable records?”

Twenty-four out of 38 offices replied “Yes”. Twelve offices replied that they have not yet started using Standard ST.8; six of them will start to do so in 2007 or earlier (for the dates, see the table below).

Question 4:

“Does your Office carry out a check of the validity of IPC symbols in the eighth edition of the IPC before publication of patent documents?”

If the response to Question 4 is ‘No’, does your Office plan to introduce a validity checking procedure and from which date, or would your Office prefer to use the IPCVAL checking tool available on the WIPO IPC website (<http://www.wipo.int/ipcval/>)?”

Thirty-two out of 38 offices replied “Yes”. Only four offices replied that they do not yet carry out a check of the validity of IPC symbols; three of them will do so in the near future (for the dates, see the table below). One office indicated a preference for using the bulk checking mode of IPCVAL.

Question 5:

“Are the new features introduced by IPC reform (core level/advanced level, invention information/additional information) used in the patent database of your Office to increase the efficiency of the search?”

Seventeen out of 38 offices replied “Yes”. Thirteen offices replied “No”. Several offices indicated that it is too early to assess the impact of IPC reform on quality of search. Two offices indicated that they do not carry out searches.

Further Remarks:

- ARIPO expresses the need for a CD- or DVD-based version of the advanced level because of unstable Internet connections.
- China plans to reclassify backfile according to IPC-8.
- Denmark has encountered certain problems with granted EP patents published in Denmark when EBD bibliographic data comprised invalid classification data after January 1, 2006.
- Germany regrets that the EPO does not deliver the original bibliographic IPC anymore.

- Japan asks WIPO to make available as early as possible the validity file of a new version of the IPC.
- The Netherlands reported that the Dutch translation of IPC-8 is available via their website.
- The patent database of New Zealand is undergoing extensive redesign which will include implementation of IPC-8. For the time being, New Zealand will deliver only IPC-7 data for patent publications.

Table: Summary of Replies to Questions 1 to 5 of Circular No. IPC 160
("Implementation of IPC Reform")

Country or Organization	Code	Question 1	Question 2	Question 3	Question 4	Question 5
ARIPO	AP	Yes	Yes	Yes	Yes	Yes
Armenia	AM	Yes	Yes	Yes	Yes	Yes
Australia	AU	Yes	Yes	Yes	Yes	Yes
Austria	AT	Yes	Yes	No 2007	Yes	No
Azerbaijan	AZ	Yes	Yes	Yes	Yes	Yes
Belarus	BY	No 01.07.2006 ¹	-	-	-	-
Brazil	BR	No 07.2006	No 07.2007	No 07.2007	Yes	No
Bulgaria	BG	Yes	Yes	No ²	Yes	No
Canada	CA	Yes	Yes	Yes	Yes	No
China	CN	Yes	Yes	Yes	Yes	-
Croatia	HR	Yes	Yes	Yes	Yes	Yes
Cuba	CU	Yes	Yes	Yes	Yes	Yes
Czech Republic	CZ	Yes	Yes	Yes	Yes	No
Denmark	DK	Yes	Yes	Yes	Yes	Yes
EAPO	EA	Yes	Yes	Yes	Yes	No
EPO	EP	Yes	Yes	Yes	Yes	Yes
Estonia	EE	Yes	Yes	Yes	Yes	Yes
Finland	FI	Yes	Yes	Yes	Yes	No
France	FR	Yes	No ²	No ²	No With next AL version	- ³
Germany	DE	Yes	Yes	Yes Since week 11 of 2006	Yes	Yes
Ireland	IE	Yes	Yes	No 01.01.2007	Yes	Yes
Italy	IT	No 01.01.2007	-	-	-	-
Japan	JP	Yes	Yes	Yes	Yes	No

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Country or Organization	Code	Question 1	Question 2	Question 3	Question 4	Question 5
Mexico	MX	No 01.10.2006 ⁴	No 01.10.2006	No open	No 01.10.2006	-
Netherlands	NL	Yes	Yes	No ² Q3-Q4 2007	No ² Q3-Q4 2007	No ²
New Zealand	NZ	No open	No open	No open	No	No
Norway	NO	Yes	Yes	Yes	Yes	No
Portugal	PT	Yes	Yes	No 01.07.2006	Yes	No
Republic of Korea	KR	Yes	Yes	Yes	Yes	Yes
Romania	RO	Yes	Yes	Yes	Yes	Yes
Russian Federation	RU	Yes	Yes	Yes	Yes	-
Slovakia	SK	Yes	Yes	Yes	Yes	No
Spain	ES	Yes	Yes	No 01.01.2007	Yes	open
Sweden	SE	Yes	Yes	Yes	Yes	Yes
Switzerland	CH	Yes	Yes	No Open	Yes	- ³
Ukraine	UA	Yes	Yes	Yes	Yes	Yes
United Kingdom	GB	Yes	Yes	Yes	Yes	Yes
United States of America	US	Yes	Yes	No ⁵	Yes	Yes
SUMMARY	38 replies	33 Yes 5 No	32 Yes 4 No	24 Yes 12 No	32 Yes 4 No	17 Yes 13 No

¹ Depending on the availability of the Russian translation of IPC-8.

² Depending on the progress of the development of SOPRANO.

³ Office does not carry out searches.

⁴ Granted patents only; patent applications will be classified according to IPC-8 when reclassification is completed.

⁵ USPTO uses ST.36 XML ICE.

[End of Annex II and of document]