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GENEVA

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

AD HOC IPC REFORM WORKING GROUP

Fifth Session

Geneva, May 14 to 18, 2001

REPORT

adopted by the Working Group

INTRODUCTION

1. The ad hoc IPC Reform Working Group (hereinafter referred to as “the Working Group”) held its fifth session in Geneva from May 14 to 18, 2001. The following members of the Working Group were represented at the session: Canada, Croatia, Finland, France, Germany, Ireland, Japan, Norway, Portugal, Republic of Korea, Romania, Spain, Sweden, Switzerland, United Kingdom, United States of America, European Patent Office (EPO) (17). Slovenia was represented by an observer. The list of participants appears as Annex I to this report.
2. The session was opened by Mr. M. Makarov, Head, International Patent Classification Section, Office of the PCT (Patent Cooperation Treaty), WIPO, who welcomed the participants on behalf of the Director General.

OFFICERS

3. The Working Group unanimously elected Mr. R. W. Saifer (United States of America) as Chair and Mr. J. Marcelino (Portugal) as Vice-Chair.
4. Mr. Makarov acted as Secretary of the session.

ADOPTION OF THE AGENDA

5. The Working Group unanimously adopted the agenda, which appears as Annex II to this report.

CONCLUSIONS, DISCUSSIONS AND DECISIONS

6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Working Group (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Working Group was expressed or repeated after the conclusion was reached.

REPORT ON THE THIRTIETH SESSION OF THE IPC COMMITTEE OF EXPERTS

7. The Working Group noted an oral report by the International Bureau on the thirtieth session of the IPC Committee of Experts (hereinafter referred to as "the Committee") (see document IPC/CE/29/11), at which session the Committee had considered the results of the IPC reform process in 2000 and established the IPC reform program for 2001.
8. The Working Group was particularly informed that the Committee had decided to extend the transitional revision period by two years with a view that the next edition of the IPC would be the reformed IPC and would enter into force on January 1, 2005, that the Committee had agreed on the use of the automated procedure for determining the size of the core level of the IPC, based on a potential largest volume of national patent collections, which would result in the inclusion in the core level of approximately 30% of groups currently present in the IPC and that the Committee had established a special Subcommittee for supervising the revision of the advanced level of the IPC, which would include industrial property offices doing at least 20% of the total reclassification work and the International Bureau.

IPC REFORM STATUS REPORT

9. The Working Group noted the instruction by the Committee to elaborate the IPC reform status report and to submit it, on behalf of the Committee, to the IPC Assembly for consideration (see document IPC/CE/30/11, paragraph 45). The Working Group also noted that the main objective of the report was to inform the Assembly of the principal results achieved in the process of the reform.

10. The Working Group considered the draft status report prepared by the International Bureau and, following minor changes made, approved the status report which appears in Annex III to this report.

CONSIDERATION OF THE IPC REVISION POLICY AND THE REVISION PROCEDURE IN RELATION TO THE CORE AND ADVANCED LEVELS OF THE IPC

11. The Working Group noted that, following consideration of this Task at its fourth session, the International Bureau had published in Annex 21 to the project file IPC/R 2/99 Rev.3 an amended proposal on the IPC revision policy and the revision procedure, taking into account remarks made at the fourth session of the Working Group. It was also noted that the Committee, at its thirtieth session, had decided to establish a special Subcommittee for supervising and controlling the revision of the advanced level (see document IPC/CE/30/11, paragraph 29).

12. The Working Group realized that, for detailing the IPC revision policy and revision procedure, it would be necessary to elaborate a mandate for the special Subcommittee and to take into account the procedure that would be employed in the framework of the Concept of Operations which was under preparation by the Trilateral Offices.

13. In order to advance the Task, the Working Group requested the International Bureau, in cooperation with the Trilateral Offices, to specify the mandate of the special Subcommittee and to elaborate a common approach to the revision procedure.

14. The International Bureau was further requested to submit, by September 1, 2001, a revised proposal on the IPC revision policy and procedure, incorporating in the proposal also the criteria to be applied for accepting IPC revision requests. Comments on the revised proposal were invited by October 1, 2001.

INTRODUCTION OF ELECTRONIC DATA ILLUSTRATING THE CONTENTS OF IPC ENTRIES

Definitions

15. Discussions were based on the Summary of discussions of the Definition Task Force meeting (see Annex 42 to project file IPC/R 3/99 Rev.8) and on the comments of May 10, 2001, submitted by the United States of America on the said summary which were distributed at the session.

16. The Working Group agreed on the following definitions of informative and limiting references.

17. Limiting reference:

“A limiting reference is any reference associated with a classification title that excludes subject matter from the scope of the classification place when this subject matter would otherwise fulfil all the requirements of the classification title and definition.”

18. Informative reference:

“An informative reference is any reference that indicates the location of subject matter that could be of interest for searching, but which subject matter is not within the scope of the classification place where the reference occurs.”

19. The Definition Task Force was invited to verify the need for further explanation of the definition of limiting reference, in the light of the comments submitted by Sweden (see Annex 36 to project file IPC/R 3/99 Rev.8) and the said comments of the United States of America. The Definition Task Force was also invited to verify the correctness of the approved definitions in particular classification situations in the IPC, for example, function-oriented versus application places, in the light of the study presented by Sweden in the said Annex 36.

20. The Working Group approved with some modifications the definition format elaborated by the Task Force which appears as Annex IV to this report.

21. The Working Group realized that when sufficient experience in using the approved definition format for preparing classification definitions is accumulated, possible changes to the format should be considered, for example, amendments to the text, further detailing of the format, providing an appropriate grouping of informative references. Elaboration of a standard template to facilitate drafting of classification definitions should also be considered. Rapporteurs for D-projects should be requested to summarize experience in using the format and to report their findings by March 2002.

Introduction of Illustrating Chemical Structural Formulae in the IPC

22. The Working Group noted that, at its twenty-ninth session, held in March 2000, the Committee decided that illustrating chemical formulae should be introduced in the electronic layer of the IPC in association with chemical areas of the Classification, where they are needed (see paragraph 31(b) of document IPC/CE/29/11).

23. The Working Group also noted that the Korean Intellectual Property Office (KIPO) had carried out the work on collecting and incorporating illustrating chemical formulae in all chemical areas of the Korean issue of the IPC and had kindly agreed to make available to the International Bureau the electronic data containing illustrating formulae.

24. The Working Group appreciated the work conducted by KIPO, which would enrich the contents of the IPC, and expressed congratulations to KIPO on the significant work done.

25. The Working Group agreed with the proposal by the International Bureau that illustrating chemical formulae should be incorporated in the electronic layer of the IPC. The Working Group authorized the International Bureau to post the whole collection of chemical formulae provided by KIPO on the IPC Web site and to open it for comments and eventual additions by the members and observers of the IPC Union. Upon completion of this project, the collection of illustrating chemical formulae should be incorporated in the Classification and become an integral part of the reformed IPC.

26. The International Bureau was also requested to investigate, in the future, the feasibility of making chemical formulae searchable taking into account cost-benefit considerations.

GENERAL PRINCIPLES OF CLASSIFICATION; ELABORATION OF RULES FOR MULTIPLE CLASSIFICATION IN THE IPC

27. The Working Group considered Guidelines for obligatory and non-obligatory classification in the IPC, submitted by the United States of America, and agreed that the Guidelines, although already containing sufficient material for the future revision of the Guide to the IPC, could be improved by using and interpreting the definition of invention information adopted by the Committee and by further specifying how different types of patent documents, namely, granted patents, published applications, should be classified.

28. In this regard, reference was made to the comments submitted by Sweden and the United Kingdom (to appear, respectively, as Annexes 26, 24 and 25 to the project file IPC/R 4/99 Rev.6), which proposed certain approaches to classification of invention information and to the use of multi-aspect classification schemes.

29. The Working Group agreed that those comments should be taken into consideration in the revision of the Guidelines.

30. With regard to multi-aspect classification, it was suggested that this type of classification could be applicable to complex systems, such as multistep processes, and should be applied only in special cases, while preserving the general principle of obligatory classification of invention information as a whole.

31. In order to provide comprehensive material for the completion of the Task, additional comments were invited by August 1, 2001, and the United States of America was requested to submit the revised Guidelines by September 1, 2001.

REVIEW OF THE HYBRID SYSTEMS IN THE IPC

32. The Working Group noted the work carried out by the Hybrid Systems Task Force, as outlined in the Summary of discussions of the Task Force (see Annex 37 to the project file IPC/R 5/99 Rev.6). The Working Group approved the Guidelines for Creation of Indexing Schemes in the Reformed IPC elaborated by the Hybrid Systems Task Force, which appear as Annex V to this report.

33. The Working Group also approved the Task Force recommendations with regard to specific indexing schemes as indicated in the said Summary of Discussions. Concerning the indexing scheme H 04 N 101:00, it was noted that the Trilateral Offices would prepare a common position regarding this scheme in good time for consideration by the IPC Revision Working Group.

34. The Working Group recalled that before abolishing low-use indexing schemes from the IPC, the possibility of their conversion, as well as of other indexing schemes, into useful classification schemes should be investigated. In this regard, the Working Group requested the Task Force to elaborate guidelines on the conversion of indexing schemes into classification schemes for discussing at its next session. Those guidelines, when approved, would serve as a basis for the conversion of indexing schemes into classification schemes by the IPC Revision Working Group.

ELABORATION OF PRINCIPLES OF THE CREATION, MAINTENANCE AND FUNCTIONING OF THE MASTER CLASSIFICATION DATABASE

35. Discussions were based on the recommendations made by the Data Recording Task Force at its meeting in Lisbon, on April 19, 2001.

36. The Working Group agreed with the recommendation by the Task Force that the following additional field indicators of classification symbols stored in the Master Classification Database (MCD) would be necessary for the reformed IPC:

- core or advanced level classification indicator;
- validity date (version) classification indicator;
- action date (date of allotting classification symbol) indicator;
- first or other invention symbol indicator;
- invention or other information symbol indicator;
- original or reclassified data indicator;
- generating office indicator;
- intellectual or propagated data indicator.

37. The Delegation of the EPO stated that a large part of the additional indicators would be automatically generated during the input of data into MCD.

38. With regard to the history of classification data, the Working Group agreed that no central storage should take place and that interested offices could keep the history of the classification data in internal databases.

39. With regard to the character currently identifying indexing codes (a colon), the Working Group decided that it could be replaced by a slash, since the double-purpose use of classification symbols had been abolished and separate indexing codes have different numbers than classification symbols.

40. The Working Group agreed with the recommendation by the Task Force that the detailed discussion of broadcasting of classification data was still premature, in view of legal problems involved, and decided to reconsider this matter when the reclassification procedure for the reformed IPC has been elaborated.

41. The Working Group reviewed the paper by the EPO distributed at the meeting, explaining the need for the revision of WIPO Standard ST.8 and other relevant standards, in view of the reform of the IPC, and outlining possible approach to the revision of standards. The Working Group generally supported the suggested approach.

42. The Working Group agreed that the revision of WIPO Standard ST.8 should be initiated and completed as soon as possible so that to give industrial property offices sufficient time for accommodating their computer systems to the revised standard before entering into force of the reformed IPC. In this respect, the Working Group authorized the International Bureau to submit a request to the Standing Committee on Information Technologies (SCIT) for inclusion of the revision of Standard ST.8 and other relevant standards in the SCIT work program.

43. In order to provide comprehensive material for ensuring timely revision process under the SCIT, the Working Group requested the EPO to prepare a detailed revision proposal by September 1, 2001, and invited its members to submit comments on the proposal by November 1, 2001. The EPO was invited to submit a final revision proposal to the SCIT by December 1, 2001.

44. The Working Group noted the paper by the EPO distributed at the session, indicating actions that would be necessary to be taken by industrial property offices and to be implemented in the MCD, for processing classification data of the reformed IPC, and agreed that this issue should be carefully investigated.

45. The Working Group invited, accordingly, comments on the paper reproduced in Annex VI to this report, by September 1, 2001, and requested the EPO to submit a final list of needed actions by October 1, 2001.

46. Finally, the Working Group agreed that, at later stage, a new IPC reform task should be created, which should concern worldwide dissemination of classification data and which should be elaborated in cooperation with the SCIT.

DETERMINATION OF THE MOST APPROPRIATE CONTENTS OF THE CORE LEVEL OF THE REFORMED IPC

47. The Working Group noted the decision of the Committee on the most appropriate contents of the core level of the reformed IPC based on the algorithm developed in the EPO study (see Annex 18 to the project file IPC/R 14/00 Rev.5). The Working Group noted that the use of this algorithm with a parameter of the maximum file size of 5,000 documents would result in the overall inclusion in the core level of approximately 30% of groups currently present in the IPC.

48. Based on the study prepared by the United States of America on the feasibility of automatic checking of the references and notes pointing from core level groups to advanced level groups (see Annex 19 to project file IPC/R 14/00 Rev.5), the Working Group agreed that this checking should be carried out manually.

49. The Working Group agreed to request the IPC Revision Working Group to carry out the checking and correction of references appearing in the entries of the seventh edition of the IPC which already existed in the sixth edition, where primarily references and notes pointing from the core level groups to the advanced level groups should be checked. The IPC Revision Working Group should consider distributing this work among its members already at its fifth session, possibly in the form of pilot projects.

50. The EPO was invited to investigate how to treat the areas in the IPC where the last place rule applies and to propose specific guidelines on the distribution of groups belonging to those areas between the core and advanced levels, in time for the next session of the Working Group.

51. In order to facilitate the above-mentioned work on checking the references, the International Bureau offered to provide a list of all the core level places in the IPC where notes or references point to advanced level places. This list would be available on the IPC Web site of WIPO and would contain hyperlinks to a presentation of the IPC where the core level places would be highlighted.

REVISION OF THE GUIDE TO THE IPC

52. The Working Group considered the Table of Contents of the future Guide to the IPC prepared by the International Bureau following the request made by the Committee (see Annex 2 to document IPC/R 17/01).

53. The Working Group agreed that this Table of Contents should serve as a basis for the revision of the current Guide and approved, with minor modifications, the Table of Contents as it appears in Annex VII to this report.

54. The Working Group requested the International Bureau to prepare and circulate for comments a first draft of the new Guide by September 1, 2001, and invited comments thereon by October 1, 2001.

55. The Working Group agreed that the new Guide should contain comprehensive material concerning classifying and searching of patent documentation and should provide the basis for developing other IPC-related publications addressed to different categories of users, such as the general public, professional users of patent information and industrial property offices concerned with the revision of the IPC. The Working Group underlined that special guidelines on the use of the IPC for searching would be, in particular, needed.

56. It was noted that already available IPC-related guidelines and instructions published in the *WIPO Handbook on Industrial Property Information and Documentation* might provide a source material for preparing the above-mentioned IPC-related publications for the reformed IPC. It was also recognized that some parts of the *WIPO Handbook* would need revision as regards IPC reform.

PREPARATION OF AN IPC REFORM IMPLEMENTATION PLAN

57. Discussions were based on Annex 2 to document IPC/R 18/01, containing the IPC reform implementation plan prepared by the International Bureau at the request of the Committee (see document IPC/CE/30/11, paragraph 18).

58. The Working Group approved the IPC reform implementation plan which appears in Annex VIII to this report.

59. The Working Group noted that periodical monitoring of the realization of the plan would be necessary and agreed to consider the progress of IPC reform in respect of the implementation plan at each of its sessions. The Working Group also agreed that the plan should be further detailed in the part concerning the implementation of the results of IPC reform by the IPC Revision Working Group when respective working procedures for the implementation have been prepared by that Group.

60. The Working Group recommended the IPC Revision Working Group that priorities be established in planning the work under IPC reform entrusted to that Group.

INTERNET-BASED IPC MANAGEMENT SYSTEM – IBIS PROJECT STATUS

61. The International Bureau made an oral report on the status of the IBIS project aimed at the creation of an open IPC management system supporting the IPC revision and reform process. The International Bureau outlined basic phases of the project and indicated that the technical infrastructure of the project had been set up and the conversion of the IPC to the XML format successfully carried out. At the current phase of the project, the discussion view of the IPC, which would enable highlighting and filtering of the IPC revision proposals, was under elaboration. The user interface was also being developed.

62. The Delegation of Spain inquired whether the future IBIS management system could provide support for industrial property offices preparing national language versions of the IPC, for example, in managing the electronic layer of the Classification. The International Bureau responded that basic IBIS blocks (conversion programs, XML, XSL files) were language-independent and could be made available to interested industrial property offices.

63. The Working Group expressed its satisfaction with the development of the IBIS project.

PRESENTATION

64. The Delegation of the EPO made a presentation of a prototype internal CD-ROM product which contained classification texts of the IPC, ECLA, FI System and US Patent Classification System, displayed in HTML format. The software incorporated enabled viewing and browsing classification schemes in different modes. The disk was intended to serve as a data source for loading classifications on the Intranet of the EPO. The Delegation volunteered to provide copies of the disk at the disposal of interested industrial property offices when the copies become available.

STATUS OF THE IPC REFORM PROGRAM FOR THE YEAR 2001

65. The Working Group reviewed the tasks included in the IPC reform program and noted the work which remained to be done in respect of those tasks. The status of tasks is shown in Annex IX to this report.

NEXT SESSION OF THE WORKING GROUP

66. The Working Group noted the tentative dates for its sixth session: October 29 to November 2, 2001.

THANKS TO MR. GUZZO

67. Having noted that this was the last session of the IPC bodies in which Mr. G. Guzzo (Canada) participated, in view of his retirement, the Working Group and the International Bureau thanked him and expressed their appreciation of his excellent contribution to the development of the IPC during many years, wishing him a long and happy retirement.

68. This report was unanimously adopted by the Working Group at its closing meeting on May 18, 2001.

[Annexes follow]