

OMPI



IPC/CE/35/4

ORIGINAL : anglais

DATE : Le 8 octobre 2004

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ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE
GENÈVE

**UNION PARTICULIÈRE POUR LA CLASSIFICATION INTERNATIONALE DES BREVETS
(UNION DE L'IPC)**

COMITÉ D'EXPERTS

**Trente-cinquième session
Genève, 25 - 29 octobre 2004**

**COORDINATION DES TRAVAUX ENTRE LE SOUS-COMITÉ SPÉCIAL CHARGÉ DE
LA SUPERVISION DU NIVEAU ÉLEVÉ ET LE GROUPE DE TRAVAIL SUR LA
RÉVISION DE LA CIB**

Document établi par le Secrétariat

1. Lors de son onzième session, tenue en juin 2004, le groupe de travail sur la révision de la CIB a examiné une proposition présentée par les États-Unis d'Amérique au nom des offices de la coopération trilatérale, concernant l'amélioration de la procédure de création des définitions relatives au classement. Le groupe de travail a noté que cette proposition touche de nombreux aspects importants de l'interaction future entre le sous-comité spécial et le groupe de travail et qu'elle compléterait ainsi le document intitulé "Principes et procédure de révision de la CIB après sa réforme" adopté par le comité d'experts (voir l'annexe IV du document IPC/CE/33/12). Il a par conséquent été convenu par le groupe de travail de soumettre cette proposition à l'examen du comité. Les membres du groupe de travail ont été invités à faire part de leurs commentaires sur cette proposition, et les États-Unis d'Amérique se sont offerts d'établir un rapport du rapporteur et une proposition révisée.

2. L'annexe I du présent document contient la proposition initiale susmentionnée. Les annexes II et III contiennent des observations soumises par la Suède et l'Office européen des brevets. Les annexes IV et V contiennent le rapport du rapporteur et la proposition révisée susmentionnés, soumis par les États-Unis d'Amérique.

3. Le Comité d'experts est invité à examiner la proposition révisée soumise dans l'annexe V du présent document.

[Les annexes suivent]

ANNEX I/ANNEXE I

USPTO Proposal for Trilateral Offices	
Revision Working Group	Date: May 14, 2004

Revision Project Coordination Between IPC Special Subcommittee and Revision Working Group

In the Report of the last Committee of Experts Meeting (IPC/CE/34/10, paragraph 35), US agreed to prepare a proposal on behalf of the Advanced level subcommittee for improving the process for creating classification definitions which would be considered by the Revision Working Group (RWG) at their next meeting. This procedure supplements the previously approved revision process for the core and advanced levels (see IPC/CE/33/12, Annex IV).

The proposed procedure is intended to optimize the use of resources to more effectively accomplish the goals of the Reformed IPC. These goals are best accomplished when the process:

- Maximizes the use of existing document placement within ECLA, FI, and USPC to create the Master Classification Database (MCD).
- Ensures that the titles of classification places and their definitions accurately reflect the actual patent documents classified within them in the MCD.
- Minimizes unnecessary reclassification of patent documents during the harmonization of the advanced level.
- Reduces the amount of redundant intellectual work done by the IPC Advanced level subcommittee (ALS) and Revision Working Group.

The Advanced level subcommittee has agreed that the following additional procedures fulfill these requirements and should supplement the previously approved revision procedures.

Process for optimizing resources by coordinating core and advanced level revision projects and accelerating creation of definitions:

1. The Advanced level subcommittee (ALS) will appoint an ALS Rapporteur for any area in the advanced level where project work is proposed or begun; the ALS Rapporteur will provisionally determine the scope of the project.
2. When advanced level project work has been proposed or begun within a specific subclass, the ALS will invite the IB to officially notify the Revision Working Group (RWG) of the advanced level project.

3. The RWG will not initiate new core-level revision projects within an impacted subclass after notification, until work on this subclass is completed or otherwise concluded in the advanced level. However, if the RWG considers it absolutely necessary for a new core-level revision project proposal to be considered in a subclass impacted by an ALS project, it can request that the ALS integrate it into the ALS discussions.
4. If a previously ‘finalized’ subclass definition does not already exist for the area covered by the advanced level project, the ALS Rapporteur will draft a provisional definition for the impacted subclass based on existing IPC lines and any proposed advanced level changes to the scope of the subclass. If a previously ‘finalized’ subclass definition exists, it will be used, and modified where needed, to create a provisional definition for the advanced level. The ALS Rapporteur will then draft provisional definitions for any main groups within an IPC subclass that will be impacted during the advanced level project.
5. After finalization of the scope of the advanced level project, the ALS Rapporteur will identify any current RWG maintenance projects, or parts of projects, that may directly or indirectly impact the scope of the subclass or groups within the advanced level project (e.g., rewording of titles in the core level scheme, subclass definition projects or projects creating notes in related subclasses).
6. The ALS Rapporteur will notify the IB of any existing RWG projects that could conflict with the advanced level project.
7. After this notification, the RWG will suspend or redistribute work on any maintenance project, or part of a project, that could conflict with the advanced level project until work is concluded on the advanced level project. In the situations where work must continue on core-level type projects that overlap with projects in the advanced level, the RWG and ALS agree to distribute work in such a way that work done on one project does not conflict with the work done on the other project. After conclusion of the advanced level project, the RWG will reevaluate and determine if any related maintenance projects that were suspended should continue, be modified, or cancelled.
8. The provisional definitions for the subclass and appropriate groups will be sent to the other ALS Offices, who will be given a period to have their experts review the definitions and provide comments. One of the primary goals of the definitions is to ensure harmonization of future document placement while accurately reflecting the existing back file. A provisional scheme for the impacted area will also be drafted and sent to the other ALS Offices. The provisional scheme and definitions for the advanced level project will be provided to members of the RWG for their individual comments to the ALS Rapporteur.
9. When a finalized version of the provisional scheme and the advanced-level subclass and group definitions has been appropriately tested by document placement and approved by ALS, they are referred to RWG for their review and approval.

10. During review, the RWG should only make changes to those portions of a provisional advanced-level scheme, or their definitions, which are to become part of the core level. The changes made by the RWG should normally not require additional reclassification of patent documents in the advanced level
11. If the portion of the provisional scheme and its advanced-level subclass and group definitions, which are to become part of the core level, are approved by RWG without significant changes, the scheme and its definitions are officially incorporated into the core level (where appropriate) and advanced level of the Reformed IPC.
12. If a significant change is made by the RWG to a portion of a provisional advanced-level scheme or its definitions when approving their incorporation into the core level scheme (e.g., a change in a title's wording that would cause document reclassification in the advanced level); the provisional advanced-level scheme and definitions will continue to be used, as they were initially proposed to RWG, in the advanced level by the ALS until a suitable compromise on any inconsistencies can be achieved.
13. After all of the subclass definitions have been completed, main group definitions that have not already been agreed to at the advanced level will be written utilizing the above procedure.

[Annex II follows/
L'annexe II suit]

ANNEX II/ANNEXE II

Swedish Patent and Registration Office

IPC Project CE352, Core/Advanced project coordination

September 8th, 2004

Comments (relating to Annex 1)

In general we think the procedures outlined in the trilateral proposal are sound. However, we think some parts of the procedure will be unnecessarily restricted and therefore unpractical:

Paragraph 3

The proposal appears to state that when an advanced level project starts in a certain subclass, that subclass in its entirety will be blocked from work by the Revision Working Group. We think this is unnecessary when the advanced level project only deals with an isolated part of a subclass. We would propose the following wording for the first sentence of the paragraph:

3 *The RWG will not initiate new core-level revision projects within an area of the IPC that is impacted by an advanced level project until work on this area is completed or otherwise concluded in the advanced level. - - -*

Paragraph 5

It appears that any advanced level project would require definitions for the entire subclass to be created. We think this will in many cases be time-consuming and unnecessary. We propose the following wording:

5 *If approved definitions do not already exist for the area covered by the advanced level project, the ALS Rapporteur will draft a provisional definition for the impacted area, based on existing IPC borderlines and any proposed advanced level changes. If definitions exist, they will be used, and modified where needed, to create provisional definitions for the advanced level. The ALS Rapporteur will draft provisional definitions for any main groups that will be impacted during the advanced level project.*

Paragraphs 8 and 9

Similarly to paragraph 5, we propose:

8 *The provisional definitions for the impacted area will be sent to the other ALS Offices, who will be given a period to have their experts review the definitions and provide comments. - - -*

9 *When a finalized version of the provisional scheme and the relevant advanced-level definitions have been appropriately tested by document placement and approved by ALS, they are referred to RWG for their review and approval.*

Paragraph 13

We do not understand what this paragraph relates to or how it connects with the previous paragraphs. Unless the purpose of the paragraph can be clarified we think it can be dropped.

As a minor formal comment the Revision Working Group is usually abbreviated IPC/WG. We do not know if the abbreviation "ALS" for the Special Subcommittee is correct either.

Anders Bruun

[Annex III follows/
L'annexe III suit]

ANNEX III/ANNEXE III

Europäisches
PatentamtEuropean
Patent OfficeOffice européen
des brevets

Principal Directorate Tools / Documentation

Comments on US proposal

Project: CE352

1 September 2004

Coordination between the Special Subcommittee and the IPC Revision Working Group

We generally support the proposals made by the USPTO. The procedures described in the document result from discussion among the Trilateral offices and seem to present a practical way of handling the projects, as far as that can be determined beforehand. It is of course possible that during practical works it turns out that some of the proposed steps need improvement or that some new actions need to be defined. This can then be decided either by the special subcommittee itself or, if substantial amendments would be needed, by the Committee of Experts. To us, the most important step seems to be to start and gather experience with this totally new way of revising the IPC.

We therefore propose that as soon as possible, projects can be assigned to the special subcommittee and that an advanced level e-forum procedure is started. As a first step, a new project category (SC) on the existing e-forum was already created and projects could be started there, giving all offices the possibility to follow the subcommittee's discussions.

C-Projects that cannot be finalized at the next IPC revision WG could be immediately added to the list of projects for the special subcommittee. It would therefore seem advisable that the Revision WG finalizes the core level of all C-projects, and forwards possibly remaining advanced level questions to the Special Subcommittee by creating respective advanced level projects.

H.Wongel

[Annex IV follows/
L'annexe IV suit]

ANNEX IV/ANNEXE IV

USPTO	
Committee of Experts Project CE 352	Date: September 20, 2004

Rapporteur Report

Comments were invited on the additional procedures submitted by US on behalf of the Advanced Level Subcommittee, which supplement the procedures in the document "Revision Policy and Revision Procedure for the Reformed IPC" adopted by the Committee of Experts (see Annex IV to document IPC/CE/33/12).

The proposed additional procedures optimize the use of resources by coordinating core and advanced level revision projects and accelerating the creation of definitions. Their use will efficiently accomplish the goals of the Reformed IPC.

EP (Annex 3) and SE (Annex 2) submitted comments on the initial proposal (Annex 1).

Both EP and SE support the proposal. EP believes that the additional procedures are a sound and practical way to handle projects.

EP did not suggest any amendments and felt that any fine-tuning that might be required could be done after more Advanced level projects were completed.

SE felt some of the sections were unnecessarily restrictive. SE suggested minor wording changes in sections 3, 5 (SE actually proposed changes to section 4 and not 5), 8, and 9. They also felt the purpose of section 13 should be clarified or the paragraph deleted.

The problems indicated by SE were corrected, but alternative terminology was used to avoid conflicts with the terminology of the other sections. The only significant change was made to the last sentence of section 4. It now clearly covers writing main group definitions for new or existing main groups. It states "The ALS Rapporteur will also draft provisional definitions for any new or existing main groups within the area covered by an advanced level project and within extensively impacted related areas."

We agree with SE that the purpose of section 13 was somewhat unclear. To correct this, section 13 (renumbered section 9 in the newest proposal) has been slightly reworded and moved below section 8.

Rapporteur has submitted a modified proposal with these minor changes.

[Annex V follows/
L'annexe V suit]

ANNEX V/ANNEXE V

USPTO	
Committee of Experts Project CE 352	Date: September 20, 2004

Rapporteur Proposal

The following additional procedures supplement the document “Revision Policy and Revision Procedure for the Reformed IPC” which was adopted by the Committee of Experts (see Annex IV to document IPC/CE/33/12).

Process for optimizing resources by coordinating core and advanced level revision projects and accelerating creation of definitions:

1. The Advanced level subcommittee (ALS) will appoint an ALS Rapporteur for any area in the advanced level where project work is proposed or begun; the ALS Rapporteur will provisionally determine the scope of the project.
2. When advanced-level project work has been proposed or begun within a specific subclass, the ALS will invite the IB to officially notify the Revision Working Group (RWG) of the advanced-level project.
3. After this notification, the RWG will not initiate new core-level revision projects within any portion of a subclass impacted by an advanced-level project until work on this subclass is completed or otherwise concluded in the advanced level. However, if the RWG considers it absolutely necessary for a new core-level revision project proposal to be considered in a subclass impacted by an ALS project, it can request that the ALS integrate it into the ALS discussions.
4. If a previously approved subclass definition does not already exist for the area covered by the advanced-level project, the ALS Rapporteur will draft a provisional definition for the impacted subclass based on existing IPC borderlines and any proposed advanced level changes to the scope of the subclass. If an approved subclass definition exists, it will be used, and modified where needed, to create a provisional subclass definition for the advanced level. The ALS Rapporteur will also draft provisional definitions for any new or existing main groups within the area covered by an advanced-level project and within extensively impacted related areas.
5. After finalization of the scope of the advanced-level project, the ALS Rapporteur will identify any current RWG maintenance projects, or parts of projects, that may directly or indirectly impact the scope of the subclass or groups within the advanced-level project (e.g., rewording of titles in the core level scheme, subclass definition projects or projects creating notes in related subclasses).
6. The ALS Rapporteur will notify the IB of any existing RWG projects that could conflict with the advanced-level project.

7. After this notification, the RWG will suspend or redistribute work on any maintenance project, or part of a project, that could conflict with the advanced-level project until work is concluded on the advanced-level project. In the situations where work must continue on core-level type projects that overlap with projects in the advanced level, the RWG and ALS agree to distribute work in such a way that work done on one project does not conflict with the work done on the other project. After conclusion of the advanced-level project, the RWG will reevaluate and determine if any related maintenance projects that were suspended should continue, be modified, or cancelled.
8. The provisional definitions for the subclass and appropriate main groups will be sent to the other ALS Offices, who will be given a period of time to have their experts review the definitions and provide comments. One of the primary goals of the definitions is to ensure harmonization of future document placement while accurately reflecting the existing back file. A provisional scheme for the impacted area will also be drafted and sent to the other ALS Offices. The provisional scheme and definitions for the advanced-level project will be provided to members of the RWG for their individual comments to the ALS Rapporteur.
9. After the subclass and appropriate main group definitions have been completed, any relevant subgroup definitions that have not already been agreed to at the advanced level will be written or rewritten utilizing the above procedure.
10. When a finalized version of the provisional scheme and the relevant advanced-level subclass and group definitions has been appropriately tested by document placement and approved by the ALS, they are referred to the RWG for their review and approval.
11. During review, the RWG should only make changes to those portions of a provisional advanced-level scheme, or their definitions, which are to become part of the core level. The changes made by the RWG should normally not require additional reclassification of patent documents in the advanced level.
12. If the portion of the provisional scheme and its advanced-level subclass and group definitions, which are to become part of the core level, are approved by RWG without significant changes, the scheme and its definitions are officially incorporated into the core level (where appropriate) and advanced level of the Reformed IPC.
13. If a significant change is made by the RWG to a portion of a provisional advanced-level scheme or its definitions when approving their incorporation into the core level scheme (e.g., a change in a title's wording that would cause document reclassification in the advanced level); the provisional advanced-level scheme and definitions will continue to be used, as they were initially proposed to RWG, in the advanced level by the ALS until a suitable compromise on any inconsistencies can be achieved.