

Committee on WIPO Standards (CWS)

Reconvened Fourth Session Geneva, March 21 to 24, 2016

CREATION OF A TASK TO ESTABLISH REQUIREMENTS FOR AN AUTHORITY FILE OF PATENT DOCUMENTS ISSUED BY A PATENT OFFICE

Document prepared by the Secretariat

1. On February 17, 2016, the European Patent Office (EPO) sent a document to the Secretariat proposing the initiation by the Committee on WIPO Standards (CWS) at its reconvened fourth session in March 2016 of discussion on requirements for an authority file of patent documents issued by a patent Office. The proposal by the EPO is reproduced in the Annex to this document.
2. An Authority File provides a definitive list of all patent documents issued by a national or regional patent Office with the primary purpose to allow other patent offices (and potentially other users) to assess the completeness of the available patent documentation.
3. In accordance with the proposal of EPO, the Secretariat proposes the following for consideration and approval by the CWS:
 - (a) the creation of a new task whose description would read as follows:

“Prepare a recommendation for an authority file of patent documents issued by a patent national or regional Office to enable other patent Offices and other interested parties to assess the completeness of their collections of published patent documents”;
 - (b) the establishment of a new Task Force, with its corresponding Task Force Leader, to handle the new task; and

(c) a request that the new Task Force present a proposal for the recommendation of a new WIPO standard or the revision of existing WIPO Standard(s) for consideration and approval by the CWS at its next session to be held in 2017.

4. *The CWS is invited to:*

(a) note the proposal submitted by the European Patent Office regarding the preparation of recommendation for an authority file as reproduced in the Annex to this document;

(b) consider and approve the proposal concerning the creation of the task and corresponding time frame referred to in paragraphs 3(a) and (c), above; and

(c) consider and approve the establishment of the new Task Force, with its corresponding Task Force Leader, referred to in paragraph 3(b).

[Annex follows]

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Document prepared by the European Patent Office (EPO)

1. BACKGROUND

WIPO Standard ST.1 provides a recommendation that defines the minimum data elements required to uniquely identify all types of patent documents whether published in paper or electronic form. This recommendation outlines definitions to clarify the terms of “patent documents”, “publication” and “published”. In addition respective WIPO Standards are referenced as these are relevant to the recommendation when looking at details of the minimum data elements required.

However, this Standard ST.1 does not provide any guidance in how to use the recommendation for business purposes, e.g. to build a list of such uniquely identified types of patent documents.

The project “Common Documentation” under the umbrella of the IP5 Foundation Projects “has triggered a pertinent need to enable patent offices and third party patent information providers to assess the completeness of their collections of publications from the other patent offices. Once being able to assess the completeness, the resulting gaps can be filled with the information from the missing documents.

This kind of synchronising of existing data collections e.g. at patent offices is a cornerstone for enabling a comprehensive prior-art search in published patent documents on a specific data collection (PCT Minimum). In addition, it can help to achieve an overall improvement of data quality by assuring the completeness of a patent data collection.

2. PROPOSED SOLUTION TO FILL IN THE DATA GAPS

The synchronising of existing data collections e.g. at patent offices is indeed a cornerstone for enabling a comprehensive prior-art search in published patent documents on a specific data collection (PCT Minimum). In addition, it can help to achieve an overall improvement of data quality by assuring the completeness of a patent data collection.

In order to allow such a consistency check, the specification of a so called Authority File (AF) has been developed. An Authority File provides a definitive list of all patent documents issued by a patent office. More specifically it provides all publication numbers for patent documents of which the numbers were published at least once. This therefore also includes numbers for which no published document is available (e.g. in the case of late withdrawn applications, destroyed documents withdrawn late, for destroyed documents) or for which only the publication of bibliographic data is available.

The Authority File technical specification defines the minimum data elements required for an Authority File of patent documents and the proposed file formats for an Authority File, based on the needs at the various patent offices, while allowing for certain flexibility.

In this definition of the minimum data elements required for an Authority File of patent documents, a lot of parallelism can be seen towards the WIPO Standard ST.1 on the minimum data elements required to uniquely identify a patent document. It would therefore be a logical conclusion to extend the Standard ST.1 by including the definition and specification of an Authority File as a use case of ST.1.

Thus a revision of Standard ST.1 would be one of the recommendable solutions so that the Authority File could become a well-defined tool in listing all patent document publication numbers issued by a patent office or a regional organisation. Alternatively, it would be also good to develop a new WIPO Standard to fulfil the specific business need of Authority File.

[End of Annex and of document]