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**Committee on WIPO Standards (CWS)**

**Reconvened Fourth Session**

**Geneva, March 21 to 24, 2016**

REVISION OF WIPO STANDARD ST.14

*Document prepared by the Secretariat*

## Introduction

1. The Committee on WIPO Standards (CWS), at its second session held in April-May 2012, agreed to create Task No. 45 for the revision of WIPO Standard ST.14 “Recommendation for the inclusion of references cited in patent documents”. The CWS also decided to establish ST.14 Task Force to handle such revision.  (See paragraphs 28 to 31 of document CWS/2/14).
2. The above-mentioned Task No. 45 has two components:
   1. Prepare a proposal for the revision of category codes provided in paragraph 14 of WIPO Standard ST.14 taking into account comments and draft proposals stated in paragraphs 7 and 10 to 14 of document CWS/2/6.
   2. Study the convenience of revising the recommendations for the identification of non‑patent literature citations in order to bring WIPO Standard ST.14 in line with the International Standard ISO 690:2010 (Information and documentation – Guidelines for bibliographic references and citations to information resources). If the revision is considered convenient, prepare the corresponding proposal.
3. At the fourth session of the CWS held in May 2014, the International Bureau presented the status report on the revision of WIPO Standard ST.14 (see document CWS/4/5). The CWS was requested to take a decision concerning the convenience of the proposed replacement of the category “X” with categories “N” and “I”, taking into consideration benefits and disadvantages of this replacement indicated in paragraph 9 of document CWS/4/5.
4. The CWS informally agreed to hold the first component of Task No. 45 in abeyance. The Task Force was requested to focus on the second component of the Task, i.e. to study the convenience of revising the recommendations for the identification of non-patent literature citations in order to bring WIPO Standard ST.14 in line with the International Standard ISO 690:2010 (Information and documentation – Guidelines for bibliographic references and citations to information resources). It was decided to revisit the first component of the Task once the second component is completed.

## Task Force Discussions

1. Since May 2014, the ST.14 Task Force held a meeting in Geneva, in June 2015, seven discussion rounds on the second component of Task No. 45, two rounds of discussion on the first component (category codes) and final draft revised WIPO Standard ST.14.

### Category codes

1. Within the framework of the first component of Task No. 45, the Task Force discussed the revision of the definitions of categories “E”, “O” and “P”, and the proposal to replace the category “X” with new categories “N” and “I”. (See document CWS/2/6, paragraphs 5 to 9 of document CWS/3/4, and paragraphs 7 to 12 of document CWS/4/5.)
2. With respect to the category “X”, after careful consideration of benefits and disadvantages of the proposed replacement, the Task Force members concluded that it would be advisable to keep the category “X” unchanged and not to add new categories “N” and “I”.
3. The CWS agreed at its third session, held in April 2013, that the combination of categories “E” and “O” with other categories should be optional (see paragraph 35 of document CWS/3/14), but, when discussing this issue, the Task Force found it possible to provide stronger recommendations with respect to the category “O”. The Task Force members agreed that the Category “O” should always be accompanied by one of the categories “X”, “Y” or “A” in order to provide sufficient information regarding the relevance of the reference cited (see paragraph 20 of the draft revised WIPO Standard ST.14).
4. With respect to the category “E”, the Task Force could not reach the consensus due to significant differences in IPO practices, and the CWS is requested to consider the following three options for the definition of this category:
   1. Remove “but” and not introduce any recommendations with respect to combining this category with others, to read:

*Category “E”: Earlier patent document as defined in Rule 33.1(c) of the Regulations under the PCT,* ~~but~~ *published on or after the international filing date.*

* 1. Remove “but” and include a recommendation that the combination of category “E” with other categories is optional (“may”), to read:

*Category “E”: Earlier patent document as defined in Rule 33.1(c) of the Regulations under the PCT,* ~~but~~ *published on or after the international filing date. Code “E” may be accompanied by one of the categories “X”, “Y” or “A”*

* 1. Remove “but” and include a stronger, but still optional, recommendation to use the category “E” in combination with other categories (“should preferably”), to read:

*Category “E”: Earlier patent document as defined in Rule 33.1(c) of the Regulations under the PCT,* ~~but~~ *published on or after the international filing date. Code “E” should preferably be accompanied by one of the categories “X”, “Y” or “A”*

1. The attached draft revised Standard reflects the third option provided in paragraph 9 (c), above, as it is in line with the guidance received from the CWS (see paragraph 8, above) and enjoyed a consensus within the Task Force at some point of the Task Force discussion.
2. The Task Force also prepared a revised definition of category “P” to extend its scope to cover documents published prior to the (international) filing date but on or after the priority date claimed in the application.

### Non patent literature

1. Following the decision mentioned in paragraph 4, above, the ST.14 Task Force prepared a proposal for revision of recommendations for identification of non-patent literature citations. The main changes proposed by the Task Force are the following:
   1. include recommendations for citing documents having multiple authors;
   2. include recommendations for citing documents produced by Standards Defining Organizations;
   3. include recommendations to indicate the format of publication content, e.g., text, audio, video or multimedia;
   4. provide detailed recommendations for indicating the source and location of the cited document;
   5. provide recommendations for non-patent literature citations in a language other than English or other than the language of the search report; and
   6. certain editorial changes.

## Draft revised WIPO Standard ST.14

1. Draft revised WIPO Standard ST.14 prepared by the Task Force is presented for consideration and approval by the CWS, as reproduced in the Annex to the present document.
2. *The CWS is invited to:*
   1. *note the content of the present document;*
   2. *consider three options for the definition of the category “E”, as provided in paragraph 9, above, and take a decision which of them should be included in the revised WIPO Standard ST.14; and*
   3. *consider and approve the proposed revision of WIPO Standard ST.14, as reproduced in the Annex to the present document.*

[Annex follows]