

ANNEX III

DECISIONS AND REMARKS AGREED ON BY THE SDWG REGARDING
THE DRAFT PROPOSAL ON AN APPLICATION NUMBER FORMAT

1. Decisions and remarks by the SDWG regarding the items listed below are in italics.

(a) General

Items to be agreed first:

1	This Standard covers application numbers for all types of industrial property right applications, including trademark applications. <i>Agreed. However, the inclusion of trademarks may need to be reconsidered after having further discussed the proposed format.</i>
2	An indispensable part of the application number consists of a code for type of industrial property right, a year designation and a serial number <i>Agreed, with a request to the Task Force to further discuss the need for the inclusion of the year designation.</i>
3	A code for place of filing and a control number can also be included in the Application number as an optional part. <i>Agreed.</i>
4	Both alphabetic and numeric characters are used. <i>Agreed, with the understanding that this item refers to the code for the place of filing.</i>
5	The country code is not part of the application number except in cases described in Section (e). However, for representation, the application number should always be preceded by the country code of the corresponding office. <i>Agreed.</i>
6	Sequence of indispensable elements is <type> <year> <serial> where <type> is the type of industrial property right <year> is the year <serial> is the serial number. <i>Referred back to the Task Force.</i>

Items to be discussed further:

1	Is a distinction between an application number and a publication number (e.g., WIPO Standard ST.6) needed? <i>The SDWG recommended that different formats could be used.</i>
2	Should applications under the PCT, The Hague and Madrid System be covered by this Standard? If so, how can WIPO Standard ST.3 accommodate numbering systems of these international applications? It should be noted that the numbering system of the PCT is stipulated in Section 307 of the Administrative Instructions under the PCT. <i>Once the new Standard has been adopted it should be forwarded to the Office of the PCT and the Sector of Trademarks, Industrial Designs and Geographical Indications within the Secretariat.</i>
3	How many digits should the total number of characters be? The total number can be from 13 to 16. <i>The SDWG felt that the length of the code was not as important as the stability of its length over time.</i>

(b) Type of industrial property right

Items to be agreed first:

1	Code for type of industrial property right forms an indispensable part of the application number. <i>Agreed.</i>
2	Numeric character is used to represent the type of industrial property right in order to avoid possible confusion with the country code, which is represented by two alphabetic characters in accordance with WIPO Standard ST. 3. <i>Agreed.</i>

Items to be discussed further:

1	Are there any other types of industrial property rights than those listed in WIPO Standard ST.13 (e.g., medicament patent in WIPO Standard 16)? Concerning the inclusion of trademarks, it was agreed at the SCIT/SDWG/6 meeting that this matter be referred to the Trademark Standards Task Force that would report back to the SDWG at the seventh session, and that the work of the ST.10/C Task Force should continue in the meantime. <i>The SDWG agreed that only industrial property rights were to be considered.</i>
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2	<p>Should additional information (e.g., types of applications such as PCT applications entered in the national phase) be included in codes for types of industrial property rights or in codes for internal use? (See section (e)) <i>The SDWG recommended to the Task Force that taking into account additional information concerning the type of industrial property right was not a priority.</i></p>
3	<p>Should this code be extended to two digits or more in order to accommodate complex types of industrial property rights in an organized manner? If so, how are different types of industrial property rights organized? Should the usage of the second digit be determined by each office? The following is an example of a two-digit presentation of types of industrial property rights: (Please note that this example is just for illustration of organized structure and not a concrete proposal.)</p> <p style="padding-left: 40px;">1: patent applications 10: applications for patents for inventions 11: applications for plant patents 12: applications for design patents 13: applications for SPCs 14-16: reserved for use by each office 17-19: reserved for future use</p> <p style="padding-left: 40px;">2: utility model applications 20: ...</p> <p style="padding-left: 40px;">3: trademark applications 30: ...</p> <p><i>The SDWG supported the use of two digits but referred the item back to the Task Force for further examination regarding hierarchy.</i></p>

(c) Year designation

Items to be agreed first:

1	<p>Year designation forms an indispensable part of the application number. <i>Referred back to the Task Force</i></p>
2	<p>According to the Gregorian calendar. <i>Agreed.</i></p>
3	<p>Four digits. <i>Agreed.</i></p>

(d) Serial number

Items to be agreed first:

1	Serial number forms an indispensable part of the application number. <i>Agreed.</i>
2	Fixed length with leading zeros. <i>Referred back to the Task Force to take into account the differences between the storage of the number and its presentation.</i>
3	Starts at the number 1 each year. <i>Referred back to the Task Force.</i>
4	Parallel numbering series, each starting at the number 1, for different types of industrial property rights. <i>Referred back to the Task Force.</i>
5	Gaps in sequential numbering schemes allowed and assigning order need not necessarily represent the registration order. <i>Agreed.</i>

Items to be discussed further:

1	Should all the IPOs employ the same number of digits (e.g., six digits at all IPOs) or should the number of digits be left to the discretion of each office? <i>Referred back to the Task Force to take into account that series of more than six digits may soon be necessary in some offices.</i>
2	Should the maximum number of digits be six or seven? Currently, no country/organization has an annual number of applications that actually reaches seven digits (Japan accepted the largest number of about 420,000 in 2004); however, the number of applications generally demonstrates an upward trend and Standard on application numbers cannot be changed frequently. <i>Referred back to the Task Force.</i>

(e) Code for internal use

Items to be agreed first:

1	Code for internal use forms an optional part of the application number. <i>Agreed.</i>
2	Two digits. <i>Referred back to the Task Force noting that it may be necessary to have more than two characters for the code for internal use.</i>
3	The code for internal use can be used at the discretion of each office. <i>Agreed.</i>
4	The code for internal use, for example, is used for indicating place of filing where there is an overlap in the number sequence between different regional offices within a country or an organization. When the country code is used for identifying different member offices of intergovernmental organizations, WIPO Standard ST.3 applies. <i>Agreed</i>

Items to be discussed further

1	In the case of the regional code, should the International Standard ISO 3166-2 (see Appendix 2) be employed as far as applicable? It is to be noted that the distribution of IPOs' branches is not always consistent with administrative subdivisions defined in International Standard ISO 3166-2. <i>Referred back to the Task Force to find a solution to designating the regional offices.</i>
2	Where should the code for internal use be inserted? Between the year designation and the serial number, after the serial number, or in other positions? <i>Referred back to the Task Force to consider the different practices of the offices and the consequences of each practice in relationship to users, and to the exchange of data.</i>
3	Should the type of application, such as PCT applications entered in the national phase, be included in the code for internal use or in the type of industrial property right? (See Section (b.)) <i>Referred back to the Task Force.</i>

(f) Control character

Items to be agreed first:

1	Control character forms an optional part of the application number. <i>Agreed.</i>
2	The rules set out in paragraph 10 of WIPO Standard ST.10/C should be Followed. <i>Agreed, but the Task Force is to revise the wording of paragraph 10 of WIPO Standard ST.10/C</i>
3	Control character should consist of a single numeral. <i>Agreed.</i>
4	Control character is put at the end of the application number. <i>Agreed.</i>

Items to be discussed further:

1	Should the control character not be a part of the computer readable form? <i>Referred back to the Task Force.</i>
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(g) Separator

Items to be discussed further:

1	Should separators be limited to one or several characters as in WIPO Standard ST.13 (space only) or should various characters, such as a full stop, a comma, a slash, a hyphen, or a space, be accepted as in WIPO Standard ST.10/C? <i>Referred back to the Task Force, noting that “,” and “.” should be excluded.</i>
2	Should the separator not be a part of the computer readable form? <i>Referred back to the Task Force.</i>

2. The SDWG requested the ST.10/C Task Force to examine if WIPO Standards ST.10/C and/or ST.13 should include a specific list of unicode characters that are allowed.