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STANDING COMMITTEE ON INFORMATION TECHNOLOGIES STANDARDS AND DOCUMENTATION WORKING GROUP

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DRAFT PROPOSAL ON AN APPLICATION NUMBER FORMAT

Document prepared by the Secretariat

1. The Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT), at its seventh session, held in May/June 2006, reviewed the proposal by the ST.10/C Task Force on the application number prototype format for the revision of WIPO Standard ST.13. The SDWG agreed on a group of items proposed by the Task Force and requested the Task Force to further discuss other items. The SDWG approved the proposal by the Task Force on further actions and time frames regarding the preparation, within the framework of Task No. 30, of the said proposal for the revision of WIPO Standard ST.13. (See document SCIT/SDWG/7/9, paragraphs 14 to 16.)
2. In accordance with the above-mentioned decisions by the SDWG, the ST.10/C Task Force continued its discussions and prepared, for consideration by the SDWG, a revised draft proposal on the application number prototype format that could be used for all modalities of industrial property rights.
3. On January 16, 2007, the Japan Patent Office, as Leader of the ST.10/C Task Force, submitted a progress report by the Task Force, including an appendix thereto. This report contains information on the progress made concerning Task No. 30, proposals made by the Task Force and remaining work to be completed by the Task Force and the SDWG. The report is reproduced as the Annex to this document for consideration by the SDWG. An oral report on the status of Task No. 30 will also be presented at the eighth session of the SDWG.

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4. The ST.10/C Task Force, in paragraphs 7 and 8 of the Annex, invites the SDWG to discuss and approve the revised draft of the proposal on the application number prototype format for the revision of WIPO Standard ST.13, which is still a work in progress and is presented in the Appendix to the Annex. Paragraph 3 of the Appendix reproduces the said revised draft and contains two groups of items. The first group lists the items that were agreed on by the SDWG at the seventh session. The second group of issues (“Items to be discussed further”) provides the proposals by the ST.10/C Task Force for consideration and approval by the SDWG at its eighth session.

5. The ST.10/C Task Force also presents, in paragraphs 7 and 8 of the Annex, a proposal on further actions for the completion of the proposal on an application number prototype format for the revision of WIPO Standard ST.13, as well as the corresponding time frames, for consideration and approval by the SDWG.

6. The ST.10/C Task Force, in paragraph 9 of the Annex, suggests, for consideration and approval by the SDWG, maintaining a list of types of industrial property right codes, internal use codes (to be included in the eight-digit serial number) or control character (check digit) that are unique to an individual IPO in the WIPO *Handbook on Industrial Property Information and Documentation*, e.g., in the Appendix, Tables I and II, of WIPO Standard ST.10/C.

7. Finally, the ST.10/C Task Force also requests the SDWG to note that the addition of type of industrial property right to the application number will require an update of WIPO Standard ST.36 and possibly the trademark XML standard.

8. *The SDWG is invited:*

(a) to note the report of the ST.10/C Task Force and the oral report referred to in paragraph 3, above;

(b) to consider the proposal on the application number prototype format referred to in paragraph 4, above, and reproduced in the Appendix to the Annex;

(c) to approve, in particular, the proposals listed in the group of “Items to be discussed further” referred to in sections (a) to (g) of paragraph 3 of the Appendix;

(d) to consider and approve the proposal on further actions for the completion of the proposal for the revision of WIPO Standard ST.13 and time frames referred to in paragraph 5, above, and in paragraphs 7 and 8 of the Annex;

(e) to consider and approve the suggestion concerning maintaining, in the WIPO Handbook on Industrial Property Information and Documentation, the list referred to in paragraph 6, above, and in paragraph 9 of the Annex; and

(f) to note the possible need to update WIPO Standard ST.36 and the trademark XML standard as a consequence of the addition of the type of industrial property right to the application number, as referred to in paragraph 7, above, and in paragraph 10 of the Annex.

[Annex follows]

ANNEX

REPORT OF THE ST.10/C TASK FORCE

Introduction

1. This report refers to SDWG Task No. 30 (Revision of WIPO Standard ST.10/C) and is a follow-up to the progress report presented by the ST.10/C Task Force at the seventh session of the SDWG in May/June 2006. The said progress report was reproduced in the Annex to document SCIT/SDWG/7/2, including Appendix 1 thereto, which contained the draft proposal on the application number prototype format for the revision of WIPO Standard ST.13, and Appendices 2 and 3 relating to application number formats. For further information regarding Task No. 30, please refer to the SDWG Task List.

2. The SDWG, at its seventh session, following the request by the Task Force, reviewed and commented on the issues listed in paragraph 7 of Appendix 1 to the Annex to SCIT/SDWG/7/2, relating to the draft proposal on the application number prototype format. The outcome of this review is presented in Annex III to document SCIT/SDWG/7/9.

Task Force Activities and Current Results

3. Since the seventh session of the SDWG, the ST.10/C Task Force has been pursuing its work on an ideal format for application numbers based on the decisions, actions and timeline agreed on by the SDWG (see paragraphs 16 of SCIT/SDWG/7/9 and 15 of the Annex to SCIT/SDWG/7/2).

4. During the seventh session of the SDWG, in response to decisions and remarks by the SDWG, the ST.10/C Task Force met on May 31, 2006, to discuss the items that the SDWG referred back to the Task Force for further discussion. On the basis of the agreements reached at that meeting, the Task Force continued its discussions, in the framework of the e-forum, on the preparation of an application number prototype format that, as agreed on at that Task Force meeting, should be used for all types of industrial property rights, including trademarks.

5. The Appendix to this report contains a revised proposal on the revision of WIPO Standard ST.13. In particular, paragraph 3 presents a revised draft proposal on the application number prototype format for all types of industrial property rights that reflects the comments and decisions by the SDWG at its seventh session, and the subsequent agreements reached by the ST.10/C Task Force.

6. Each of the different sections of paragraph 3 of the Appendix (i.e., General, Type of Industrial Property Right, etc.) comprises two groups of items, except the last section, Separator, which comprises only one group. The first group of items, entitled "Items agreed on by SDWG", was already approved by the SDWG at its seventh session. The second group of items, entitled "Items to be discussed further", contains those items on which the Task

Force has reached agreement and which the Task Force proposes for consideration and approval by the SDWG at its eighth session.

Further Work

7. In line with the decision by the SDWG at its seventh session regarding the work schedule for the Task Force, the ST.10/C Task Force would like to propose the following actions and timeline for the completion of the revision of WIPO Standard ST.13:

- The SDWG, at its eighth session, should discuss the revised proposal and reach substantial agreement on the contents of the new WIPO Standard ST.13.
- The Task Force, during the period from the eighth to the ninth session of the SDWG, should add modifications as required to the draft proposal, format it to WIPO-standard type text and submit it at the ninth session of the SDWG and, if needed, further meetings.
- The SDWG, at its ninth session, should discuss the formatted draft and consider for adoption the new WIPO Standard ST.13.

8. The ST.10/C Task Force invites the SDWG to consider and approve the items listed under “Items to be discussed further” in the revised draft proposal and time frame as set forth above. The Task Force will work on the task mentioned in paragraph 7, above, upon approval by the SDWG.

9. Furthermore, the Task Force points out that the revised draft proposal provides for the use of codes or control characters; see Items 3(b) type of industrial property right codes, 3(e) codes for internal use (to be included in the eight-digit serial number) and 3(f) Control character (check digit). If the codes or control characters are unique to an individual IPO, the Task Force suggests maintaining a list of them in the WIPO Handbook, e.g., in the Appendix, Tables I and II of ST.10/C. The SDWG is asked to consider and approve this suggestion.

10. The Task Force requests the SDWG to note that the addition of type of industrial property right will require an update of ST.36 and possibly the Trademark XML standard.

[Appendix follows]

APPENDIX

REVISED DRAFT PROPOSAL ON THE NUMBERING OF
APPLICATIONS FOR INDUSTRIAL PROPERTY RIGHTS

Prepared by the ST.10/C Task Force

Background

1. Application numbers are primarily used by industrial property offices (IPOs) which receive the applications in order to identify each application. They are also utilized by subsequent offices and applicants when priority is claimed. Recently, the need for indicating exact application numbers is increasing as priority certificates are exchanged among IPOs electronically, and access by IPOs or the public to electronic dossiers over the Internet, using systems such as EPOLINE by the European Patent Office, AIPN by the Japan Patent Office, or PAIR by the United States Patent and Trademark Office, is available. In this regard, WIPO Standards cover formats and presentations for application numbers; however, formats actually employed by IPOs are still inconsistent, and this inconsistency poses certain difficulties for other offices and the public as to the identification of application numbers.

2. Recognizing the importance of developing an ideal format for application numbers, the SDWG, at its fifth session in November 2004, unanimously approved the inclusion of a task relating to the revision of WIPO Standard ST.13 in the ST.10/C Task Force's task list. The ST.10/C Task Force, accordingly, prepared and presented the previous versions of this paper to the SDWG, at its sixth session in September 2005, and at its seventh session in May/June 2006. The revised version of the draft proposal presented in this document has been prepared accordingly by the Task Force on the basis of the decisions by the SDWG at its seventh session.

Draft proposal on format for application numbers

3. The following proposal consists of seven sections and each section contains two groups of items. The items in the first group of each section were approved by the SDWG at its seventh session. The items listed in the second group need to be discussed further, and the ST.10/C Task Force would like to propose these items for consideration and approval by the SDWG at its eighth session.

(a) General

Items agreed on by SDWG:

- This Standard covers application numbers for all types of industrial property right applications, such as applications for patents, utility models, designs and trademarks. It does not apply to intellectual property such as copyright.

- An indispensable part of the application number consists of a code for type of industrial property right, a year designation and a serial number. The SDWG requested that the Task Force further discuss the need for inclusion of the year designation.
- A code for place of filing and a control number can also be included in the application number as an optional part.
- Both alphabetic and numeric characters are used for the code for the place of filing.
- 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.
- A different format can be used for an application number and a publication number (e.g., WIPO Standard ST.6).

Items to be discussed further:

Task Force proposal for approval by the SDWG:

- 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.
- For IPOs not wishing to provide a year designation in this element, see Section (c), below. The Task Force believes that at this time the sequence of elements can be approved by the SDWG.
- The application number has a fixed length of 14 characters, composed of two digits for the type, four digits for the year, eight digits for the serial number. See sections below for more details on each part.

(b) Type of industrial property right

Items agreed on by SDWG:

- The code for the type of industrial property right forms an indispensable part of the application number.
- The 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.
- Two digits should be used for the type of industrial property right.

Items to be discussed further:

Task Force proposal for approval by the SDWG:

- Hierarchy, for patents
 - 10 - 29: patent applications
 - 10: applications for patents for inventions
 - 11: PCT applications in the national phase
 - 12-14: for common use
 - Tentative candidates for common use proposed by the Task Force are:
 - applications for plant patents
 - applications for design patents
 - applications for SPCs

- 15-24: office internal use
- 25-29: reserved for future use
- Hierarchy, for utility model applications
 - 30 – 39: utility model applications
 - 30: applications for utility models
- Hierarchy, for design applications
 - 40 – 49: designs
 - 40: applications for industrial designs
- Hierarchy, for trademarks
 - 50-59: trademarks
 - 50: applications for trademarks
- Hierarchy, for other industrial property rights
 - 60 - : other industrial property rights

(c) Year designation

Items agreed on by SDWG:

- According to the Gregorian calendar
- Four digits

Items to be discussed further:

Task Force proposal for approval by the SDWG:

- The year designation forms an indispensable part of the application number.
- If an IPO does not wish to provide a year designation, the corresponding digits should be set to “0000” for computer readable form. The digits “0000” may be omitted from display or print presentation, if desired.

(d) Serial number

Items agreed on by SDWG:

- The serial number forms an indispensable part of the application number.
- Gaps in sequential numbering schemes are allowed and assigning order does not necessarily need to reflect the registration order.

Items to be discussed further:

Task Force proposal for approval by the SDWG:

- The serial number has a fixed length of eight digits.
- The use of the eight digits is to each office's free disposal.
- For storage, all eight digits should be employed. For presentation, leading zeros may be omitted.
- If regional filing information is part of the application number, this information must be coded in the first two digits of the serial number (see Section (e) – code for internal use).
- Starting at the number 1 each year is NOT necessary.

(e) Code for internal use

Items agreed on by SDWG:

- The code for internal use forms an optional part of the application number.
- The code for internal use can be used at the discretion of each office.
- 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.

Items to be discussed further:

Task Force proposal for approval by the SDWG:

- Office internal information can be coded in the eight digits for the serial number (see Section d)).
- If an office wishes to code regional filing information, the code must be located at the first two digits of the serial number. In this case, these two digits can also be characters.

(f) Control character (check digit)

Items agreed on by SDWG:

- The control character forms an optional part of the application number.
- The rules set out in paragraph 10 of WIPO Standard ST.10/C should be followed.
- The control character should consist of a single numeral.
- The control character is put at the end of the application number.

Items to be discussed further:

Task Force proposal for approval by the SDWG:

- If used by an office, the control character should be in computer readable form and located at the last digit of the eight digit serial number. See Section (d).
- ST.10/C, paragraphs 9 and 10, need to be updated to be in agreement with the decisions of the Task Force. For example, a different font for the control character is rarely used by IPOs and is not necessary.

(g) Separator

Items to be discussed further:

Task Force proposal for approval by the SDWG:

- It should be noted that separators are used for separating different elements (type of industrial property right, year, serial number).
- A slash “/”, a hyphen “-” or a space “ ” can be used for separators.
- The separator is not part of the computer readable form, and should be used only for presentation.