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PROPOSAL ON THE REVISION OF WIPO STANDARD ST.13

Document prepared by the Secretariat

1. The Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT), at its eighth session, held in March 2007, 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 to all the specific items proposed in the said revision, as requested by the SDWG, at its seventh session in May/June 2006, with the exception of two items. These two items were, firstly, the hierarchy given in subparagraph 3(b) of the Appendix to the working document SCIT/SDWG/8/2 (i.e., the two-digit codes to represent the different types of industrial property rights), and secondly, the proposal for allowing the use of characters in the "Code for internal use" in the eight-digit serial number referred to in subparagraph 3(e) of the same document. (See document SCIT/SDWG/8/14, paragraphs 13 to 15.)

2. In accordance with the above-mentioned decision by the SDWG, the ST.10/C Task Force continued its discussions and reached agreement on a proposal for the revision of WIPO Standard ST.13 that contains a new application number prototype format that should be used for all modalities of industrial property rights. In order to inform the SDWG on the progress made and remaining work to be completed with regard to Task No. 30, the Task Force prepared a report, which was submitted by the Japan Patent Office, as Leader of the Task Force, along with two appendices.

3. The said progress report is reproduced as the Annex to this document with Appendices 1 and 2 thereto for consideration by the SDWG. An oral report on the status of Task No. 30, including any additional agreements that may be reached with regard to the proposed revision of WIPO Standard ST.13 after the preparation of the written report, will also be presented at the ninth session of the SDWG.
4. Appendix 1 to the Annex contains the draft proposal by the ST.10/C Task Force for the revision of WIPO Standard ST.13 for consideration and adoption by the SDWG. Appendix 2 provides a list of numeric codes used by industrial property offices (IPOs) to indicate the type of industrial property rights that has been prepared by the Task Force on the basis of the information taken from the Appendix to WIPO Standard ST.10/C.
5. In paragraphs 15 and 16 of the Annex, the ST.10/C Task Force refers to, and requests guidance by the SDWG on, the inclusions in WIPO Standard ST.13, of an explanation similar to that in paragraph 7 of WIPO Standard ST.66, namely:
- “The keywords MUST, MUST NOT, SHALL, SHOULD, SHOULD NOT, MAY, and OPTIONAL, when they appear in this document, are to be interpreted as described in Internet Engineering Task Force (IETF) Request For Comments (RFC) 2119. Non-capitalized forms of these words are used in the regular English sense.”
6. In paragraph 16 of the Annex, the ST.10/C Task Force presents a proposal on further actions related to the remaining work to be completed with regard to Task No. 30, as well as the corresponding time frames, for consideration and approval by the SDWG.
7. Finally, in paragraph 17 of the Annex, the ST.10/C Task Force proposes the inclusion of two notes. The first note refers to publication and maintenance, in the WIPO *Handbook on Industrial Property Information Documentation* (WIPO Handbook), of a list of industrial property right type codes, internal use codes (to be included in the eight-digit serial number) and the control character (check digit) that are unique to an individual IPO.
8. The second note referred to in the previous paragraph is a request to the ST.36 and ST.86 Task Forces to consider updating WIPO Standards ST.36 and ST.66 if the proposed WIPO Standard ST.13 is adopted. A similar update would be necessary for WIPO Standard ST.86.

9. *The SDWG is invited:*

(a) *to note the report of the ST.10/C Task Force and the oral report referred to in paragraph 2, above;*

(b) *to consider and adopt the proposal on the revision of WIPO Standard ST.13 reproduced in Appendix 1 to the Annex;*

(c) to consider the explanation referred to in paragraph 5, above, and provide guidance to the ST.10/C Task Force with regard its inclusion in WIPO Standard ST.13 as a new paragraph;

(d) to consider and approve the proposal on further actions related to the remaining work to be completed with regard to Task No. 30 and time frames referred to in paragraph 6, above, and in paragraph 16 of the Annex;

(e) to consider and approve the suggestion concerning publishing and maintaining, in the WIPO Handbook on Industrial Property Information and Documentation, the list referred to in paragraph 7, above, and in paragraph 17 of the Annex; and

(f) to consider and approve the request to the ST.36, ST.66 and ST.86 Task Forces to update WIPO Standards ST.36, ST.66 and ST.86 as a consequence of the revision of WIPO Standard ST.13, as referred to in paragraph 8, above, and in paragraph 17 of the Annex.

[Annex follows]

ANNEX

REPORT OF THE WIPO STANDARD ST.10/C TASK FORCE

Introduction

1. WIPO Standard ST.10/C is a Standard for the presentation of application bibliographic data, in particular, information for the presentation of application numbers and priority application numbers that is essential for industrial property offices (IPOs) for identifying priority application numbers properly and creating precise patent families. Making patent families easy to create will result in significant advantages not only for IPOs, but also for users. In fact, many IPOs do not comply with the recommendations described in WIPO Standard ST.10/C, and it was noted that little IPO data was reproduced in the table in the Appendix to WIPO Standard ST.10/C.
2. In order to improve the quality of patent data and to avoid confusion in the presentation of priority application numbers, the WIPO Standard ST.10/C Task Force (ST.10/C Task Force) began discussions regarding WIPO Standard ST.10/C in July 2002.
3. At the second session of the SCIT/SDWG meeting held in December 2002 (SCIT/SDWG/2), in accordance with the proposal made by the ST.10/C Task Force, the SDWG agreed on a two-phase process:
 - (i) the first phase consisting of a moderate and pragmatic solution, and
 - (ii) a second phase with a standardized format solution.
4. In the first phase, the revision of WIPO Standard ST.10/C was carried out through a pragmatic and effective approach. At the fifth session of the SDWG, the revised WIPO Standard ST.10/C was adopted (see Appendix 4 to document SCIT/SDWG/5/13). It was also agreed that the Secretariat would send to IPOs a survey, with accompanying circular regarding their compliance with the provisions of paragraph 12(a) in WIPO Standard ST.10/C concerning priority document numbers.
5. For the implementation of the second phase, at the fifth session of the SCIT/SDWG meeting (SCIT/SDWG/5) in November 2004, the ST.10/C Task Force proposed changes to the description of Task No. 30 in order to include the task relating to the revision of WIPO Standard ST.13 within the mandate of the ST.10/C Task Force. The SDWG approved the changes as reproduced in Appendix 2 to the Annex to document SCIT/SDWG/5/4.
6. Since the SCIT/SDWG/5 meeting, the Task Force has been focusing on the second phase. The Task Force prepared a draft proposal for application number formats in order to explore an ideal solution and discussed the said proposal at the sixth (September 2005), seventh (May/June 2006) and eighth (March 2007) sessions of the SDWG.

7. This report is a follow-up to the progress report presented by the ST.10/C Task Force at the eighth session of the SDWG in March 2007. The said progress report was reproduced in the Annex to document SCIT/SDWG/8/2, including the Appendix which contained the draft proposal on the application number prototype format for the revision of WIPO Standard ST.13.

8. The SDWG, at its eighth session, following the request by the ST.10/C Task Force, reviewed and commented on the issues listed in subparagraphs 7(a) to 7(g) of Appendix 1 to the Annex to SCIT/SDWG/8/2, relating to the draft proposal on the application number prototype format. The outcome of this review is presented in paragraphs 12 to 18 of document SCIT/SDWG/8/14.

Task Force Activities and Current Results

9. Since the eighth 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 timelines agreed on by the SDWG (see paragraph 15 of SCIT/SDWG/8/14 and paragraphs 7 and 8 of the Annex to SCIT/SDWG/8/2), including:

“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, at further meetings.”

10. In response to decisions and remarks by the SDWG, during its eighth session, the ST.10/C Task Force met on March 21, 2007, to discuss the items, hierarchies for types of IP rights and codes for internal use, which the SDWG had referred back to the Task Force for further discussion. However, since the agreement on the type of IP rights was not 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. The draft proposal, which was formatted to the WIPO-standard type text, is reproduced in Appendix 1 to this document.

11. In order to reach a solution on types of IP rights, the ST.10/C Task Force summarized and discussed the current situation of IPOs that use numeric characters for types of IP rights on the basis of the Appendix of the WIPO Standard ST.10/C. The list of codes used by IPOs is reproduced in Appendix 2 of this Annex.

12. Based on its review of the types of rights, the Task Force reached a conclusion that a pragmatic solution would be to allocate codes 10–19 to patents, 20–29 to utility models, and, 30–99 for open office use. Additionally, if WIPO created a list of the codes used by IPOs, this newly revised standard would be a significant improvement over the present standard with which most IPOs do not comply.

13. In addition, as for types of IP rights, it was proposed that code 11 be assigned for PCT applications in the national phase (see paragraph 3(a) in the Appendix to document SCIT/SDWG/8/2). When a PCT application enters into the national phase, there is an option for a patent application to be changed into an application for utility models, so it was pointed out that code 21 should be assigned to PCT applications for utility models. It was recognized that such cases actually do exist, so the Task Force agreed with this assignment of code 21.

14. Furthermore, when formatting the revised text of WIPO Standard ST.13 and incorporating within the Standard the items that had already been approved by the SDWG, the ST.10/C Task Force revised the title, as well as the Introduction and Definition sections, to ensure that they were in accord with the contents of the new Standard. The Task Force also added other modifications where necessary.

15. The ST.10/C Task Force also discussed the issue of whether a paragraph should be included that explains the use of words like “may”, “should”, “must”, printed in upper case. The wording of this paragraph would be along the lines of that found in the Definitions section of WIPO Standard ST.66, which is as follows: “The keywords MUST, MUST NOT, SHALL, SHOULD, SHOULD NOT, MAY, and OPTIONAL, when they appear in this document, are to be interpreted as described in Internet Engineering Task Force (IETF) Request For Comments (RFC) 2119. Non-capitalized forms of these words are used in the regular English sense.” As a result, the Task Force reached the conclusion that a more thorough consideration by the SDWG would be appropriate.

Further Work

16. In line with the decision by the SDWG at its eighth 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 ninth session, should discuss the formatted draft and consider for adoption the new WIPO Standard ST.13.
- The SDWG, also at its ninth session, should discuss the issue on the definition of words in upper-case, described above in paragraph 15 in order to determine or specify the future direction for this issue.
- The Task Force, during the period from the ninth to the tenth session of the SDWG, should add modifications as required to the draft proposal and submit it at the ninth session of the SDWG and, if needed, at further meetings.
- The Task Force, also during the period from the ninth to the tenth session of the SDWG, should review WIPO Standard ST.10/C, particularly paragraphs 5 to 7 for any needed revisions in light of the revisions now being made to WIPO Standard ST.13.

17. Based on paragraph 18 of document SCIT/SDWG/8/14, the ST.10/C Task Force would like to propose that the following two paragraphs be included in the new ST.13:

Note: The new application number format provides for the use of codes or control characters; see Items 5(b) type of industrial property right codes, 5(e) code for internal use (to be included in the eight-digit serial number) and 5(f) control character (check digit). If the codes or control characters are unique to an individual IPO, it is suggested that a list thereof would be maintained in the WIPO Handbook, e.g., in an additional Table other than Tables I and II of the Appendix of WIPO Standard ST.10/C .

Note: The addition of type of industrial property right will require an update of ST.36 and possibly the Trademark XML standard.

[Appendices follow]

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APPENDIX 1

STANDARD ST.13

RECOMMENDATION FOR THE NUMBERING OF APPLICATIONS FOR INDUSTRIAL PROPETY RIGHTS (IPRs);
PATENTS, UTILITY MODELS, TRADEMARKS, INDUSTRIAL DESIGNS AND OTHER IPRs

Editorial Note prepared by the International Bureau

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STANDARD ST.13

RECOMMENDATION FOR THE NUMBERING OF APPLICATIONS FOR INDUSTRIAL PROPERTY RIGHTS (IPRS);
PATENTS, UTILITY MODELS, TRADEMARKS, INDUSTRIAL DESIGNS AND OTHER IPRs

*Proposal prepared by the ST.10.C Task Force
Note: Proposals for revision are highlighted*

INTRODUCTION

1. Recognizing the importance of having a format for application numbers that could be widely used by industrial property offices (IPOs), the aim of this Recommendation is to provide guidance to those offices which intend to change their present numbering systems, or to introduce new numbering systems, for applications for patents, for utility models, for trademarks, for industrial designs, for SPCs and for layout-designs (topographies) of integrated circuits.
2. Application numbers are primarily used by IPOs in order to identify each application received. They are also utilized by subsequent offices and applicants when priority is claimed. Recently, the need for indicating exact application numbers has been increasing as priority certificates are exchanged among IPOs electronically, and access by IPOs or the public to electronic dossiers is available over the Internet. In this regard, WIPO Standards ST.10/C and ST.13 cover formats and presentations for application numbers; however, the formats and presentations actually employed by IPOs have been historically inconsistent. This inconsistency poses difficulties for other offices and the public as to the correct and complete identification of application numbers. Therefore, it is recommended that IPOs follow the guidance of this Standard when revising existing application numbering systems or creating new application numbering systems.

DEFINITIONS

3. For the purposes of this Recommendation:
 - (a) the term "patents" includes such industrial property rights as patents for inventions, plant patents, design patents and utility models;
 - (b) the term "industrial designs" includes two-dimensional and three-dimensional features of shape and surface of objects, and thus covers both concepts of "designs" and "models" where a distinction is made between the former and the latter. The term "industrial designs" does not include design patents;
 - (c) the term "trademarks" includes words, names, symbols, or other features that distinguish particular goods and services from those by others and to indicate the source of the goods;
 - (d) - the term "other industrial property rights (IPRs)" includes layout-designs (topographies) of integrated circuits and SPCs;
 - "layout-designs (topographies) of integrated circuits" means the three-dimensional disposition, however expressed, of the elements, at least one of which is an active element, and of some or all of the interconnections of an integrated circuit, or such a three-dimensional disposition prepared for an integrated circuit intended for manufacture;
 - "SPCs" stands for supplementary protection certificates. The SPC takes effect at the end of the term of a patent which protects the product as such, a process to obtain the product or an application of the product.

REFERENCES

4. (a) References to the following Standards are of relevance to this Recommendation:

WIPO Standard ST.3	Recommended Standard on Two-Letter Codes for the Representation of States, Other Entities and Intergovernmental Organizations.
WIPO Standard ST.10/C	Presentation of Bibliographic Data Components.
- (b) The following Standards should be referred to for information purposes:

WIPO Standard ST.6	Recommendation for the Numbering of Published Patent Documents.
WIPO Standard ST.34	Recommendation Concerning the Recording of Application Numbers Electronic Form for the Exchange of Bibliographic Data.

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RECOMMENDATION FOR APPLICATION NUMBERING

5. It is recommended that an IPO wishing to change its present numbering system, or intending to introduce a new system for application numbering for industrial property rights, i.e., patents, trademarks, utility models, industrial designs and other IPRs, should use a system for the application number meeting the requirements in the seven sections listed below:

(a) *General*

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 rights such as copyright. An indispensable part of the application number should consist of the following three elements: a code for type of industrial property right, a year designation and a serial number.

The application number should have a fixed length of 14 characters, composed of two digits for the type, four digits for the year, and eight digits for the serial number. See sections below for more details on each part.

The sequence of indispensable elements in the application number format is <type> <year> <serial>:

<type>:	the type of industrial property right	(2 digits)	see Section (b)
<year>:	the year designation	(4 digits)	see Section (c)
<serial>:	the serial number	(8 digits)	see Section (d)

In addition, the following rules are also recommended as optional or additional format systems:

- A code for place of filing and a control number may also be included in the application number as an optional part. In this case, both an alphabetic and a numeric characters may be used for the code for the place of filing.
- The WIPO Standard ST.3 country/organization 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 ST.3 code of the corresponding office.
- A different format can be used for an application number and a publication number (see WIPO Standard ST.6).

[For detailed examples of application number formats, see "Examples of application numbers according to this Recommendation" listed at the end of this Standard]

(b) *Type of Industrial Property Right*

The code for the type of industrial property right forms an indispensable part of the application number. Industrial property offices introducing parallel numbering series for different types of industrial property rights are recommended to use two digits (numeric characters only), which 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. Each category for two digits of the numeric character is listed below:

- Hierarchy, for patents
 - 10-19: patent applications
 - 10: applications for patents for inventions
 - 11: applications for patents from PCT applications (PCT applications in the national phase)
 - 12-19: office use
- Hierarchy, for utility model applications
 - 20 – 29: utility model applications
 - 20: applications for utility models
 - 21: applications for utility models from PCT applications
 - 22-29: office use
- Hierarchy, for other industrial property rights, i.e., industrial designs, trademarks, layout-designs (topographies) of integrated circuits, SPCs, etc.
 - 30-99: office use

Note: Inclusion of WIPO/PCT applications in the international phase in this Standard and allocation of the code range of 90-99 to the use of WIPO/PCT has been considered by the ST.10/C Task Force members who will carry out further discussions on this matter. This matter will be reported on at the SDWG/9.

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(c) Year Designation

The year designation forms an indispensable part of the application number. A year designation should consist of four digits for indicating, according to the Gregorian calendar, the year of filing the application. However, in case that an industrial property office does not wish to provide a year designation, the corresponding digits should be set to "0000" for machine-readable form, e.g., for electronic storage, exchange or identification. The digits "0000" may be omitted from display or print presentation, if desired.

(d) Serial Number

The serial number forms an indispensable part of the application number and is an essential element for identifying an individual application accurately. The serial number should have a fixed length of eight digits. However, the use of the eight digits is at each office's discretion. Gaps in sequential numbering schemes are permitted. The order of assignment of serial numbers does not necessarily need to reflect the order of registration. On the other hand, when 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).

Basic rules for the Serial Number:

- A fixed length of eight digits is preferably required
- All eight digits should be employed for electronic storage, exchange or identification (machine-readable form)
- Leading zeros may be omitted for presentation in documents or displays of document images (human-readable form)
- Starting at the number 1 each year is not necessary

Codes for regional filing information must be coded in the first two digits

(e) Code for Internal Use

The code for internal use forms an optional part of the application number. If industrial property offices wish to use a certain code for indicating place of filing where there is an overlap in the number sequences among different regional offices within a country or an organization, the code for internal use should be used as an optional part of the application number. However, when the country code is used for identifying different member offices of intergovernmental organizations, WIPO Standard ST.3 applies. The code for internal use can be used at the discretion of each office.

Basic rules for the Code for Internal Use:

- If an office wishes to code regional filing information in the application number, office internal information can be coded in the eight digits for the serial number (see Section (d)).
- 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)

The control character forms an optional part of the application number. Control characters (check digits) are used by several industrial property offices in relation to application numbers for the purposes of internal control.

Basic rules for the Control Character:

- The control character should consist of a single numeral
- The control character should be in computer-readable form
- The control character should be located at the last digit (furthest to the right) of the eight-digit serial number

The fundamental rules for the control character are set out in paragraphs 9 and 10 of WIPO Standard ST.10/C.

(g) Separator

It should be noted that separators may be used for separating different elements in the application number (the type of industrial property right, the year designation, and the serial number). The separator is not part of the computer-readable form, and should be used only for presentation. The following elements may be used as a separator: a slash, "/"; a hyphen, "-"; or a space: " ".

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RECOMMENDATION FOR COMBINED USE WITH COUNTRY CODE

6. It should be noted that the two-letter country code according to WIPO Standard ST.3 does not form part of the application number. However, the ST.3 code should be associated with the application number, since there is a need to uniquely identify the application and the industrial property office that received the application **or under whose rules the application was filed**. In using the ST.3 code, it is recommended that the code precede the application number and, when printed, be separated from that number by a space.

FURTHER OBSERVATIONS

7. It is recalled that application numbers as presented **in** documents relating to patents for inventions, to plant patents, to design patents, to utility models, or to industrial designs, or as published in official gazettes, are frequently the only means to identify all members of a patent family. Therefore, it is considered important to present application numbers, and particularly priority application numbers, in a clear and unambiguous manner enabling the application to be uniquely identified.

8. Industrial property offices may start using this Recommendation at any time. It is recommended that when implementing it for the numbering of applications, a timely announcement to that effect should be made in official publications, e.g., in the gazette, and that the International Bureau of WIPO should also be informed, e.g., by being forwarded a copy of such publication.

Note: The new application number format provides for the use of codes or control characters; see Items 5(b) type of industrial property right codes, 5(e) code for internal use (to be included in the eight-digit serial number) and 5(f) control character (check digit). If the codes or control characters are unique to an individual IPO, it is suggested that a list of them be maintained in the WIPO Handbook on Industrial Property Information and Documentation, e.g., in Table NN (to be determined).

Note: The addition of type of industrial property right will require an update of ST.36 and possibly the Trademark XML standard.

*Examples of application numbers according to **this** Recommendation:*

Patent application filed in the country XX in the year 2010 with serial number 00345678
Presentation: XX 10 2010 345678
Machine readable: 10201000345678

PCT application entered into the national phase in the country XX in the year 2011 with serial number 1234567 and check digit 9
Presentation: XX 11-2011-12345679
Machine readable: 11201112345679

Patent application filed in the country XX in the year 2010 with serial number 00123456 but without year designation
Presentation: XX 10 123456
Machine readable: 10000000123456

Utility model application filed in the country XX in the year 2012 with serial number 4321
Presentation: XX 20/2012/4321
Machine readable: 20201200004321

[End of Standard]

[Appendix 2 follows]

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APPENDIX 2

LIST OF CODES USED BY IPOs THAT USE NUMERIC CHARACTERS
FOR TYPES OF INDUSTRIAL PROPERTY RIGHTS

This table is based on ST.10/C Appendix

(<http://www.wipo.int/export/sites/www/scit/en/standards/pdf/03-10-c.pdf>) and Part 7.5 of the WIPO Handbook (<http://www.wipo.int/scit/en/standards/pdf/07-05-01.pdf>)

Current uses of industrial type codes 10-90 (or 1-9)

ST.3 code	10 (or 1)	20 (or 2)	30 (or 3)	40 (or 4), etc.	Comment
AU					1-Innovation patent 2-7 standard patent
CN	1=P	2=UM	3= ID		Other codes also provided
DE	10=P et al.	20=UM et al.	30=TM	40=ID	Other codes also provided; 30 and 40 as understood from discussions and parallel to old 1-4 system they used
GR	01=P	02=UM			
KG	1=P	2=UM			
KP	1=P	2=UM			
KR	10=P	20=UM	30=ID	40-75=TM	
KZ	1=P	2=UM			
OA	1=P	2=UM	3=TM	4=ID	5=Commercial Names
PH	1=P	2=UM	3=ID		
RU	1-4=P, UM	1-4=P, UM	1-4=P, UM	1-4=P, UM	1-4 used for both P and UM 5-6 used for ID, 7-9 used for TM

P=Patents for invention applications

UM=Utility model applications

ID=Industrial Design applications

TM=Trade Mark applications

[End of Annex and of document]