



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

October 27, 1999

Mr. K.-P. Wittig  
Deputy Director  
Inter-Office Information Services Department  
World Intellectual Property Organization  
34, chemin des Colombettes  
1211 Geneva 20  
SWITZERLAND

Re: WIPO SCIT Circular 2460 – Unique identification of a patent document (Task No. 39)

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Dear Mr. Wittig:

Enclosed is the US Patent and Trademark Office (USPTO) response to the “Questionnaire related to Task No. 39.”

In order to uniquely cite a patent document four pieces of data are necessary:

1. ST.3 country or organization code
2. ST.6 publication number
3. ST.16 kind of document code
4. Date of publication of the document as provided by ST.9 INID codes (41) through (48)

As pointed out in WIPO Standard ST.14, paragraph 12(a)(v), the supplementary correction code is not always provided on patent documents. Prior to the May 1998 revision of WIPO Standard ST.50, the codes did not exist and offices are only now beginning to use the correction codes. Use of supplementary the correction codes in uniquely identifying a patent document is therefore quite limited. In fact, the only situation where they would be useful would be when the same patent document was corrected twice on the same date. This would seem to be highly unlikely.

To modify several electronic and paper standards to incorporate the correction codes would not seem to be warranted. Of course, it may be desirable to incorporate the correction codes and dates in some additional standards such as WIPO Standard ST.32 for bibliographic purposes even though they are not needed for uniquely identifying the document.

In addition to changing the existing WIPO standards, the Working Group should discuss making information on how to uniquely identify a patent document more readily available to the user community. A possible way to do this may be to create a separate new standard listing the four items cited above along with any other related useful information for uniquely identifying a patent document. Alternatively, the information could be provided separately in the WIPO Handbook on

Industrial Property Information and Documentation, provided it could be easily found by someone new to patent documentation.

We look forward to further discussing this matter at the upcoming Standards and Documentation Working Group meeting.

Sincerely,

*/Robert W. Saifer/*

Robert W. Saifer, Director  
International Liaison Staff

Enclosure

QUESTIONNAIRE RELATED TO TASK No. 39\*

The purpose of this Questionnaire is to gather information on the views of industrial property offices as to whether and how certain WIPO Standards should be revised in order to determine the unique identification of any patent document.

Reporting Office .....  
or Organization: .....U.S. Patent and Trademark Office .....

Name of person to be contacted (in case of need): .....Robert W. Saifer .....  
E-mail address: .....robert.saifer@uspto.gov.....  
Fax: .....1-703-308-6879 .....  
Telephone: .....1-703-308-6853.....

1. Does your Office see a need for revision of certain WIPO Standards in connection with the application of supplementary correction codes?

Yes  No

2. (a) Which WIPO Standards, among those listed in Task No. 39, are considered by your Office as needing revision in order to clarify how a patent document should be uniquely identified?

WIPO Standards ST.6, ST.10/B, ST.16, ST.35 and ST.40

(b) Should any other WIPO Standard be added to those listed in your answer to question 2(a)? If so, please list them.

..... Yes, WIPO Standard ST.33.....  
.....

3. For each of the WIPO Standards given in your answers to questions 2(a) and 2(b), please list the specific part(s) which may require revision and/or further provisions with respect to this matter.

ST.6, Paragraph 14, second sentence; ST.10/B, paragraphs 5, 17 and 19; ST.16, new section; ST.33, Appendix II; ST.35, Appendix 2; and ST.40, paragraphs 19 and 20

## QUESTIONNAIRE (cont'd)

4. If your Office has any proposals concerning revision of, and/or further provisions to be inserted in, any of the items listed in your answer to question 3, please indicate.

(Please note: Additions are underlined and deletions are in ~~strike through~~ font.)

### **Standard ST.6, paragraph 14, second sentence**

However, both codes, along with the publication date of the document, have to be associated with the publication number for the complete identification of the patent document.

### **Standard ST.10/B, paragraph 5**

Insert the following:

(e) the publication date of the document (INID code (41) through (48), as appropriate)

### **Standard ST.10/B, paragraph 17**

17. When an office republishes the whole or part of the text of a patent document already published by another office or organization, the identification of the republished document should be given as normal on the first page of the republished document, viz. the two-letter code identifying the republishing office, the document number, ~~and~~ the kind of document code appropriate to the republished document and the date of publication. These ~~threefour~~ threefour elements of identification should be printed together at the top of the page and preferably in a large type face. The corresponding ~~threefour~~ threefour elements identifying the originally published document should be given, together with the appropriate INID codes, immediately below the element identifying the republished document but in a smaller typeface. Examples are as follows:

Appropriate dates should be provided for the examples.

### **Standard ST.10/B, paragraph 19**

19. In any computer record corresponding to the republished document, a record of the normal ~~threefour~~ threefour data elements identifying the republished document only should be made in the part of the computer record dealing with document identification data, viz. the two-letter code identifying the office republishing the document, the document number, ~~and~~ the kind of document code and the date of publication appropriate to the republished document, i.e., DK044610 T3 year-month-day.

The correct date should be inserted in the example.

## **Standard ST.16**

The following section should be added to Standard ST.16 to point out that the publication date is necessary for unique identification of a document:

### FURTHER OBSERVATIONS

It should be noted that the two-letter code according to WIPO Standard ST.3, the publication number according to WIPO Standard ST.6., the kind of document code according to WIPO Standard ST.16 and the publication date of the document are required for the unique identification of a patent document.

## **Standard ST.33, Appendix II**

Prefix Item 20.2 “Publication date” should be mandatory not desirable in order to uniquely identify the document.

## **Standard ST.35, Appendix 2**

The table does not provide a clear indication of a Prefix Item covering publication date. Item 10, the “Date of issue of amendment” does not appear to be the publication date, although it is not clear what date is actually being cited. Item 14, the “Date of production” is defined as the date of capture and thus not the date of publication either. A mandatory Prefix Item similar to Item 20.2, “Publication date” of ST.33 needs to be provided in ST.35.

## **Standard ST.40, paragraphs 19 and 20**

The publication date (INID code(41) through (48), as appropriate) similar to that provided under paragraph 25 should be included in each of the enumerated lists for paragraphs 19 and 20 to uniquely identify the document being referred to by the open and document location indexes, respectively.

[End of Questionnaire and of Circular]

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\* Task No. 39 reads as follows:

“Investigate, in the light of the revised Standard ST.14, whether any other WIPO Standard, such as ST.6, ST.10/B, ST.11, ST.12, ST.16, ST.19, ST.30, ST.32, ST.35 and ST.40, requires revision in order to clarify how a patent document should be uniquely identified”