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To: <scit.mail@wipo.int>
Date: 2/22/05 5:27PM
Subject: Circulares C. SCIT 2604, C. SCIT 2605

Estimado Señor:

En contestación a las Circulares C. SCIT 2604 y C. SCIT 2605 de fecha 14 de diciembre de 2004, adjunto los cuestionarios mencionados en dichas Circulares con la contestación de la Oficina Española de Patentes y Marcas.

Atentamente,

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(See attached file: cuestionario_c.SCIT_2604a_e.doc)(See attached file: cuestionario_c.SCIT_2605a_e.doc)

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Questionnaire on Correction Procedures in Patent Offices

*approved by the SCIT Standards and Documentation Working Group
at its fifth session on November 11, 2004*

Task No. 35: Prepare a questionnaire and carry out a survey on the implementation of WIPO Standard ST.50 and on the status of the correction procedures in the industrial property offices. Prepare a proposal regarding this matter for consideration by the SDWG.

Please provide the following contact information in order for us to contact the person responsible for the Questionnaire in case of need:

<u>Contact details of the Reporting Office:</u>	
Name of the Reporting Office	<u>ES</u> (ST.3 two-letter country/organization code) <u>Spain</u>
Person to contact	Name: <u>Jose Luis Martín Díez</u>
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Q U E S T I O N N A I R E

The Guidelines given by WIPO Standard ST.50 aim at providing guidance to industrial property offices and other suppliers of patent information on how to issue corrections, alterations and supplements relating to patent information published in paper form or on machine-readable media.

COMPLIANCE WITH WIPO STANDARD ST.50

1. Does your Office use these guidelines?

(a) Guidelines for corrections (paragraphs 7 - 32)

ALL

PARTLY

NO

(i) If your answer was “PARTLY”, which parts of WIPO Standard ST.50 are used?

- Kind-of-document codes according to WIPO Standard ST.16, e.g., A8, A9, etc.
- Data element “publication date” of the correction (INID code (48))
- Additional correction information, e.g., supplementary correction codes (example: codes on EP CD-ROMs like W, Z, etc.), together with INID code (15)
- Other – Please specify: *ST.3 and ST.9, ST.16 (Partly)*

(ii) If your answer was “NO”, is your Office planning to introduce the guidelines according to WIPO Standard ST.50? If so, when?

YES NO

When? *We are planning to comply with the guidelines for corrections as soon as possible*

Comments, if necessary:

b) Guidelines for alterations (paragraphs 33 – 36) ?

ALL PARTLY NO

(i) If your answer was “PARTLY”, please specify the practice of your Office:
ST.3 and ST.9, ST.16 (Partly).

(ii) If your answer was “NO”, is your Office planning to introduce the guidelines according to WIPO Standard ST.50? If so, when?

YES NO

When? *We are planning to comply with the guidelines for alterations as soon as possible*

Comments, if necessary:

c) Guidelines for supplements (paragraphs 37 – 44) ?

ALL PARTLY NO

(i) If your answer was “PARTLY” please specify the practice of your Office:

(ii) If your answer was “NO”, is your Office planning to introduce the guidelines according to ST.50? If so, when?

YES NO

When? *We are planning to comply with the guidelines for alterations as soon as possible*

Comments, if necessary:

2. On which media are the guidelines according to WIPO Standard ST.50 used?
Please indicate the guidelines used in the different media below.
Please provide the requested media information for both (1) patent documents, and (2) patent gazettes, for any media on which they are provided.

- (a) Paper:
 (i) Patent documents: *ST.3*
 (ii) Patent gazettes: *ST.3*
- (b) CD-ROMs/DVDs:
 (i) Patent documents: *ST.3*
 (ii) Patent gazettes: *ST.3*
- (c) Machine-readable carriers other than CD-ROMs/DVDs:
 (i) Patent documents:
 (ii) Patent gazettes:

3. Does your Office use other correction procedures than provided in WIPO Standard ST.50?

- Paper Patent Documents: *yes*
- Patent Documents on CD-ROMs/DVDs: *yes*
- Patent Gazettes/Bulletins (please specify media used):
- Machine-readable carriers other than CD-ROMs/DVDs
(Please specify product, e.g., patent document, patent gazette, etc.):

List the WIPO Standard ST.16 kind-of-document codes used for each kind of corrected patent document. Please indicate if your Office does not change the ST.16 kind-of-document code for corrected documents:

A1,A2,A6,B1,B2,T1,T2,T3,T4,T5,T6,U. We don't change the kind-of-document code.

4. In the case that your Office publishes corrections on machine-readable media:

Please indicate if corrections to image data (e.g., WIPO Standard ST.33 data) are handled differently from corrections to full text versions of the same data (e.g., WIPO Standard ST.32 data).

Please indicate if corrections are handled differently on different media (e.g., differently on CD/DVD-ROM, magnetic tape, on-line, etc.):

5. If you use correction procedures that are not fully in accordance with WIPO Standard ST.50 and do not plan to be fully in line with this Standard in the future, please explain why. In particular, please indicate any concerns you have with WIPO Standard ST.50 that cause problems with its implementation.

6. Do you see a necessity to update or amend WIPO Standard ST.50? In which area(s)?

We foresee the publication of a first page with bibliographic data following ST.50, with a correction or modification page with the new data, in order to avoid repeating again the publication of the whole document when publishing corrections or modifications .

TYPE AND CAUSE OF ERRORS

7. Is the origin of errors leading to corrections mainly due to the applicant or to the internal processes of your Office?

- More from the applicant side
- More from the Patent Office side
- About equally from applicant and Patent Office

Comments, if necessary:

8. What is the number of corrections published by your Office every year, in absolute values and/or percentage of the overall publication volume?

100 (0,02 %)

9. Has a significant change occurred in the number of corrections issued in the past years?

- More corrections
- Stable
- Fewer corrections

Comments, if necessary:

10. Who makes the final decision of publishing a correction?

- The examiner
- The formality officer
- The publication department
- All, in cooperation
- Other – Please specify:

Comments, if necessary:

11. Is a request for correction from an applicant usually granted?

YES NO

Comments, if necessary:

12. How long, on average, does your Office take to publish a correction once an error becomes known?

Comments, if necessary: *15 days*

[End of Annex and Questionnaire]