>> Citation Practices relating to ST.36



- >> Objective
- >> Background
- >> Citation Practice draft proposals relating to ST.36
- >> Relevant documents



Citation Practices taskforce

>> Clarify the different practices by industrial property offices regarding the difficulties in citing specific parts of the description of the invention text, in a patent document.



BACKGROUND - LOCATION OF CITATION REFERENCES EXAMPLES

>> Patent descriptions

compounds in olive plants and their influence on resistance against Phytophthora sp. Food Chemistry 83 (1): 75-78).

[0010] It is equally well known that wine and byproducts from wine production have a series of header romoting effects.

Wine contains phenols including tannins and some pigments, and also organic acids and vitamins. Chromat studies have shown a series of flavan-3-ols and flavanols. Known health promoting effects from wine are anti-antiviral, antialler-gic, antioxidative and cancer-inhibiting (Bombardelli & Morazzoni, 1995: Vitis Vinifera L. Fitoterapia, LXVI (4)).

[0011] Various patents describe methods for extracting antioxidants from olive based material (US 2002/0004077 A1 (Cuomo et al)). WO 03/086442 discloses naturally occurring plant compounds, extracts and delivatives, among these oleuropein, for protection of health promoting products for humans. Use of antioxidative substances derived from plant

EP 1 790 234 A1

posed in Dk utili

patent

tion DK BA 2004 00319. Patents with wine

01 A1) or combined with other mentioned



EUROPEAN SEARCH REPORT

Application Number

	DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
Х	WO 99/48386 A (STUECKLER FRANZ [AT]) 30 September 1999 (1999-09-30) * page 4, paragraph 4 * * page 9, line 40 - page 10, paragraph 1 * * examples 1-5 *	1-12, 14-16	
Χ	FR 2 772 235 A1 (FABRE PIERRE SANTE [FR]) 18 June 1999 (1999-06-18)	1-12, 14-16	

>> Bibliographic data on some Patent Office websites and documents

ST36 task force meeting Geneva – October 22, 2007 Mary.Bonsell@wipo.int

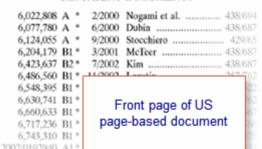
>> Search Reports

(10) Patent No.: US 6,979,642 B1

(45) Date of Patent: Dec. 27, 2005

(56) References Cited

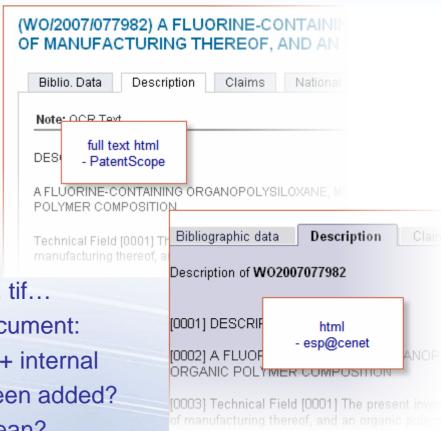
U.S. PATENT DOCUMENTS



>> Publication procedures have changed over recent years

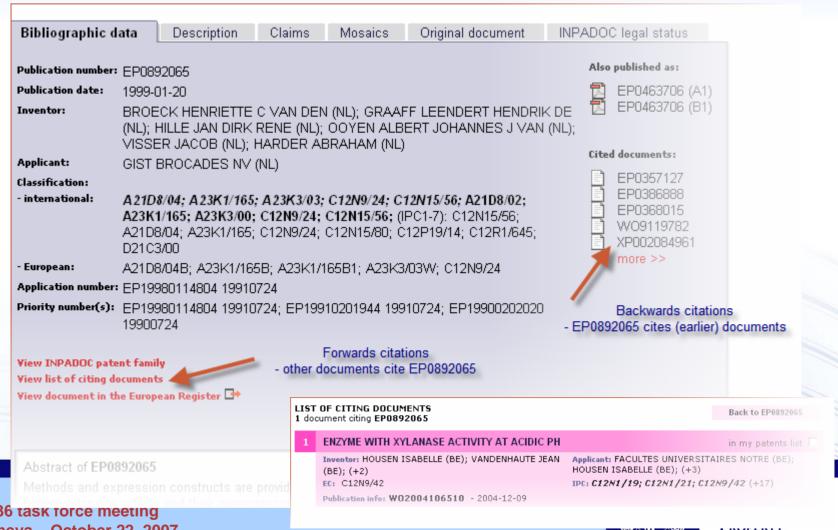


- >> Multiple renderings formats: xml, pdf, tif...
- >> Multiple locations of single patent document:
- eg: WIPO + EP + commercial providers + internal
- >> Have extra visible publication tags been added?
- >> Which rendering did the examiner mean?





>> Backwards Citations, Forwards Citations



ST36 task force meeting
Geneva – October 22, 2007
Mary.Bonsell@wipo.int



BACKGROUND – CITABLE COMPONENTS

>> How do examiners describe relevant parts of a cited document

in a search report?

- Page-based components: page, column, line...

- Paragraphs (electronic filings)
 - Patent description parts: claims, embodiments, examples

- Unique references: XP, DOI...

Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim
P,X	WO 2006/061021 A (NOR FEED AS [DK]; NIELSEN BEATRICE KONSTANZE KLI [DK]; ELGAARD TROELS) 15 June 2006 (2006-06-15) * page 6, paragraph 2 - page 11, paragraph 1 * * examples 1,2 *	1-4, 10-16
X	WO 2004/091307 A (ADVANCED BIONUTRITON CORP [US]; HAREL MOTI [US]) 28 October 2004 (2004-10-28) * paragraphs [0068], [0069]; examples 2,6 *	1-16
X	DATABASE CABA [Online] 1995, SOOUD, A. O. ET AL: "The possibility of replacing the by-products formulated mixture instead of the conventional diets in feeding camels compared to sheep and goats" XP002422178 retrieved from STN Database accession no. 95:55504 * abstract * & ANNALS OF AGRICULTURAL SCIENCE (CAIRO), NO. 1 SPECIAL ISSUE, PP. 69-83. 19 REF. ISSN: 0570-1783, 1993,	1-16

ST36 task force meeting Geneva – October 22, 2007 Mary.Bonsell@wipo.int

BACKGROUND – AMENDED PARAGRAPHS

>> How are the paragraph numbers of an amended xml filed patent application treated?

- Branched numbering:

paragraph [0545] split into [0545.1] and [0545.2]

- Paragraph renumbering:

paragraph [0545] split into [0545] and [0546]



CONSIDERATIONS FOR THE ST36 TASK FORCE

- >> Are guidelines for numbering patent components associated with electronically filed applications clear?
 - consistency across renderings e.g. paragraph numbering same in pdf or html, on any site
- >> How can long paragraphs be avoided?
 - sentence numbering, sub paragraph numbering, xml text editor warnings
- >> How can non-text elements be optimally tagged?
 - chemical formula, tables, gene sequences
- >> Should further elements be defined in ST.36?
 - examples



>> Relevant documents

- Proposals for Citation Practices (para. 5)
- Observations, Comments, Conclusions
- Cited references in European patent documents

>> Affected documents

- ST. 14 Inclusion of References Cited in Patent Documents
- ST. 36 Processing of Patent Information using XML

