

Committee on WIPO Standards (CWS)

Eleventh Session
Geneva, December 4 to 8, 2023

SUMMARY BY THE CHAIR

INTRODUCTION

Agenda Item 1: Opening of the session

1. The eleventh session of the Committee on WIPO Standards (CWS) was opened by Mr. Ken-Ichiro Natsume, Assistant Director General, Infrastructure and Platforms Sector, who welcomed the participants and welcomed the participation of more developing countries in the work of the Committee's Task Forces. Mr. Young-woo Yun, Head, Standards Section, acted as Secretary.

Agenda Item 2: Election of the Chair and Vice Chair

2. The CWS unanimously elected, for two consecutive sessions, twelfth and thirteenth sessions, Mr. Michael Cristiano (Australia) as Chair, whose term will begin with the closure of the eleventh session.

DISCUSSION OF AGENDA ITEMS

Agenda Item 3: Adoption of the agenda

3. The CWS unanimously adopted the agenda as proposed in document CWS/11/1 PROV.3 with the editorial amendments. The adopted agenda is published as document CWS/11/1 on the meeting page.

Agenda Item 4: CWS Work Program

Agenda Item 4(a): Work Program and Task List of the CWS

4. Discussions were based on document CWS/11/8. The Secretariat stepped through each of the Task Descriptions of the Work Program and the CWS noted the content of the document.

5. The CWS approved the merging of Task No. 38, Task No. 39 and Task No. 42 into Task No. 41 and revising the description of Task No. 41 which reads: "Ensure the necessary revisions and updates of WIPO Standards ST.36, ST.66, ST.86 and ST.96; and support the implementation of those Standards". The CWS also assigned Task No. 41 to the XML4IP Task Force and approved the discontinuation of the ST.36, ST.66 and ST.86 Task Forces.

6. The CWS approved that Task No. 60 would be held in abeyance.

7. The CWS approved transferring the responsibility of updating Part 6 of WIPO Handbook from the Digital Transformation Task Force to the Public Access to Patent Information (PAPI) Task Force.

8. The CWS considered its Task List as presented in the Annex to document CWS/11/8 and approved the Secretariat to incorporate the agreements reached at this session in the CWS Work Program and publish them on the WIPO website. The CWS noted some typographical errors in the Annex and the corrected document CWS/11/8 Corr. is published on the meeting page.

Agenda Item 4(b): Proposal for a new Task on the Implementation of WIPO Standard ST.37

9. Discussions were based on document CWS/11/15. The CWS noted the content of the document.

10. The CWS agreed to the creation of a new Task No. 66 with the description:

"Encourage IP offices to provide their patent authority file in compliance with WIPO Standard ST.37 by providing any technical support or training necessary, based on available resources".

The CWS designated the International Bureau as the Task Leader.

11. The CWS noted that the success factors should be indicated in order to determine when this Task can be considered complete.

12. The CWS requested Intellectual Property Offices (IPOs) to communicate with the International Bureau the type of support that will be required for the production of WIPO Standard ST.37-compliant authority files.

Agenda Item 4(c): Questionnaire on the Prioritization of Tasks of the Committee on WIPO Standards

13. Discussions were based on document CWS/11/6. The CWS noted the content of the document.

14. Many of the delegations indicated the need for prioritization of CWS Tasks to ensure that they were able to effectively contribute. It was also noted that it was not clear over which timeframe this questionnaire was applicable to or what the next steps were after responses were provided by Offices. The CWS did not approve the contents for these reasons. After feedback from delegations the Secretariat proposed that it would be best if results regarding prioritization of Tasks be presented at the next session of the CWS. The CWS agreed to the following:

- (a) All members of any CWS Task Force will be asked to collaborate on a simplified and improved version of the questionnaire, using the shared CWS Task Force wiki space, which will be presented for formal approval at the next session of the CWS;

- (b) Informally information regarding the prioritization of the Tasks by Task Force members will be gathered in parallel and these results will be presented also at the twelfth session of the CWS; and
- (c) The survey results will be presented formally at the thirteenth session of the Committee.

Agenda Item 5: Progress reports by the Task Forces

15. The CWS noted that the Secretariat has updated the list of membership of the CWS Task Forces, which is available on WIPO website at:
<https://www.wipo.int/cws/en/taskforce/members.html>.

Agenda Item 5(a): Report by the 3D Task Force (Task No. 61)

16. Discussions were based on an oral report delivered by the Delegation of the Russian Federation as the Leader of the 3D Task Force. The CWS noted the progress made by the Task Force.

Agenda Item 5(b): Report by the API Task Force (Task No. 56 and Task No. 64)

17. Discussions were based on document CWS/11/14. The CWS noted the content of the report.

18. The CWS noted the release of WIPO Standard ST.90 versions 1.1 and requested IPOs to test the JSON transformation tool. The CWS requested that the Secretariat issue a circular inviting IPOs to provide feedback on the endpoints of APIs developed by them and the definition of terms used in the APIs.

19. The CWS noted the work plan of the API Task Force.

Agenda Item 5(c): Report by the Blockchain Task Force (Task No. 59)

20. Discussions were based on an oral report delivered by the Delegation of the Russian Federation as the Leader of the Blockchain Task Force. The CWS noted the progress made by the Task Force.

Agenda Item 5(d): Report by the Design Representation Task Force (Task No. 57)

21. Discussions were based on document CWS/11/4. The CWS noted the content of the report.

22. The CWS approved the proposal to discontinue Task No. 57 and the Design Representation Task Force itself. The CWS approved to absorb further updates to WIPO Standard ST.88 under the framework of Task No. 33.

Agenda Item 5(e): Report by the Digital Transformation Task Force (Task No. 62, Task No. 63 and Task No. 65)

23. Discussions were based on document CWS/11/11. The CWS noted the content of the report.

24. The CWS noted that the updated Task description for Task No. 62 was not clear. After feedback from the Secretariat, the CWS approved the updated description for Task No. 62, which now reads:

“Review WIPO Standards developed for paper or image-based communication in view of electronic filing and publication and exchange of IP documentation and propose revisions of those Standards or new recommendations if needed; and prepare a proposal for the recommendation on a common requirements specification for a DOCX to XML (DOCX2XML) converter.”

25. The CWS encouraged IPOs to provide feedback on their use of DOC2XML converters and to share information on the functionalities of their converter.

26. The CWS approved the transfer of the responsibility for any updates of Part 6 of the WIPO Handbook to the PAPI Task Force from the Digital Transformation Task Force.

Agenda Item 5(f): Report by the ICT Strategy for Standards Task Force (Task No. 58)

27. Discussions were based on document CWS/11/21. The CWS noted the content of the report.

28. The CWS approved the new name of the Task Force as the “ICT Strategy Task Force” and designated the Delegation of Australia as the new Task Force Co-Leader. However, several delegations thought that the proposed Task description was not clear in what it was trying to achieve and had concerns about the CWS establishing a roadmap to implement the 10 recommendations proposed in the Annex to document CWS/11/18. Several interested delegations collaborated on improving the Task description while this agenda item was kept open. The newly approved Task description for Task No. 58 now reads:

“Prepare a final proposal for a set of recommendations based on the feedback from the CWS Members on the proposed 10 recommendations on ICT and IP administration.”

Agenda Item 5(g): Report by the Legal Status Task Force (Task No. 47)

29. Discussions were based on document CWS/11/13.

30. The CWS noted the content of the report as well as the future work plan of the Legal Status Task Force.

Agenda Item 5(h): Report by the Name Standardization Task Force (Task No. 55)

31. Discussions were based on document CWS/11/22. The CWS noted the content of the report.

32. The CWS approved the revised description of Task No. 55 which reads:

“Prepare a proposal for future actions aimed at achieving the standardization of names in Intellectual Property (IP) documents, with the view to developing a WIPO standard to assist IP offices in providing a better “quality at source” in relation to names.”

Agenda Item 5(i): Report by the Part 7 Task Force (Task No. 50)

33. Discussions were based on document CWS/11/24. The CWS noted the content of the document and the Annex to the document.

34. The CWS considered the need of revising WIPO Standards ST.11 and ST.19, and agreed that discussion on revising the two Standards should be postponed. Consequently, the CWS decided to postpone the planned survey to update Part 7.6 of the WIPO Handbook. The CWS noted that the Secretariat intends to analyze needs of update of WIPO Standards which were adopted before 2000 and to report the result to the Committee. The CWS also decided to postpone the citation practice survey which would assist in updating Part 7.9 of WIPO Handbook. This was due to the current workload of IPOs which participate in the CWS Task Forces. Any potential revisions to WIPO Standards ST.11 and ST.19 could also be postponed as a result.

35. The CWS approved the amendment to the description of Task No. 50 and the updated description reads:

“Ensure the necessary maintenance and update of surveys published in Part 7 of the WIPO Handbook on Intellectual Property Information and Documentation.”

36. The CWS noted that the Part 7 Task Force would discuss its work plan in light of the decisions by the CWS under this Agenda Item and present a new work plan to the next session of the Committee.

Agenda Item 5(j): Report by the Public Access to Patent Information (PAPI) Task Force (Task No. 52)

37. Discussions were based on document CWS/11/12 and the presentation made by the Patent Documentation Group (PDG). The CWS noted the content of the document, the Annex to the document and the presentation.

38. The CWS approved the proposal to transfer the work to update WIPO Handbook Part 6 to the PAPI Task Force from the Digital Transformation Task Force, and the revised description of Task No. 52 which reads:

“Prepare a proposal for the update of the WIPO Handbook Part 6.1 "Recommended minimum contents for intellectual property offices' websites".

Agenda Item 5(k): Report by the Sequence Listings Task Force (Task No. 44)

39. Discussions were based on document CWS/11/7. The CWS noted the content of the report.

40. The CWS approved the revised description of the Task No. 44, which reads, with an additional revision proposed by one delegation indicating a lack of resources:

“Support the International Bureau by testing new releases based on available resources and providing user feedback on the WIPO Sequence Suite; and prepare necessary revisions of WIPO Standard ST.26”.

Agenda Item 5(l): Report by the XML4IP Task Force (Task No. 41)

41. Discussions were based on document CWS/11/2.

42. The CWS noted the content of the report, in particular the release of WIPO ST.96 version 7.0 and minor release of version 7.1 since its last session. The CWS also noted the work plan and challenges of the XML4IP Task Force.

Agenda Item 6 Development of WIPO Standards

Agenda Item 6(a): Proposal for a new WIPO standard on the data package format for the electronic exchange of priority documents and certified copies

43. Discussions were based on document CWS/11/20 Rev. The CWS noted the content of this document and the Annex to the document.

44. The CWS considered the proposed draft standard for adoption and the proposed implementation plan if adopted. In terms of the maturity of the draft standard, several delegations suggested that the main body of the Standard include:

- (a) A clearer definition of the term 'certification', including a clarification of what the difference is between 'technical certification' and 'certification by a certifying Office';
- (b) List of mandatory and supplementary documents which are allowable;
- (c) List of file formats for allowable documents;
- (d) Image-based PDF should also be considered as well as text-based PDF file; and
- (e) Some examples related to trademark and industrial design should be added.

45. With regards to the proposed implementation plan, one delegation stated that it could not agree on the proposed implementation with the proposed sunset period as it needs more time to implement the new Standard. One delegation indicated that the implementation date should be a goal and not a definitive date which must be met. The same delegation proposed conducting a survey in 2025 to determine Office-readiness for implementing the Standard.

46. Some delegations indicated they had already introduced interim measures regarding sending of priority documents, which contain a WIPO ST.26-compliant sequence listing, between Offices and so did not consider this an urgent issue currently.

47. The CWS agreed that further work was required on the draft Standard and requested that the Task Force continue its work. The CWS requested that the Secretariat organize monthly meetings of the Digital Transformation Task Force to make progress on this work as a priority. The Committee requested that the Task Force prepare and present a revised draft for consideration and adoption at its twelfth session. The CWS noted that the Secretariat would send an email to all member Offices of its all Task Forces and encourage to nominate their trademark and industrial design experts to the Digital Transformation Task Force.

48. The CWS Members were already encouraged to start with their planning activities to implement the draft standard, including any necessary IT system upgrades.

Agenda Item 6(b): Proposal for the revision of WIPO Standard ST.26

49. Discussions were based on document CWS/11/3. The CWS noted the content of the document and the Annexes to the document.

50. The Committee approved the proposed revisions to WIPO Standard ST.26 as detailed in Annexes to the document CWS/11/3 with one editorial change: that the Annex VI Example Index include the Example numbers. The CWS also approved 'July 1, 2024' as the date for entry into force of the new version 1.7.

Agenda Item 6(c): Proposal for the revision of WIPO Standard ST.61

51. Discussions were based on document CWS/11/9. The CWS noted the content of the document and the Annex of the document.

52. The CWS approved the proposed revision of WIPO Standard ST.61 as presented in the Annex to document CWS/11/9.

Agenda Item 6(d): Proposal for the revision of WIPO Standard ST.88

53. Discussions were based on document CWS/11/5. The CWS noted the content of the document and the Annex to the document.

54. The CWS approved the proposed revisions to WIPO Standard ST. 88 as presented in the Annex to document CWS/11/5.

Agenda Item 6(e): Proposals for improvement of copyright orphan work metadata in WIPO Standard ST.96

55. Discussions were based on document CWS/11/19 Rev. The CWS noted the content of the document.

56. To prepare the final proposal, the International Bureau proposed to revisit the two options that were considered by the CWS at its tenth session in 2022. The CWS supported a third option where a meeting or seminar would be organized so that copyright and technical experts could collaborate on improving the draft presented in the Annex to document CWS/10/7. The CWS agreed that the Secretariat organize a meeting to be held in early 2024. Offices which had responded to one of the circulars C.CWS.156 and C.CWS.171, and the Members and Observers of the CWS, which have copyright orphan work systems, will be invited to this meeting. The improved draft will be presented at the twelfth session of the CWS.

Agenda Item 6(f): Proposed Guidelines for the data cleaning of names

57. Discussions were based on document CWS/11/23. The CWS noted the content of the document and the Annex to the document.

58. The CWS did not approve the draft guidelines being proposed by the Name Standardization Task Force, which is reproduced in the Annex to the document. One delegation requested further information on necessity and objective of the proposed guidelines. The same delegation also stated that it needs more time to study and analyze the guidelines.

59. The International Bureau as a co-leader of the Task Force indicated that as there was a need for further improvement to the draft guidelines and feedback was sought from the Committee. One delegation noted in terms of the proposed draft for the guidelines that in relation to paragraph 11 of the draft standard, the International Bureau establish a portal to provide the scheme of transliteration, transcription or translation that IP offices use instead of each Office publish its scheme on their website. The same delegation suggested to add Cyrillic to the transliteration example in the Annex to the proposed draft standard.

60. The CWS noted that the Secretariat proposed "WIPO Standard ST.93" as the name for the guidelines. The Committee agreed to refer to it as a recommendation rather than guidelines to avoid the different interpretations between these two terms.

61. The CWS decided to send back to the Name Standardization Task Force for further discussion and improvement and requested the Task Force to present an improved draft standard. The CWS encouraged IPOs to more actively participate in the discussion.

Agenda Item 7 Implementation of WIPO Standards by Offices

Agenda Item 7(a): WIPO Standard ST.26

62. The CWS noted presentations by the Delegations of Australia, the Republic of Korea and the United States of America and the International Bureau. A Representative from the European Patent Offices also provided details regarding their first year of implementation orally. This agenda item was commenced with an introduction by the Secretariat regarding the survey results for the first year of implementation of WIPO Standard ST.26 by Sequence Listings Task Force Member Offices.

Agenda Item 7(b): WIPO Standard ST.37

63. The CWS noted presentations by the Delegation of the Republic of Korea and the Representative of the Eurasian Patent Organization, which were delivered after an introduction by the Secretariat regarding the Authority File Portal update.

Agenda Item 7(c): WIPO Standards ST.27, ST.61 and ST.87 concerning legal status events

64. The CWS noted presentations by the Delegation of Japan, the Delegation of the Republic of Korea and the Delegation of Norway, which were delivered after an introduction by the Secretariat on the implementation of legal status as relating to WIPO Standards. The Representative of the Eurasian Patent Organization also orally shared its experiences. The Secretariat indicated their intention to provide training on these particular WIPO Standards and welcomed specific feedback going forward on whether the balance of the number of detailed and key events is appropriate.

Agenda Item 7(d): WIPO Standard ST.90

65. The CWS noted presentation by the Representative of the European Patent Office, which were delivered after an introduction by the Secretariat on the implementation of WIPO Standard ST.90 on APIs by IPOs. The Representative of the European Union - European Union Intellectual Property Office also orally shared its implementation experience.

Agenda Item 7(e): WIPO Standard ST.91

66. The CWS noted presentations by the Delegation the Republic of Korea and the Representative of the Eurasian Patent Organization, which were delivered after an introduction by the Secretariat on the implementation of WIPO ST.90 on 3D models and 3D images by IPOs.

Agenda Item 7(f): WIPO Standard ST.96

67. The CWS noted presentations by the Delegations of the Republic of Korea, Switzerland and Canada. This agenda item commenced with a presentation from the Secretariat regarding implementation of different version of WIPO ST.96 by XML4IP Task Force member Offices. The Representative of the Eurasian Patent Organization also orally shared its experiences.

Agenda Item 7(g): Other WIPO Standards

68. The CWS noted a presentation by the Delegation of the Russian Federation on their implementation of various WIPO Standards.

Agenda Item 8 Policies and activities relating to intellectual property (IP) data, information system and information services

Agenda Item 8(a): IP Offices' strategies and policies on Information Communication Technologies (ICT) and digital transformation

69. Discussions were based on presentations by the Delegation of Australia, the Delegation of the Republic of Korea, the Representative of the European Union - European Intellectual Property Office, the Representative of the Eurasian Patent Organization and the International Bureau.

70. The CWS noted the content of the presentations.

Agenda Item 8(b): Recommendations on ICT and IP administration

71. Discussions were based on document CWS/11/18. The CWS noted the content of the document.

72. The CWS considered and commented on the Recommendations on ICT and IP administration which is reproduced in the Annex to document CWS/11/18. The Recommendations were approved with the exception of the following minor changes:

- (a) In Recommendation 4(c), replace the start of the first sentence with 'IP offices should ensure that a policy to leverage API and the Cloud is in place...';

- (b) In Recommendation 7(a), replace 'should' with 'are encouraged to' so that the first sentence reads as follows: 'IP offices are encouraged to actively participate in the cooperative projects that...';
- (c) In Recommendation 10(a)(ii), add the words 'if possible' to the end of the last sentence; and
- (d) In Recommendation 10, replace 'should' with 'are encouraged to' in the first sentence so that it reads as follows: 'IP offices are encouraged to share experience if possible relating to different ICT project delivery models, including...'

73. The CWS requested that the Secretariat issue a circular inviting its Members to comment on the proposed Recommendations on ICT and IP administration. The CWS also requested the ICT Strategy Task Force to report the results of responses to this circular at its twelfth session.

Agenda Item 8(c): Global Identifier for natural persons and legal entities

74. Discussions were based on document CWS/11/17 and the presentations made by the International Bureau, the Delegations of the Republic of Korea, Saudi Arabia and the United States of America and the Representative of the International Union for the Protection of New Varieties of Plants.

75. The CWS noted the content of the document and the presentations. The CWS noted the proposed Global ID structure and the next steps for this project.

Agenda Item 8(d): Proposal for recommendations on data exchange framework

76. Discussions were based on document CWS/11/16 and the presentation made by the Delegation of Japan.

77. The CWS noted the content of the document and the presentation. The CWS reviewed and commented on the project brief as reproduced in the Annex to document CWS/11/16.

78. Several delegations indicated that they were not clear what was needed beyond providing public data compliant with WIPO Standards and considered that this Agenda Item seemed strongly linked to the Agenda Item 8(e). The CWS agreed that any decision regarding the creation of a new Task or Task Force be postponed until after the presentation made by the Delegation of Saudi Arabia under the Agenda Item 8(e).

79. The agreement for this agenda item will be reflected under Agenda Item 8(e).

Agenda Item 8(e): Proposal for establishing a global platform to facilitate IP information exchange

80. Discussions were based on document CWS/11/25 and the presentation made by the Delegation of Saudi Arabia.

81. The CWS noted the content of the document and the presentation. The CWS reviewed and commented on the project brief as reproduced in the Annex to document CWS/11/25.

82. The CWS considered the two documents CWS/11/16 and CWS/11/25 together, which include proposals from the Delegation of Japan and the Delegation of Saudi Arabia respectively. Many delegations noted that the two proposals were both related to data exchange and closely related, and suggested a combined Task and Task Force instead of creating a separate Task and Task Force for each of these proposals. The combined Task should be clear in the concrete objectives to be achieved in a specific time frame.

83. Taking into account the suggestions by those delegations, the Delegations of Japan and Saudi Arabia proposed a combined single Task and one Task Force. The two Delegations proposed the following description for the combined Task:

“Analyze practices and challenges of IP offices in exchanging their data; explore technical solutions; and prepare recommendations on IP data exchange”

84. The CWS reviewed the new Task description proposed by the two Delegations. The CWS considered four options in relation to the Agenda Item 8(d) and Agenda Item 8(e) as follows:

- (a) Option 1: create a new Task and an associated Task Force with the Task description provided in the paragraph above. The CWS noted that the Delegations of Japan and Saudi Arabia volunteered to lead the Task Force along with the International Bureau, if it was established;
- (b) Option 2: request the Delegations of Japan and Saudi Arabia to draft an improved proposal for consideration at the next session of the Committee in relation to improving data exchange processes. This would postpone the creation of the Task and the associated Task Force until the next session;
- (c) Option 3: create a Task Force to collaborate with the Delegations of Japan and Saudi Arabia to prepare an improved proposal for consideration at the next session of the Committee; and
- (d) Option 4: request the Secretariat to issue a circular to CWS Members with the purpose of gathering necessary information so that an improved consolidated proposal could be prepared by the Delegations of Japan and Saudi Arabia and presented at the next session of the Committee. On the basis of the consolidated proposal, the CWS will consider the establishment of the new Task and the Task Force at the next session. Any interested CWS Member will be invited to participate in the preparation of the circular.

85. The CWS agreed to Option 4 mentioned above. The Secretariat then outlined a tentative schedule for preparation of the circular and the consolidated proposal considering the responses to the circular.

Agenda Item 8(f): Proposal for a draft survey questionnaire on the implementation of WIPO Standard ST.91

86. Discussions were based on document CWS/11/26.

87. The CWS noted the content of the document. The CWS approved the survey questionnaire reproduced in the Annex to the document. The CWS requested that the Secretariat issue a Circular inviting its Members and Observers to participate in the survey. The CWS also requested that the 3D Task Force report the results of the survey at its twelfth session.

Agenda Item 8(g): Report on 2022 Annual Technical Reports (ATRs)

88. Discussions were based on presentation by the International Bureau.

89. The CWS noted the content of the presentation.

Agenda Item 9 Technical collaboration and support

Agenda Item 9(a): Report by the International Bureau on the provision of technical advice and assistance for capacity building to industrial property offices in connection with the mandate of the CWS

90. Discussions were based on document CWS/11/10 and the presentations by the International Bureau.

91. The CWS noted the content of the document, in particular the 2022 activities of the International Bureau related to providing technical advice and assistance for capacity building to IPOs regarding dissemination of IP standards information.

Agenda Item 9(b): Development of common ICT solutions for use by Offices

92. Discussions were based on presentations made by the International Bureau and the Delegation of Saudi Arabia.

93. The CWS noted the content of these presentations.

Agenda Item 9(c): Cooperative technical projects between Offices

94. Discussions were based on presentations made by the International Bureau and oral presentation by the Representative of the Eurasian Patent Organization.

95. The CWS noted the content of these presentations.

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