|  |  |  |
| --- | --- | --- |
|  | WIPO-E | **E** |
| CWS/6/9 | | |
| ORIGINAL: English | | |
| DATE: September 18, 2018 | | |

**Committee on WIPO Standards (CWS)**

**Sixth Session**

**Geneva, October 15 to 19, 2018**

REPORT ON THE DEVELOPMENT OF XML FOR PATENT LEGAL STATUS DATA

*Document prepared by the International Bureau*

## INTRODUCTION

1. At its fifth session held from May 29 to June 2, 2017, the Committee on WIPO Standards (CWS) adopted WIPO Standard ST.27 “Recommendation for the exchange of patent legal status data”. The CWS also requested the XML4IP Task Force to develop, in consultation with the Legal Status Task Force, eXtensible Markup Language (XML) schema components based on the new WIPO Standard ST.27 in order to facilitate the exchange of patent legal status data. The CWS also requested that the outcome be reported at its sixth session. (See paragraphs 50 and 53 of document CWS/5/22.)
2. According to the request mentioned above, the XML4IP Task Force had two rounds of discussions through the Task Force Wiki and several online meetings. This topic was also intensively discussed at the face-to-face meetings in Ottawa 2017 and in Moscow 2018. Due to the complexity of the data structure and different practices of intellectual property offices (IPOs) on Patent Legal Status, the Task Force needs more time to prepare a final proposal of XML components for Patent Legal Status Data.
3. In response to Circular C. CWS 92 regarding the implementation of WIPO Standard ST.27 by IPOs, some IPOs indicated that their implementation is dependent on the availability of the legal status XML schema components.

## PROGRESS REPORT

1. The XML4IP Task Force worked on Patent Record XML when it developed Patent Legal Status XML because the two XML data sets are supposed to use more or less the same data components. The main difference between the two data sets is that Patent Legal Status contains all patent applications processed by the IPO at the time of producing the data, whereas Patent Record captures data in relation to a single patent application across its entire lifecycle.
2. The Task Force agreed on the high-level structure of the patent legal status XML and the majority of XML components. Two main pending items under discussion are:

* structure of supplementary data associated with the event; and
* content of supplementary data, which should be delivered along with the event based on Annex II of WIPO Standard ST.27.

1. With regard to the supplementary data structure, two options have been proposed: (a) a general structure which supports all the events of 21 Categories defined in WIPO Standard ST.27; and (b) specific structure per Category. The two options have their own pros and cons and the Task Force members have different preferences. The draft schemas of the general structure and the specific structure are reproduced as Annex I and Annex II of this document respectively.
2. In relation to the supplementary data content, the Task Force noted that more time is needed to review IPOs’ data. The Task Force also recognized that it might not be practical to update Annex II of WIPO Standard ST.27 according to the data content because Annex II provides a general level of associated information rather than detailed and/or specific data components for some IPOs. This will be discussed with the Legal Status Task Force once the XML4IP Task Force has completed its work on it.

*8. The CWS is invited to:*

*(a) note the results of the work of the XML4IP Task Force and the report of the Task Force leader, as set out in this document; and*

*(b) request the XML4IP Task Force to present the final draft of Patent Legal Status Data for consideration at the seventh session of the CWS.*

[Annexes follow]