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**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)**

COMMITTEE OF EXPERTS

**Thirty-Fourth Session
Geneva, February 23 to 27, 2004**

**REPORT ON THE TENTH MEETING OF THE TRILATERAL WORKING GROUP
ON CLASSIFICATION**

Document prepared by the Secretariat

1. The Annex to this document contains the report on the tenth meeting of the Trilateral Working Group on Classification, submitted by the United States Patent and Trademark Office (USPTO) on behalf of the Trilateral offices.

2. *The Committee of Experts is invited to take note of this report.*

[Annex follows]

ANNEX

Report of the Trilateral Working Group on Classification
Held February 2 – 6, 2004 at USPTO

prepared by the United States Patent and Trademark Office (USPTO)

Harmony Projects

Two new Harmony projects were adopted:

T031 - H01M 4/00 - 4/62, 10/36-10/40, “Lithium-ion battery” and
T032 - H04H “Broadcasting distribution system”.

The USPTO identified areas in the USPC where ECLA classifications could be introduced.

EPO and JPO will try to harmonize the Alloys database indexing codes.

Trilateral reclassification procedures (TOPS)

The importance of offering other Offices an opportunity to comment on a scheme proposed by the Trilateral Offices was discussed. A procedure is needed to permit other Offices an opportunity to comment on a joint Trilateral proposal before introduction at a Revision WG meeting.

TOs will consider ways to improve the process to accelerate progress on Trilateral Harmony projects, and will revise and update the TOPS document as needed.

IPC Reform/CONOPS

Information will have to be developed about how/when the backfile will be reclassified in the core level for projects having schemes that are not completed in the advanced level when IPC⁸ comes into force. This is the case, for example, for the business methods project where main groups are already adopted for 2005 but subgroups are still under Trilateral discussions.

JPO reported on the status of IPC Reform at their Office. The JPO fiscal year begins in April, and the implementation of the following activities will begin then:

1. Backfile The development phase will be completed in November, and the first date of submission will be in December. There are several million patent documents, so the process will continue over the course of the year.
2. Frontfile – IPC data for these documents will also be put on by a contractor. The development should be finished by October. The new data will be submitted in ST-10 beginning in January.
3. New Applications – IPC data for these documents will conform to the new ST-8 beginning in January 2005.

USPTO will have necessary internal database changes in effect before the introduction of the Reformed IPC, and plans to make the standardized sequence of the IPC available to its examiners by January, 2005.

Agreements regarding PCT classification data exchange should be reached between TOs, WIPO and ISAs. A WIPO PCT task force has been created to investigate the impact of the reformed IPC on the processing of information exchange.

For data submissions to MCD, standard default values should be used rather than leaving blank fields. Error reports that are generated during the MCD load process will be sent to the originating country for correction.

Prioritizing elements of IPC reform

EPO proposed a phased approach and timetable for creating the MCD. This EPO timetable was agreed to by the TOs. EPO will explain the revised plan to the IPC/CE and the IPC implementation plan should be modified accordingly.

Data exchange procedures (ST.8 and related standards)

The TOs discussed the approved standard ST.8 and other IPC related standards that need to be modified in time for debut of the Reformed IPC in 2005. Particular attention was directed to the development of the XML schema for ST.8/ST.36 in order to align it with the information field present in ST.8 that defines the information needed for the Reformed IPC. The SDWG's EDPES task force needs to finalize the remaining standards affected by IPC Revision in time for presentation and approval by the SCIT Standards and Documentation Working Group in November.

- USPTO will submit a proposal to the EDPES task force of SCIT for modifying the electronic standards.
- ST8 defines the fields necessary for machine-readable IPC classification standards. Other data exchange standards will be revised to be consistent with ST8.
- EPO will work with each individual office in order to agree on the format for submission of their data into the MCD. Offices will be encouraged to follow the new WIPO Standards.

Access to MCD

The TOs discussed how smaller Offices, who could not load the MCD internally, would be able to search documents using the Reformed IPC.

- CONOPS section 4.2 should be revised before the end of the 2004 to include detailed information on possible ways to accomplish IPC searches.
- EPO will provide explanatory information on how to use IPC reform features in esp@cenet.

- WIPO will provide public access to the IPC database and links to esp@cenet.

Advanced level subcommittee

A working framework for the Advanced Level Subcommittee is needed. Subcommittee rules and procedures will be developed using the WIPO documents “IPC Revision Policy and Procedure” as guidance.

The Subcommittee would need to consider both advance and core level proposals because cost benefit analysis will be needed for projects at both levels.

IPC definitions

The Trilateral Offices will prepare a proposal for speeding up the creation of definitions and to compliment the work of constructing the backfile for IPC⁸. The proposal will be submitted to the IPC Revision Working Group in June for their consideration.

Residual Groups

Residual main groups were needed in many IPC subclasses. Practically, it is not possible to implement residual main groups into IPC⁸. WIPO will discuss how to expeditiously proceed with this project in the Revision Working Group in June 2004.

Comments from other industrial property offices will be solicited until April 2004 through the IPC Revision list server.

NPL

Broader access-PCT/MIA/9/6

PCT/MIA/9 meeting asked the WIPO to carry out a review of the PCT minimum documentation with regard to traditional knowledge as well as a broader review of the non-patent part of the PCT minimum documentation.

The storing and use of copyrighted NPL text and abstracts is a difficult problem for offices to address. Access to commercial databases containing NPL is less of a problem.

There is currently no WIPO standard for applying IPC classifications to NPL.

The WIPO has created an e-forum website for Traditional Knowledge databases and periodicals and hopes this will help in the development of such resources for use by IPOs.

Traditional Knowledge – classification of documents

The USPTO will use a combination of concordance tables and intellectual effort to reclassify US documents into the newly approved IPC Traditional Knowledge technology area (A61K 36/00). A great deal of work will be needed to classify non-US documents into the Traditional Knowledge technology area (A61K 36/00).

Since classification for the backfile will not be ready by the January 1, 2005 implementation date of the reformed IPC, there is not a deadline to provide the documents for inclusion in A61K 36/00 this year.

[End of Annex and of document]