

Special Union for the International Patent Classification (IPC Union)

Committee of Experts

Forty-Fifth Session

Geneva, February 27 to March 1, 2013

REPORT

adopted by the Committee of Experts

INTRODUCTION

1. The Committee of Experts of the IPC Union (hereinafter referred to as “the Committee”) held its forty-fifth session in Geneva from February 27 to March 1, 2013. The following members of the Committee were represented at the session: Austria, Brazil, Canada, China, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Ireland, Israel, Japan, Mexico, Netherlands, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Serbia, Slovakia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom, United States of America (31). Zambia was represented as observer. The Eurasian Patent Organization (EAPO) and the European Patent Office (EPO) were also represented. The list of participants appears as Annex I to this report.

2. The session was opened by Mr. Antonios Farassopoulos, Director, International Classifications and Standards Division, who welcomed the participants.

OFFICERS

3. The Committee unanimously elected Mr. John Salotto (United States of America) as Chair and Ms. Céline Magou Santiano (France) and Mr. Rastislav Marčok (Slovakia) as Vice-Chairs.
4. Mr. Antonios Farassopoulos (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

5. The Committee unanimously adopted the agenda, with a minor modification, which appears as Annex II to this report.
6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Committee (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Committee was expressed or repeated after the conclusion was reached.

REPORT ON THE SEVENTH SESSION OF THE IP5 WG1-WORKING GROUP ON CLASSIFICATION

7. The Committee noted a brief oral report by Japan on the seventh session of the IP5 WG1-Working Group on Classification (WG1).
8. At its seventh session, the WG1 discussed all F projects efficiently and four of them, namely [F 009](#), [F 012](#), [F 016](#) and [F 018](#), proceeded to the IPC phase. In addition, after the WG1, six projects, namely [F 008](#), [F 010](#), [F 011](#), [F 013](#), [F 015](#) and [F 017](#), proceeded to the IPC phase. Concerning the new Common Hybrid Classification (CHC) proposals, the EPO and the USPTO stated that they could not start any new projects during 2012, but were in a position to start re-evaluating the CHC proposals as well as the availability of resources after the launch of Cooperative Patent Classification (CPC). The WG1 agreed on a timeline for discussing new projects toward its next session. The International Bureau presented an update on the Common Parallel Viewer (CPV), including a timeline for its implementation.

REPORT ON THE PROGRESS OF THE COOPERATIVE PATENT CLASSIFICATION (CPC)

9. The United States of America and the EPO gave a joint oral [presentation](#) on the recent developments concerning the CPC which had been officially launched on January 1, 2013.
10. The Committee was informed that the allocation of CPC on documents followed WIPO ST.8 with minor adaptations in several positions. It was also noted that the CPC to IPC concordance service was made available for internal and external users under the EPO's Open Patent Services.

AMENDMENTS TO THE IPC

11. Discussions were based on project file [CE 452](#), in particular, on Annex 10 to the project file containing amendments to the IPC approved by the IPC Revision Working Group.

12. The Committee adopted the proposed amendments, which appear in the Technical Annexes to this report. It was decided that these amendments would be included in the next version of the IPC which would enter into force on January 1, 2014.

13. Concerning the Revision Concordance List (RCL), discussions were based on Annex 12 to the project file containing a compilation of RCLs for each revision project. The Committee adopted the proposed RCL, which appears in Annex III to this report.

FIVE YEAR PLAN FOR THE REVISION OF THE IPC

14. Discussions were based on Annexes 13 and 18 to project file [CE 453](#) prepared by the International Bureau containing two versions of a proposed plan for future revision of the IPC. The Committee adopted, with some amendments, the proposal of Annex 18 which appears as Annex IV to this report and is entitled "IPC Revision Roadmap".

15. The List of candidate areas for revision as proposed by the International Bureau in Annex 2 to the project file appears as Annex V to this report. The Committee noted that the International Bureau would update the List twice a year and make it available to the IPC E-forum under newly created project [CE 456](#).

16. The EPO, on behalf of the *Five IPOffices*, made the following statement as regards the adopted IPC Revision Roadmap, which is reproduced as follows:

"The IP5 wished to keep the current practice as stated in paragraph 16 of the 'IPC revision policy and procedure' which sets the particular status of the IP5 cooperation framework in the context of IPC revision: 'in view of the importance of the harmonization process of the internal classification systems of the Five IP Offices through the development of the IPC, any project resulting from the harmonization process of the internal classification systems of the Five IP Offices (including Trilateral Harmony projects) will be forwarded to the IB for automatic inclusion in the IPC revision program as having met the criteria set forth in paragraphs 9 through 13. ..."

"The IP5 also wished that project proposals submitted to the IPC/CE are launched by the Committee on a case by case basis after due analysis."

REQUESTS FOR REVISION OF THE IPC

17. The Committee considered a revision request submitted by Germany (see Annex 47 to project file [WG 020](#)), resulting from project [A 059](#), on how to make a distinction between automobile and non-automobile implementations in group H02P 9/00, and agreed to create a new revision project [C 459](#) with Germany as Rapporteur.

18. The Committee also considered a revision request submitted by Germany (see Annex 48 to project file [WG 020](#)) on how to develop the classification in groups H01L 27/142 and H01L 31/042, and agreed to create a new revision project [C 460](#) with Germany as Rapporteur.

19. With regard to the revision request submitted by Canada which had been considered potentially useful by the Committee at its previous session, Canada would submit a new revision request to the relevant project.

20. Furthermore, the Committee considered a list of areas in paragraph 5 of Annex 13 to project file [CE 453](#) to be included in the IPC revision program. The Committee agreed to create new revision projects in the following areas with the volunteering rapporteurs indicated next to each project:

C 461 (Japan)	H04B 17/00 - H04B 17/02	(No. 2)
C 462 (China)	H04B 1/38 - H04B 1/58	(No. 19)
C 463 (Republic of Korea)	G02B 1/10 - G02B 1/12	(No. 43)
C 464 (China)	A23L 1/27 - A23L 1/308	(No. 47)
C 465 (EPO)	A61K 35/00 - A61K 35/76	(No. 52)
C 466 (Japan)	A61B 19/00 - A61B 19/12	(No. 61).

AMENDMENTS TO THE *GUIDE TO THE IPC* AND OTHER BASIC IPC DOCUMENTS

21. Discussions were based on project file [CE 421](#) containing consolidated proposals of amendments to the *Guide to the IPC (Guide)* prepared by the EPO in Annex 65 and of amendments to the Guidelines for Revision of the IPC prepared by Sweden in Annex 66, which integrated proposals and comments by offices.

22. The Committee adopted, with some modifications, the proposed amendments to paragraphs 22, 35, 39, 40(g) and 183, and the creation of a new paragraph 87bis of the *Guide* which appear in Annex VI to this report. These amendments would be included in Version 2013 of the *Guide*. The Committee decided that the definition template would remain unchanged.

23. The Committee also considered the consolidated proposal prepared by Sweden. This proposal was adopted with some amendments and appears as Annex VII to this report.

24. It was agreed that project [CE 421](#) would be considered completed after this session. In order to better organize the discussions on the IPC E-forum, the Committee also agreed to create new projects [CE 454](#) and [CE 455](#), with the International Bureau as Rapporteur, covering the amendments to the *Guide*, and the Guidelines for Revision of the IPC and other basic IPC documents, respectively.

25. The International Bureau was invited to cross check and amend all IPC-related documents, taking into account the amendments to the *Guide*, and the Guidelines for Revision of the IPC that were adopted at this session.

TREATMENT OF NON-RECLASSIFIED PATENT DOCUMENTS IN THE MASTER CLASSIFICATION DATABASE AND IPCRECLASS

26. Discussions were based on project file [CE 381](#), in particular, on Annex 18 to the project file, submitted by the International Bureau, containing a proposal on the implementation of default transfers and on Annex 17, submitted by Sweden, containing observations on the reclassification procedure.

27. The Committee noted a table prepared by the International Bureau containing statistics on the amount of default transfers that had to be implemented for revision projects that had already entered into force up to 2008. It was also noted that the implementation of default transfers could be carried out in IPCRECLASS in a systematic way, taking into account the tremendous amount of documents to be dealt with, although it was not foreseen at the time when the system was designed.

28. It was noted that the large amount of documents to be reclassified using default transfers was partially due to the fact that some of the offices had experienced problems when delivering the reclassification data to IPCRECLASS, although the reclassification work of certain projects in these offices had been completed. Offices were therefore invited to work closely with the International Bureau in order to deliver their reclassification data properly.

29. The Committee agreed to postpone the implementation of default transfers mentioned above until the new function of systematic transfer in IPCRECLASS was in place. In the mean time, the International Bureau was invited to change the stage of those revision projects from Stage 3 to Stage 2, so as to allow offices to send their reclassification result lists to IPCRECLASS when available.

30. The Committee also considered a table including statistics for projects that had entered into force in 2009 and 2010, and noted that IPCRECLASS had received reclassification data for only less than 50% of the original number of documents to be reclassified. Having noted that some of the offices had already completed their reclassification work for certain projects, however for unknown reasons the reclassification data was not recorded in the MCD. Offices were encouraged to resubmit their reclassification data. Therefore, the reclassification status in IPCRECLASS might be updated soon. The Committee decided to postpone the consideration of inclusion of additional projects to Stage 3 to its next session.

31. The Committee was grateful to the International Bureau for providing a training course on IPCRECLASS before the session and invited offices to actively use the system in order to accumulate more experience and to allow an efficient improvement of the system.

32. The Committee also considered comments by Sweden in Annex 17 concerning the following issues:

- (a) a certain amount of non-reclassified documents from project M 099 for version 2010.01 should have been dealt with in the MCD by one-to-one automatic transfers;
- (b) certain groups that appeared in the RCL did not get a new version indicator after reclassification; and
- (c) how to deal with "out-of-scope" documents.

33. The EPO indicated that the one-to-one automatic reclassification took place in 2009 and 2010, however, some incompleteness might exist for 2010.01 revisions as pointed out by Sweden. The EPO would further investigate the issue and re-run the process at its earliest possibility.

34. The Committee decided to further investigate the issue (b) of discrepancy between the RCL and the scheme. Offices were encouraged to report such cases in the future, in order to help find a suitable solution to the problem. The International Bureau was invited to provide a proposal for consideration by the Committee at its next session.

35. As far as the “out-of-scope” documents were concerned, the Committee agreed to consider it under project [QC 017](#) (see paragraph 41, below).

MASTER CLASSIFICATION DATABASE AND RECLASSIFICATION STATUS REPORT

36. The Committee noted that reporting on the status of IPC reclassification had been handed over to the International Bureau. It was also noted that the International Bureau posted accumulated statistics from the MCD and the current reports from IPCRECLASS (see Annex 9 to project file [QC 013](#)).

37. The total backlog of IPC reclassification for versions 2007.01 to 2013.01 amounts to 1.5 million families. It was indicated that this figure resulted from the fact that some offices had difficulties in submitting their Results Lists to IPCRECLASS in conformity with the IPC reclassification protocol, although the reclassification had been completed in those offices.

38. The EPO and the International Bureau explained that some discrepancies between the MCD and IPCRECLASS status should disappear over time and that the inevitable discrepancy between IPCRECLASS figures and MCD figures would be partially reduced as the EPO would send their Results Lists to IPCRECLASS. It was decided that the remaining minor discrepancy would be acceptable.

MODIFICATION OF THE RECLASSIFICATION DISTRIBUTION ALGORITHM

39. Discussions were based on Annex 8 to project file [QC 017](#), containing a revised proposal prepared by the EPO, concerning a modified reclassification algorithm.

40. The Committee recalled its invitation, at its last session, to the EPO to consider the practical aspects of changing the algorithm, and noted that the proposal of Annex 8 presented the result of such consideration.

41. The Committee adopted, therefore, with some modifications, the Algorithm as presented in Annex 9 to the project file, which would be incorporated as enhancements to the existing distribution algorithm. It was further noted that criteria 1 and 2 would solve the “out-of-scope” problem as described by Sweden in Annex 17 to project file [CE 381](#) (see issue (c) in paragraph 32 and also see paragraph 35, above).

REPORT ON THE PROGRESS OF THE WIPO IPCRECLASS PROJECT

42. The International Bureau made a [presentation](#) on the IPCRECLASS project. The project launched in May 2011 is now closed. The system which moved into production in April 2012 was uploaded in June 2012 with residual working lists for previous IPC revisions back to 2007.01 and the complete intellectual reclassification required for IPC 2013.01.

43. Although the MCD remained the reference system for IPC reclassification data, IPCRECLASS should offer an easy access to IPC reclassification status and in particular the percentage of reclassification done for each project. The International Bureau and the EPO were invited to bilaterally agree on a process for updating IPCRECLASS with MCD residual working lists.

44. The Committee considered the feedback provided under project [CE 446](#) and during the Third IPC Workshop and agreed on the following conclusions:

- the current MCD process for propagating information coming from reclassification remained unchanged. Offices which would have interest in changing this process may submit proposals to the IPC E-forum;
- it was stressed that IPC result list specification should be aligned with what IPCRECLASS could accept, in particular, the tagged form of ST.8 symbols, and explicit indication of symbols to be de-activated;
- the Committee decided that IPCRECLASS does not need to be opened to a community broader than Offices and stressed that IPC reclassification statistics from IPCRECLASS could be used for IPC warnings of incomplete reclassification in the IPC Internet publication;
- the future implementation of new IPCRECLASS features was announced by the International Bureau, in particular automation of default transfer of families in IPC reclassification Stage 3; and
- the Committee expressed its gratitude to the International Bureau for devoting resources in developing IPCRECLASS and making it available to Offices.

NEXT SESSION OF THE COMMITTEE

45. The Committee noted the following tentative dates for its next regular session:

Geneva, February 24 to 28, 2014.

46. This report was unanimously adopted by the Committee of Experts by electronic means on March 22, 2013.

[Annexes follow]