

# WIPO



IPC/REF/2/2

ORIGINAL: English

DATE: November 22, 1999

**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION  
(IPC UNION)****AD HOC IPC REFORM WORKING GROUP****Second Session****Geneva, November 15 to 22, 1999**

REPORT

*adopted by the Working Group*

## INTRODUCTION

1. The ad hoc IPC Reform Working Group (hereinafter referred to as “the Working Group”) held its second session in Geneva from November 15 to 22, 1999. The following members of the Working Group were represented at the session: Austria, Canada, France, Germany, Ireland, Japan, Netherlands, Norway, Portugal, Republic of Korea, Russian Federation, Spain, Sweden, Switzerland, United Kingdom, United States of America, European Patent Office (EPO) (17). Croatia, Slovenia, the Patent Documentation Group (PDG) and the publishers of the journal “World Patent Information” (WPI) were represented by observers. The list of participants appears as Annex I to this report.

2. The session was opened by Mr. J. Calvert (United Kingdom), Chairman of the Working Group. Mr. K.-P. Wittig, Deputy Director, Inter-Office Information Services, WIPO, welcomed the participants on behalf of the Director General of WIPO.

## OFFICERS

3. Mr. M. Makarov (WIPO) acted as Secretary of the session.

## ADOPTION OF THE AGENDA

4. The Working Group unanimously adopted the agenda, which appears as Annex II to this report.

## CONCLUSIONS, DISCUSSIONS AND DECISIONS

5. 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 Working Group (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 Working Group was expressed or repeated after the conclusion was reached.

## REPORT ON THE SEVENTEENTH SESSION OF THE ASSEMBLY OF THE SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION

6. The Working Group noted an oral report by the International Bureau on the seventeenth session of the Assembly of the Special Union for the International Patent Classification, at which session the Assembly had considered the recommendation submitted by the Committee of Experts of the IPC Union, concerning the reform of the IPC. The recommendation outlined the need for the reform of the IPC, the strategy which would be applied by the Committee and indicated that the resources necessary for the implementation of the reform should be provided.
7. The Working Group was informed that the Assembly of the IPC Union had approved the recommendation of the Committee of Experts (see document IPC/A/17/2, paragraph 12) and invited the members and observers of the IPC Union to provide necessary internal resources during the period of the IPC reform aimed at the accommodation of the Classification to the electronic era.

## REPORT ON THE THIRD PLENARY SESSION OF THE STANDING COMMITTEE ON INFORMATION TECHNOLOGIES

8. The International Bureau provided an oral report on the third Plenary session of the Standing Committee on Information Technologies (SCIT), at which session the SCIT had considered a request for cooperation submitted by the Committee of Experts of the IPC Union and agreed that a working relationship between the SCIT and the Committee would contribute both to the effective IPC reform and to the effective implementation of the Intellectual Property Digital Libraries (IPDL) project (see document SCIT/3/4, paragraph 13).

9. The Working Group noted that specific information technology projects conducted by the SCIT and the Committee of Experts, where cooperation would be desirable, should be reflected in implementation plans of the both Committees.

#### REPORT ON TRILATERAL MEETINGS CONCERNING THE IPC REFORM

10. The Delegation of the EPO, on behalf of the Trilateral Offices, reported on the activities of the Trilateral Offices concerning the reform of the IPC. The Delegation informed the Working Group that the Trilateral Offices had agreed to create four working groups, one of which dealing with classification matters. The first meeting had been held in October 1999, in Washington, for the discussion of the structure of the reformed IPC, uniform rules to be applied in the reformed IPC and other relevant topics. The Delegation indicated that it was planned to elaborate the trilateral policy with regard to the IPC reform by April 2000.

11. The Delegation of the EPO also informed the Working Group of the ongoing cooperation between the EPO and Japanese Patent Office (JPO) with the objective to harmonize internal subdivisions of the IPC applied in ECLA and FI Classification. In the framework of that cooperation, the JPO would prepare the English translation of the internal groups used in the FI Classification.

12. The Delegation of the EPO further informed of the planned revision of ECLA which became available at the international level on ESP@CENET. The purpose of the revision was twofold, namely, to apply the classification rules in a more strict way and to bring ECLA more in line with the IPC.

#### ELABORATION OF A STRATEGIC PLAN FOR THE DEVELOPMENT OF THE IPC

13. The Working Group discussed in detail the draft strategic plan for the development of the IPC prepared by the International Bureau (see Annex 9 to project file IPC/R 1/99 Rev.1) and, having made certain amendments, approved the strategic plan which appears as Annex III to this report. The Working Group agreed to forward the strategic plan to the Committee of Experts for adoption.

14. The Working Group indicated that, for achieving the objectives of the IPC strategic plan, a detailed implementation plan should be elaborated, which should include a methodology, time frames and management strategies for implementation of each task of the IPC reform. The International Bureau was requested to prepare the implementation plan on the basis of the IPC strategic plan when it has been adopted by the Committee of Experts, taking into account the policy regarding the IPC reform to be established by the Trilateral Offices.

15. The discussions centered round the two-level structure of the reformed IPC in view of the complexity of the subject. It was agreed that the core and advanced levels of the IPC should be fully compatible. The Working Group arrived at certain conclusions which are disclosed in the following paragraphs.

16. The core level should represent “the complete symbols of the Classification” in the sense of the Strasbourg Agreement. The Classification within the core level would be mandatory and would be used by members and observers of the IPC Union for classifying inventions. The core level should embrace the worldwide collection of patent documents.
17. The advanced level should represent a further elaboration of the core level. Any member or observer of the IPC Union can choose to use its entries for classifying and indexing inventions. The advanced level should embrace at least the PCT minimum documentation.
18. It was recommended that further discussion of the core and advanced levels should take into consideration possible legal aspects involved in the light of the Strasbourg Agreement.
19. The Working Group agreed that the contents of the core level should be defined. It could correspond to the classification part of the seventh edition of the IPC, with eventual amendments which could be introduced during the transitional revision period, or it could represent a restricted version of the seventh edition. In the latter case, classification entries not included in the core level should be included in the advanced level of the IPC.
20. Some Delegations were in favor of the first solution since, in their opinion, the restriction of the IPC, for example, to two-dot groups level, could make the IPC inefficient for searching of national collections in actively developing technical fields for medium-sized offices and would deprive French-speaking users of the large part of the Classification. Other Delegations were in favor of the second solution because they felt that the current IPC was too complex for use by small offices.
21. Consequently, the International Bureau was requested to seek the views of all members and observers of the IPC Union regarding the contents of the core level of the IPC, in time before the next session of the Committee of Experts.
22. The Working Group also briefly discussed how the revision and publication of the reformed IPC should be provided and agreed as follows:
  - (a) The procedure as well as the criteria for revision, respectively, of the core and advanced level should be elaborated, taking into account the strong relationship between the core and advanced levels.
  - (b) The revision of the core level with the subsequent adoption of the proposed amendments by the Committee of Experts should be elaborated so as to ensure the highest quality of the core level necessary for the consistent classification worldwide.
  - (c) The revision of the advanced level should be provided through an accelerated procedure.
  - (d) Amendments to the core and advanced levels should be incorporated in the IPC by the International Bureau. For supervising the revision of the advanced level, a special subcommittee, including International Searching Authorities under the PCT, could be appointed by the Committee of Experts.

(e) The publication of the complete IPC should be regularly performed by the International Bureau. The International Bureau should also provide for the expeditious publication of amendments to the advanced level of the IPC.

## INTRODUCTION OF ELECTRONIC DATA ILLUSTRATING THE CONTENTS OF IPC ENTRIES

23. Discussions were based on the summary of replies to WIPO Circular No. IPC 17, prepared by the International Bureau (see Annex 17 to project file IPC/R 3/99 Rev.1), in particular on the conclusions drawn by the International Bureau and relating to different types of electronic data.

24. With regard to exemplifying patents for new IPC groups, the Working Group agreed that, whereas exemplifying patents were necessary in the revision process for precisely defining the scope of new groups, their introduction in the new IPC editions was not generally needed since the sufficient number of patent documents would be available under the new groups as a result of classifying new documents therein or reclassifying the backlog file.

25. With regard to terms or expressions having a defined meaning in the IPC, the Working Group considered it desirable to provide electronic access to definitions of those terms and expressions included in the Guide to the IPC, by introducing respective hyperlinks. It was noted that, in certain places of the IPC, the standard terms and expressions might have a meaning deviating from the defined meaning.

26. Concerning illustrating chemical formulae, the Working Group was of the opinion that their introduction in the electronic layer would be extremely useful for easier understanding of chemical areas of the IPC. The Working Group agreed that it would be sufficient to provide illustrating formulae in general chemical areas of the IPC, namely in main groups of section C where they were needed.

27. The Working Group indicated that introduction of chemical formulae in the IPC could be carried out in the form of a special project outsourced to an external contractor selected from providers of available chemical databases. The contractor should be requested to prepare a database of chemical formulae hyperlinked to relevant places in the IPC, on the basis of the preselected list of places.

28. With regard to illustrating drawings and other graphical information, the Working Group agreed that such drawings and graphical material could be introduced in the IPC parts where they were needed for illustrating the contents of the places. The Working Group requested its members and observers to select those places and provide the International Bureau with electronic images representing typical drawings and graphical material for the subject matter in question.

29. With regard to classification definitions, the Working Group underlined that the classification definitions should represent the most important explanatory material in the IPC and should constitute part of the Classification itself. They could be incorporated in the IPC sections or presented as a separate publication in the complete set of the printed IPC.

The Working Group agreed that classification definitions should be introduced at least in all active IPC subclasses and that, in their preparation, existing IPC notes defining the contents of places and technical terms should be used, taking into account the experience accumulated by the United States Patent and Trademark Office in the elaboration of classification definitions.

30. In view of the huge amount of work that would be required for the introduction of classification definitions throughout the IPC, the Working Group decided that a pilot project should be initiated in a limited number of subclasses of the IPC so as to elaborate a model for the appropriate classification definitions in the IPC. To carry out the pilot project, the Working Group created the Definition Task Force in which the following offices volunteered to participate: Portugal, Sweden, United States of America, EPO. The International Bureau agreed to act as coordinator of the Task Force which should present results of its work in good time before the third session of the Working Group.

31. With regard to informative references, the Working Group agreed that they should in principle be included only in the electronic layer of the IPC and noted that their preparation for particular areas of the IPC had already been started by the IPC Revision Working Group and would be continued as needed. The Working Group also noted that introduction of informative references between function-oriented and application places of the IPC could be achieved by using the existing references in function-oriented places and the reverse reference list.

#### ELABORATION OF RULES FOR MULTIPLE CLASSIFICATION IN THE IPC

32. Discussions were based on the report submitted by Japan summarizing the work carried out by the Task Force, which included a last place rule search table, a table showing the correspondence between function-oriented and application places in the IPC and a table showing the administration of place rules in various offices.

33. The Working Group agreed that, although multiple classification in the electronic environment was desirable and in fact already applied by many offices, it could not be automatically introduced by eliminating place rules in the IPC. The Working Group considered that the last place rule was useful in most of the subclasses where it was applied, whereas in some others it could be abolished. In a similar way, precedence notes could not be in general replaced by multiple classification. Multi-aspect classification schemes could be more broadly introduced in the IPC where desirable.

34. Finally, the Working Group concluded that multiple classification and the first and last place rules should be further considered in a broader context of providing of uniform and simplified rules in the IPC.

#### REVIEW OF THE HYBRID SYSTEMS IN THE IPC

35. The Working Group discussed the use of the hybrid systems in the IPC on the basis of the project coordinator report and other material submitted under this Task (see project file IPC/R 5/99 Rev.1)

36. The Working Group realized that the current use of the hybrid systems was at a low level in view of their non-obligatory nature and that their principles of elaboration and application were not always clear, although it was indicated that indexing of elements of technical subjects of inventions provided value-added information.

37. The Working Group noted that it was not possible to conduct a complete review of existing indexing schemes in view of limited resources available. The Working Group agreed therefore that a restricted study of a number of typical indexing schemes in the IPC should be carried out instead, so as to provide a basis for further investigation of hybrid systems.

38. The Working Group indicated that the analysis of selected indexing schemes should focus on their cost effectiveness, clarity of application rules, possibility of discretionary use and availability of alternative searching means, for example, free text searching. The objective of the study would be to reveal the types of indexing schemes which are suitable for converting into classification schemes, or to be modified, abolished or transferred unamended to the advanced level of the IPC.

39. For carrying out the study, the Working Group agreed to create the Hybrid Systems Task Force in which Sweden, United Kingdom, United States of America and the EPO agreed to participate. It was noted that the International Bureau would act as coordinator of the Task Force.

40. The Task Force was requested to prepare a report on the study in sufficient time before the third session of the Working Group.

#### STUDY OF FACTORS INFLUENCING AN INSUFFICIENT LEVEL OF THE CONSISTENCY IN THE APPLICATION OF THE IPC AND ELABORATION OF MEASURES FOR INCREASING THE CONSISTENCY

41. The Working Group confirmed the conclusions made at its first session concerning the factors influencing the insufficient consistency in the application of the IPC and the possible ways of limiting their influence (see document IPC/REF/1/2, paragraph 33). It was noted that the revision of the Guide to the IPC, in order to provide for a more comprehensive explanation of the principles and rules of the IPC, was an additional important factor in improving the consistency in the application of the IPC and that revision of the Guide should be one of the tasks of the IPC Reform. Prior to that revision, general policy principles should be reconsidered, indicating in a precise manner:

- (a) what is the subject matter in a patent document that should be classified;
- (b) how to select a classification place where it should be classified; and
- (c) how to retrieve information, i.e., how to use the IPC for search purposes.

42. Furthermore, the Working Group noted that automatic tools may provide possibilities for preclassification which would assist classifiers in selection of classification symbols, in particular classifiers in small offices who are responsible for classification in broad fields of technology.

## STUDY OF THE POSSIBILITY OF COOPERATION BETWEEN OFFICES IN THE RECLASSIFICATION OF BACKLOG PATENT FILES

43. Discussions were based on Annex 7 to project file IPC/R 8/99 Rev.1, containing a summary of replies to WIPO Circular No. IPC 18 concerning reclassification of backlog patent files. The following offices have reclassified or intend to reclassify, at least partly, their national collections according to the latest edition of the IPC: Germany, Kyrgyzstan, Norway, Portugal, Republic of Moldova, Romania, Russian Federation, Slovenia and Sweden. Germany and the EPO reclassify the entire PCT minimum collection according to their internal classification schemes which are based on the latest edition of the IPC. All offices could provide their reclassification data to populate the future Master Classification Database. The Delegation of Japan announced at the meeting that the Japanese Patent Office reclassifies the national collection according to the internal classification scheme which is based on the latest edition of the IPC.

44. The Working Group noted that the EPO had the intention to reclassify the entire patent collection of the PCT minimum documentation according to the advanced level of the reformed IPC and to introduce in the internal database Doc-DB the reclassification data available from other offices. This data, through the patent family system, would cover the major part of the world patent collection. Reclassification of the limited amount of the remaining patent documents could be outsourced to an external contractor or automatic reclassification tools could be used, should the relevant pilot project be successful. The Working Group also noted that the Doc-DB data would be included in the future Master Classification Database. The Working Group agreed that, when the structure of the reformed IPC has been finally clarified, the contents of the Master Classification Database should be defined and the procedure of reclassification be detailed.

## PRESENTATIONS

45. The International Bureau made a presentation of the Internet version of the IPC recently made available to the public on the WIPO Web site, in which version the new, seventh edition of the IPC was linked to the sixth edition by revision concordance information usable for searching in respective document collections. The International Bureau also demonstrated a new version of the IPC:CLASS CD-ROM which included the seventh edition of the IPC and electronic links providing easy access to notes and indexing schemes in the IPC.

46. The Delegation of the United States of America made a presentation on the US Patent Classification System which has been developing for more than 100 years and is used for searching by approximately 3000 examiners. The Delegation, using examples of patent documents, showed how the uniform and simplified rules of the US Patent Classification System provided for the consistent classification and retrieval of patent documents within that system.

NEXT SESSION OF THE WORKING GROUP

47. The Working Group noted the provisional dates for its third session: May 1 to 5, 2000.

*48. This report was unanimously adopted by the Working Group at its closing meeting on November 22, 1999.*

[Annexes follow]