OMPI

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UNION PARTICULIÈRE POUR LA CLASSIFICATION INTERNATIONALE DES BREVETS (UNION DE L'IPC)

COMITÉ D'EXPERTS

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DÉROULEMENT DES OPÉRATIONS POUR LA CIB APRÈS SA RÉFORME

Document établi par le Secrétariat

1.   À sa trente-deuxième session, tenue en février 2003, le comité d'experts de la CIB a examiné le projet de texte relatif aux principes applicables au déroulement des opérations pour la CIB après sa réforme (CONOPS) élaboré par l'Office européen des brevets (OEB) en coopération avec le Bureau international (voir les paragraphes 71 à 82 du document IPC/CE/32/12). Le comité a marqué son accord de principe sur le contenu du CONOPS mais a estimé que certaines parties pourraient être complétées et que des précisions supplémentaires pourraient être introduites.

2.   Le comité a demandé à l'OEB de présenter un projet de texte révisé des principes applicables au déroulement des opérations (CONOPS) à partir du texte existant et des observations formulées pendant la session, et a invité ses membres à faire part de leurs observations sur ce projet de texte.

3.   L'annexe I du présent document contient un nouveau projet de texte du CONOPS établi par l'OEB. Toutes les modifications ou adjonctions apportées par rapport au projet de texte initial sont soulignées dans le nouveau projet.

4.	Les annexes II et III du présent document contiennent des observations communiquées par les États-Unis d'Amérique et la France.

> 5.	*Le comité d'experts est invité à examiner le nouveau projet de texte des principes applicables au déroulement des opérations pour la CIB après sa réforme.*

[Les annexes suivent]

ANNEX I/ANNEXE I

CONCEPT OF OPERATIONS
FOR THE REFORMED IPC ("CONOPS")

prepared by the European Patent Office (EPO)

SECTION I

INTRODUCTION

The reformed IPC will provide a more refined and dynamic classification system to better support searching of patent documents. Three of its most important new features are (1) a dynamic master database of all documents classified in the IPC and their current classifications, (2) reclassification of documents in conjunction with IPC revision projects, which will eliminate the need for searching past versions of the IPC, and (3) an enhanced classification structure consisting of a core level and an advanced level. The advanced level will provide further detail to allow a more precise search of the world's patent literature.   In the reformed IPC, both the advanced level and the core level will undergo changes in their schemes. Harmony between both levels is critical for the unhindered use of the reformed IPC. The Trilateral Offices (TOs) will play an important role in the classification and reclassification process of the advanced level. The TOs agreed to draft this CONcept of OPerationS (CONOPS) describing the classification and reclassification process of the reformed IPC. It should be noted however that the management and storage of data from classification and reclassification activities (allotted classification symbols only) for the core level is carried out in the same database as for the advanced level. Therefore the Concept of Operations must cover both core level and advanced level activities. Furthermore, the International Bureau has responsibility for maintaining and publishing classification schemes on both levels, both in English and in French. These procedures are also included in CONOPS to allow the users of the IPC to find all relevant information in one document. Since the maintenance and publishing of the classification schemes, and the maintenance of the document classification data are the responsibility of two separate organizations (WIPO and EPO, respectively), a clear distinction is made between these activities.

PURPOSE AND SCOPE

The purpose of the CONOPS is to describe the classification and reclassification process of the reformed IPC in sufficient detail to allow all Industrial Property Offices to understand how the maintenance of the core and advanced levels will be carried out, and in particular to follow the activities of the TOs for revising the advanced level.

The CONOPS should provide sufficient information for offices to determine whether their internal systems and processes will accommodate various aspects of the reformed IPC, and to provide the basis for any local requirements that may be desired for system developments or enhancements.

In particular, the CONOPS describes the information contained in the IPC master classification database (MCD), how the initial data load of the MCD will occur, the processes for receiving classification data from the various offices, and the processing of that data into the MCD.   Finally, it describes the interactions between WIPO, the Trilateral Offices, and the other member offices as they collaborate in the maintenance of the Reformed IPC.

Readers of the CONOPS will note that it does not contain any rules or substantive guidelines for constructing classification schemes or for classifying documents into them. As in the past, this information can be found in the Guide to the IPC.

SECTION II

CLASSIFICATION AND RECLASSIFICATION PROCESS

2.1 MASTER CLASSIFICATION DATABASE (MCD)

The reformed IPC requires a master database for the storage and management of the classification data allotted to the patent documents. In view of the fact that EPO's DOCDB database met most of the major requirements for the IPC master classification file, it was decided that DOCDB would be enhanced to serve as the master document classification file of the reformed IPC.

DOCDB was set up in the beginning of the seventies with a limited set of patent collections, based on the search documentation of the former International Patent Institute. Today the main bibliographic patent data from more than 70 IPOs is recorded. In addition, all IPO's that are willing to deliver their bibliographic data are invited to do so for extending the coverage of the database. Detailed information on the current coverage can be found in annex.

The data elements that can currently be stored in the database are:

. identification data:	country	kind	number	date
. application data	country	kind	number	date
. priority data	country	kind	number	date
. applicant				
. inventor				
. title(s)	original			
	translations			
. classification	IPC			
	ECLA			
	Other			
. abstracts	original			
	translation in English			
. family indicator	Basic or Equivalent			

In general, the data elements are stored in accordance with the WIPO standards and standardization of received data is carried out before storing this data. In view of the importance of the original data the database stores for some data elements the original and standardized data although only the standardized data is used for activities as family building. Family building is done for all the documents having priority information and is not linked to the presence of a "family indicator" reflected as Family ind. in the annex.

Information on the presence of some data elements can also be found in the annex on the country coverage.

In case of successive publications for the same filing number (application), these publications are treated as independent documents in the database and the stored IPC can differ for the different publication levels.

Any published document is expected to carry at least one valid IPC symbol representing Invention Information in that document (see IPC Guide) and therefore MCD is checking the presence of this information at the moment of loading or reprocessing any data.

2.2 PATENT FAMILY SYSTEM

The reclassification of the patent documents according to the latest version of the advanced level of the IPC is a major activity in view of the number of documents involved. The TO's agreed to carry out the reclassification of the patent documents belonging to the PCT minimum documentation, as far as complete specifications are available in one of the working languages of the TO's. However, the work will be limited to reclassifying only one member per family, and using family propagation to attribute new classifications to the remaining members of the family.

It is well known that different types of families exist in the world. The patent family chosen must assure that propagation to family members means propagation to other documents with the same technical content. Only families in which the documents have all the same set of priorities comply with this condition, i.e., "limited" families.

During the storage of the received new publication data in the database additional priorities are created for special situations such as continuation-in-part and divisional documents. These priorities are taken into account for the IPC family building and result in new families as requested by some IPO's. (It is noted for information purposes that for EPO's internal systems these priorities are *not* taken into account during EPO's family building).

In general family information is available for 1970 and later, since complete priority data is only available for that period. Although an extremely large back file of bibliographic data exists for older documents, only a small percentage have family information.

The family information for these older documents is based on an intellectual action of comparing documents e.g. during a search and a recording of the same fictitious priority for the family members in the database. These intellectual families are considered as normal families for later treatment as indicated in section 2.6.2. However the fictitious priority country is to be used for the work distribution.

2.3 CREATION OF THE BACK FILE ACCORDING TO THE VERSION 2005

The core level for the reformed IPC, including the new IPC-2005 entries, is scheduled to be completed during 2003. The International Bureau will then be able to create a concordance table between the advanced and core level. This table is to be used for the "rolling up" actions described below.

Due to extensive resource requirements, it is impractical to reclassify all documents from the former versions of the IPC to the 2005 version. It is possible however, to use the classification symbols from systematically reclassified IPC based document collections. Since ECLA is in principle already refined beyond the advanced level of the reformed IPC and has the most comprehensive collection of documents classified therein, it is the logical candidate to serve as a base from which document classification can be rolled up to the advanced level. However, in some instances ECLA is not complete or in line with the last version of the IPC.

During 2003 the ECLA collection will be completed as far as possible for the missing IPC groups and the German Patent Office (DPMA) is prepared to deliver their classification data according to IPC 7 e.g. for the cases where ECLA is not in line with IPC 7. In addition, a check will be done on all changes in the IPC scheme from IPC 7 to the 2005 version in order to identify any reclassification work needed well in advance of implementation in 2005.

In 2004 the rolling up from ECLA to the advanced level will begin by dropping the letters used in ECLA to indicate subdivisions of IPC groups, or by conversion to the IPC 2005 symbols. A check will then be made to determine the completeness of the PCT minimum documentation documents in the advanced level. For each limited family at least one advanced level classification symbol representing invention information should exist for each document.

Lists will then be generated for the documents, which do not have an invention information classification in the advanced level. These anomalies must be corrected before creation of the core level classification symbols. From the advanced level symbol a rolling up to the core level can be carried out by using the concordance table to be developed by the International Bureau.

The procedure described above can be carried out for the following collections: CH, DE, EP, FR, GB, US, WO, OA and AP as well as for the first filings AT, AU and CA. The JPO is expected to deliver their data as well.

Only RU, although belonging to the PCT minimum documentation, is not mentioned, as their documents are not classified according to ECLA. The RU office can send their reclassified data to the MCD in order to complete the back file of the PCT minimum documentation in the advanced level of the IPC. The classifications of the RU documents can then be rolled up to the core level.

Before the complete back file for the non-PCT minimum documentation is created, all IPO's concerned must inform the IB whether or not they intend to reclassify their own back file documents into the advanced level. For those IPO's that elect to reclassify their back file, MCD processing will be delayed until the results of the reclassification is received from these IPO's. For IPOs that do not intend to reclassify their documents, the core level information for their documents will be propagated from family members. The IB will have to develop specific measures for determining current classifications of documents that have no other family members.

At the end of the activities mentioned above a check can be done on all documents present in the MCD that do not have a valid core level symbol.

The new symbols should be present from January 2005 onwards and the procedure described above cannot be carried out as a single conversion covering the entire database. Therefore the current IPC (versions 1 – 7) will be kept in the MCD next to the 2005 version. Only after some time (x years) the pre 2005 IPC is to be deleted.

The procedure mentioned above treats only the first publication level of documents and the action for the successive publications is still open. Also here a systematic reclassification cannot be started. It is suggested that the MCD copies the reformed IPC from the first publication level to the successive publications.

2.4 NEWLY PUBLISHED DOCUMENTS

Most of the IPO's that publish patent documents also make the corresponding bibliographic data of their published documents available via their gazettes and through electronic media such as the Internet. The same procedures can be followed for the reformed IPC. However the loading of the new IPC data should be carried out as soon as possible after the publication date of the documents concerned. To provide timely access to newly published documents by IPC, the data could be received and processed into the MCD prior to the publication date if possible. There would be no access to the data prior to publication.

Offices that publish their applications in different steps, e.g. from published application to granted patent document, are expected to deliver the full bibliographic data for each publication step but limited to that published document.

Offices should provide, for each classification symbol given, all indicators needed for the reformed IPC; namely, the classification level (C for core, A for advanced and S for subclass), the sequence of the symbol (F for first or L for later), the kind of information represented by the symbol (I for invention information and N for other information) and the genesis of the symbol (B for original, R for reclassified and V for other). For newly classified documents the genesis should always be B. Also the date that the symbol was given to the document should be provided.

The new documentation standard ST.8, which is to be used from 2005 onward for newly published documents, requires additional fields or indicators, including the source of the information (H for human and M for family propagated data) and the generating office. This data will be processed to the MCD at the time the data is loaded.

Emerging technology in the field of linguistic tools could make possible a fully automated allocation of IPC symbols: a third category for the source of information would then be needed, like G for generated by machine.

A more detailed description of all symbols is given in section 2.8.

Newly published documents and their associated data will be processed identically, regardless of the classification level. In fact, Offices may use either the core or advanced level classification symbols for their published documents. Further, each individual document is allowed to have both classification symbols of the core level and classification symbols of the advanced level. However for each part of the information to be classified (classification symbol) only one level can be used.

Offices are allotting the classification symbols to their documents some time before the publication and this up to 18 months, if done directly after the first filing. The version of the IPC, which will be valid at the moment of publication, is not always available at this moment. Since it is an obligation to apply currently valid IPC symbols, Offices should check

validity of the symbols in time before publication. To facilitate such a check a new edition of the IPC is published six (6) months before entering in force, and WIPO makes available a list of valid IPC symbols. <u>By knowing the publication date of the patent document and the validity date of the respective versions the classifiers are able to allot the symbols valid at the moment of publication. However</u> if in exceptional cases a document cannot be published with the valid classification symbols then it should be reclassified as soon as possible after the publication. Classification data that are not corresponding to the latest version of the IPC will be <u>accepted during a transition period of 6 months. Messages are created for warning the Office on the invalid symbols. After the transition period the new incoming invalid symbols are</u> rejected by the MCD, and Offices shall be obliged to correct that data.

2.5 RECLASSIFICATION OF THE CORE LEVEL

2.5.1 REVISION PROCEDURE

The revision procedure is initiated by the International Bureau, which should regularly invite members of the IPC Committee of Experts and the intergovernmental organizations referred to in Article 5(2) of the Strasbourg Agreement to submit proposals for amendments to the core level in accordance with the revision criteria for the core level.

The International Bureau will forward revision requests and proposals for consideration by the IPC Committee of Experts. Revision requests approved by <u>the Revision Working Group or respectively</u> the Committee of Experts will be included in the IPC core level revision program. <u>For each approved request, an office rapporteur will be appointed,</u> who should prepare a project plan that includes time frames for individual actions on the project.

The office rapporteurs should organize discussions on their projects through the IPC electronic forum. Rapporteur's proposals should be posted on the forum.

When amendments to the core level are approved in one of the authentic language versions, a volunteering office should prepare respective amendments in the other authentic language version. The amendments are then included in the next version of the IPC.

2.5.2 RECLASSIFICATION BY OFFICES

Offices that provide advanced level classification symbols for their documents on a regular basis do not need to also provide core level classifications. The core level classifications will be automatically generated using the MCD data to roll up the new core level from the latest version of the advanced level.

Offices, that provide only core level symbols for their documents, are expected to provide the new core level symbols for the MCD as soon as a new version of the core level is official. As explained below special measures are foreseen for the cases where no reclassification data is given. Otherwise, new classification data will not be loaded into the MCD, and the documents may not have a valid classification symbol.

The same media that is used for the newly published documents can be used for sending information on reclassified documents. Detailed data standards and definitions are covered in section 2.8. However, for reclassified documents, it is only necessary to provide the publication identification of the document (country, kind, number), the changes in the classification symbols (normally an old and a new classification symbol), and the indicator for the origin of each classification symbol (original, reclassified, or various). In the case of reclassification, "R" should be used for new classification data, and "D" should be used to indicate each classification symbol to be deleted. For each classification symbol being deleted there would normally be a new symbol added.

In some cases new subdivisions are created from an existing group, and the group retains its original symbol with a new version indicator. In these cases there should be two actions requested (i.e., records) for each document that was previously classified in the existing group, and is to remain in that group. The first will include the group symbol with the new version indicator (and indicated as "R" for reclassified), and the second will include the group symbol with the old version indicator (indicated with "D" for deletion).

For Offices that have more than one publication for the same filing, the reclassification data must be provided not only for the first publication, but additionally for all successive publications. It is up to each office whether to apply the reclassification data of the first publication automatically to successive publications or to review and reclassify each successive publication. Whichever process is used, the reclassification data for each successive publication must also be provided for the MCD.

During MCD processing the reclassification data from one publication level e.g. published application will not be used to automatically propagate classifications to another publication level e.g. granted patent.

2.5.3 PROCESSING OF RECLASSIFICATION DATA TO THE MCD

After reception of the reclassification data the changes are then processed to the MCD. However it is important to keep the classification symbols for the version complete to allow a full search. Therefore the MCD can follow different procedures.

1) All reclassification data received is stored outside the MCD until enough data is received. In one step the changes can be carried out in the MCD.

2) All reclassification data received is stored in the MCD together with the data to be affected by the reclassification. Here the changes can also be carried out in one step. In this case the reclassification data should be tagged in a special way to avoid problems during the retrieval of the data.

At the moment of drafting this part of the CONOPS the technical staff dealing with the MCD have not yet studied the consequences of the two procedures mentioned above. The Committee of Experts expressed a preference for option 2. The availability of reclassified data in the MCD could facilitate the reclassification work for other Offices.

In order to reduce the classification workload, any Office may, in agreement with the IB request to have the new core level classifications of their documents automatically determined (i.e., propagated) from the reclassification data for their <u>family members</u>. In such cases the processing will be carried out as soon as possible, and a lists of documents, which still need to be reclassified, will be provided to the requesting Office.

2.6 RECLASSIFICATION FOR THE ADVANCED LEVEL

2.6.1 REVISION PROCEDURE

Revision of the advanced level will be carried out through an accelerated procedure in order to accommodate changing search needs. All member states of the IPC Union and the intergovernmental organizations referred to in Article 5(2) of the Strasbourg Agreement are authorized to submit proposals for amendments to the advanced level.

A special subcommittee of the Committee of Experts has been created to carry out the revision procedure for the advanced level. This subcommittee reports at least once a year to the Committee of Experts. The members of the subcommittee are the offices, which carry out <u>at least 20%</u> of the reclassification for the PCT minimum documentation as well as the IB. The composition of the subcommittee will be reconsidered every three years on the basis of reclassification work actually performed.

Any revision proposal should be accompanied by a revision request explaining the reasons for revision and is to be posted on the WIPO IPC Web site and the revision request is also to be submitted to the IPC electronic forum. The International Bureau should forward the revision requests and proposals for consideration by the IPC Special Subcommittee.

These proposals are evaluated on their cost/benefit aspects by the IPC Special Subcommittee. <u>The cost/benefit aspects are mainly the ratio between the reclassification effort and the efficiency of searches after the revision. On basis of this outcome</u> the proposals are placed into one of the following three categories:

1) action as soon as resources are available

2) keep on waiting list for later review

3) no further action.

In the last case the Special Subcommittee will provide an explanation why no further action is planned with respect to the proposal.

Each revision project placed into the first category will be included in the IPC advanced level revision program, receive a project number and an office-rapporteur to be determined by the Special Subcommittee. This office-rapporteur will complete a project plan, beginning with the finalizing of the scope of the project (area of the IPC to be reviewed) and ending with the reclassification of the documents into the revised scheme.

The office-rapporteur will submit regular (bimonthly) status reports to the Special Subcommittee, which will in turn report progress on the various projects to the Committee of Experts.

The revision proposals posted on the web site will be updated to reflect the status of the project. Offices may submit comments on the basic structure of a revision proposal via the IPC electronic forum until two months after approval of a revision request. Rapporteur should respond to comments from another Office within one month.
All Offices can follow the progress of a revision proposal and comment upon the scheme until the Special Subcommittee approves the final scheme.

After approval of the final scheme, the International Bureau publishes the amendments, the concordance list and a new validity list is created. These products should be marked as future advanced level scheme products with their planned date of entering in force.

The amendments to the advanced level should enter into force when the results of reclassification of respective search files of the PCT minimum documentation are made available in the Master Classification Database, but not earlier than three months after their approval by the Special Subcommittee.

2.6.2 WORK DISTRIBUTION BETWEEN THE TRILATERAL OFFICES

In order to minimize the workload for the offices reclassifying documents, only one member of a limited family will normally be reclassified. The documentation to be reclassified is the PCT minimum documentation. The Trilateral Offices (TO's) have agreed to reclassify all of the PCT minimum documentation, as far as complete specifications are available in one of the working languages of the TO's. Documents, not covered by this definition, should be reclassified by the respective offices publishing these documents.

To avoid any misunderstanding the kind of the documents involved in the reclassification procedure of the TO's is listed below:

AP
AT B (first filings only)
AU A and B (first filings only)
CA (first filings only)
CH
DE A(1), B(1), C(1)
EP A
FR A
GB A
JP A(1), B
OA A
US A(1), B(1), E, H
WO A

The work distribution is based on the "limited family" relationship and PCT minimum documentation using the following criteria in the order specified (note: a "priority document" must be a published document).

The work distribution is based on two rules namely (I) the unique documents and (II) the priority country for the family documents.

(I) Unique documents

The first rule indicates that each office reclassifies its own documents for which no family members of the PCT min. doc. are present in the MCD. In the case of the EPO the coverage is CH, DE, FR, GB, EP, WO and also AP and OA, as well as the first filings of AT, AU, and CA,. For the USPTO the coverage is US.. For the JPO the coverage is limited to JP documents.

(II) Priority of family

In case of two or more trilateral family members a selection is to be made and the selection criterion is the first filing country or priority country for the family. For American and Oceanic priorities the USPTO is selected, but if US is not present in the family then EPO is selected. For European and African priorities the EPO is selected and if not present in the family replaced by the USPTO. For Asian priorities the JPO is selected, and if JP is not present then replaced respectively by the USPTO or the EPO.

In those reclassification projects where the above method results in unbalanced workloads involving document families, the Trilateral Offices may agree to a more equitable distribution of the workload.

If any document of a limited family has a classification symbol within the project scope, all members of the family are considered to be included in the project, for the purpose of assigning work. The presence or absence of the classification symbol for another TO is not considered in assigning the document for reclassification.

2.6.3 RECLASSIFICATION WORK BY OTHER OFFICES

Although the Trilateral Offices have agreed to reclassify most of the documents impacted by a reclassification project in the advanced level, any Office may, in principle, reclassify its own documents. For international families, the participation should be limited to first filings of that Office. To avoid overlap in reclassification work the documents from any participating Office will be deleted from the priority country list of one of the TOs.

2.6.4 CREATION OF WORKING LISTS OF DOCUMENTS

Once the exact scope of the revision project is decided, working lists of the documents included within the project scope and to be reclassified by each Office, which has advanced level classification symbols to be revised, will be created from the MCD based upon the criteria described above. The lists are produced for each IPC symbol, which is part of the revision project and the same document number can appear on different lists. In case of successive publications only the first publication will be listed. For each document to be

reclassified, the complete international family information will also be provided, along with any additional classification symbols applied to the family.

After creation of the working lists, new published documents are still to be classified according to the current valid IPC version (with indicators *A* and *B*) but it is recommended to add at the same moment the new classification symbols that are becoming official within <u>some months</u> time (with indicators *A* and *R*). A special indication, as mentioned in section 2.6.8, can be created by the MCD as the new symbols are to be found in the validity lists provided for the future IPC version by the IB.

2.6.5 RULES FOR PROPAGATING DOCUMENT CLASSIFICATIONS

For MCD processing following a reclassification project, the automatic propagation of symbols for the documents reclassified in the advanced level, to other members of the family will be carried out according to the following rules:

- propagation is limited to the documents belonging to the PCT minimum documentation for the documents having complete specifications in one of the working languages of the TOs.

- the propagation will be on the basis of the documents assigned to each TO on the working lists (2.6.4) or from the first filings of other Offices participating in the reclassification effort (2.6.3).

- there will no propagation from the first published document to the successive publications (however, this may be done at the respective Offices if they so elect)

- propagation always results in an addition but deletion can only be carried out if it is possible.

- <u>propagation should not result in deletion of all invention information</u>

2.6.6 RECLASSIFICATION OF DOCUMENTS NOT ON THE WORKING LISTS

In order to avoid problems during the processing of data to the MCD, only first publications will be included on the working lists (successive publications will be excluded from the lists). However, offices that have successive publications can request changes to the classifications of these successive publications. This is to be done by sending the information for each of the successive publications, which shall include an R or D indicator for each of the classification symbols (see ST.8).

2.6.7 INVENTION INFORMATION AND OTHER INFORMATION

All classification symbols must represent either "invention information" or "other information". Offices may have different opinions on classification symbols applied to documents. This may include, for example, whether a classification symbol is for invention or non-invention information.

The Office on whose working list (2.6.4) a document appears will decide on the kind (invention or other information) of classification symbol to be assigned to the document, and is not bound to the kind of classification symbol which formed the basis for inclusion in the reclassification project.

Such changes, when they appear are to be reported to the Office, which gave the classification symbol to be changed. A formal procedure is only to be agreed upon when such situations are appearing regularly. In the absence of a formal procedure Offices changing the category of classification symbol are expected to inform the Office that generated the original information.

2.6.8 RECORDING OF THE RECLASSIFICATION IN THE MCD

After reception of the reclassification data the changes can be carried out in the MCD. However it is important to keep the classification symbols for the version complete to allow a full search. Therefore the MCD can follow different procedures.

1) All reclassification data received is stored outside the MCD until enough data is received. In one step the changes can be carried out in the MCD.

2) All reclassification data received is stored in the MCD together with the data to be affected by the reclassification. Also here the changes can be carried out in one step. In this case the reclassification data should be tagged in a special way to avoid problems during the retrieval of the data.

At the moment of drafting this part of the CONOPS the technical staff dealing with the MCD have not yet studied the consequences of the two procedures mentioned above.
The Committee of Experts expressed a preference for option 2. The availability of reclassified data in the MCD could facilitate the reclassification work for other Offices.

2.7 MAINTENANCE OF THE MCD

As part of the maintenance of the MCD, after each revision project in the reformed IPC a check will be made to determine whether any documents remain whose classification data must be updated. Since the process is not the same for the core and advanced level it is described for both levels.

The maintenance is to be carried out 6 months after the entry into force of a new version. A shorter period could result in inefficiencies due to documents that are still in the process of reclassification. A longer period could result in incomplete inventories of documents. The 6-month period may be adjusted after some experience with the maintenance process.

2.7.1 MAINTENANCE OF THE MCD FOLLOWING CORE LEVEL REVISIONS

After the publication of each new version of the core level every three years, the following maintenance procedures will be performed on classification records in the MCD.
For the purpose of checking the MCD, the IB will provide to the EPO, a list of all deleted groups, newly established groups, all groups for which new subdivisions have been created (groups with a new version indicator) and a reverse-reference list (e.g. list of groups for which

new or changed references may have an impact on their scope). Note that this procedure can only be applied if the version indicator is changed for the groups that are not themselves changed.

Using this list, a check will be made in the MCD to identify any documents having classification symbols corresponding to any of these no longer valid groups. Lists of any such documents will be sent to the IB, which will inform the offices concerned and initiate appropriate measures for each case. These measures may include reclassification by the office concerned, or outsourcing of the reclassification work.

For groups whose version indicator has changed, the corresponding documents in the MCD will be checked to identify any documents having an old version indicator. Lists of any such documents will be provided to the IB, which will take the same actions as for the deleted groups.

2.7.2 MAINTENANCE OF MCD FOLLOWING ADVANCED LEVEL REVISIONS

The maintenance of the MCD following advanced level revisions will be carried out for the PCT minimum documentation documents being reclassified by the TOs. As soon as the reclassification is completed by the TOs and the propagation of any classification symbols is completed, checks will be performed as above to identify any documents that have classification symbols corresponding to deleted groups, as well as for documents having an old version indicator. Lists of any such documents will be provided to the responsible TO's (see section 2.6.4).

6 Months after this first maintenance check a further check will be made to identify any additional documents that were not present during the first check, but have advanced level symbols belonging to the revision. For any such documents identified, the old symbols will be deleted.

This second check is to be initiated in a formal manner and the IB should deliver the list of symbols to be checked.

2.8 STANDARDS AND THE EXCHANGE OF DATA

The main standard for storing and transmitting document classification data in the reformed IPC is the ST.8 because it defines the classification symbol and the format to be used for the different indicators needed. While other standards can be used by offices for their classification information, the data must include all of the required information and be convertible to the MCD format as given in the ST.8

The classification symbol is represented with 4 positions for the group indication (right aligned) and 6 positions for the subgroup indication (left aligned).

Another field is provided for the version indicator, which has 8 positions for *YYYYMMDD* and can be limited to *YYYY* for the core level and *YYYYMM* for the advanced level.

The field for the classification level indicator has one position and can be filled in with the letters *C, A, S*, respectively for core level, advanced level and subclass. In most of the cases only *C* and *A* is used. This indicator is always mandatory.

A field is provided to indicate the position of the symbol, which can be used by Offices for which there is some significance to the first listed classification symbol. For example, some offices assign applications to examiner on the basis of the first listed symbol. In this field the letters *F* and *L* can be used respectively for the first position and later position. This field is optional.

For each classification symbol provided, Offices should also indicate either an *I* or *N* respectively for the kind of information, i.e., "invention" or "other" information. Offices, that do not differentiate between the type of information are expected to use the indicator *I*. Whenever an office does not provide this indicator, the MCD will generate *I* as indicator.

There is also a field for the action date with format *YYYYMMDD*. The action date is the date of the classification action or reclassification action. When not filled in by the office, the MCD takes the date of the load of the classification or reclassification data as action date.

Another field is used to indicate the genesis of the classification data, mainly original or reclassified data and the letters *B* and *R* are to be used with *B* for basic or original data and *R* for the reclassified data. For new published documents the letter should always be *B*. In addition classifications can be added for various reasons or be deleted as part of the reclassification procedure. In these cases the letters *V* and *D* can be used. <u>Corrections of errors can also be indicated by the letter *V*.</u>

The source of the classification data, i.e., whether determined by a human or by an automated process, is indicated respectively by the letters *H* for classification data determined by a human reviewing the particular document, and *M* for classification data <u>allotted through family propagation in</u> the MCD. A third category for the source of information could be needed: *G* for generated by machine (see section 2.4).
If no indicator is provided by an office, it will be assumed to have been provided by a human and will be given the indicator *H*.

Two positions are provided for indicating the office that generated the data.
Offices should make every effort to insure that all information needed for the proper functioning of the MCD is transmitted with the classification symbols involved.

2.9 OVERLAP BETWEEN CORE AND ADVANCED LEVEL

Since the advanced level covers the complete IPC and the core level is only a subset of it, there is an inherent overlap. However, in principle there are different procedures for the revision of the core and advanced level. Therefore, special procedures are needed for changes in the core level that occur during the revision of the advanced level.

All changes made to the core level during the revision of the advanced level will be kept in the advanced level and not immediately transmitted to the core level. The special subcommittee should submit a request to the revision working group with regard to the

proposed changes for the core level. Once the revision procedure is completed these groups can become part of the core level.

Once approved by the Committee of Experts, offices classifying in the core level may begin using these future core level symbols (with indicators *C* and *R*) while not forgetting to use the current core level symbols (with indicators *C* and *B*). Offices, classifying in the advanced level can use the same symbols as advanced level symbol of the valid version.

Once the new core level enters in force, MCD will delete the old core level symbols and leave only the new core level ones.

This procedure needs further evaluation when considering those special cases where new classification entries are created in the advanced level that do not directly correspond to core level entries until the core level is revised (e.g. C40B).

2.10 CLASSIFICATION CHANGES OUTSIDE REVISION PROJECTS

It may arrive that Offices disagree on a classification symbol allotted by an other Office. To avoid complex administrative procedures between Offices and with the MCD the following rules are to be followed:

    1) Only the Office generator of the symbol in discussion can make changes and
        inform the MCD on it.

    2) The Office disagreeing with a symbol should contact the Office generator of
        the symbol and should refer to the description of the document for the
        proposed change.

    3) No difference between handling invention information or other information

WO documents, although published by the IB have classifications allotted by the International Searching Authorities. It can be questioned if the IB is to be contacted or the International Searching Authority. It is proposed to contact the IB as the IB is generating the bibliographic data including corrections for the MCD.

SECTION III

PUBLICATION AND UPDATING OF THE IPC AND RELATED MATERIAL

3.1 AUTHORITY FILES

The International Bureau maintains the authority files of valid IPC classifications symbols, and their associated titles, definitions, informative notes and graphic illustrations. It also maintains official IPC publications such as the Official Guide and Official Catchword index.

The official WIPO classification site at present provides access to the static HTML and PDF versions of IPC6/7 (both are intelligent HTML and PDF documents, with internal and external links; the HTML version is optimized for quick loading by splitting-up big subclasses into smaller chunks). After the IPC reform the static HTML and PDF versions will be replaced by a dynamic version, which is based upon the IBIS system.

In fact, IBIS represents the XML-based publishing framework of the IPC completed by a simple document submission and document management system. IBIS is the publishing framework in itself, the e-forum being only a satellite system of IBIS. IBIS provides the IT infrastructure for the management and publishing of the IPC Master Files. In the publishing framework of IBIS (at beta5 phase in 2003) the information is stored in 8 section files (down to subclass indexes) and 631 subclass files (down from Guide Heading level). Amendments to the IPC and the e-layer information are also stored in XML and merged with the original data using a XSLT processor online or batch processes.

The system is enabled to merge various amendment proposals presented in XML with the IPC7 data to establish a discussion view and an actual view. The system is enabled to display the core or the advanced level of IPC separately. It is linked to various language versions of IPC and to databases (e.g., Esp@cenet, USPTO database). The system should be adjusted to the needs of the batch data import to integrate data received in big chunks. The IPC and e-forum also provide the technical infrastructure of the IPC reform. If needed, the e-forum will be further adjusted to the future needs of the revision and publication. IPC Master Files are available to patent offices by downloading from the WIPO classification site.

3.2 PRINTED PUBLICATIONS

As of the year 2005, new IPC editions incorporating revision changes appear every three years and bear the designation of the year of publication, for example, IPC-2008. The International Bureau publishes a core level of the IPC corresponding to the new editions in the printed form. This publication appears six months before entering into force of a new edition.

The International Bureau coordinates updating of the Official Catchword Indexes to the IPC, in English and French, by introducing amendments to the Catchword Indexes according to revision changes in the core level as presented in a new edition of the IPC and by accommodating references to the advanced level of the IPC as it read when the revised core level was published, and publishes, every three years, the updated official indexes to the IPC in the printed form.

3.3 OFFICIAL INTERNET PUBLICATION OF THE IPC

An electronic version of the current IPC will continue to be available via the Internet from the WIPO IPC Web site (*www.wipo.int/classifications)*, and represents an official publication of the IPC. Unlike the printed version, the electronic version on the WIPO Web site contains a complete text of the Classification in English and French. The electronic version of the IPC also includes supplementary information facilitating the use of the Classification, such as classification definitions, informative references, chemical formulae and graphic illustrations.

The Internet version includes revision amendments made to the core and to the advanced levels of the IPC. The revision amendments to the core level, in English and French, are introduced into the official Internet publication every three years, six months before entering into force of a new edition of the IPC. New entries of the core level, or entries with a change of scope, are indicated in italics and are accompanied by an Arabic numeral in square brackets, corresponding to the edition date, e.g. [2008] for 2008-edition, at the end of an entry.

The revision amendments to the advanced level are continuously introduced into the electronic version of the IPC, following their approval by the Special Subcommittee for the supervision of the advanced level. Upon approval of the amendments in one of the authentic language versions, they are incorporated by the International Bureau published on the WIPO Web site. Within some (in general three) months after this, respective amendments to the other authentic language version are prepared, and incorporated by the International Bureau into the official Internet publication.

Offices participating in the translation expect that translation can start in the reclassification phase and some time before the publication. If this information is not available when the amendments in the English version are published, reference is to be made in the French version to these amendments of the English version.

The revision amendments to the advanced level enter into force when the results of reclassification of respective search files of the PCT minimum documentation are made available in the Master Classification Database, but not earlier three months after their approval by the Special Subcommittee. New entries of the advanced level, or entries with a change of scope, are indicated in italics and are accompanied by a six-digit number in square brackets at the end of an entry, which is displayed in the electronic layer only of the IPC. This six-digit number (for example, 2009.03) indicates the year and the month when the revision amendments to the advanced level have entered or will enter into force.

3.4 INTERNET PUBLICATION OF IPC-RELATED MATERIAL

The official catchword indexes to the IPC, in English and French, which are updated every three years according to revision amendments in the core and in the advanced levels, are published by the International Bureau on the WIPO IPC Web site.

In order to facilitate the use of the revision amendments and the reclassification of respective search files, the International Bureau coordinates the preparation of revision concordance lists. These lists give information on how subject matter has been transferred between different places in the IPC as a result of its revision. The revision concordance lists are separately prepared for the amendments of the core level and for the amendments of the advanced level. They are linked to respective places of the official publication of the IPC. On the WIPO IPC Web site the International Bureau publishes the revision concordance lists.

An IPC Valid Symbols List is made available on the WIPO IPC Web site. This list will be used in the maintenance of the MCD, for automatic checking of the validity of IPC symbols allotted to patent documents. With respect to revision amendments of the core level, the list is updated every three years, with each new edition of the IPC. With respect to revision amendments of the advanced level, it is continuously updated.

3.5 ADVANCED PUBLICATIONS AND WORKING COPIES OF THE IPC

The official current version of the IPC is available for all users of the IPC from the WIPO IPC Web site. In order to facilitate the IPC revision work and administration of the IPC by industrial property offices, for example, the preparation of national language versions and reclassification of search files, unofficial publications of the IPC are made available on the WIPO IPC Web site to Member States of the IPC Union and intergovernmental organizations having the right of making proposals for amendments to the Classification.

The pre-publication (actual) view of the IPC represents the current version of the IPC incorporating revision amendments to the core level approved by the IPC Committee of Experts in the course of the three-year revision cycles for the core level, which have not yet entered into force.

The discussion view of the IPC represents the actual view that is open to industrial property offices for the posting of proposed amendments to the IPC once an appropriate revision request has been filed. The proposed amendments so introduced may relate to the revision of the core level or the advanced level of the IPC.

3.6 GUIDE

The Guide of the IPC is in principle valid for both the core and the advanced level. In the current IPC, in each revision period a check of the Guide takes place. This principle could be changed for the reformed IPC. It is proposed to synchronize the revision cycle of the Guide to the revision cycle of the core level (3 years) unless the Committee of Experts finds it necessary to deviate from this practice for urgent reasons.

SECTION IV

PUBLICATION OF AND ACCESS TO THE IPC SYMBOLS

4.1 PRESENTATION OF THE IPC SYMBOLS ON THE DOCUMENTS

The IPC symbols should no longer be presented in string form on the first page of the patent documents but in tabular form. In case of a lot of classification symbols offices can decide to use more than one column for printing the symbols.

Offices are free to decide on the symbol to be placed in the first position in the column but it is recommended to select the classification symbol, which covers in the best way the invention described in the patent document.

The essential elements to understand correctly the classification symbol are the level indicators (advanced or core), the value indicators (invention information and other information) and the version indicator.

The level of the classification symbols influences the indication of the version. There are three different possibilities of classification symbols used:

1) only core level symbols

2) combinations of core level and advanced level symbols

3) only advanced level symbols

When only core level symbols are present the version of the core level is to be indicated only once after the Inid code 51 and the mention Int.Cl. The indicator is to be placed between brackets. Example: 51 Int.Cl. (2005).

When combinations of core and advanced level symbols are present the version indicator is for all core level symbols only once to be indicated and exactly in the same way as for the previous situation, namely after Inid code 51 and the mention Int.Cl. For each advanced level classification symbol the version indicator should be mentioned after the classification symbol and placed between brackets.

When only advanced level classification symbols are present there is no indication of the version after Inid code 51 with the mention Int.Cl. but again for each advanced level symbol the version indicator is placed after the classification symbol and between brackets.

The difference between the core and advanced level is expressed by the use of the font for the characters. Core level symbols should be presented with the normal font and advanced level symbols in italics.
In a similar way the difference can be made between invention information and other information. Invention information is to be printed in bold and other information in regular font. Offices are requested to stop with the printing of the first symbol in bold to avoid confusion with the new rules.

Examples on the way of printing the different combinations can be found in annex.

4.2 ACCESS TO THE IPC DATA

The access to the IPC data is possible in several ways and can vary for the offices in view of their needs. Currently there are three different ways to have access to the data in the MCD.

Offices, which have a high use of the MCD or DOCDB, and which have already installed a copy of the database in-house and receive updates to be in line with the master copy on a regular basis (monthly or weekly). This option is open for more offices.

The data present in the MCD is also copied in the database EPODOC, which is used by the examiners in the EPO as well as by the member offices of the EPO. An extension of this access to more offices (now already possible as a test) is under discussion in the EPO.

esp@cenet already gives access to the IPC data and searching on it is possible. In fact esp@cenet uses the data present in EPODOC and allows the same access as for the previous procedures. It is obvious that the latter method is the best for incidental usage.

An access to the MCD through the IPC database is under consideration and access to esp@cenet via the WIPO site is already possible.

COVERAGE OF DOCDB - MCD

Country	Biblio. Data	Family ind.	Abstracts	IPC	ECLA
AP	from begin	from begin	no	yes	from begin
AR	1973 - 1991	no	no	from 1975	no
AT	from begin	only f.f.	from 1990	from 1972	from 1970 (f.f.)
AU	from 1973	only f.f.	no	from 1973	from 1970 (f.f.)
BA	from 1998	no	no	from 1998	no
BE	from 1964	from 1969	from 1990	from 1970	from 1926
BG	from 1973	no	from 2000	from 1973	no
BR	from 1974	no	no	from 1975	no
CA	from 1973	only f.f.	from 1999	from 1979	from 1970 (f.f.)
CH	from begin	from 1969	from 1970	from 1965	from 1920
CN	from 1985	no	from 1990	from 1986	no
CS	1973 – 1992	no	no	1973 - 1992	no
CU	1974 – 1975	no	no	1974 – 1975	no
CY	from 1954	no	no	from 1975	no
CZ	from 1993	no	from 2000	from 1993	no
DD	from 1973	no	no	from 1973	no
DE A-C	from 1920	from 1969	from 1970	from 1972	from begin
DE U	from 1968	from 1985	no	from 1973	from 1985
DK	from begin	no	from 1990	from 1969	no
EA	from 1996	no	no	from 1996	no
EE	from 1995	no	no	from 1995	no
EG	from 1976	no	no	from 1976	no
EP	from begin	from begin	from begin	from begin	from begin
ES	from 1968	no	from 1983	from 1968	no
FI	from 1968	no	from 1985	from 1969	no
FR	from 1920	from 1969	from 1970	from 1969	from 1902
GB	from 1920	from 1969	from 1970	from 1973	from 1909
GR	from 1977	no	from 1996	from 1978	no
HK	from 1976	no	no	from 1976	no
HR	from 1994	no	no	from 1994	no
IE	from 1930	no	no	from 1930	no
IL	from 1968	no	no	from 1968	no
IN	from 1975	no	no	from 1975	no
IT	from 1973	no	from 1993	from 1973	no
JP A-C	from 1973	no	from 1973	from 1973	no
JP U	from 1993	no	no	from 1993	no
KE	from 1975	no	no	from 1975	no
KR B	from 1978	no	from 1979	from 1979	no
KR A	from 2000	no	no	from 2000	no
LT	from 1994	no	from 2001	from 1994	no
LU	from 1960	from 1969	no	from 1973	from 1946

Country	Biblio. Data	Family ind.	Abstracts	IPC	ECLA
LV	from 1994	no	from 1999	from 1994	no
MC	from 1958	from 1958	no	from 1958	from begin
MD	from 1994	no	from 2000	from 1994	no
MN	1972 – 1989	no	no	1972 – 1989	no
MT	1967 – 1992	no	no	no	no
MW	1973 – 1994	no	no	1973 – 1994	no
MX	1981 – 1994	no	no	1981 – 1994	no
MY	1953 – 1996	no	no	1953 – 1996	no
NL	from 1964	yes	from 1990	from 1964	from begin
NO	from 1968	no	no	from 1973	no
NZ	from 1978	no	from 1999	from 1984	no
OA	from 1966	from 1966	no	from 1966	from 1966
PH	1975 – 1997	no	no	1975 – 1997	no
PL	from 1973	no	no	from 1973	no
PT	from 1976	no	from 1990	from 1976	no
RO	from 1973	no	from 1999	from 1973	no
RU	from 1993	no	from 1998	from 1993	no
SE	from 1968	no	from 1990	from 1973	no
SG	from 1983	no	no	from 1983	no
SI	from 1992	no	from 1998	from 1993	no
SK	from 1993	no	from 1993	from 1993	no
SU	1972 – 1993	no	no	1972 – 1993	no
TJ	from 1998	no	no	from 1998	no
TR	from 1973	no	no	from 1976	no
TW	from 2000	no	from 2000	from 2000	no
US	from 1920	from 1969	from 1970	from 1969	from 1920
VN	1984 – 1997	no	no	1984 – 1997	no
WO	from 1978	from 1978	from 1978	from 1978	from 1978
YU	1973 – 1992	no	no	1973 – 1992	no
ZA	from 1971	no	no	from 1971	no
ZM	1968 – 1994	no	no	1969 – 1994	no
ZW	1980 – 1994	no	no	1980 – 1994	no

f.f. means first filing documents or documents without foreign priority

Events

Provisional scheme agreement

final scheme agreement

Changed scheme enters into force

Months	1	2	3	4+	5	6	7	8	9	10

testing

reclassification of backfile establish FR version

Scheme is official part of advanced level

Actions

MCD checks for documents still having old classification symbols and sends notification to the offices responsible for reclassification

MCD checks again for documents still having old classification symbols

EPO sends final working lists to TO's (and possibly to other offices)
IB produces validity & concordance lists
start classifying new documents with old and new classification
scheme is marked on on IPC website with date of introduction and is updated, if necessary

Scheme is posted on IPC advanced level website as "provisional"

ANNEX II/ANNEXE II

United States Patent and Trademark Office	
WIPO Committee of Experts	
Topic: Concept of Operation for the Reformed IPC	**Date: May 14, 2003**

Comments

This comment is submitted in response to the Committee of Experts' request for comments (IPC/CE/32/12, paragraph 80) on the topic of "Concept of Operation for the Reformed IPC" (CONOPS). It addresses a single issue and suggests modification of a single paragraph in the CONOPS paper IPC/CE/32/7. We are commenting on this problem at this time because a complete solution also requires modification of tentatively approved paragraphs 106 – 108 of the Paris version of the Guide.

The problem is how to prevent indexing codes from being incorrectly used to cover invention information. In the Reformed IPC, determining that a classification marking is an indexing code and not a classification symbol will be more difficult. We have discussed this problem with EP. The last paragraph in section 2.1 of CONOPS that covers the "Master Classification Database" seems to be the most appropriate location to insert an additional safety feature that prevents inappropriate use of indexing codes for obligatory classifications. The suggested additions to this paragraph are indicated in red and underlined.

Any published document is expected to carry at least one valid IPC symbol representing invention information in that document (see IPC Guide) and therefore MCD is checking the presence of this information**, and comparing it against an authority list of valid symbols and codes,** at the moment of loading or reprocessing any data. **To prevent indexing codes from inappropriately being used for obligatory classifications during the loading or reprocessing process, all indexing code status indicators are automatically checked and if their status symbol is "I" (invention information) the codes are rejected.**

An additional US paper covering other CONOPS' issues will be submitted after review of the newer version of CONOPS when it is available.

[Annex III follows/
L'annexe III suit]

ANNEX III/ANNEXE III

FR - Juillet 2003

Observations sur la procédure CONOPS

Concernant le dernier paragraphe du chapitre 2.4 "DOCUMENTS RÉCEMMENT PUBLIÉS" du document IPC/CE/32/7 qui décrit la procédure CONOPS, nous souhaitons faire les observations suivantes.

Il semble que ce paragraphe concerne uniquement le niveau de base puisqu'il est dit que la CIB est publiée 6 mois avant son entrée en vigueur, auquel cas cela devrait être précisé aux endroits qui mentionnent seulement "la CIB", nous serions alors d'accord avec ce paragraphe.

Il nous paraît d'ailleurs difficile d'appliquer ce paragraphe aux symboles du niveau élevé où le délai entre la publication des modifications et leur entrée en vigueur peut n'être que de trois mois.

Naturellement, l'Office français entend faire son possible pour indiquer les symboles du niveau élevé qui sont en vigueur au moment de la publication des documents de brevet. Néanmoins, en cas de modifications du niveau élevé de la CIB qui entreront en vigueur 3 ou même 4 mois après leur publication, nos délais de préparation de la publication ne permettront pas de les introduire à temps pour toutes les demandes de brevet concernées, il faut prévoir également l'intervention de l'examinateur.

Le rejet des données par la MCD entraînera probablement une procédure complexe. Ne vaudrait-il pas mieux, pour le niveau plus élevé de la CIB, accepter les données de classement qui, en tout état de cause, seront accompagnées de l'indication de la version utilisée, et suivre la procédure prévue pour le reclassement pour les quelques demandes dont les symboles ne seraient pas à jour ?

[End of Annex III and of document/
Fin de l'annexe III et du document]