

Questionnaire on Correction Procedures in Patent Offices

modified by the Correction Procedures Task Force in February 2009

Task No. 35: Prepare a questionnaire and carry out a survey on the implementation of WIPO Standard ST.50 and on the status of the correction procedures in the industrial property offices. Prepare a proposal regarding this matter for consideration by the SDWG.

Please provide the following contact information so that the International Bureau can, if necessary, contact the person responsible for responding to the Questionnaire:

YOUR DETAILS:

Industrial Property Office (IPO): CN (ST.3 two-letter country/organization code)

QUESTIONNAIRE

The Guidelines given by WIPO Standard ST.50 (refer to <http://www.wipo.int/standards/en/pdf/03-50-01.pdf>) aim at providing guidance to industrial property offices and other suppliers of patent information on how to issue corrections, alterations and supplements relating to patent information published in paper form or on machine-readable media.

This questionnaire is a second version of an original survey approved by the SCIT Standards and Documentation Working Group and conducted in 2004. Modifications take into account comments received from the original questionnaire as well as correction procedures of offices' given their recent experiences with online Internet publication. The original survey results are available at <http://www.wipo.int/standards/en/pdf/07-04-02.pdf>.

NOTIFICATIONS ISSUED

1. Does your Office issue the following notifications?

(a) Corrections:

- ☒ YES
☐ NO or
☐ Under the following circumstances:

(b) Alterations:

- ☒ YES
☐ NO or
☐ Under the following circumstances:

(c) Supplements:

- ☐ YES
☒ NO or
☐ Under the following circumstances:

(d) Other similar notification details:

COMPLIANCE WITH WIPO STANDARD ST.50

2. Does your Office use the guidelines described in WIPO Standard ST.50?

(a) Guidelines for corrections (paragraphs 7 - 32)

- ☐ ALL ☒ PARTLY ☐ NO

(i) If your answer was “PARTLY”, which parts of WIPO Standard ST.50 are used?

- ☐ Kind-of-document codes according to paragraph 10 of WIPO Standard ST.16, e.g., A8, A9, etc.
☐ Data element “publication date” of the correction (INID code (48)) according to [WIPO Standard ST.9](#)
☐ Additional correction information, e.g., supplementary correction codes (example: codes on EP CD-ROMs like W, Z, etc.), together with INID code (15)

- ☒ Other – Please specify: *Corrections to the bibliography, other than the abstract or the representative drawing, are published in patent gazettes.*

Corrections to the abstract or the representative drawing are published by issuing corrected versions of the first page.

Corrections to any part of patent documents are published by issuing corrected versions of the complete patent document (pamphlet).

Corrections to patent gazettes are made in the relevant entry of a subsequent issue of the gazette itself.

- (ii) If your answer was “NO”, is your Office planning to introduce the guidelines according to WIPO Standard ST.50? If so, when?

☐ YES When?

☐ NO

Comments, if necessary: *Kind-of-document codes, INID code (48) and INID code (15) will be introduced in the near future.*

- b) Guidelines for alterations (paragraphs 33 – 36)?

☐ ALL ☒ PARTLY ☐ NO

- (i) If your answer was “PARTLY”, please specify the practice of your Office:

Alterations relating the transfer of ownership and changes of the name or address of the applicant are announced in the patent gazette and patent register.

- (ii) If your answer was “NO”, is your Office planning to introduce the guidelines according to WIPO Standard ST.50? If so, when?

☐ YES When?

☐ NO

Comments, if necessary: *Alterations relating to information previously published in any part of the patent document are not announced.*

- c) Guidelines for supplements (paragraphs 37 – 44)?

☐ ALL ☐ PARTLY ☒ NO

- (i) If your answer was “PARTLY” please specify the practice of your Office:

- (ii) If your answer was “NO”, is your Office planning to introduce the guidelines according to ST.50? If so, when?

☐ YES When?

☐ NO

Comments, if necessary: *Search reports or their revised versions are not published due to legal and procedural reasons.*

MEDIA ON WHICH CORRECTIONS, ALTERATIONS, AND SUPPLEMENTS ARE PUBLISHED

3. On which types of media are corrections, alterations, and/or supplements issued according to the guidelines of WIPO Standard ST.50?
Please indicate the specific guidelines used in relation to the media indicated below.
Please provide the requested media information for both (i) patent documents, and (ii) patent gazettes, for any media on which they are issued.

- ☒ (a) Paper: *Corrections and alterations*
 - (i) Patent documents: *See 2(a)(i) above*
 - (ii) Patent gazettes: *See 2(a)(i) and 2(b)(i) above*
- ☒ (b) Optical discs, e.g., CD-ROMs/DVDs: *Corrections and alterations*
 - (i) Patent documents:
 - (ii) Patent gazettes: *See 2(a)(i) and 2(b)(i) above*
- ☐ (c) Machine-readable carriers other than optical discs, e.g., magnetic tapes:
 - (i) Patent documents:
 - (ii) Patent gazettes:
- ☒ (d) Online Internet publication: *Corrections and alterations*
 - (i) Patent documents:
 - (ii) Patent gazettes: *See 2(a)(i) and 2(b)(i) above*
 - (iii) Other (e.g. web services):

4. Does your Office use correction, alteration, and/or supplement issuing procedures other than provided in WIPO Standard ST.50?

- ☐ Paper Patent Documents:
- ☐ Patent Documents on optical discs, e.g., CD-ROMs/DVDs:
- ☐ Patent Gazettes/Bulletins (please specify media used):
- ☐ Machine-readable carriers other than optical discs
(Please specify product, e.g., patent document, patent gazette, etc.):
- ☐ Online Internet publication:

5. List the WIPO Standard ST.16 kind-of-document codes used for each kind of corrected patent document. Please indicate if your Office does not change the ST.16 kind-of-document code for corrected documents:

A8, A9, B8, B9, U8, U9, and S9 will be introduced in the near future.

A8, B8, and U8 announce a correction to the frontpage of patent unexamined publications, patent grant publications, and utility model grant publications respectively.

A9, B9, U9, and S9 announce a correction to any part of the patent document of patent unexamined publications, patent grant publications, utility model grant publications, and industrial design grant publications respectively.

6. In terms of what type of media the notification types (corrections, alterations, and supplements) are issued on, does your Office treat one of the notification types differently from the others? If so, please specify how the different notification types are treated.

Corrections to the abstract, the representative drawing and any part of the patent document are only issued on paper. This type of corrections will be expanded to the optical disks and online Internet publication in the near future.

7. In the case that your Office issues corrections, alterations, and supplements on more than one type of media, and in the case that one or more types are more important/dominant/authentic than the other(s), please specify which type(s) of media are the most important. (Multiple selections can be made).

- ☒ Paper:
- ☒ Optical discs:
- ☐ Machine-readable carriers other than optical discs:
- ☒ Online Internet publication:

8. In the case that your Office issues corrections, alterations, and supplements on machine-readable media (including online Internet publications):

- (a) Please indicate if corrections, alterations, and supplements to image data (e.g., WIPO Standard ST.33 data) are handled differently from corrections to full text versions of the same data (e.g., WIPO Standard ST.32 or ST.36 data).

Full text versions will be published in the near future. Corrections, alterations, and supplements of full text versions will be handled in the same way as image data is.

- (b) Please indicate if corrections, alterations, and supplements are handled differently on different media (e.g., differently on paper, optical disc, magnetic tape, on-line, etc.):

Corrections to the abstract, the representative drawing, and any part of the patent document are only issued on paper. This type of corrections will be expanded to the optical disks and online Internet publication in the near future.

PROBLEM AREAS

9. If you use correction, alteration, and supplement procedures that are not fully in accordance with WIPO Standard ST.50 and do not plan to be fully in line with this Standard in the future, please explain why. In particular, please indicate any concerns (e.g. procedural, technical, cost) you have with WIPO Standard ST.50 that cause problems with its implementation.

The supplement procedure, such as search reports or their revised versions are not adopted due to legal and procedural reasons.

10. In the case that your Office issues corrections, alterations, and/or supplements via online Internet publication:

- (a) Does WIPO Standard ST.50 require amendment to cover your procedures?

☒

YES

☐

NO

- (b) If YES, please provide details about what are the problem areas:

We are working on upgrading our procedures and examination tools to be partly in line with ST.50

- (c) And, if YES, please identify any possible solution(s) to amend WIPO Standard ST.50:

See 10(b) above.

11. With regard to problem area(s) other than in relation to online Internet publication:

- (a) Do you see a need to update or amend WIPO Standard ST.50 in any area(s) other than in relation to online Internet publication?

☐

YES

☒

NO

- (b) If YES, please provide details about what are the problem areas:

- (c) And, if YES, please identify any possible solution(s) to amend WIPO Standard ST.50:

12. Do users have problems in the identification of corrections, alterations, or supplements?
If so, choose one or more of the following options:

- ☐ We do not have this information.
- ☐ There are problems distinguishing between the different types of corrections, alterations, and supplements.
- ☒ There are problems identifying which publications have been subsequently corrected, altered, or supplemented.
- ☐ There are problems identifying what previous publication is now being corrected, altered, or supplemented.
- ☐ Other, please specify:

TYPE AND CAUSE OF ERRORS REQUIRING SUBSEQUENT CORRECTION

13. Is the origin of errors leading to corrections mainly due to the applicant or to the internal processes of your Office, or another source?

- ☐ More from the applicant side
- ☒ More from the Patent Office side
- ☐ About equally from applicant and Patent Office
- ☐ Other, please specify:

Comments, if necessary:

14. If known, please indicate the number of corrections published by your Office every year, in absolute values and/or percentage of the overall publication volume?

The number of corrections published by the CN Office in 2008 is 299, which is extremely low compared to the huge overall volume.

15. If known, has a significant change occurred in the number of corrections issued in the past five years?

- ☐ More corrections
- ☐ Stable
- ☐ Fewer corrections

Comments, if necessary: *Not known.*

16. Who makes the final decision of publishing a correction?

- ☐ The examiner
- ☒ The formality officer
- ☐ The internal publication department
- ☐ An external publication department
- ☐ All, in cooperation
- ☐ Other – Please specify:
- ☐ It depends on the type of correction or error – Please specify:

Comments, if necessary:

17. Is a request for correction from an applicant usually granted?

- ☒ YES ☐ NO

Comments, if necessary: *If the origin of errors leading to corrections is from the patent office side.*

18. How long, on average, does your Office take to publish a correction once an error becomes known?

(One or more selections may be made).

- ☐ In the next publication cycle
- ☐ Within one working day
- ☐ Within one month
- ☐ Within 1-3 months
- ☐ Within 3-6 months
- ☐ Longer than 6 months
- ☒ It depends on the types of media (paper, optical discs, machine-readable carriers other than optical disc, online Internet publication) the notifications are issued on and on the types of notifications (corrections, alterations, and supplements) issued. Does your Office treat one of the notification types differently from the others? If so, please specify how the different types of media and notifications are treated.

☐ Other – Please specify:

Comments, if necessary:

PROVISION OF EXAMPLES OF CORRECTIONS, ALTERATIONS AND SUPPLEMENTS

19. If possible please provide one or more brief examples of corrections, alterations, and/or supplements which may be used to update part 7.4.1 of the WIPO Handbook entitled “Examples concerning corrections, alterations, and supplements relating to patent information” (see http://www.wipo.int/standards/en/part_07.html#7.4). An example should preferably be provided in the form of either:
- (a) a reference to an Internet address that is likely to be stable for more than three years or
 - (b) an embedded image within a Microsoft Word or an Adobe PDF document.

Please note that the examples provided will REPLACE those examples existing in part 7.4.1, unless advised otherwise (below).

- (a) ☒ The following stable Internet addresses are provided, for updating part 7.4.1 of the Handbook: <http://www.sipo.gov.cn/sipo2008/zwgs/zlgb/>
(Please include steps to help readers find the information, if necessary.)
- (b) ☒ The following attached images are provided for updating part 7.4.1 of the Handbook:
 - (i) *Corrections to patent gazettes*

发明专利公报更正

卷	号	页码	专利申请号	更正项目	误	正
24	46	1070	00113166.4	变更后专利权人	成都康弘药业集团有限公司	成都康弘药业集团股份有限公司
24	46	1360	200580017560.7	代理人	余 刚 王忠忠 李丙林	余 刚 李丙林
24	46	1374	200610171240.3	分案原申请号	03101205.8	200310120582.9

- (ii) *Corrections to the bibliography other than the abstract or the representing drawing*

发明专利说明书更正

卷	号	页码	专利号	更正项目	误	正
24	46	扉页	200580017560.7	代理人	余 刚 王忠忠 李丙林	余 刚 李丙林
24	46	扉页	200610171240.3	分案原申请号	03101205.8	200310120582.9

(iii) *Alterations:*
Transfer of proprietary rights

10. 专利申请权、专利权的转移

① 专利申请权的转移

IPC (主分类)	专利申请号	变更事项	变更前权利人	变更后权利人	登记生效日
A01N 37/18	200410068331.5	申请人	日本农药株式会社	日本农药株式会社	2008.12.28
		地址	日本东京都	日本东京都	
		共同申请人	WYETH 控股公司	巴斯夫欧洲公司	2008.12.28
A01N 37/18	200610101529.8	申请人	日本农药株式会社	日本农药株式会社	
		地址	日本东京都	日本东京都	2008.12.28
		共同申请人	WYETH 控股公司	巴斯夫欧洲公司	
A01N 43/90	200680019749.4	申请人	明治制果株式会社	明治制果株式会社	2008.12.28
		地址	日本东京都	日本东京都	
		共同申请人	社团法人北里研究所	学校法人北里研究所	2008.12.28
A01N 59/16	200580015191.8	申请人	通用电气公司	沙伯基础创新塑料知识产权有限公司	
		地址	美国纽约州	荷兰贝亨奥普佐姆	

(iv) *Alterations:*
Change of the name or address of applicant

14. 著录事项变更

15. 专利权人的姓名或者名称、地址的变更

IPC (主分类)	专利号	变更事项	变更前	变更后
A01N 37/34	ZL 99110416.1	专利权人	日本农药株式会社	日本农药株式会社
		地址	日本东京都	日本东京都
		共同专利权人	美国氰胺公司	WYETH 控股公司
A23F 5/44	ZL 200510136479.2	专利权人	颜怀伟	颜怀伟
		地址	528000 广东省佛山市禅城区国家级高新区吉利工业园	610072 四川省成都市一环路西二段17号

(c) ☐ Other – Please specify:

Comments, if necessary:

FURTHER COMMENTS

20. Please indicate below any further comments you wish to make in relation to Correction Procedures.

[End of Annex]