

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): PK (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: *The PK Office notifies corrections relating to patent documents in paper form in the PK official gazette part V (which is published weekly) under sub-section (4) of section 51 of the Patent Ordinance 2000 as amended in 2002 in the form as set out in Form P-21. The gazette is divided into different sections, where such corrections are published under the heading of “Corrigendum.” The notification provides all information regarding the date of issue of the previously published version.*

(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: *See answer 2(a)(i) above*

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

☐ ALL ☒ PARTLY ☐ NO

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

The PK Office notifies alterations relating to patent documents in the PK official gazette part V in the form of announcement under sub-section (1) of section 54 of the Patent Ordinance 2000 as amended in 2002 in the form as set out in Form P-23 which indicates the publication date and patent number of the previously published information in the Official Gazette part V and the information being altered and the alteration itself. An alteration or at least the fact that an alteration was made, is recorded by the patent office in its 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:

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

☐ ALL ☒ PARTLY ☐ NO

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

The PK Office publishes supplements in the PK official gazette part V under sub-section (3) of section 42 of the Patent Ordinance 2000 as amended in 2002 in the form as set out in Form P-16.

- (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:

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:

(i) Patent documents:

(ii) Patent gazettes:

☐ (b) Optical discs, e.g., CD-ROMs/DVDs:

(i) Patent documents:

(ii) Patent gazettes:

☐ (c) Machine-readable carriers other than optical discs, e.g., magnetic tapes:

(i) Patent documents:

(ii) Patent gazettes:

☒ (d) Online Internet publication:

(i) Patent documents:

(ii) Patent gazettes:

Corrections: under sub-section (4) of section 51 of the Patent Ordinance 2000 as amended in 2002 in the form as set out in Form P-21.

Alterations: under sub-section (1) of section 54 of the Patent Ordinance 2000 as amended in 2002 in the form as set out in Form P-23.

Supplements: under sub-section (3) of section 42 of the Patent Ordinance 2000 as amended in 2002 in the form as set out in Form P-16..

(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:

Not applicable

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.

No, the notification (corrections, alterations and supplements) are issued on the same media and advertised by publication of the application (including the nature of the notification) in the PK official Gazette.

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).

- (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.):

Handling of all such notifications are same for both media, i.e., paper and online Internet publication which handling comprises the publication of the notifications (correction, alteration and supplements) in the form of paragraphs. Neither the first page nor the whole patent document is published by the PK Office. To see the whole patent document one has to fill a form P-26 and pay a fee of PKR. 750/- for each patent document.

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 PK Office of Pakistan uses correction, alteration and supplement procedures which may not fully in accordance with WIPO Standard ST.50 but the basics of publishing of notifications in the Gazette of Pakistan Part V are similar. The differences between the PK Office procedure and ST.50 are:

- a) in the publishing standards,*
- b) the PK Office does not use kind-of-document codes (paragraph 11 of WIPO Standard ST.16), and*
- c) the PK Office does not use INID codes.*

The major concern for not being compliant with ST.50, is the cost involve for the publication of either the first page of the application or the complete patent document.

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:

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

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?

Sometimes, 0-4 times per year.

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:

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: *The Controller of Patents*
☐ 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: *Any person wishing to oppose the application shall, within 2 months from the date of advertisement in the PK Official Gazette, give notice to the Controller in the form as set out in Form P-7.*

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:

(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)
- (ii)
- (iii)

- (c) ☐ Other – Please specify:

Comments, if necessary: *No comments*

FURTHER COMMENTS

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

The PK Office of Pakistan uses correction, alteration and supplement procedures which may not fully in accordance with WIPO Standard ST.50 but the basics of publishing of

notifications in the Gazette of Pakistan Part V are similar. The differences between the PK Office procedure and ST.50 are:

- a) in the publishing standards,*
- b) the PK Office does not use kind-of-document codes (paragraph 11 of WIPO Standard ST.16), and*
- c) the PK Office does not use INID codes.*

It is suggested that to make member state office procedures fully in compliance with WIPO Standard ST.50, training is recommended, so that Offices may develop expertise make correction procedures consistent with WIPO Standard ST.50.

[End of Annex]