

Annex I

To Request for Proposals N° PCD/08/046



Terms of Reference

for the

Outsourcing of Translations of PCT Abstracts, International Search Reports (ISRs), Supplementary International Search Reports (SISRs), International Preliminary Reports on Patentability (IPRPs) and Written Opinions of the Searching Authorities (WOSAs) from Korean and Portuguese into English and/or French, and the Provision of Abstract-Based Terminological Records in Korean and English and in Portuguese and English

TABLE OF CONTENTS

1	INTRODUCTION	3
1.1	The World Intellectual Property Organization	3
1.2	Purpose of the RFP	3
2	TYPE OF DOCUMENT TO BE OUTSOURCED	4
2.1	Abstracts	4
2.2	International Search Reports (ISRs) and Supplementary International Search (SIS) Reports	4
2.3	Written Opinions of Searching Authorities (WOSAs) and International Preliminary Reports (IPRPs)	5
3	QUANTITY OF OUTSOURCED DOCUMENTS	7
3.1	Abstracts	7
3.2	International Search Reports (ISRs) and Supplementary International Search Reports (SISRs)	7
3.3	International Preliminary Reports on Patentability (IPRPs) and Written Opinions of the Searching Authority (WOSAs)	8
4	FORMAT OF OUTSOURCED DOCUMENTS	8
4.1	Abstracts	8
4.2	International Search Reports (ISRs) and Supplementary International Search Reports (SISRs)	8
4.3	Written Opinions of Search Authorities (WOSAs) and International Preliminary Reports (IPRPs)	8
5	FORMAT OF DOCUMENTS RETURNED	9
5.1	Abstracts	9
5.2	International Search Reports (ISRs) and Supplementary International Search Reports (SISRs)	9
5.3	International Preliminary Reports on Patentability (IPRPs) and Written Opinions of the Searching Authorities (WOSAs)	9
6	CREATION OF ABSTRACT-BASED TERMINOLOGICAL RECORDS ..	10
7	CONFIDENTIALITY	11
8	QUALITY STANDARD	11
9	INTELLECTUAL PROPERTY	12
10	DURATION OF CONTRACT	12
11	ENTRY INTO EFFECT OF CONTRACT	12

Representative samples of documents annexed to this document:

Document A – Sample of an ISR.

Documents B and C – Samples of WOSAs.

Document D – Sample of a terminological record containing a candidate Japanese-English term pair with a suggested synonym.

1 INTRODUCTION

1.1 The World Intellectual Property Organization

The **World Intellectual Property Organization (WIPO)** is an intergovernmental organization with Headquarters in Geneva, Switzerland. It is one of the 16 Specialized Agencies of the United Nations System. WIPO is responsible for the promotion of the protection of intellectual property throughout the world.

1.2 Purpose of the RFP

The Request for Proposals (RFP) consists of the following ten (10) components:

- i. Translation of Abstracts from Korean into English;
- ii. Translation of Abstracts from Korean into French,
- iii. Translation and transcription of *International Search Reports (ISRs)* and *Supplementary International Search Reports (SISRs)* from Korean into English;
- iv. Translation of *International Preliminary Reports on Patentability (IPRPs)* and *Written Opinions of the Searching Authorities (WOSAs)* from Korean into English;
- v. Provision of abstract-based Terminological Records in Korean and English;
- vi. Translation of Abstracts from Portuguese into English;
- vii. Translation of Abstracts from Portuguese into French;
- viii. Translation of *International Search Reports (ISRs)* and *Supplementary International Search Reports (SISRs)* from Portuguese into English;
- ix. Translation of *International Preliminary Reports on Patentability (IPRPs)* and *Written Opinions of the Searching Authorities (WOSAs)* from Portuguese into English;
- x. Provision of abstract-based Terminological Records in Portuguese and English.

It is possible to bid for the entire package (items i-x) or for separate items contained therein (such as the translation of Korean Abstracts into English only).

WIPO retains the right not to award any of the components of the RFP if no satisfactory bids have been received for them.

2 TYPE OF DOCUMENT TO BE OUTSOURCED

2.1 Abstracts

Scientific and technical abstracts of international patent applications in Korean and Portuguese are to be translated into English and/or French for the weekly PCT electronic publication.

Each abstract consists of a title; a short summary of the invention indicating the technical field to which the invention pertains, allowing clear understanding of the technical problem, the solution of that problem through the invention and the principal use or uses of the invention; in addition to some text that is part of a drawing. The abstract serves as a scanning tool for the purposes of searching and browsing in the particular art, especially by assisting the scientist, engineer or researcher in formulating an opinion on whether there is a need for consulting the international patent application itself. The description and the claims of the invention will not be transmitted to the supplier.

The abstract is as concise as the disclosure permits (preferably 50 to 150 words in English or when translated into English: however, it is possible that said number of words may be exceeded). Generally, the volume of the text of the abstract, including the title and one of the figures from the drawings (if any) does not exceed what can be accommodated on an A4 sheet of typewritten matter, 1 ½ spaced.

Currently, the average length of an abstract in Korean, including the title, is the equivalent of 137 words in English. Some drawings accompanying the abstracts may also contain text matter that is to be translated.

The average length of an abstract in Portuguese, including the title, is the equivalent of approximately 145 words in English. Some drawings accompanying the abstracts may also contain text matter that is to be translated.

Samples of abstracts in Korean requiring translation into English and/or French can be found in Tests nos. 1 and 2 attached to Annex II – Response Requirements. A sample drawing containing text matter in Korean is included in Test no. 3 (see *Annex II – Response Requirements*).

Samples of abstracts in Portuguese requiring translation into English and/or French can be found in Tests nos. 8 and 9 attached to Annex II – Response Requirements. A sample drawing containing text matter in Portuguese is included in Test no. 10 (*Annex II – Response Requirements*).

2.2 International Search Reports (ISRs) and Supplementary International Search (SIS) Reports

International Search Reports (ISRs) are established in Korean and Portuguese by the Korean Intellectual Patent Office (KIPO) and the National Institute of Industrial Property of Brazil (INPI) and are to be translated into English.

International Search Reports (ISR-Form PCT/ISA/210) contain citations of documents considered to be relevant and remarks concerning unity of invention and certain claims found to be unsearchable. The Contractor will be required to translate all the pages of the ISR except the first page (page No. 1 of form PCT/ISA/210). The translation must be in the standardized format of form PCT/ISA/210 (the ISR), or on the rare occasions where it is necessary, in the standardized format of form PCT/ISA/203 (Declaration of non-establishment of ISR).

Currently, the average length of an ISR in Korean, including citation passages and text matter is the equivalent of 40 words in English.

Currently, the average length of an ISR in Portuguese, including citation passages and text matter is the equivalent of 150 words in English.

Samples of an ISR containing citation passages that are to be translated and transcribed from Korean into English and an ISR containing text matter requiring translation into English can be found in Tests nos. 4 (two pages) and 5 attached to *Annex II – Response Requirements*.

Samples of an ISR containing citation passages and text matter to be translated from Portuguese into English can be found in Tests nos. 11 and 12 attached to *Annex II – Response Requirements*.

A representative sample of an ISR in English is attached as *Document A*.

From 2009 onwards, a new option for applicants to choose a *Supplementary International Search Report* (SISR) will become available. It is not yet clear which Intellectual Property Offices will participate in this system. Should the Korean Intellectual Property Office (KIPO) and the National Institute of Industrial Property of Brazil (INPI) participate, the Contractor may also be requested to translate Korean and Portuguese SISRs. It is expected that SISRs will be approximately of the same nature and length as the ISRs.

2.3 Written Opinions of Searching Authorities (WOSAs) and International Preliminary Reports (IPRPs)

Examination reports (*the Written Opinion of the International Searching Authority*, and *the International Preliminary Report on Patentability*) providing an opinion as to whether an international application meets the criteria of patentability (novelty, inventive step and industrial applicability), can be established by the same offices as the ISRs, and are to be translated into English from Korean and/or Portuguese.

The original documents generally contain a technical discussion of the invention described in the application, accompanied by legal arguments based on the articles and rules of the Patent Cooperation Treaty and the criteria set forth in the PCT International Search and Preliminary Examination Guidelines. The average number of target words per report in English is 719 words for Korean and 613 for Portuguese,

but this figure may vary between individual reports. The reports cover a wide range of technical fields.

The Contractor will be able to access related documents useful in the translation of the reports, such as the description, claims and drawings of each International Application, via the WIPO website.

Background documents such as the PCT Guidelines, the Patent Cooperation Treaty and translation guidelines prepared by PCT Translation Service will be provided to the Contractor.

Generally, the Contractor will be required to translate all text matter contained in the reports, excluding the standard text that appears on the form, and to enter a certain limited amount of data. This standard text is already translated and appears on the translation templates provided (examples of the templates are attached). Specifically with respect to each part of the form, the Contractor is to perform the following:

Front page: No translation required.

Boxes I to IV: Translation of text matter (if any). This text matter can be included in the box itself and/or on a separate sheet.

Box V (Reasoned statement): Entering claim numbers listed under section 1. Translation of text matter under section 2. This text matter can be included in the box itself and/or on a separate sheet.

Boxes VI to VIII: Translation of text matter (if any). This text matter can be included in the box itself and/or on a separate sheet.

Supplemental Box Relating to Sequence Listing (in the International Preliminary Report on Patentability only): Translation of text matter (if any).

Representative samples of a WOSA in English are attached as *Documents B and C*.

IPRPs in Korean requiring translation into English can be found in Tests nos. 6 (two pages) and 7 (three pages) attached to *Annex II – Response Requirements*.

Similar texts in Portuguese requiring translation into English and/or French can be found in Tests nos. 13 (two pages) and 14 (three pages) attached to *Annex II – Response Requirements*.

3 QUANTITY OF OUTSOURCED DOCUMENTS

3.1 Abstracts

The estimated number of Korean abstracts to be outsourced for translation is: 7,608 (2009), 9,245 (2010), 13,951 (2011) and 18,099 (2012).

The estimated number of abstracts in Portuguese to be outsourced for translation in 2009 is 750.

These above-mentioned volumes may be divided up by WIPO among several Contractors, based on performance criteria.

Actual figures will, however, vary depending on filing rates. The growth rate for filings of International Applications from Korea in 2007 was 18.74 %. The growth rate for filings of International Applications in Portuguese in 2007 was 18.2% (Brazil) and 32.35% (Portugal).

The number of abstracts in Korean and Portuguese outsourced for translation will not normally exceed a certain volume specified by the Contractor, e.g. 25, 50, 100, 200, 300, 400 files per week, unless the Contractor agrees to a request made by WIPO for an increase in this volume. WIPO does not, however, guarantee to meet or exceed said estimated quantities. The number of words per abstract may also vary.

The supplier will have two calendar weeks to deliver the translated abstracts to WIPO.

3.2 International Search Reports (ISRs) and Supplementary International Search Reports (SISRs)

The estimated number of *International Search Reports* to be outsourced for translation from Korean into English in 2009 is 7,608.

The estimated number of *International Search Reports* to be outsourced for translation from Portuguese into English in 2009 is 750.

The estimated number of *Supplementary International Search Reports* (SISRs) to be translated from Korean into English in 2009 is unknown but should not exceed 7,608.

The estimated number of *Supplementary International Search Reports* (SISRs) to be translated from Portuguese into English in 2009 is unknown but should not exceed 750.

As mentioned above, the numbers of ISRs and SISRs may vary according to international filing rates. WIPO cannot guarantee that it will meet or exceed the above figures. No SISRs are planned to be outsourced under this RFP in the initial stages, but this may change during the course of the contract.

3.3 International Preliminary Reports on Patentability (IPRPs) and Written Opinions of the Searching Authority (WOSAs)

The estimated number of *International Preliminary Reports on Patentability* (IPRPs) and *Written Opinions of the Searching Authority* (WOSAs) to be outsourced for translation from Korean into English in 2009 is 7,608.

The estimated number of *International Preliminary Reports on Patentability* (IPRPs) and *Written Opinions of the Searching Authority* (WOSAs) to be outsourced for translation from Portuguese into English in 2009 is 750.

4 FORMAT OF OUTSOURCED DOCUMENTS

4.1 Abstracts

The abstracts will be transmitted by WIPO to the Contractor in electronic form via a secure server in the form of a ZIP package made available on the WIPO server for Electronic Data Interchange (EDI).

This package will include a zipped file containing: (i) the title page, the page of the abstract, and the page of the drawing (if any) that is to be translated, in TIFF format, in addition to (ii) a template having a file name in compliance with WIPO standards, containing IPC codes, in RTF format.

4.2 International Search Reports (ISRs) and Supplementary International Search Reports (SISRs)

International Search Reports (ISRs) in Korean and Portuguese and form PCT/ISA/203 in English in PDF format will be transmitted by WIPO to Contractors via the secure WIPO server for Electronic Data Interchange (EDI). The same would apply to SISRs.

4.3 Written Opinions of Search Authorities (WOSAs) and International Preliminary Reports (IPRPs)

The Contractor will receive ZIP packages from WIPO containing a number of original reports for translation, together with the translation forms that are to be completed and returned to WIPO. The ZIP package will contain:

- (i) the original, source language report as a ZIP file containing a number of TIFF images (scanned pages of the original paper document);
- (ii) a form in WORD format in which the translation is to be entered and containing administrative information from the original report (such as

international application (IA) number, main applicant's name, priority date, various checkboxes, etc.);

- (iii) an index file (CSV-file), containing a list of IA numbers corresponding to the documents in the ZIP.

5 FORMAT OF DOCUMENTS RETURNED

5.1 Abstracts

The translations will be transmitted by the Contractor to WIPO in electronic form via a secure server in the form of a ZIP package. This package will contain (i) the template in RTF format in which translations have been entered and (ii) a newly created TIFF file containing the reference drawing (if any), having a file name in compliance with WIPO standards.

When some parts of the drawing do not have any references, the Contractor should add reference numbers, include any English text contained in said drawings and return a scanned copy of the drawing sheet (TIFF image) associated with and named in the same way as the corresponding RTF file.

The Contractor will also include a list of IA numbers of the documents translated.

The Contractor must also check that each file submitted to WIPO is a translation into the target language.

5.2 International Search Reports (ISRs) and Supplementary International Search Reports (SISRs)

English translations of Korean and/or Portuguese *International Search Reports* will be transmitted by the Contractor to WIPO in WORD and PDF format via the secure WIPO server for Electronic Data Interchange (EDI). The same would apply to SISRs.

5.3 International Preliminary Reports on Patentability (IPRPs) and Written Opinions of the Searching Authorities (WOSAs)

The translations will be transmitted by the Contractor to WIPO in electronic form via a secure server in the form of a ZIP package. The ZIP package with completed translations returned by the Contractor must be named according to the convention specified by WIPO in Guidelines to be provided to the Contractor.

The package should contain only the completed translations in WORD format. The original source language reports sent to the Contractor should not be returned to WIPO.

The Contractor will also send, by email, a list containing the IA numbers of the documents translated with their word count.

6 CREATION OF ABSTRACT-BASED TERMINOLOGICAL RECORDS

Companies entrusted with the translation of abstracts in Korean and Portuguese are requested but not obliged to provide WIPO with terminological records for each abstract. They will be provided with access to WIPO's proprietary Patentscope Linguistics Database using SDL multiterm, for this purpose.

Each terminological record will be based on a key term contained in the abstract translated by that company. Normally, each abstract contains three to five key terms.

Before submitting a terminological record, the compiler is requested to verify that the the Patentscope Linguistics Database database does not already contain that term.

Terminological records will remain the exclusive property of WIPO.

The format of each terminological record will be established in accordance with the appropriate editing guidelines prepared by WIPO.

The steps involved in creating a terminological record are:

1. Selection of one or more of the subject fields from the 31 Subject field list (this implies knowledge of domain coverage outlined on page 16 of the attached termbase reference);
2. Selection of the departure language using the appropriate field value (ISO language code) of the "Original Entry Language" field;
3. Entering the term in the original language (i.e. Korean or Portuguese);
4. Specifying the Term Source, namely the PCT application number for abstracts;
5. Entering the English translation equivalent in the target term field;
6. Citing the source of the translation equivalent using the Term Source field (i.e. citing a patent number, a science or research paper using the ISSN number, the DOI identifier or the publication name and related URL).

According to recent estimations, it takes approximately fifteen minutes to create a terminological record.

A graphic representation of a terminological record is attached as *Document D*.

7 CONFIDENTIALITY

All documents subject to this Request for Proposals (RFP) are confidential.

The means of transmitting these documents between WIPO and the supplier must be secure.

The Contractor's internal means of handling the Abstracts must also be secure.

The Contractor is expected to sign specific Confidentiality and Security Agreements, copies of which are attached as Annexes V and VI to this RFP and can be subject to further negotiation.

8 QUALITY STANDARD

All translations by the Contractor should be rendered publication-ready, commensurate with what an experienced technical translator can offer. The term "publication-ready" is to be understood to mean that the translation respects the formatting conventions specified by WIPO and has been correctly proof-read to remove typographical, spelling and grammatical mistakes. The translations should be written in clear, correct and readable English and/or French, the content and meaning of the original must have been accurately rendered, and a high level of terminological consistency and technical accuracy must be achieved. All translations should be verified by a qualified native speaker of English and/or French to ensure quality.

WIPO will carry out a quality control procedure with regard to the translations received and will apply any measures it deems necessary, including termination of the contract, in order to improve and ensure quality.

The quality control procedure will involve checking a percentage of each batch of translations sent by the Contractor, assessing the translations according to criteria of quality and grading them according to levels of acceptability. If more than 20% of that sample is found not to meet WIPO's quality standards, WIPO reserves the right to return the entire batch to the Contractor. The Contractor will resubmit the failed and returned batch to WIPO within a time-limit agreed to by both parties in writing. WIPO will only pay for a translation batch that has previously failed the WIPO minimum quality standard if the batch is resubmitted to WIPO on schedule and it meets WIPO's minimum standards.

WIPO will also endeavor to provide such guidelines as are deemed necessary to ensure that the Contractor has sufficient guidance with regard to preferred terminology, standard phraseology, background documents and in-house style.

9 INTELLECTUAL PROPERTY

All translations and terminological records provided by the Contractor(s) will remain the exclusive property of WIPO.

10 DURATION OF CONTRACT

The contract will be awarded for a period of three (3) years and will be renewable annually on two occasions up to a maximum of five (5) years from the start date. The contract can be terminated at fourteen (14) days' notice.

11 ENTRY INTO EFFECT OF CONTRACT

The contracts for the translation of the above-mentioned documents and for the creation of abstract-based terminology records are envisaged to enter into effect no earlier than 1st January 2009.

A

Document A - Sample of an ISR

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)
Applicant		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of _____ sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

the international application in the language in which it was filed.

a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (see Box No. II).

3. Unity of invention is lacking (see Box No. III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. _____

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.c of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of:

a. type of material

- a sequence listing
- table(s) related to the sequence listing

b. format of material

- on paper
- in electronic form

c. time of filing/furnishing

- contained in the international application as filed
- filed together with the international application in electronic form
- furnished subsequently to this Authority for the purposes of search

2. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

3. Additional comments:

INTERNATIONAL SEARCH REPORT

International application No.

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet) ...

[Empty box for abstract text]

INTERNATIONAL SEARCH REPORT

International application No.

A. CLASSIFICATION OF SUBJECT MATTER

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search	Date of mailing of the international search report
Name and mailing address of the ISA/	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.

[B]

Document B - Sample of a WOSA

PATENT COOPERATION TREATY

Translation

From the INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43 bis.1)

Applicant's or agent's file reference		Date of mailing (day/month/year)
		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/FR2004/000095	International filing date (day/month/year)	Priority date (day/month/year)
International Patent Classification (IPC) or both national classification and IPC		
Applicant		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ Facsimile No.	Date of completion of this opinion	Authorized officer Telephone No.
---	------------------------------------	---

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FR2004/000095

Box No. I Basis of the report

1. With regard to the language, this opinion has been established on the basis of:
 - the international application in the language in which it was filed
 - the translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - on paper
 - in electronic form
 - c. time of filing/furnishing
 - contained in the international application as filed
 - filed together with the international application in electronic form
 - furnished subsequently to this Authority for the purposes of search

3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/000095

Box No. II Priority

1. The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.
2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/000095

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

- the entire international application
 claims, Nos. _____

because:

- the said international application, or said claims Nos. _____
relate to the following subject matter which does not require an international search (*specify*):

- the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____
are so unclear that no meaningful opinion could be formed (*specify*):

- the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed (*specify*):

- no international search report has been established for said claims Nos. _____

- a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

- furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

- pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13ter.1(a) or (b).

- a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

- the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

- See Supplemental Box for further details.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/000095

Box No. IV Lack of unity of invention

1. In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:
- paid additional fees
 - paid additional fees under protest and, where applicable, the protest fee
 - paid additional fees under protest but the applicable protest fee was not paid
 - not paid additional fees
2. This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
- complied with
 - not complied with for the following reasons:
See separate sheet
4. Consequently, this opinion has been established in respect of the following parts of the international application:
- all parts
 - the parts relating to claims Nos. _____

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FR2004/000095

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

2. Citations and explanations:

1. Reference is made to the following documents:

D1: US 4 244 659 A (Malt), 13 January 1981

D2: FR 2 354 202 A (Muther), 10 June 1977

D3: US 4 833 446 A (Eilam), 24 May 1989*

* indicates a document showing the general knowledge of a person skilled in the art.

2. The subject matter of claims 1 and 4-13 does not meet the requirement of inventive step under PCT Article 33(3), as indicated in point IV.2 below.

3. Claims 2, 3 and 13 do not contain additional features which, combined with the claims to which they refer, meet the requirement of inventive step (PCT Article 33(3)).

3.1 Concerning claims 2 and 3, document D2 describes (cf. figure 1 and page 3, line 28 to line 38) a keyboard arrangement wherein the keys are divided into two groups on the basis of the frequency of occurrence thereof in Romance languages, comprising

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

base keys for the fingers, said keys representing the vowels and the five most frequent consonants, including S, N, R and T. A person skilled in the art would need to choose between an arrangement where the most frequently occurring letters correspond to the strongest fingers (cf. D1, column 1, lines 35-40) and an arrangement where the letters are arranged to correspond to several Romance languages. Thus, the selection of a specific arrangement is based on a trade-off between various advantages and drawbacks that a person skilled in the art would engage in as part of current practice.

3.2 The features added by claim 13 (mnemonic arrangements) are common in the field of keyboards (cf. e.g. D3, column 10, lines 28 to 38).

4. For the reasons indicated in the international preliminary examination report, claims 1 to 13 are not admissible. In view of the prior art, it does not appear that a part of the application could serve as a basis for an acceptable claim. Hence, in the current state, it appears that a negative examination report should be established.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No. .
PCT/FR2004/000095

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

The applicant's attention is also drawn to the following defect:

Contrary to the requirements of PCT Rule 5.1(a)(ii), the description does not outline the relevant prior art set forth in documents D1 and D2 and does not cite these documents.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/000095

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The patent application does not meet the requirements of PCT Article 6, since claims 1, 3-7 and 10 are unclear.

1. The applicant is reminded that expressions such as "group... for the left hand" should follow the following example: "group... usable by the left hand", and that claims using such expressions refer to a group of keys as such, irrespective of the fact that a user hits the keys with the left or the right hand.

A similar observation applies to the expressions "for the four fingers, except the thumb", "for the thumbs".

2. In claim 10, the term "level" is unclear. According to the description, a level indicates a set of functions or characters accessible by combining the action of two keys (cf. page 6, lines 32 to 40).

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: IV

The present patent application does not meet the requirement of unity of invention under PCT Rule 13.1, since the various inventions or plurality of inventions listed below are not so linked as to form a single inventive concept:

1. Claims 1-13: A universal keyboard with two groups of keys, each comprising four base keys arranged along an axis running from left to right and, for each of these four base keys, two adjacent keys on each side of the axis, and a fifth base key, the full set of base keys and adjacent keys representing the 26 letters of the alphabet, *characterised* in that the letters which occur most frequently in the Romance languages are assigned to the most easily accessible keys, and the other letters are on the remaining keys in an order that makes it easier to memorise the positions thereof.

2. Claim 14: A universal keyboard with two groups of keys, each comprising four base keys arranged along an axis running from left to right and, for each of these four base keys, two adjacent keys on each side of the axis and a fifth base key, the full set of base keys and adjacent keys representing the 26 letters of the alphabet, *characterised* in that the numbers are spread over one level in an arrangement that can be programmed by the user.

1. The closest prior art has been identified as document D1 (US 4 244 659 A), which describes (cf. figures 1 -

Supplemental Box

2 and column 3, line 17 to column 4, line 28) a computer keyboard comprising keys distributed in two groups (cf. column 3, lines 17-20). Each of said groups comprises four base keys (A, N, I, S and T, H, O, R keys, corresponding to a rest position for all the fingers except for the thumb, cf. figure 1 and column 3, lines 31-35) arranged along an axis running from left to right, each of said four base keys being associated with two adjacent keys on either side of the axis, and a fifth base key (E and space keys, corresponding to the rest position for the thumb, cf. figure 1).

Consequently, D1 discloses, in combination, the features of claim 1, except for the following feature:
- the 26 letters of the alphabet are exclusively represented on the entire set of base keys and their adjacent keys (instead of four of them being present on secondary keys of the base keys for the second finger, as in D1).

The effect of this feature is to replace the greater movement of the (more mobile) second finger used in D1 by a relatively low movement of the ring and small finger (relatively less mobile). This results from a trade-off between the respective advantages and drawbacks of two known contrary effects, which does not involve an inventive step as such. Therefore, the features of claim 1 do not constitute specific technical features (STF) under PCT Rule 13.2.

The device of D1 also comprises the features of claim

Supplemental Box

4 (the respective adjacent keys for fingers other than the thumb are aligned on either side of the left-right axis, cf. figure 1), of claim 5 (secondary keys for the second finger and the small finger, cf. figures 1 and 2), of claim 6 (secondary keys for the thumbs, cf. figures 1 and 2), of claim 7 (the base keys for the middle finger and the ring finger are forward relative to the base keys for the second finger and the small finger, cf. figures 1 and 2) and of claim 10 (the symbols and characters are arranged on levels, cf. column 4, lines 39 to 46). The features of claim 8 (groups of keys for special functions) are quite common in the field of keyboards (cf. directional and numeric keypads). The same applies to those of claim 9 (an ergonomic shape for the base keys) and of claims 11 and 12 (cf. the German, French and Swiss keyboards, where the keys common to Romance languages are grouped at the centre of the keyboards, and the keys specific to the languages are assigned to secondary areas). Consequently, these features do not contribute an inventive step either and do not constitute special technical features (STF) of the invention.

2. The following feature of the first invention (cf. claims 2, 3 and 13) makes a contribution over D1 and can therefore be considered to be an STF:

the most common letters in Romance languages are assigned to the most easily accessible keys, whereas the other letters are arranged on the remaining keys in an order that makes it easier to memorise the positions thereof.

Supplemental Box

The technical problem to be solved by this STF can be considered to be that of facilitating fast typing.

3. Similarly, the second invention (cf. claim 14) presents the following STF:

- the numbers are spread on one level according to an arrangement programmed by the user.

The objective technical problem that this STF is intended to solve can be considered to be that of adapting the keyboard to the user's needs or preferences.

4. Consequently, the (plurality of) inventions mentioned above do not comprise identical or corresponding STF, since they do not provide a solution to a single objective technical problem. The technical relationship required under PCT Rule 13.2 is therefore lacking between the above groups of claims, which means that the latter relate to separate inventions.

C

Document C - Sample of a WOSA

PATENT COOPERATION TREATY

Translation

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year)

Applicant's or agent's file reference

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/FR2004/000077

International filing date (day/month/year)

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC

Applicant

1. This opinion contains indications relating to the following items:
- Box No. I Basis of the opinion
 - Box No. II Priority
 - Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - Box No. IV Lack of unity of invention
 - Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - Box No. VI Certain documents cited
 - Box No. VII Certain defects in the international application
 - Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/000077

Box No. I Basis of the report

1. With regard to the language, this opinion has been established on the basis of:
 - the international application in the language in which it was filed
 - the translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - on paper
 - in electronic form
 - c. time of filing/furnishing
 - contained in the international application as filed
 - filed together with the international application in electronic form
 - furnished subsequently to this Authority for the purposes of search

3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/000077

Box No. II Priority

1. The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.
2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FR2004/000077

Box No. V	Reasoned statement under Rule 43bis.1(n)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-3	YES
	Claims		NO
Inventive step (IS)	Claims	1-3	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-3	YES
	Claims		NO
2. Citations and explanations:			
The examination is based on the following documents of the application:			
The description, page:			
1-12			
As originally filed			
Claims, N°:			
1-3			
As originally filed			
Drawings, sheets:			
1/2 - 2/2			
As originally filed			
1. Reference is made to the following documents:			
D1 : "The motion of an Interface Between Two Fluids in a slightly dipping Porous Medium"; SPE 1962			
D2: "Front Tracking for Petroleum Reservoir Simulation"; SPE 1983			

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

D3: "Analytical Studies for Processes at Vertical Equilibrium"; SPE 1992

D4: "Upscaling Immiscible Gas Displacements: Quantitative Use of Fine Grid Flow Data in Grid Coarsening Schemes"; SPE 2000

2. Technical field: simulating two-phase flows in a stratified medium.

3. Closest prior art: D4 describes the simulation of two-phase flows in a stratified medium, wherein the gridding of the model is coarsened in preferred areas while the more complex hydrodynamic parts of the reservoir remain in their initial state.

4. Novelty (PCT Article 33(1) and (2)) and inventive step (PCT Article 33(1) and (3)) of the first claim:

Inventive features: the modelling steps as described in the characterising portion.

Effect of the technical features: because of the use of a simple model for the simulation computation, in which only those areas that most affect the flow are sufficient to describe the model, the computation process is less complicated and therefore shorter.

Technical problem: the known methods cannot avoid using a fine and detailed simulation, which renders the computation process complicated and lengthy.

The subject matter of the first claim is novel and

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/FR2004/000077

Box No. V

Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

inventive.

5. The dependent claims: claims 2 and 3 are dependent on the first claim and are therefore also novel and inventive.

6. Industrial applicability (PCT Article 33(1) and (4)): the invention as described in claims 1-3 is industrially applicable.

7. The search report documents: None of documents D1, to D4, cited in the search report, describes a method as described in the invention.

Document D - Sample of a terminological record

Entry number 216

Entry class *New*

Created by *Parish*

Created on *2004-09-30T14:40:08*

Modified by *prouquet*

Modified on *2008-04-01T12:21:36*

Originator: TermWeaver

Subject Field: **Audio, Audiovisual, Image & Video Tech (AUDV)**

Original Entry Language: JA

Japanese

Term **接合レンズ**

Created by Parish

Created on 2004-09-30T14:40:08

Modified by Parish

Modified on 2004-09-30T14:40:08

Term Source: WO2003/071332

Status: *candidate*

English

Term **doublet lens**

Created by Parish

Created on 2004-09-30T14:40:08

Modified by Parish

Modified on 2004-09-30T14:40:08

Term Source: US6744467 (01042008)

Status: *candidate*

Context: The doublet lens has a concave surface and a convex surface, with the convex surface of the doublet lens being proximate the convex surface of the distal lens.

Term **cementing lens**

Created by Parish

Created on 2004-09-30T14:40:08

Modified by Parish

Modified on 2004-09-30T14:40:08

Term Source: Zoom lens, and electronic imaging system using the same - US Patent 7002755 (01042008)

Status: *candidate*

Term Note: Equivalence obtained from <http://www.optronics.co.jp/lex/> (01042008)