

SURVEY ON PUBLIC ACCESS TO PATENT INFORMATION, PART 1

*Survey results presented to the Committee on WIPO Standards (CWS)
at its eighth session on December 4, 2020*

INTRODUCTION

1. At its seventh session in 2019, the Committee on WIPO Standards (CWS) considered the questionnaire on Public Access to Patent Information (PAPI) presented by the PAPI Task Force. The questionnaire collects information from Industrial Property Offices (IPOs) on their content, practices, functionalities and future plans with respect to patent information available to the public. The Task Force planned the survey in two parts to increase response rates: the first part contains a short questionnaire to collect basic information, while the second part contains a more detailed questionnaire. The CWS approved the first part questionnaire, but could not reach agreement on the second part questionnaire, which was referred back to the PAPI Task Force for further consideration. The CWS requested the Secretariat to issue a circular inviting IPOs to participate in Part 1 of the survey. (See paragraphs 197 and 201 of document CWS/7/29.)

RESULTS OF THE SURVEY

In February 2020, the Secretariat issued the circular C.CWS.133 inviting IPOs to participate in Part 1 of the survey on public access to patent information. Responses were received through July 2020. The International Bureau, as the Task Force Leader, analyzed the responses and shared the results with the PAPI Task Force members for their review. The Task Force presents the following report for consideration and feedback by the CWS. The survey responses are available at https://www.wipo.int/edocs/mdocs/cws/en/cws_8/cws_8_item_10.zip. The Task Force also request approval by the CWS to publish the summary of the survey result described below with the responses on WIPO website.

2. Sixty responses to the survey were received from: Armenia; Angola; African Regional Intellectual Property Organization (ARIPO); Argentina; Australia; Bosnia and Herzegovina; Belgium; Bulgaria; Bahrain; Brunei Darussalam; Brazil; Belarus; Canada; Côte d'Ivoire; Chile; Colombia; Costa Rica; Czechia; Germany; Eurasian Patent Organization (EAPO); Ecuador; Estonia; Spain; Finland; France; United Kingdom; Hong Kong, China; China; Croatia; Hungary; Ireland; Israel; Italy; Japan; Cambodia; Republic of Korea; Lebanon; Lithuania; Luxembourg; Latvia; Monaco; Republic of Moldova; Mexico; Nicaragua; Norway; New Zealand; Oman; Papua New Guinea; Pakistan; Portugal; Paraguay; Russian Federation; Seychelles; Sweden; Slovakia; San Marino; Thailand; Tunisia; Trinidad and Tobago; Ukraine; and United States of America.

3. Fifty three respondents (88 per cent) said their Office provides patent information online. More than 75 per cent of those respondents provide information online for priority data, legal status, published applications, granted applications, and their official gazette. At least half of respondents provide information online for licenses, reassignments, corrections, and term extensions (including Supplementary Protection Certificates). Less commonly provided information includes court decisions (40 per cent), file inspection (31 per cent), unpublished applications (22 per cent), and patent family information (19 per cent).

4. Among Offices providing legal status information online, over 70 per cent provide data for at least some years on whether the patent is granted, whether it's currently in force, fee payments, and changes of ownership. Over half provide information on PCT national phase entry date and pre- or post-grant events related to court decisions.

5. Almost all Offices (51) allow online access to anyone with no login required. A majority of respondents update patent information daily, weekly or biweekly (between 60 per cent and 70 per cent depending on the type of information), while monthly updates (15 per cent to 20 per cent) and real-time updates (10 per cent to 15 per cent) are also common. Fifty five Offices (92 per cent) provide patent information in English, with most also providing it in one or more native languages.

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