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Committee on WIPO Standards (CWS)

Sixth Session
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REPORT ON TASK NO.41 BY THE XML4IP TASK FORCE

Document prepared by the International Bureau

INTRODUCTION

1.   At its fifth session held from May 29 to June 2, 2017, the Committee on WIPO Standards (CWS) received a progress report on the activities in relation to Task No. 41: "Ensure the necessary revisions and updates of WIPO Standard ST.96", including the plan of the XML4IP Task Force to release the new version 3.0 of WIPO Standard ST.96 (see paragraphs 33 to 38 of document CWS/5/22.).

2.   At its fifth session, the CWS created a new Task No. 53 to: "Develop XML schema components for Geographical Indications" and assigned the new Task to the XML4IP Task Force. The CWS also requested the Task Force to report on the progress regarding the new Task at its sixth session. (See paragraphs 25 to 29 of document CWS/5/22.)

3.   At its fifth session, the CWS created a new Task No. 56 in order to:

"Prepare recommendations for data exchange supporting machine to machine communications focusing on:

i.   message format, data structure and data dictionary in JavaScript Object Notation (JSON) and/or XML; and

ii.   naming conventions for Uniform Resource Identifier (URI) of resources."

(See paragraphs 89 to 92 of document CWS/5/22.)

4.   The CWS also assigned the new Task No. 56 to the XML4IP Task Force (see paragraph 93 of document CWS/5/22.)

5.   In addition, the CWS requested the XML4IP Task Force to develop, in consultation with the Legal Status Task Force, XML schema components based on WIPO Standard ST.27 in order to facilitate the exchange of patent legal status data. Furthermore, the CWS requested that the outcome be reported at its sixth session. (See paragraph 54 of document CWS/5/22.)

6.   In order to carry out the three Tasks No. 41, No. 53 and No. 56, the XML4IP Task Force conducted its discussions through its e-forum and several online conferences and organized three meetings in person. The reports of the three Task Force meetings held in Geneva, Ottawa and Moscow during and after the fifth session of the CWS are available on the WIPO website at: http://www.wipo.int/cws/en/taskforce/xml4ip/background.htm.

7.   At the XML4IP Task Force meeting which took place in Ottawa from 18 to 22 September 2017, the following nine Offices/Organizations were represented: AT, AU, CA, EM, EP, GB, KR, RU, and US as well as the International Bureau.

8.   At the XML4IP Task Force meeting held in Moscow from May 14 to 18, 2018, the following fourteen Offices/Organizations were represented: APO, AU, CA, EA, EM, EP, ES, GB, KR, KZ, RU, US and XU as well as the International Bureau.

REVISION AND IMPLEMENTATION OF STANDARD ST.96

9.   Within the framework of Task No. 41, the XML4IP Task Force continued to enhance WIPO Standard ST.96.

Release of Version 3.0 of WIPO Standard ST.96

10.   As one of the outcomes of the Task Force's activities after the fifth session of the Committee, the new version 3.0 of WIPO Standard ST.96 was approved by the Task Force and published in February 2018 on the WIPO website at: http://www.wipo.int/standards/en/st96/v3-0/. The major XML components which were newly added to the version 3.0 are as follows:

– Bibliographic data for Supplementary Protection Certificate (SPC);
– Patent search report;
– Madrid System electronic communication for all transactions; and
– Hague System electronic communication for all transactions.

11.   Many other components were newly added to improve the quality of data at source, e.g., OCRCconfidenceData to support processing of scanned and OCRed data. In addition, many other XML components were updated to reflect the business need, e.g., ISOFormerCountryCodeType to support data migration from old databases to new systems based on WIPO Standard ST.96.

Official Release Date

12.   Due to the frequency of the revision of WIPO Standard ST.96, the official release date has not been set yet. As more IPOs use (or plan to use) WIPO Standard ST.96 and consider it would be more beneficial for them, the XML4IP Task Force agreed on the fixed release dates of April 1 and October 1. Furthermore, the Task Force also agreed on a flexible new release which would be required exceptionally for fixing bug or urgent releases that the XML4IP Task Force agrees on.

IPOs' Implementation of WIPO Standard ST.96

13.   Forty-nine IPOs responded to the Survey on the use of WIPO Standards and the results are publically available on the "CWS Survey on the Use of WIPO Standards" Wiki at

https://www3.wipo.int/confluence/x/OADDB (see document CWS/6/2). According to the survey responses, the following 24 IPOs partially or completely implemented WIPO Standard ST.96:

– Partial implementation (16 IPOs): AU, CA, CH, CZ, EC, EM, ES, GB, HN, IT, LT, MX, RU, SE, TN and US;
– Complete implementation (8 IPOs): BD, CO, GE, HR, HU, IL, KR and UA.

14. At the Task Force Moscow meeting mentioned above, the participant IPOs shared their current practices and plans to implement WIPO Standard ST.96. The Task Force noted that IPOs implement different versions of ST.96. In addition, the Task Force noted the plans to implement WIPO Standard ST.96 in the global IP protection systems, i.e., the Patent Cooperation Treaty (PCT), the Madrid System, the Hague System and the Plant Variety Protection (PVP).

(a) The representative of the PCT reported that no progress had been made on the implementation of ST.96 for PCT since the last Task Force meeting and the PCT had no plans to use ST.96 for international patents in 2018/2019. However, the PCT intends to collaborate with any IPO which may be interested in launching a pilot project about search reports and written opinions. It was also mentioned that the implementation of ST.96 for the PCT should be seen as an opportunity to improve processes and data quality.

(b) The representative of the Hague System informed the Task Force that the Hague System had begun providing Hague Bulletin data in ST.96 format on a weekly basis, published at the same time as the current Bulletin XML data according to the Hague Roadmap for the migration to ST.96. In addition, it was informed that the International Bureau received Hague data from the Korean Intellectual Property Office (KIPO) in ST.96 format and was working with the Canadian Intellectual Property Office (CIPO) in order to use bi-directional communication in ST.96 when CIPO accedes to Hague System.

(c) The representative of the Madrid System informed the Task Force that the International Bureau had begun creating Madrid Registration data in ST.96 format. This is available both as files on a File Transfer Protocol (FTP) server and via a web service. In addition, the International Bureau is working with the Canadian Intellectual Property Office (CIPO) to use bi-directional communication in ST.96 when CIPO accedes to Madrid System. Furthermore, the representative said that weekly notification files could be generated in ST.96 format and the International Bureau would welcome the opportunity to communicate electronically with any other Office that wishes to use ST.96 to exchange data. In addition, the Madrid eFiling solution is being updated to allow it to receive national application or registration data in ST.96 format.

(d) The representative of the International Union for the Protection of New Varieties of Plants (UPOV) reported that PVP-XML, an implementation schema of ST.96, was released in 2017.

15.   Furthermore, the participants at the Task Force Moscow meeting shared their Office's implementation status and issues regarding their implementation schema conformance with ST.96 considering interoperability with other IPOs. The participants noted the importance of harmonized implementation of Standard ST.96 for interoperability among IPOs and shared several ideas to enhance the interoperability. They requested the International Bureau to establish a global repository of ST.96 implementation so that IPOs refer to it when they exchange data in ST.96 format with other IPOs. The participants also asked the International Bureau to develop a proof of concept so that a solution for conformance and interoperability can be found. The several Task Force Offices offered to participate in the proof of concept.

Further Development of Standard ST.96

Outstanding General Topics for further discussion

16.   The Task Force members noted that many IPOs outsource their IT system development and that it is the system developers who use WIPO Standard ST.96. Therefore, ST.96 should be convenient for use by developers and include more examples so that the developers can easily implement ST.96 as is or with minimum effort for customization.

17.   Currently, WIPO Standard ST.96 covers patents, trademarks and industrial designs. It is planned to extend Standard ST.96 to cover the geographical indications according to Task No.53. In addition, PVP-XML has been developed based on Standard ST.96 and is used by several IPOs or other (inter-)governmental authorities in some countries. Therefore, the further extension of ST.96 to PVP will be discussed by the XML4IP Task Force.

XML components

18.   The XML4IP Task Force identified many items to enhance WIPO Standard ST.96; the following items are noted as outstanding:

- PII (Personally Identifiable Information) in conjunction with the General Data Protection Regulation of the European Union (GDPR) which came into effect on May 25, 2018 to set a new standard for consumer rights with regard to their data;
- Patent Transaction;
- Patent Record;
- Patent Legal Status XML;
- Patent Examination Report;
- Patent Request Form based on the Model International Request Form (http://www.wipo.int/plt-forum/en/forms/modifications_req_form.html); and
- Patent Priority Document.

DEVELOPMENT OF XML SCHEMA COMPONENTS FOR GEOGRAPHICAL INDICATIONS

19.   Within the framework of Task No. 53, the XML4IP Task Force worked to prepare XML components for Geographical Indications (GIN). The result of work is submitted as a separate document for consideration by the CWS at this session. (See document CWS/6/8.)

20.   In addition, during the discussion on GIN XML, the EUIPO suggested developing a Web API for GIN data exchange.

DEVELOPMENT OF A NEW WIPO STANDARD ON WEBSERVICES

21.   Within the framework of Task No. 56, the XML4IP Task Force worked to prepare a new WIPO standard on Web API. The result of the work is submitted as a separate document for consideration by the CWS at this session. (See document CWS/6/6.)

Development of XML schema components on Patent Legal Status

22.   In addition, to follow up the decision at the fifth session of the CWS, the XML4IP Task Force worked to prepare a set of XML schema components on Patent Legal Status Data. The progress report on the development of the XML is submitted as a separate document for consideration by the CWS at this session. (See document CWS/6/9.)

OTHER RELATED MATTERS

23.   The XML4IP Task Force discussed many other topics. The following two items among others, could be interested by the CWS:

(a)   CIPO proposed to add "packaging" as a new feature of trademark in the MarkFeatureCategory component of ST.96 and the Task Force noted different practices of IPOs, e.g., some IPOs treat it as "3D" or "trade dress". The Task Force agreed to carry on further discussion on this matter.

(b)   The Task Force discussed what kind of new metadata (in particular using emerging technologies and processing big data) would be required for IP business and how IPOs could collaborate. It was agreed to gather the XML4IP Task Force offices' requirements and practices on metadata management. The Intellectual Property Office of the United Kingdom (UK IPO) offered to prepare a draft questionnaire for a survey to be conducted within the Task Force.

WORK PLAN

24.   As the result of the intensive tests between CIPO and the International Bureau to implement WIPO Standard ST.96 in Hague and Madrid Systems communications, some minor adjustments to version 3.0 of ST.96 are required. Therefore, the draft version of ST.96 is planned to be released to support the initiative in 2018. In addition, the updated Hague System roadmap is reproduced as the Annex for information.

25.   In order to carry on pending works and prepare the next version of ST.96 XML Schema, the XML4IP Task Force plans to organize a face-to-face meeting in Seoul, Republic of Korea in 2019.

26.   The CWS is invited to:

(a)   note the results of the work of the XML4IP Task Force, as set out in this document and the Annex of this document; and

(b)   note and comment on the official release dates, as referred to in paragraph 12 above.

[Annex follows]

High-level roadmap for Hague System electronic data exchange with Offices

This document is not authoritative nor binding. Its purpose is only to give an overall tracking and direction.

	Q4-2016	Q1-2017	Q2-2017	Q3-2017	Q4-2017	Q1-2018	Q2-2018	Q3-2018	Q4-2018	Q1-2019	Q2-2019	Q3-2019	Q4-2019	2020	Q1-2021
Workstreams															
International Bureau															
Detailled specifications	✓														
General Testing	✓	✓													
Launch ST.96 Bulletin stream (using XSLT)			X		>		✓								
Hague Core IT System improvement			✓	✓	✓	✓	✓	✓	(to do)						
Announce ST.96 as authoritative format					>				(to do)						
Native ST.96 output										(to do)					
XML4IP Task Force															
Testing Office to IB communications	✓	✓													
Testing of IB to Office communications		✓	✓	✓	✓	✓									
Publication of ST.96 V3				>			✓								
CIPO & USPTO															
Prototype of IB to Office communications	✓														
Authoritative Data Format (IB to Office)															
Hague DTD					Effective							Sunset Period			X
Hague ST.96			X		X	X	>	BETA		Effective					
Data Format used for Office to IB															
Hague MECA IN DTD					Effective							Sunset Period			X
Hague ST.96		BETA			Effective					Effective					
Other events															
Hague Working Group							June								
CWS			May						October						
XML4IP TF 2017 meeting				Sept.			May								

Legend

Done as scheduled	✓	Effective
Not done as scheduled	X	BETA testing phase
Postponed	>	Sunset period (phasing out)
To do		