

Committee on WIPO Standards (CWS)

Sixth Session
Geneva, October 15 to 19, 2018

REPORT ON THE DEVELOPMENT OF XML FOR PATENT LEGAL STATUS DATA

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) adopted WIPO Standard ST.27 “Recommendation for the exchange of patent legal status data”. The CWS also requested the XML4IP Task Force to develop, in consultation with the Legal Status Task Force, eXtensible Markup Language (XML) schema components based on the new WIPO Standard ST.27 in order to facilitate the exchange of patent legal status data. The CWS also requested that the outcome be reported at its sixth session. (See paragraphs 50 and 53 of document CWS/5/22.)
2. According to the request mentioned above, the XML4IP Task Force had two rounds of discussions through the Task Force Wiki and several online meetings. This topic was also intensively discussed at the face-to-face meetings in Ottawa 2017 and in Moscow 2018. Due to the complexity of the data structure and different practices of intellectual property offices (IPOs) on Patent Legal Status, the Task Force needs more time to prepare a final proposal of XML components for Patent Legal Status Data.
3. In response to Circular C. CWS 92 regarding the implementation of WIPO Standard ST.27 by IPOs, some IPOs indicated that their implementation is dependent on the availability of the legal status XML schema components.

PROGRESS REPORT

4. The XML4IP Task Force worked on Patent Record XML when it developed Patent Legal Status XML because the two XML data sets are supposed to use more or less the same data components. The main difference between the two data sets is that Patent Legal Status contains all patent applications processed by the IPO at the time of producing the data, whereas Patent Record captures data in relation to a single patent application across its entire lifecycle.

5. The Task Force agreed on the high-level structure of the patent legal status XML and the majority of XML components. Two main pending items under discussion are:

- structure of supplementary data associated with the event; and
- content of supplementary data, which should be delivered along with the event based on Annex II of WIPO Standard ST.27.

6. With regard to the supplementary data structure, two options have been proposed: (a) a general structure which supports all the events of 21 Categories defined in WIPO Standard ST.27; and (b) specific structure per Category. The two options have their own pros and cons and the Task Force members have different preferences. The draft schemas of the general structure and the specific structure are reproduced as Annex I and Annex II of this document respectively.

7. In relation to the supplementary data content, the Task Force noted that more time is needed to review IPOs' data. The Task Force also recognized that it might not be practical to update Annex II of WIPO Standard ST.27 according to the data content because Annex II provides a general level of associated information rather than detailed and/or specific data components for some IPOs. This will be discussed with the Legal Status Task Force once the XML4IP Task Force has completed its work on it.

8. *The CWS is invited to:*

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

(b) request the XML4IP Task Force to present the final draft of Patent Legal Status Data for consideration at the seventh session of the CWS.

[Annexes follow]

pat:PatentLegalStatusDataType

attributes

- com:id**
Unique identifier global to the entire document
- com:officeCode**
Office using that classification scheme
- com:creationDate**
Document creation date
- com:st96Version**
A specific release version of ST.96 XML Schema
- com:ipoVersion**
A specific version of an IPO's implemented XML schema

PatentLegalStatusData
A collection of patent Legal Status documents

pat:PatentLegalStatus
1..∞
Patent Legal Status document

pat:PatentLegalStatusType

attributes

- pat:ApplicationIdentification**
Identification of patent application. Refers to ST.9 INID Code 20.
- pat:PatentPublicationIdentificati...**
Identification of published patent document. Refers to ST.9 INID Code 10.
- pat:PatentGrantIdentification**
Identification of patent grant. Refers to ST.9 INID Code 10, INID Code 45.
- pat:SPCNumber**
The identifier allocated to the SPC.
- pat:PatentKindCategory**
Industrial property rights as patents for inventions, plant patents, design patents, inventors' certificates, utility certificates, utility models, patents of addition, inventors' certificates of addition and utility certificates of addition

pat:EventDataBagType

pat:EventDataBag
The event data container

pat:EventData
1..∞
Patent legal status event data

pat:EventDataType

pat:EventIdentifier
Identification of the legal status change event

pat:StatusEventCodeBag
The legal status event codes container

pat:EventDate
The date of the legal status change event.

pat:EffectiveDate
The date of the legal status change event takes effective.

com:PublicationDate
Date of publication

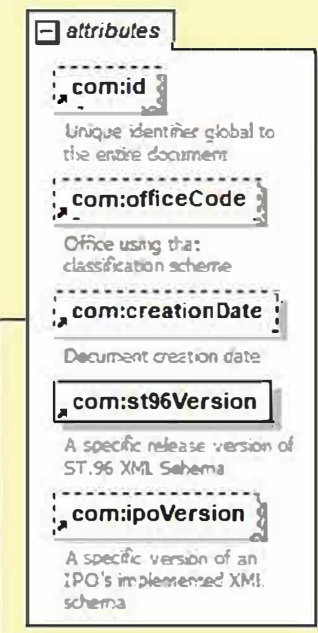
1..3

pat:SupplementaryEventData

pat:SupplementaryEventData
1..∞
Patent legal status supplementary event data

- pat:EffectiveCountryBag**
Designated countries for licence
- pat:GazetteNumber**
Gazette number
- com:CommentText**
Free text comment
- pat:PatentPublicationIdentificati...**
Identification of published patent document. Refers to ST.9 INID Code 10.
- pat:ApplicationIdentification**
Identification of patent application. Refers to ST.9 INID Code 20.
- pat:PriorityClaimBag**
Applications in which priority is claimed. Refers to ST.9 INID Code 30.
- pat:GrantTerm**
Term of the patent grant
- pat:RelatedDocumentBag**
Various relationships between the patent in hand and other patent grants or applications. Contains either an additional application, a divisional application, continuations, reissues, divisional reissues, reexamination, merged reissues reexamination. Refers to ST.9 INID Code 60.
- pat:PartyBag**
Collection of parties. Refers to ST.9 INID Code 70.
- pat:InternationalFilingData**
International filing information. Refers to ST.9 INID Code 86.
- pat:RegionalFilingData**
Regional filing information. Refers to ST.9 INID Code 96.
- pat:InternationalPublishingData**
International publication information. Refers to ST.9 INID Code 87.
- pat:RegionalPublishingData**
Regional publication information. Refers to ST.9 INID Code 97.
- pat:EarliestPriorityApplication**
Details of the earliest application from which the current application is claiming priority.

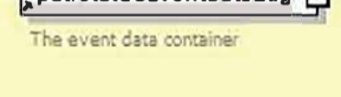
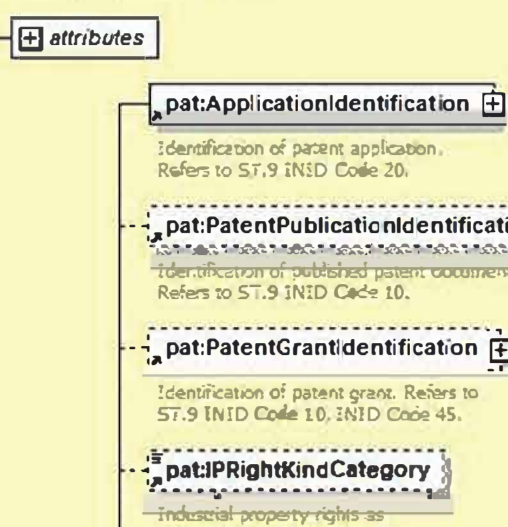
pat:PatentLegalStatusData Type



PatentLegalStatusData
A collection of patent legal status documents



pat:PatentLegalStatusType



pat:StatusEventDataBag Type

