

## **Special Union for the International Patent Classification (IPC Union) Committee of Experts**

**Forty-Eighth Session  
Geneva, February 24 to 26, 2016**

### **REPORT**

*adopted by the Committee of Experts*

### **INTRODUCTION**

1. The Committee of Experts of the IPC Union (hereinafter referred to as “the Committee”) held its forty-eighth session in Geneva on February 24 to 26, 2016. The following members of the Committee were represented at the session: Austria, Brazil, Canada, China, Czech Republic, Denmark, Estonia, Finland, France, Germany, Ireland, Italy, Japan, Mexico, Netherlands, Norway, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States of America (28). The African Intellectual Property Organization (OAPI) and the European Patent Office (EPO) were also represented. The list of participants appears as Annex I to this report.

2. The session was opened by Mr. Y. Takagi, Assistant Director General, who welcomed the participants. Mr. Takagi reviewed the long history of the IPC Committee of Experts, as well as the importance of its work in the framework of the revision of the IPC. Mr. Takagi took the opportunity to announce the retirement of Mr. A. Farassopoulos at the end of May. He praised the work done and great contribution made by Mr. Farassopoulos to the IPC and in particular on the development of the IPC Revision Roadmap and the IPC Revision Management System. This praise was strongly supported by all Delegations.

## **OFFICERS**

3. The Committee unanimously elected Mr. Kunihiro Fushimi (Japan) as Chair and Messrs. Lu Huisheng (China) and Peter Slater (United Kingdom) as Vice-Chairs.
4. Mrs. Xu Ning (WIPO) acted as Secretary of the session.

## **ADOPTION OF THE AGENDA**

5. The Committee unanimously adopted the agenda, which appears as Annex II to this report.
6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Committee (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Committee was expressed or repeated after the conclusion was reached.

## **REPORT ON THE PROGRESS ON THE IPC REVISION PROGRAM**

7. Discussions were based on Annex 6 to project file [CE 462](#) prepared by the International Bureau, containing a status report on the activities of the IPC Revision Working Group (hereinafter referred to as the Working Group), in particular on the IPC Revision Program.
8. The Committee noted that the last A project resulting from the former Trilateral Cooperation on Classifications was completed in 2015. The total number of revision projects increased considerably since IPC-2015.01.
9. The Committee also noted that the number of new entries which entered into force in version IPC-2016.01 was more than double than in version IPC-2015.01.
10. The Committee congratulated the Working Group for its efficiency. The Committee expressed its satisfaction with the work done and wished the Working Group to continue its work in this momentum.
11. The Committee also encouraged all offices to actively participate in the development of the IPC Revision Program.

## **AMENDMENTS TO THE *GUIDE TO THE IPC* AND OTHER BASIC IPC DOCUMENTS**

12. Discussions were based on project file [CE 454](#), in particular on Annex 21 to the project file prepared by the International Bureau containing amendments to the *Guide to the IPC*.
13. The Committee adopted, with some modifications, the proposed amendments to paragraphs 22, 38, 39, 41, 42, 50, 51, 53, 68, 71, 73, 75, 93, 94, 96, 131, 135, 139, 150, 154, 183 and 187 which appear in Annex 24 to the project file. These amendments would be included in version 2016 of the *Guide*.

14. The Committee noted the comments submitted by China in Annex 22, concerning the problem of the existence of references in some of the notes and guidance headings in the IPC. The Committee invited the International Bureau to check all the existing cases, to examine the feasibility of work and present a proposal to the Working Group on the solution of this matter. The Working Group would then decide on the final solution, taking into account the existing task of removing non-limiting references from the IPC in the framework of IPC revision.

15. The Committee noted a proposal submitted by the EPO in Annex 15 to project file [CE 447](#), requesting the inclusion in the PDF version of the *Guide* of a cover page in color with the WIPO logo. The Committee invited the International Bureau to consider the feasibility of implementing such request in the publication of the PDF version of the *Guide* in 2016.

16. Discussions were also based on project file [CE 455](#), in particular on Annex 36 to the project file prepared by the International Bureau containing compiled amendments to the “Guidelines for Revision of the IPC”, which integrated proposals and comments by offices.

17. The Committee adopted, with some modifications, the amendments to paragraphs 27, 40, 41, 47, 51, 112, 114, 121 and 122 of the Guidelines which appear in Annex 37 to the project file.

18. With respect to the proposed amendments to paragraph 122, the Committee noted that the indicator “C” defined as “for groups which serve as a source for reclassification, e.g. for groups with modified file scope” could serve as a good basis for further discussion. The Committee invited the International Bureau to review the current and future practice in the IPC revision process and prepare, where needed, a proposal for necessary amendments to the *Guide* and Guidelines in the light of the application of indicator “C” and of new version indicators.

19. The Committee also decided to discontinue the documents “*Guidelines for determining where to classify patent documents within the IPC*” and “*Guidelines for determining subject matter to be classified (what to classify within patent document disclosure)*”, bearing in mind that the amendments to the *Guide* and Guidelines mentioned in paragraphs 13 and 17, above, had integrated all relevant instructions on what and where to classify.

20. The Committee also noted a proposal submitted by Japan in Annex 10 to project file [CE 456](#), containing amendments to document “*Procedures for IPC Revision Requests under the IPC Revision Roadmap*”, as presented in Annex 3 to the project file.

21. The Committee reached the conclusion that the document “*Procedures for IPC Revision Requests Under the IPC Revision Roadmap*” should remain unchanged, bearing in mind that currently the procedure allows any comments on the initial revision requests, including the burden of reclassification and the indication of the period of time required for completing the reclassification work, which would be taken into account when including revision requests to the IPC revision program, as well as later on in the framework of revision projects consideration.

## **CONSIDERATION OF THE NEED TO CREATE A NEW CLASS COVERING SEMICONDUCTOR TECHNOLOGY**

22. Discussions were based on Annex 1 to project file [CE 481](#), containing a proposal prepared by the International Bureau, on the need for a new class covering semiconductor technology, as requested by the Working Group, as well as on the comments submitted in Annexes 2 to 4 and also expressed during the meeting.

23. The Committee noted the fact that semiconductor technology was developing rapidly and that subclass H01L, currently dealing with “semiconductor devices; electric solid state devices not otherwise provided for”, was so deeply subdivided that further subdivision seemed almost impossible. The Committee also noted that the classification philosophy applied in subclass H01L was not always easy to understand. Many groups at higher hierarchical level contained obsolete technologies.

24. The Committee agreed that a solution to the problem should be considered from a long term perspective. Having foreseen the complexity of the task, the Committee decided to establish an Experts Group in that respect to consider how to deal with subclass H01L, in which the following offices volunteered to participate: Brazil, China, Germany, Japan, Republic of Korea, Sweden, Russian Federation, United Kingdom, United States of America and the EPO. The Committee did not give any prejudice whether a new class would be created or not. The International Bureau would also participate with a special status to ensure coordination and Secretariat tasks. The Committee agreed that its other members could join the Experts Group at any later stage. The EPO was appointed as leading office of the Experts Group.

25. The Committee invited the members of the Experts Group to review the semiconductor technology related areas throughout the IPC and to prepare a report to the Working Group at an appropriate time, taking into account the current classification practice at IP offices and minimizing the required reclassification workload.

26. The Experts Group could conduct its work independently by any feasible means, e.g. by exchanging emails, video conferences, physical meetings, etc. Travel constraints, however, should be taken into account when conducting physical meetings.

## **CONSIDERATION OF THE USE OF POSITION 40 “SOURCE OF CLASSIFICATION DATA” IN WIPO STANDARD ST.8**

27. Discussions were based on Annex 14 to project file [CE 464](#), containing a rapporteur report presented by the United States of America on the use of position 40 “Source of Classification Data” of WIPO Standard ST.8.

28. The Committee agreed with the Rapporteur’s conclusion, in view of the results of the survey, that most offices were using position 40 “Source of Classification Data” of ST.8 properly in accordance with its definition and, therefore, no new values would be needed in that respect.

29. The Committee also agreed that the combination of value “M” on position 40 for “Source of Classification Data” with value “IB” on positions 41-42 for generating office would be applied when implementing default transfer in IPCRECLASS.

30. The project was thus completed.

## RECLASSIFICATION STATUS REPORT AND TREATMENT OF NON-RECLASSIFIED PATENT DOCUMENTS IN THE MCD AND IPCRECLASS

31. Discussions were based on Annex 15 to project file [QC 013](#) and Annex 24 to project file [CE 381](#), respectively, containing a proposal for “Treatment of Non-Reclassified Patent Documents in the MCD and IPCRECLASS” and a statistical report from the MCD and IPCRECLASS prepared by the International Bureau.

32. The reclassification statistics for versions 2009.01, 2010.01 and 2011.01 showed progress since the forty-seventh session of the Committee, particularly for versions 2010.01 and 2011.01; the amount of families to be reclassified has dropped from 20.1% to 19.1%, from 26.8% to 21.3% and from 40.3% to 25.3% of the original for 2009.01, 2010.01 and 2011.01 versions respectively. There were still almost 30,000 families for 2009.01, 50,000 families for 2010.01 and 120,000 families for 2011.01, which remain to be reclassified. The statistics for versions 2012.01 to 2015.01 showed a large number of families still remaining to be reclassified.

33. The EPO informed the Committee that reclassification of EP and US documents had been completed in the MCD. The United States of America would further investigate the possibility to deliver US reclassification data for versions 2009.01, 2010.01 and 2011.01 to IPCRECLASS in the form of Result Lists (RLs).

34. The Committee decided to postpone the inclusion of projects that entered into force in versions 2009.01, 2010.01 and 2011.01 for the implementation of default transfers. Offices were therefore invited to review their reclassification status and to submit their RLs to IPCRECLASS according to the IT requirements.

35. The International Bureau was invited to prepare an updated reclassification status report, based on which the Committee would decide electronically whether the default transfers for versions 2009.01, 2010.01 and 2011.01 could be implemented even before its next session. It was agreed to merge project [QC 013](#) into project [CE 381](#) and project [QC 013](#) was thus completed. The International Bureau was also invited to review the status of currently active QC projects and to merge them into the active CE projects or change their status where appropriate.

36. The Committee repeated its invitation to the International Bureau and the EPO to further investigate the non-reclassified documents of project M 099 in version 2010.01 that should have been dealt with by one-to-one automatic transfer in the MCD. The International Bureau and the EPO were also invited to agree bilaterally on a process for synchronizing IPCRECLASS with the MCD with regard to non-reclassified patent families.

## HANDOVER OF THE WORKING LISTS MANAGEMENT FROM THE EPO TO WIPO

37. The Secretariat delivered a [presentation](#) on the status of the handover of Working Lists management from the EPO to WIPO which had been approved at the previous session of the Committee.

38. The Committee noted that, in preparation of the corresponding project launch, the International Bureau and the EPO attempted to synchronize the MCD and IPCRECLASS so that the International Bureau could produce more representative statistics for the backlog of IPC reclassification and could also apply default reclassification on the smallest possible number of patent families.

39. The Committee was informed that, assuming the availability of sufficient resources on both WIPO and EPO sides, one expected target of the handover was the creation of IPC-2018.01 Working Lists by the International Bureau in September 2017.

40. The EPO expressed its dedication and support to this project and added that it would expect the smoothest possible transition to the future situation for the offices

#### **REPORT ON IPC-RELATED IT SYSTEMS**

41. The Secretariat delivered a [presentation](#) on the status of IT-related developments for IPC support.

42. The Secretariat demonstrated a demo version of the future IPCPUB 7 platform which would be more user-friendly for use with tablets and smartphones. IPCPUB 7 is aligned with the WIPO style guidelines for Internet-facing applications and should facilitate access to the IPC for general users.

43. Several new features requested by offices during the previous sessions of the Committee were demonstrated, in particular a Tree View, integration of definitions in the scheme and an IPC-specific virtual keyboard. The availability of the corresponding IPCPUB software package for the publication of national translations of the IPC would be foreseen for the second quarter of 2016.

44. Migration to a new authentication method and WIPO identity management system (WIM) was completed for IPCRMS and would further progress with IPCRECLASS and IPC e-forum. The implementation of some IPCRECLASS functional improvements requested during previous sessions of the Committee was in progress.

45. The Committee took note of the above presentation and expressed its gratitude for the efforts provided by the International Bureau on the IT support for the IPC.

#### **REPORT ON IPC REVISION MANAGEMENT PROJECT**

46. The Secretariat delivered a [presentation](#) on the status of the IPC Revision Management (IPCRM) Project. The impact of IPCRMS on offices and IPC revision would be fully visible as from IPC 2017.01.

47. The Committee noted that, following the move into production of the IPCRMS solution before the thirty-fourth session of the Working Group and the decommissioning of the legacy RIPCIS system, the project was closed at the end of 2015.

48. In relation to the future production by IPCRMS of the validity file in its current form and problems inherited from the IPC Reform period, the Committee, recognizing the necessity to replace this file with alternative solutions, recommended to offices to plan adaptation of their IT systems and to make use of those alternatives.

49. At the same time, the Committee invited offices using validity file to survey the status of its use in their IT systems and to report it to the Committee at its next session. Recognizing that offices need time to adapt their IT systems, the production of the validity file would be maintained for the next three years without correction of errors that could be possibly found in the historical part.

50. A training session was delivered by the Secretariat on the use of IPCRMS by offices in preparation of a gradual transition to their direct contribution to IPCRMS.

51. The Committee expressed its gratitude to the International Bureau for its remarkable effort in the successful launching and implementation of the IPCRMS.

#### **THANKS TO MR. FARASSOPOULOS**

52. The Committee noted that this session was the last one in which Mr. Antonios Farassopoulos participated before his retirement. The Committee took the opportunity to express its gratitude to him for his excellent administration of the IPC as well as his outstanding contribution to the development of the Classification, in particular, to the development of the IPC Revision Roadmap and to the launching and implementation of the IPC Revision Management System.

*53. This report was unanimously adopted by the Committee of Experts by electronic means on March 18, 2016.*

[Annexes follow]