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**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)**

IPC REVISION WORKING GROUP

Sixth Session

Geneva, November 26 to December 7, 2001

REPORT

adopted by the Working Group

INTRODUCTION

1. The IPC Revision Working Group (hereinafter referred to as “the Working Group”) held its sixth session in Geneva from November 26 to December 7, 2001. The following members of the Working Group were represented at the session: Belgium, Croatia, Denmark, France, Germany, Ireland, Japan, Mexico, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden, Switzerland, United Kingdom, United States of America, African Intellectual Property Organization (OAPI), European Patent Office (EPO) (19). The list of participants appears as Annex A to this report.

2. The session was opened by Mr. H. Wongel (EPO), Chairman of the Working Group. Mr. G. Smith, Director, Office of the PCT (Patent Cooperation Treaty), WIPO, welcomed the participants on behalf of the Director General.

OFFICERS

3. Mr. A. Farassopoulos (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

4. The Working Group unanimously adopted the agenda, which appears as Annex B to this report.

CONCLUSIONS, DISCUSSIONS AND DECISIONS

5. 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 Working Group (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 Working Group was expressed or repeated after the conclusion was reached.

REPORT ON THE SIXTH SESSION OF THE AD HOC IPC REFORM WORKING GROUP

6. The Working Group noted an oral report by the Secretariat on the sixth session of the ad hoc IPC Reform Working Group (see document IPC/REF/6/2). The Working Group was informed, in particular, of the adoption of the Guidelines for the conversion of existing IPC indexing schemes into classification schemes and of the request to the Working Group to carry out pilot projects for converting a number of indexing schemes to classification schemes using the approved Guidelines.

7. The Working Group further noted that the ad hoc IPC Reform Working Group had confirmed the Standardized Sequence of Main Groups (SSMG) and that the Working Group had been requested, when creating a new scheme, to consider first the application of the SSMG. Should this application create problems, it was allowed to deviate from the SSMG and to apply a sequence more appropriate for the efficient classification and search. The Working Group had been further requested, when sufficient experience had been accumulated, to report to the ad hoc IPC Reform Working Group on any difficulties encountered and whether any amendments were needed to the SSMG.

ELABORATION OF CLASSIFICATION DEFINITIONS AND SUBCLASS INDEXES

8. The Working Group briefly discussed the experience accumulated in the framework of the definition projects and came to the following conclusions:

(a) the layout (template) of the presentation of the definition proposals should be unified, taking into account the presentation of the definitions in their electronic form;

(b) both informative and limiting references belonging to specific classification places should be available from these places and not necessarily collected all together in the subclass definitions;

(c) the user should be able to choose between either a presentation of the subclass definition as a whole or using links to particular parts of the definition;

(d) Rapporteurs may introduce definitions related to individual (main) groups, if it is considered particularly useful;

(e) Definition projects could provide material for revising the IPC. A procedure should be developed for using this material in the framework of the systematic maintenance procedure of the IPC.

9. The Working Group agreed that the following issues should be further clarified by the Definition Task Force during its informal meeting in May 2002:

(a) the appropriate length of definitions so that they were user-friendly;

(b) relationship between the definitions and Notes in the IPC;

(c) conditions for a reference to qualify as informative, in particular for references pointing from general to application places;

(d) whether informative references appearing in the definitions may be retained in the IPC scheme;

(e) order of presentation of references, in particular of long lists of references.

10. The Working Group requested the Task Force to report on these issues to the Working Group at its seventh session in June 2002.

11. The Working Group further agreed on the following actions concerning definitions and subclass indexes until its next session:

(a) reports/proposals by Rapporteurs or Projects D 010, D 011, D 012, D 013, D 014, D 016, D 017, D 031 and D 032 by January 15, 2002;

(b) new round of comments on Projects D 001 to D 032 by February 15, 2002;

(c) final reports/proposals by Rapporteurs on projects D 001 to D 032 (see Annex F to this report) by March 15, 2002. Rapporteurs should indicate in the "Message" part of the e-forum whether the project is ready for approval. If not, they should indicate in their report the issues which should be solved by the Task Force;

(d) indication of approval or not by offices using the "Message" part of the e-forum by April 10, 2002. If at least five offices approve a project, it would be forwarded to the seventh session of the Working Group for formal approval. If not, the Rapporteur would either prepare a new proposal or present the project for discussion to the Definitions Task Force;

(e) initial proposals on subclass indexes by Rapporteurs by April 15, 2002;

(f) comments on proposed subclass indexes by May 15, 2002;

(g) initial proposals on new D-projects (see Annex F to this report), except Projects D 041 and D 042 (see paragraph 34, Project C 416, below), by Rapporteurs by May 15, 2002;

(h) the demonstration module (“mock-up”) illustrating how definitions and other information material would be presented to the user, in the context of the electronic version of the IPC, on the basis of some advanced projects, by the International Bureau, by March 5, 2002;

(i) proposal on a unified layout (template) to be used by Rapporteurs when introducing new proposals, by the International Bureau, in cooperation with the United States Patent and Trademark Office, by March 15, 2002;

(j) summary of experience on D-projects by Rapporteurs by April 20, 2002;

(k) informal Task Force meeting on May 8 to 10, 2002, to be held at the headquarters of WIPO in Geneva.

CHECKING OF NOTES AND REFERENCES IN THE REFORMED IPC

12. The Working Group considered the results of pilot projects on checking and correcting references from core level entries to advanced level entries, which were reported by Sweden, the United Kingdom and the EPO (see document IPC/WG/6/2).

13. The Working Group noted that checking and correcting of references was a time-consuming task and, in view of the amount of the work involved, carrying out the task by complete intellectual checking of all references from core level entries to advanced level entries could go beyond resources available in industrial property offices, taking into consideration all other tasks concerned with revision and reform of the IPC before the Working Group.

14. The Working Group agreed that for certain types of references the intellectual work was unavoidable. The intellectual work was required, for example, with respect to precedence references where conversion to appropriate limiting references would be necessary, and in complex situations where the rearrangement of groups between the core and the advanced levels could be needed.

15. The Working Group also agreed that, as demonstrated by the results of pilot projects, the majority of references could be repointed to respective hierarchically superior places in the core level. The Working Group noted that, in most cases, the wordings of references could be retained, although in certain cases some changes to the wordings would be desirable. It was noted that this might have implications on the Document Type Definition (DTD) of the IPC XML files.

16. In considering possible options for reducing the workload concerned with the task, the Working Group agreed with the proposal of the Secretariat to carry out automatic repointing to hierarchically superior places in the core level of all references, with the exception of references for which the intellectual correction was required. The Secretariat explained that

although, in certain cases, automatic repointing would result in the insufficiently accurate wordings of references, this inaccuracy could be compensated in the electronic version of the reformed IPC. This version would provide for a display, on the choice of the user, of the repointed reference to the core level or of the original reference to the advanced level, which would allow to check the correctness of the classification required in view of the reference.

17. The Working Group requested the International Bureau to prepare and publish, by April 1, 2002, a list of all references from core level entries to advanced level entries which would require the intellectual correction. The Working Group agreed to consider, at its next session, the distribution of work concerned with the intellectual correction of references on the basis of that list.

18. The Secretariat informed the Working Group that the International Bureau would carry out automatic repointing of references and make the results available for review by the members of the Working Group in time for its next session. The Working Group finally requested the International Bureau to provide for a special marking of automatically repointed references in the electronic version of the reformed IPC, so as to inform the user that they had been computer-generated.

CONVERSION OF INDEXING SCHEMES TO CLASSIFICATION SCHEMES

19. The Working Group noted that the ad hoc IPC Reform Working Group had completed Task No. 5 ("Review of the hybrid systems in the IPC") on its program and approved the principles of treatment of the existing hybrid systems in the IPC reform process. In the course of the review of separate indexing schemes in the IPC, the ad hoc IPC Reform Working Group had considered the statistics of the use of separate indexing schemes, identified low-use schemes and, on the basis of the statistical data and consideration of potential value of indexing schemes, made recommendations with respect to each indexing scheme on whether to abolish it or to retain it in the IPC. A list of all separate indexing schemes, together with the recommendations of the ad hoc IPC Reform Working Group, was distributed by the Secretariat at the session and is included as Annex G to this report.

20. The IPC Reform Working Group had also agreed that all separate indexing schemes, before being abolished or retained, should be considered from the perspective as to whether it would be appropriate to convert them to classification schemes, in accordance with the approved Guidelines for the Conversion of Existing IPC Indexing Schemes into Classification Schemes (see document IPC/WG/6/3).

21. The Working Group also noted that the IPC Committee of Experts had decided to abolish double-purpose use of classification groups in the IPC and to consider use of those groups for classification of additional information. The Committee indicated, in particular, that constituents of chemical compositions should be classified as additional information using existing classification schemes (see document IPC/CE/30/11, paragraph 36). A list of double-purpose schemes in the IPC, prepared by the Secretariat, is also included in Annex G to this report.

22. The Working Group finally noted that the ad hoc IPC Reform Working Group had requested it to conduct pilot projects for converting a number of indexing schemes using the approved Guidelines (see document IPC/REF/6/2, paragraph 33).

23. In order to obtain experience in carrying out the task of treatment of hybrid systems for the reformed IPC, the Working Group agreed to conduct pilot projects on converting separate indexing schemes into classification schemes and accommodating double-purpose schemes for use for additional classification.

24. The following members of the Working Group volunteered to conduct pilot projects for the schemes indicated:

Separate indexing schemes

Sweden: A 61 K 101:00, 103:00; A 61 K 121:00, 123:00;
United Kingdom: C 02 F 101:00; C 02 F 103:00.

Double-purpose schemes

EPO: C 04 B 7/00 – 28/00;
Germany: C 03 C 25/24 – 25/44; C 07 D 203/00 – 347/00; C 07 D 451/00 – 517/00.

25. The Working Group invited the volunteering offices to submit results of the pilot projects by March 1, 2002, and agreed to consider, on the basis of those results, distribution of work relating to the treatment of hybrid systems for the reformed IPC at its next session.

ILLUSTRATING CHEMICAL STRUCTURAL FORMULAE

26. The Working Group had a preliminary discussion of the project concerning the introduction in the IPC of illustrating chemical structural formulae, which had been launched at its fifth session. The Working Group noted the comments by France distributed at the session, in which several questions relating to the use of illustrating formulae and to the procedure of checking thereof were raised.

27. The Working Group agreed that chemical formulae in the collection provided by the Republic of Korea represented illustrating examples of subject matter classified in IPC entries and could not be used for determining the scope of the entries concerned. The Working Group underlined that user's attention should be drawn to this function of illustrating chemical formulae.

28. The Secretariat informed the Working Group that certain anomalies in the presentation of chemical images, for example, missing chemical bonds, were rectified in the updated XML version of the IPC which would shortly be made available to industrial property offices and requested the participating offices to continue their work on illustrating chemical formulae using that updated version.

29. The Working Group confirmed that comments and proposals with regard to illustrating chemical formulae should be posted on the IPC revision list server by April 1, 2002, at the latest, and agreed to consider at its next session a procedure of further work on the project relating to possible errors, inconsistent presentation of formulae which could be identified by the participating offices, and to proposals of new illustrating formulae.

30. The Working Group noted that technical details relating to a graphic representation of formulae in submitted comments and proposals would be provided in the updated XML version of the IPC.

31. The Working Group noted the updated distribution of work concerning illustrating chemical formulae (see Annex H to this report). The Working Group invited its members to consider participation in the project with respect to the areas of the IPC for which responsible offices had not yet been fixed.

IPC REVISION PROGRAM

General

32. The Working Group discussed 21 pending IPC revision projects and approved amendments relating to those projects (see Annexes 1 to 46 to this report). The decisions of the Working Group with respect to those projects are listed in Annex C to this report, and further information with respect to some of these decisions is given in paragraph 34, below. A list indicating to which classes or subclasses amendments have been approved during the revision period appears as Annex D to this report. Changes to amendments approved at earlier sessions are indicated in Annex E to this report.

33. The Working Group had before it, in particular, document IPC/WG/5/3 and the relevant project files.

IPC Revision Projects

34. The Working Group made the following observations, in addition to the decisions set forth in Annex C to this report, with respect to the IPC revision projects:

Project C 278 (mechanical) – The EPO was invited to submit a proposal on transfer notes for groups B 32 B 1/10, 31/00 and its subgroups, and 35/00, which should be deleted.

Sweden was invited to submit a proposal on new notes in subclasses B 29 C and B 29 D, on the basis of respective notes in class B 29.

Comments were invited on the proposals to be submitted.

Project C 362 (chemical) – A number of amendments to subclass C 09 K were approved (see Annex 6E to this report). The Working Group confirmed its decision to create groups 8/44 and 8/46, taken at the fourth session (see Annex 14 to document IPC/WG/4/5).

Comments were invited on:

- whether the wordings of the new groups 8/76 and 8/78 correctly reflected their indented scope;
- the relationship and possible overlap between the new subgroups of group 8/60 created at the fifth session of the Working Group (see Annex 8 to document IPC/WG/5/3) and whether this relationship could be clarified by precedence references or introduction of a general rule, for example, the last place rule, would be desirable;
- whether subclass E 21 B should be included in the list of classification places used in association with subclass C 12 S, provided in Note (1) following the title of subclass C 12 S;
- the correctness of the modified reference in group E 21 B 43/22 (see Annex 8E to this report), in respect to the expression “bacterial composition.”

Project C 363 (chemical) – The Working Group approved a number of amendments to main group C 10 L 10/00 (see Annex 9E to this report). The Working Group agreed with the conclusion made by the Trilateral Offices, following the request of the Working Group (see document IPC/WG/5/3, paragraph 13, Project C 363), that the creation of an indexing scheme relating to “additives for the special types of fuels” was not desirable.

Project C 367 (mechanical) – In response to the question raised at its fifth session (see Annex 28 to the project file), the Working Group agreed that the creation of subgroups of the new groups E 04 G 7/32 and 7/34 was not desirable.

Project C 369 (mechanical) – Amendments to subclasses F 01 C and F 04 C were approved (see Annexes 13 and 14 to this report).

In connection with the amendments discussed, the Working Group noted that the current practice of indicating group intervals in the IPC, in particular in transfer notes, when only the symbols of main groups were indicated, could be misleading to the user with regard to whether respective subgroups were also included. The Working Group agreed that this issue should be studied in the course of the future revision of the Specific Instructions for the Revision of the IPC. The Working Group noted the practice at the United States Patent and Trademark Office consisting in adding a sign “+” to the symbol of a classification place for indicating that subdivisions of that place were also included.

Project C 371 (mechanical) – Sweden was invited to select appropriate drawings for illustrating subject matter covered by the new main group F 23 B 18/00 (see Annex 18 to document IPC/WG/5/3 and Annex 15 to this report) and to submit them to the members of the Working Group.

Sweden was also invited to submit a proposal on transfer notes for the deleted groups in subclass F 23 B.

Comments were invited on:

- the material and the proposal to be submitted by Sweden;
- where subject matter relating to “afterburning of the flue gases in separate combustion chambers” should be classified, in light of the analysis made by the Rapporteur (see Annex 35 to the project file).

Project C 379 (electrical) – Comments were invited on whether there was any overlap between the approved groups H 01 H 13/80 and H 01 H 13/803 (see Annex 16 to this report), and if that were the case, how it could be solved.

Project C 410 (electrical) – The EPO was invited to propose further subgroups of the new main groups H 02 P 21/00 and 23/00, with a view to bring the classification schemes of these main groups more in parallel, citing relevant examples of patent documents in cooperation with Japan. Comments were invited on the proposal to be submitted.

Comments were further invited on (see Annex 21E to this report):

- the correctness of the title of the new group H 02 P 4/00, in particular whether its second part was too broad and could be restricted, for example, to external mechanical arrangements;
- the relationship between groups H 02 P 4/00 and 19/00 and, in particular, whether group H 02 P 4/00 could become a residual group, thus replacing group H 02 P 19/00;
- where subject matter covered by the existing groups H 02 P 5/04, 7/01, and 7/04 should be transferred in view of the creation of main group H 02 P 4/00 and, in particular, whether a new one-dot group should be created under group 4/00 covering the subject matter of group H 02 P 7/01.

Project C 412 (chemical) – The Working Group approved a number of amendments to main group A 61 K 8/00 (see Annex 22E to this report).

Comments were invited on:

- whether the last place rule was needed in the area covered by one-dot group 8/02;
- whether the new group 8/14 should become a subgroup of group 8/04 or group 8/11;
- a correct order of subgroups under one-dot group 8/18, in view of the last place rule applied therein;
- whether it was desirable to collect all preparations containing quinones, substituted or non-substituted, in one place of the classification scheme, and if that were the case, whether this place should be provided at the end of the classification scheme or preparations containing quinones should be classified under group 8/35 and precedence references should be introduced in other relevant groups;

– the desirability of creating other groups indicated in the Rapporteur's proposal (to appear as Annex 54 to the project file) but not yet approved by the Working Group, in particular groups 8/523 to 8/527, and also in the proposal submitted by Japan (see Annex 49 to the project file).

With regard to the new subclass A 61 Q approved at its fifth session (see Annex 30 to document IPC/WG/5/3), the Working Group agreed that groups relating to "hair growth" could be present in both subclasses A 61 P and A 61 Q. For completely informing the user of this situation, informative references would be introduced in groups A 61 P 17/14 and A 61 Q 7/00.

The EPO was invited to submit a revised proposal on the detailed scheme of the new subclass A 61 Q.

Comments were invited on:

- the proposal to be submitted by the EPO;
- the proposed change to the wording of group A 61 P 17/16 (see Annex 53 to the project file).

Project C 413 (chemical) – Comments were invited on:

- whether ion-exchangers for chromatography should be classified in new groups B 01 J 39/26 and 41/20 (see Annex 28 to this report) or they should be combined with sorbents for chromatography under main group B 01 J 20/00 (see Annex 54 to document IPC/WG/3/3);
- whether Note (3) before main group B 01 J 39/00 should be deleted or modified, in view of the changes made to the area of ion-exchange;
- in view of the creation of group B 01 D 15/36 (see Annex 36 to document IPC/WG/4/5), how the relationship of this group with the existing group B 01 D 15/04 could be clarified.

Project C 415 (chemical) – Comments were invited on the Rapporteur's proposal (see Annex 9 to the project file) and on whether this project could be combined with the definition Project D 003 relating to subclass C 08 J.

Project C 416 (mechanical) – The lists of references in the Notes following the titles of subclasses F 01 M and F 16 N, proposed by the Rapporteur, were approved with some changes (see Annexes 39 and 40 to this report). The Working Group agreed that further consideration of this project would be done in the framework of the definition Projects D 041 and D 042 for subclasses F 01 M and F 16 N, for which the United Kingdom volunteered to act as rapporteur. The Working Group indicated that one of the tasks of the Rapporteur for these definition projects should be carrying out a study and taking a decision on whether references under the titles of subclasses F 01 M and F 16 N should be regarded as limiting or informative. The initial proposals on Projects D 041 and D 042 were requested from the United Kingdom by February 15, 2002.

Project C 422 (chemical) –The Working Group reviewed the classification scheme of the new subclass C 40 B approved at its fifth session (see Annex 38 to document IPC/WG/5/3) and agreed that no overlap existed between subdivisions of main group 9/00.

In light of the potential file size of main groups of subclass C 40 B, the Working Group agreed that certain subdivision of main groups was needed. The Working Group recommended the following approach for their subdivision:

- re main group 1/00: chemical nature of library members in broad categories;
- re main group 3/00: biochemical, solid phase, liquid phase synthesis;
- re main group 5/00: properties screened for;
- re main group 7/00: identification by position in space, by tagging, by iterative deconvolution.

The United Kingdom was invited to submit a proposal on subdivision of main groups of subclass C 40 B on the basis of the above recommendations.

The EPO was invited to cite examples of patent documents illustrating subject matter relating to “virtual libraries.”

Comments were invited on:

- the proposal to be submitted by the United Kingdom;
- whether “virtual libraries” should be included in main group 1/00 or in main group 3/00, in light of the examples to be cited by the EPO;
- subdivisions of main group 11/00 proposed by Japan (see Annex 43 to the project file) or whether subject matter covered by these subdivisions should be included in a new main group;
- the list of places for the example in Note (b) after the title of subclass C 40 B proposed by the EPO (see Annex 47 to the project file).

The Working Group noted a paper distributed at the session by the Delegation of the United States of America, proposing to use a new sequence of main groups in subclass C 40 B based on the standardized sequence, and invited the United States of America to submit a proposal on this matter including an explanation of benefits of using this sequence of main groups.

Comments were invited on the proposal to be submitted.

INTRODUCTION OF NEW CATCHWORDS AND INFORMATIVE REFERENCES RELATING TO COMPLETED PROJECTS

35. Discussions were based on document IPC/WG/6/4 and its supplements, containing proposals for the introduction of new catchwords in the official catchword indexes.

36. The Working Group approved, with minor amendments, the proposals submitted by Austria, relating to Projects C 341 and C 346, by the Russian Federation relating to Project C 421, by the United Kingdom relating to Project C 325, and the French versions submitted by France relating to Projects C 341, C 342, C 343, C 346 and C 390.

STATUS OF THE WORK

37. The Chair assessed the status of the Tasks assigned to the Working Group and stated that 21 revision projects on the agenda of this session (see Annex B to this report) had been dealt with in a satisfactory way. He also pointed out that, at this session, the Working Group had continued an important work program of the implementation of the results of IPC reform. The Chair indicated that Annex C to this report gave the status of each revision project and brief information on actions to follow.

NEXT SESSION OF THE WORKING GROUP

38. The Working Group assessed the workload expected to be before it at its next session (see paragraph 39, below) and agreed to devote the first three days of the first week to the chemical field, the remainder of that week to the electrical field and the second week to the mechanical field.

39. The Working Group noted the tentative dates for its seventh session:
June 10 to 21, 2002.

40. This report was unanimously adopted by the Working Group at its closing meeting on December 7, 2001.

[Annexes follow]