

Committee on WIPO Standards (CWS)

First Session

Geneva, October 25 to 29, 2010

CONSIDERATION OF THE PENDING TASKS OF THE STANDARDS AND DOCUMENTATION WORKING GROUP AND OF FUTURE WORK OF THE CWS

Document prepared by the Secretariat

1. To establish the work program of the Committee on WIPO Standards (CWS), the Secretariat has prepared a List of Tasks, which is reproduced in the Annex to this document. To prepare the List of Tasks the Secretariat has checked through the work program of the former Standards and Documentation Working Group (SDWG) and taken into account the list of tasks and projects as agreed on at its eleventh session in October 2009. The tasks which the SDWG had already considered as completed at or before its eleventh session are not included in the Annex.
(See documents SCIT/SDWG/11/11 and SCIT/SDWG/11/14.)
2. For each Task, the Annex includes the following information: description, task leader/task force leader, scheduled actions to be carried out, remarks and proposals for consideration and approval by the CWS.
3. In accordance with the proposals presented for each of the 19 tasks listed in the Annex:
 - (a) for eight tasks, their descriptions would stay the same, without any change (or with just a minor update, such as the replacement of "SDWG" with "CWS"); namely Tasks Nos. 18, 23, 24, 33/3, 38, 39, 42 and 43 (this latter task would, however, be held in abeyance);
 - (b) for six tasks, namely Tasks Nos. 20, 26, 30, 33, 37 and 41, their descriptions would be reworded to be better aligned with their corresponding actions and projects proposed or that are under way;
 - (c) for three tasks, namely Tasks Nos. 15, 35 and 36, they would be considered as completed and removed from the List of Tasks; and

- (d) two tasks, namely Tasks Nos.17 and 19, would be discontinued, since current work related to them has been allocated to other tasks.

One more new task, which is not listed in the Annex, is proposed for approval in document CWS/1/5.

4. The Secretariat has identified certain possible proposals for future tasks which were considered by the SDWG over the last several years, but for which the SDWG decided either to postpone decision or to place on hold; therefore there is no concrete action or schedule regarding them. These possible actions and tasks are related to Task No. 20 (see paragraph 4 and 5(c) and (d) of this Task in the Annex) and Task No. 30 (see paragraph 4(b) and 5(c) of this Task in the Annex).
5. It should be noted that the information about certain tasks as provided in the Annex may have to be reviewed and updated in order to reflect the decisions by the CWS at its first session.

6. *The CWS is invited to:*

- (a) *note the List of Task reproduced in the Annex to this document; and*
- (b) *approve the proposals for each task included in the Annex to this document.*

[Annex follows]

TASK LIST OF THE COMMITTEE ON WIPO STANDARDS (CWS)

SDWG TASK NO. 15

1. *Description:* Study the consequences of e-filing on the production of certified office copies with particular reference to those used for priority purposes.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* Task No. 15 is held in abeyance.
4. *Remarks:*
 - (a) Task No. 15 has been held in abeyance since March 2007, when, at its eighth session, the Standards and Documentation Working Group (SDWG) decided to await progress in the development of the digital access service for priority documents. The WIPO PATENTSCOPE® Priority Document Access Service (DAS) has since started operation on April 1, 2009. The DAS has been established in accordance with Framework Provisions for the Digital Access Service for Priority Documents established on March 31, 2009, by the International Bureau in accordance with a decision of the Paris Union Assembly, the Patent Law Treaty (PLT) Assembly and the Patent Cooperation Treaty (PCT) Union Assembly and the recommendations of the Working Group on the Digital Access Service for Priority Documents.
 - (b) The DAS is a system, based on a legal framework and common technical architecture, which fully addresses the scope of Task No. 15. That is to say the service is dedicated to the “provision and exchange in electronic form of priority documents in respect of national, regional and international applications”.
 - (c) Moreover, since the DAS seamlessly accommodates priority documents which were electronically filed, the overall purpose of Task No. 15, which is to “study the consequences of e-filing on the production of certified office copies with particular reference to those used for priority purposes”, has been largely addressed.
 - (d) Member states have roundly stated their support for the DAS, and participation is expected to grow from the seven participating digital libraries (IP Australia, the Spanish Patent and Trademark Office, the United Kingdom Intellectual Property Office, the International Bureau, the Japan Patent Office, the Korean Intellectual Property Office and the United States Patent and Trademark Office). In consequence it is proposed that Task No. 15 be discontinued as having been successfully met following the establishment of the WIPO PATENTSCOPE® Priority Document Access Service.
 - (e) WIPO also plans to extend its DAS to priority documents with regard to the filing of a trademark or an industrial design application. A pilot project will be shortly launched and the Working Group on DAS for adapting the Framework Provisions for DAS for Priority Documents will be convened in the first quarter of 2011.
5. *Proposal:* Task should be considered as completed and removed from the list of tasks.

SDWG TASK NO. 17

1. *Description:* Ongoing electronic data processing and exchange standards activities.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* —
4. *Remarks:* The SDWG, at its ninth session, in February 2008, agreed on keeping the current descriptions of Tasks Nos. 17, 18 and 19 until the Standing Committee on Information Technologies (SCIT) Plenary, or a future body that could replace it, was able to make the appropriate decisions with regard to the continuation, definition and scope of the Tasks, as well as to their allocation to other task forces different from the SCIT Electronic Data Processing and Exchange Standards (EDPES) Task Force. Meanwhile, the SDWG would continue creating the tasks and task forces that it would consider necessary for carrying out activities related to Tasks Nos. 17, 18 and 19.
5. *Proposal:* Task should be discontinued.

SDWG TASK NO. 18

1. *Description:* Identify areas for standardization relevant to the exchange of machine-readable data on the basis of projects envisaged by such bodies as the Trilateral Offices, ISO, IEC and other well-known IT standard-setting bodies.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* —
4. *Remarks:* See paragraph 4 of Task No. 17, above.
5. *Proposal:*
 - (a) In the description, "Five IP Offices (IP5)" should replace "Trilateral Offices", and "ICT" should replace "IT".
 - (b) Actions proposed: the International Bureau should coordinate reporting on developments relating to standardization and/or the presentation of proposals to the CWS as necessary.

SDWG TASK NO. 19

1. *Description:* Elaborate a WIPO standard concerning making patent documents available on mixed-mode media.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* —
4. *Remarks:* See paragraph 4 of Task No. 17, above.
5. *Proposal:* Task should be discontinued.

SDWG TASK NO. 20

1. *Description:* Prepare, for adoption as a WIPO standard, a recommendation for the electronic management of the figurative elements of trademarks.
2. *Task Leader / Task Force Leader:* The Task Leader is the Leader of the Trademark Standards Task Force, i.e., the Korean Intellectual Property Office (KIPO).
3. *Scheduled actions to be carried out:* The Trademark Standards Task Force will present a proposal on digital image formats, as well as color management and online publication, as referred to in paragraph 5 of document SCIT/SDWG/11/9, for consideration by the CWS at its first session in October 2010. (See paragraph 61 of document SCIT/SDWG/11/14.)
4. *Remarks:*
 - (a) At its fourth session in January 2004, the SDWG decided that further attention should be given to the standardization of trademark information and agreed on a list of 13 trademark standard items that had been identified by the Trademark Standards Task Force. The SDWG agreed to give first priority to the development of two standards, namely a standard for the electronic external process and exchange of trademark data using XML (eXtensible Markup Language) and another standard concerning the figurative elements of trademarks. With regard to the revision or, if necessary, the creation of other 11 standards for trademarks, the SDWG also decided to hold back until the standard concerning the figurative elements and the XML standard were completed. The XML standard, i.e., WIPO Standard ST.66, was subsequently adopted by the SDWG at its eighth session; and the standard concerning the figurative elements (Task No. 20), i.e., WIPO Standard ST.67, at the eleventh session in October 2009. (See Annex II to document SCIT/SDWG/4/4; paragraphs 34 to 44 of SCIT/SDWG/4/14; 55 of SCIT/SDWG/8/14; and 59 of SCIT/SDWG/11/14.)
 - (b) At its eleventh session, the SDWG decided that Task No. 20 would continue until the completion of the preparation of the proposals referred to in paragraph 3, above. (See paragraph 62 of document SCIT/SDWG/11/14.)
 - (c) On different occasions, the SDWG has considered whether or not a new task should be established to discuss the expansion of WIPO Standard ST.67 to include the recommendations for images, photographs and drawings related to patent and industrial design documents. The SDWG has consistently agreed that the decision to create such a task should be postponed until completion of the recommendations for trademarks (see paragraph 4(b), above) in order to gain knowledge and experience resulting from the work by the Trademark Standards Task Force. (See paragraphs 63 and 64 of document SCIT/SDWG/11/14; 63 to 65 of SCIT/SDWG/10/12; 73 of SCIT/SDWG/8/14; 38 of SCIT/SDWG/4/14.)
 - (d) The PCT Working Group has also discussed the use of photographs and color drawings in international applications. At its third session in June 2010, the PCT Working Group agreed that further study was required on the technical and legal issues which would be involved in permitting the filing and processing of such drawings as part of international applications for progressing on this matter. (See paragraph 197 of document PCT/WG/3/14 Rev; and 71 of PCT/WG/1/16).

5. *Proposal:*
- (a) Pending the oral report by the Task Leader of the Trademark Standards Task Force at the first session of the CWS, the description should be reworded as follows:
“Discuss the issues related to digital image formats, as well as color management and online publication in the trademark domain as referred to in paragraph 5 of document SCIT/SDWG/11/9, and prepare a subsequent proposal”.
 - (b) Actions proposed: the Trademark Standards Task Force should be requested to present a proposal for consideration by the CWS at its second session in 2011.
 - (c) With regard to the issues concerning the 11 standards for trademarks referred to in paragraph 4(a), above, work should be held in abeyance until Task No. 20 is completed.
 - (d) With regard to the creation of a task to prepare recommendations for images, photographs and drawings related to patent and industrial design documents referred to in paragraph 4(c) and (d), above, the decision to create such a task should be postponed until completion of Task No. 20. Meanwhile, the developments undertaken by the PCT Working Group on this matter should be monitored.

SDWG TASK NO. 23

1. *Description:* Monitor the inclusion, in databases, of information about the entry, and, where applicable, the non-entry into the national (regional) phase of published PCT international applications.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* The International Bureau is requested to report at meetings of the SDWG every second year on the progress of the Task.
(See paragraph 57 of document SCIT/SDWG/2/14.)
4. *Remarks:*
 - (a) Task is of an informational nature.
 - (b) Access to PCT national (regional) information of PCT international applications is available through PatentScope Search Service (<http://www.wipo.int/pctdb>) and the PRS database (<http://www.european-patent-office.org/inpadoc>).
5. *Proposal:* In scheduled actions to be carried out, “CWS” should replace “SDWG”.

SDWG TASK NO. 24

1. *Description:* Collect and publish Annual Technical Reports (ATRs) on Patent, Trademark and Industrial Design Information Activities of the SCIT Members (ATR/PI, ATR/TM, ATR/ID).
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* Task is of a continuous nature. See working document CWS/1/8.
4. *Remarks:* See working document CWS/1/8.
5. *Proposal:* In the description, “CWS” should replace “SCIT”.

SDWG TASK NO. 26

1. *Description:* Report on activities of WIPO in respect of:
 - (a) updating the WIPO *Handbook on Industrial Property Information Documentation*,
 - (b) the collection and publication of Industrial Property Statistics,
 - (c) the List of Periodicals Established under PCT Rule 34.1(b)(iii).
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:*
 - (a) The International Bureau will report to the SDWG once a year on activities listed under (a) to (c), above.
 - (b) The International Bureau will report on the development of WIPOSTAD (WIPO Standards Administration Database) at the first session of the CWS.
4. *Remarks:* Standards and other important data will continue to be migrated to WIPOSTAD. At the time this working document is being prepared, the International Bureau is completing a partial revision of Part 7.3 (Examples and kinds of patent documents) of the WIPO Handbook that will shortly be published on the WIPO website. WIPO's work to collect industrial property statistics has been transferred to the Chief Economist and WIPO IP Indicators 2010 was published.
5. *Proposal:*
 - (a) The description should be reworded as follows:
"Report on activities regarding the migration of data from WIPO Handbook into WIPOSTAD (WIPO Standards Administration Database)."
 - (b) Actions proposed: the International Bureau will report to the CWS on the progress of the development and use of WIPOSTAD.

SDWG TASK NO. 30

1. *Description:* Revision of WIPO Standard ST.10/C.
2. *Task Leader / Task Force Leader:*
The Japan Patent Office (JPO) is designated as the Task Leader.
3. *Scheduled actions to be carried out:*
 - (a) The ST.10/C Task Force will present a proposal on a questionnaire to survey application and priority application numbering systems used by industrial property offices at the first session of the CWS. (See paragraph 26 of document SCIT/SDWG/11/14.)
 - (b) Once the survey referred above is completed, a new survey will subsequently be conducted on application and priority application numbers used by industrial property offices in the past. (See paragraph 25 of document SCIT/SDWG/11/14.)
4. *Remarks:*
 - (a) The Task, which has led to the revision of WIPO Standards ST.10/C and ST.13, was created to improve the quality of patent family data and to avoid confusion in the presentation of priority application numbers (see paragraphs 34 and 35 of document SCIT/SDWG/1/9, and 25 to 27 of SCIT/7/17).

- (b) The SDWG, at its tenth session, in November 2008, agreed that at first the Task Force should focus on finalizing the revision of WIPO Standard ST.10/C only for the recommendations concerning patents. The preparation of similar recommendations for trademarks and industrial designs was postponed. (See paragraphs 18 and 19 of document SCIT/SDWG/10/12.)

5. *Proposal:*

- (a) The description should be reworded as follows:
“Survey industrial property offices on application and priority application numbers used.”
- (b) Actions proposed:
 - (i) To conduct the survey on current practices within the time frame decided by the CWS under agenda item 5 at its first session. (See document CWS/1/3.)
 - (ii) The ST.10/C Task Force would subsequently prepare a draft questionnaire to conduct a new survey on application and priority application numbers used by industrial property offices in the past, i.e., once the survey referred to in the previous paragraph would be completed.
- (c) With regard to the preparation of recommendations similar to WIPO Standard ST.10/C for trademarks and industrial designs, work would still be postponed until the CWS considers it to be an appropriate time (e.g., once Task No. 20 is completed) to create the corresponding new task(s) and to establish the task force(s) to handle the task(s).

SDWG TASK NO. 33

- 1. *Description:* Ongoing revision of non-electronic WIPO Standards.
- 2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader. The SDWG will further consider the appointment of Task Leaders upon specific requests for the revision of standards.
- 3. *Scheduled actions to be carried out:* The revision of non-electronic standards is considered an ongoing Task. (See paragraph 70 of document SCIT/7/17.)
- 4. *Remarks:* The SCIT Plenary, at its seventh session in June 2002, decided, as a means of expediting the standards revision process, that requests for the revision of standards could be passed directly to the Task Leader, or to the SDWG. Where a specific request to revise a particular standard is passed directly to the Task Leader, and where possible, work would start immediately; otherwise, the Task Leader would refer the request to the next session of the SDWG. (See paragraph 71 of document SCIT/7/17.)
- 5. *Proposal:*
 - (a) The description should be reworded as follows:
“Ongoing revision of WIPO Standards.”
 - (b) In Task Leader / Task Force Leader, “CWS” should replace “SDWG”.
 - (c) Actions proposed: The revision of standards is considered an ongoing activity. As a means of expediting the standards revision process, the Secretariat may pass requests received for the revision of standards directly to an existing Task Force Leader, or present the request beforehand for consideration by the CWS at its next session. In the latter case, the CWS will be able to decide either on the adoption of

the requested revision, or the creation of a new task, or whatever it considers appropriate. The Secretariat will inform the CWS of any revision request passed directly to a task force at its next session. If a specific request to revise a particular standard should be sent directly to an existing Task Force Leader, as long as it is possible, the Task Force would start work on it immediately; otherwise, the Task Force Leader would refer the request to the next session of the CWS for consideration.

SDWG TASK NO. 33/3

1. *Description:* Ongoing revision of WIPO Standard ST.3.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* Task is of a continuous nature.
4. *Remarks:* The revision of WIPO Standard ST.3 should follow the specific procedure adopted at the eleventh session of the SDWG. (See paragraph 35 of document SCIT/SDWG/11/14.)
5. *Proposal:* Task should be continued as is.

SDWG TASK NO. 35

1. *Description:* Prepare a questionnaire and carry out a survey on the implementation of WIPO Standard ST.50 and on the status of the correction procedures in the industrial property offices. Prepare a proposal regarding this matter for consideration by the SDWG.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* —
4. *Remarks:* The results of the survey were presented to the SDWG at its eleventh session for consideration and subsequently published in the WIPO Handbook. The SDWG also adopted a revision of WIPO Standard ST.50. (See paragraphs 36 to 40 of document SCIT/SDWG/11/14.)
5. *Proposal:* Task No. 35 should be considered as completed and removed from the list of tasks.

SDWG TASK NO. 36

1. *Description:* Prepare a questionnaire and carry out a survey in order to clarify the different practices by industrial property offices regarding the difficulties in citing specific parts of the description of the invention text in a patent document. Prepare a proposal regarding this matter for consideration by the SDWG.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* —
4. *Remarks:*
 - (a) At its ninth session, the SDWG considered the results of the survey and decided its publication in the WIPO Handbook; the SDWG also adopted the revision of WIPO Standard ST.14 and of the term "Citation" in the Glossary of the WIPO Handbook.

The SDWG, at its ninth session, requested the ST.36 Task Force to review the points elaborated by the Citation Practices Task Force in paragraph 12 of document SCIT/SDWG/9/3. The SDWG, at its tenth session, considered and approved the publication of an extended survey in the WIPO Handbook. (See paragraphs 27 to 35 of document SCIT/SDWG/9/12, and 45 to 48 of SCIT/SDWG/10/12.)

(b) At its eleventh session, the SDWG considered the review described in the Annex to document SCIT/SDWG/11/6, which had been carried out by the ST.36 Task Force following the recommendations of the Citation Practices Task Force. The SDWG agreed that there was a need for guidelines to uniquely identify the different parts of a patent document across different publication platforms and thereby created a new task (see Task No. 43, below). (See paragraph 45 to 47 of document SCIT/SDWG/11/14).

5. *Proposal:* Task No. 36 should be considered as completed and removed from the list of tasks.

SDWG TASK NO. 37

1. *Description:* Revision of WIPO Standard ST.22.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:*
 - (a) The International Bureau was requested to issue a circular regarding WIPO Standard ST.22 in the terms requested by the SDWG at its eleventh session in the first quarter of 2010.
 - (b) The International Bureau will conduct the survey on the implementation and promotion of WIPO Standard ST.22 in 2011.
4. *Remarks:*
 - (a) The circular referred to in paragraph 3(a), above, was issued on March 15, 2010. (See C.CWS 1.)
 - (b) The SDWG, at its tenth session, adopted the revision of WIPO Standard ST.22. At its eleventh session, the SDWG approved a questionnaire to conduct a survey on the implementation and promotion of WIPO Standard ST.22 in 2011. The SDWG requested the International Bureau to issue a circular to inform SDWG members of the revision of WIPO Standard ST.22 that was adopted by the SDWG in November 2008, and to invite industrial property offices to bring the revised Standard to the attention of interested parties and to promote the use of the Standard by applicants. (See paragraphs 25 to 30 of document SCIT/SDWG/10/12, and 50 to 53 of SCIT/SDWG/11/14.)
5. *Proposal:* The description should be reworded as follows:
"Carry out a survey on the use and implementation of WIPO Standard ST.22."

SDWG TASK NO. 38

1. *Description:* Ensure continuous revision and updating of WIPO Standard ST.36.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:*
 - (a) The task is of a continuous nature.
 - (b) The Task Force Leader will inform the SDWG of any revision of WIPO Standard ST.36 adopted by the Task Force at the next session of the SDWG.
(See paragraph 4, below.)
 - (c) Revisions of Annex A (Model DTD:xx-patent-document.dtd) and Annex C (International Common Elements) to WIPO Standard ST.36 will be published twice per year, i.e., in March and September, if necessary. (See paragraph 37 of document SCIT/SDWG/10/12.)
4. *Remarks:* Task was created by the SDWG, at its eighth session, during the discussion on the best method to ensure the synchronization of Annex F of the PCT Administrative Instructions (Part 7) and WIPO Standard ST.36. The SDWG agreed that (see paragraphs 58 and 60 of document SCIT/SDWG/8/14):
 - (a) any proposal to revise WIPO Standard ST.36 presented to the Secretariat will be forwarded directly to the ST.36 Task Force for consideration and approval;
 - (b) the ST.36 Task Force is temporarily authorized to adopt revisions of WIPO Standard ST.36;
 - (c) a proposal to revise WIPO Standard ST.36 will be forwarded to the SDWG for its consideration whenever a proposed revision becomes controversial, i.e., whenever it is not possible to reach consensus among the ST.36 Task Force members; and
 - (d) the ST.36 Task Force Leader will inform the SDWG of any revision of WIPO Standard ST.36 adopted by the Task Force at the next meeting of the SDWG.
5. *Proposal:*
In scheduled actions to be carried out, paragraph 3(b), "CWS" should replace "SDWG".

SDWG TASK NO. 39

1. *Description:* Ensure the necessary revisions and updates of WIPO Standard ST.66.
2. *Task Leader / Task Force Leader:* The International Bureau, which will work in collaboration with the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM), is designated as the Task Leader.
3. *Scheduled actions to be carried out* (see paragraph 4, below):
 - (a) The Task is of a continuous nature.
 - (b) The Task Force Leader will inform the SDWG of any revision of WIPO Standard ST.66 adopted by the Task Force at the next session of the SDWG.
(See paragraph 4, below.)
4. *Remarks:* In accordance with the decision by the SDWG at its eighth session (see paragraph 56 of document SCIT/SDWG/8/14):
 - (a) any proposal to revise WIPO Standard ST.66 presented to the Secretariat will be forwarded directly to the ST.66 Task Force for consideration and approval;

- (b) the ST.66 Task Force is temporarily authorized to adopt revisions of WIPO Standard ST.66;
 - (c) a proposal to revise WIPO Standard ST.66 will be forwarded to the SDWG for its consideration whenever a proposed revision becomes controversial, i.e., whenever it is not possible to reach consensus among the ST.66 Task Force members; and
 - (d) the ST.66 Task Force Leader will inform the SDWG of any revision of WIPO Standard ST.66 adopted by the Task Force at the next meeting of the SDWG.
5. *Proposal:*
In scheduled actions to be carried out, paragraph 3(b), "CWS" should replace "SDWG".

SDWG TASK NO. 41

1. *Description:* Prepare a proposal for a dictionary of International Common Elements (ICEs), and model XML schemas and DTDs to be used for patents, trademarks and industrial designs.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.
3. *Scheduled actions to be carried out:* At the first session of the CWS, the Leader of the XML4IP Task Force will present a progress report on the work done, including the presentation of the set of the draft proposals which are under consideration for the preparation of the XML4IP standard. (See paragraph 57 of document SCIT/SDWG/11/14.)
4. *Remarks:*
 - (a) The need to establish a set of International Common Elements (ICEs) for patents, trademarks, and industrial designs was highlighted, at the eighth session of the SDWG, during a discussion on methods to ensure harmony among XML resources for all three types of industrial property sufficient for the needs of WIPO's Member States. (See paragraphs 63 and 64 of document SCIT/SDWG/8/14.)
 - (b) The SDWG, at its eighth session, agreed to recommend to the SCIT Plenary that harmonization in the field of industrial property information be included in the SCIT strategic plan, e.g., XML technology. The SDWG also requested the SCIT Plenary to consider the review of a change management procedure for WIPO Standards where XML elements were concerned and to define a method for the management of such changes with respect to related procedures (e.g., WIPO Standard ST.36 and Annex F). (See paragraph 68 of document SCIT/SDWG/8/14.)
5. *Proposal:* Description should be reworded as follows (see paragraph 29 of document CWS/1/7):
"Prepare, for adoption as a WIPO standard, a recommendation for the XML (eXtensible Markup Language) resources to be used for filing, processing, publication and exchange of information regarding patents, trademarks and industrial designs".

SDWG TASK NO. 42

1. *Description:* Ensure the necessary revisions and updates of WIPO Standard ST.86.
2. *Task Leader / Task Force Leader:*
The International Bureau is designated as the Task Leader.

3. *Scheduled actions to be carried out* (see paragraph 4, below):
 - (a) The Task is of a continuous nature.
 - (b) The Task Leader will inform the SDWG of any revision of WIPO Standard ST.86 adopted by the Task Force at the next session of the SDWG. (See paragraph 4, below.)
4. *Remarks:* In accordance with the decision by the SDWG at its ninth session (see paragraph 50 of document SCIT/SDWG/9/12):
 - (a) any proposal to revise WIPO Standard ST.86 presented to the Secretariat will be forwarded directly to the ST.86 Task Force for consideration and approval;
 - (b) the ST.86 Task Force is temporarily authorized to adopt revisions of WIPO Standard ST.86;
 - (c) a proposal to revise WIPO Standard ST.86 will be forwarded to the SDWG for its consideration whenever a proposed revision becomes controversial, i.e., whenever it is not possible to reach consensus among the ST.86 Task Force members; and
 - (d) the ST.86 Task Force Leader will inform the SDWG of any revision of WIPO Standard ST.86 adopted by the Task Force at the next meeting of the SDWG.
5. *Proposal:*
In scheduled actions to be carried out, paragraph 3(b), “CWS” should replace “SDWG”.

SDWG TASK NO. 43

1. *Description:* Prepare guidelines, for implementation by industrial property offices, regarding paragraph numbering, long paragraphs, and consistent rendering of patent documents.
2. *Task Leader / Task Force Leader:* The United States Patent and Trademark Office (USPTO) is designated as the Task Leader.
3. *Scheduled actions to be carried out:* —
4. *Remarks:*
 - (a) At its ninth session, the SDWG requested the ST.36 Task Force to review the points elaborated by the Citation Practices Task Force in paragraph 12 of document SCIT/SDWG/9/3. At its eleventh session, after considering the review carried out by the ST.36 Task Force regarding the recommendations of the Citation Practices Task Force described in the Annex to document SCIT/SDWG/11/6, the SDWG agreed that there was a need for guidelines to uniquely identify the different parts of a patent document across different publication platforms and agreed to create the Task. (See paragraph 35 of document SCIT/SDWG/9/12, and 45 to 47 of SCIT/SDWG/11/14.) (See also Task No. 36, above.)
 - (b) In November 2009, the European Patent Office (EPO), JPO and USPTO presented the proposal PFR ST.36/2009/007 (Corrections and Changes in Patent Documents) for the revision of WIPO Standard ST.36 that is under discussion by the ST.36 Task Force at present. Certain aspects of this new Task are quite similar to some of the issues raised by the ST.36 Task Force during the discussion of PFR ST.36/2009/007 (at the moment of preparing this document, lack of business consensus has halted the discussion, see paragraph 5 of document CWS/1/6). There are also ongoing discussions on paragraph numbering, which includes business issues of amendment processing and the preferred paragraph numbering method within the framework of the PCT (e.g., in the 17th Meeting of the

International Authorities under the PCT in February 2010; see documents PCT/MIA/17/9 and 11, and paragraphs 83 to 88 of PCT/MIA/17/12), and of the Trilateral/IP5.

- (c) In view of paragraph 4(b), above, the Secretariat, after consulting the two Offices which had expressed the most interest in the Task, namely the EPO and the USPTO, considered that it would be premature to set up a Task Force to deal with this Task as the discussion on business issues has not progressed enough yet within individual offices. Therefore, it would be convenient to give more time to the IP5 to reach an agreement on harmonizing their business requirements for paragraph amendment and numbering. This task should also wait for further developments on these issues related to paragraphs in patent documents within the PCT framework before getting under way.
5. *Proposal:* Task No. 43 should be held in abeyance, subject to review in the light of progress in the harmonization by the IP5 of business requirements relating to the issues referred to in the Task description and of developments of PCT discussions in this domain.

[End of Annex and of document]