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Proposal for Revision of WIPO standard ST.92

*Document prepared by the Digital Transformation Task Force Leader*

## Summary

The Digital Transformation Task Force proposes to revise WIPO Standard ST.92. The revision to WIPO ST.92 serves to broaden the scope of the Standard to include recommendations for the electronic exchange of priority documents for industrial designs and trademarks. Additionally, the Task Force presents an analysis of survey results concerning the implementation plan of the WIPO Standard ST.92 by intellectual property (IP) offices. Based on the findings, the Task Force proposes a new tentative sunset date of June 30, 2028 to support a coordinated transition period.

## Background

At its tenth session, the CWS established Task No. 65, considering a proposal by the fifteenth session of the Patent Cooperation Treaty (PCT) Working Group. The PCT Working Group proposed that the CWS develop a new WIPO standard to enable the transmission of a sequence listing in WIPO Standard ST.26 format as part of a priority document. This Task was assigned to the Digital Transformation Task Force, and the description of the Task reads as follows:

*“To prepare a proposal for recommendations on the data package format for the electronic exchange of priority documents and certified copies for patents, marks and industrial designs.”*

At its eleventh session, the CWS noted the Digital Transformation Task Force's proposed draft standard, entitled “WIPO Standard ST.92 – Recommendations on the data package format for the electronic exchange of priority documents and certified copies”. However, the CWS concluded that further work on the draft standard was required prior to its adoption. Several delegations also expressed concern about the proposed implementation plan based on a 'sunset period', as this may not allow IP offices sufficient time to implement the new standard (See paragraphs 111 to 115 of document CWS/11/28.)

At the twelfth session of the CWS, WIPO Standard ST.92 was adopted covering only patent priority documents and approved the proposal for the revised description of Task No. 65 which reads:

*“Ensure the necessary revisions and updates of WIPO Standard ST.92 and support IP offices for their implementation of the Standard before July 1, 2027”*

(see paragraphs 80 to 81 of document CWS/12/29).

At the same session, the CWS requested that the Digital Transformation Task Force prepare a questionnaire for a survey on the implementation plan for WIPO ST.92 and that the Secretariat circulate an invitation to all Offices to respond to the survey. The CWS noted that the Digital Transformation Task Force would present the survey results for consideration at its thirteenth session. (See paragraph 82 of document CWS/12/29.)

At the same session, the CWS agreed that the proposed tentative deadline, July 1, 2027, applies only to the adopted Standard, specifically patent priority documents. The CWS further agreed that discussions should continue with a view to revising the Standard to include recommendations for trademark and industrial design priority documents. (See paragraph 83 of document CWS/12/29.)

## Results of survey on the WIPO Standard ST.92 implementation plan

On May 28, 2025, the Secretariat issued Circular [C.CWS 195](https://www.wipo.int/documents/d/cws/docs-en-circulars-files-cws-195.pdf) Survey on WIPO Standard ST.92 Implementation Plan, inviting IP offices to provide information on their implementation plans and the proposed sunset date of July 1, 2027. The survey also intended to collect information on IP offices' plans for the exchange of patent priority documents during the transition period through the WIPO Digital Access Service (DAS).

Responses were provided by 37 IP offices, from the following 34 Member States: Australia (AU), Brazil (BR), Bulgaria (BG), Canada (CA), China (CN), Croatia (HR), Dominican Republic (DO), El Salvador (SV), Finland (FI), Georgia (GE), Germany (DE), Honduras (HN), Iceland (IS), Israel (IL), Japan (JP), Jordan (JO), Kenya (KE), Kyrgyzstan (KG), Lithuania (LT), Mexico (MX), Monaco (MC), Norway (NO), Peru (PE), Poland (PL), Republic of Korea (KR), Singapore (SG), Spain (ES), Sweden (SE), Switzerland (CH), Trinidad and Tobago (TT), Türkiye (TR), United Kingdom (GB), United Republic of Tanzania (TZ) and United States of America (US); and three regional IP organizations: the Eurasian Patent Organization (EA), European Patent Organization (EP) and the European Union Intellectual Property Office (EM).

In terms of the plans to implement the WIPO Standard ST.92, a minority of IP offices, only 30% have established concrete transition plans and most of them target the implementation between 2026 and 2028. However, the remaining 70% have not yet developed a formal plan, often citing resource constraints, competing priorities or the need to revise the Standard to include designs and trademarks.

While many IP offices report that legal reviews have not identified major obstacles to implementation, a few have raised concerns about national laws related to data storage, applicant consent and the ability to quickly delete documents if circumstances change. Some IP offices are awaiting legal reviews or anticipating legislative amendments before proceeding.

The most frequently cited challenge is resource limitations, both human and financial. Many IP offices are also involved in broader IT modernization projects that compete for attention and funding. Legal and regulatory uncertainties, particularly regarding data protection and document formats, further complicate matters.

Most IP offices expect to support multiple formats (WIPO ST.92 Priority Document Data Package (PDDP), legacy PDF and occasionally paper) during the transition period. However, only a small number plan to include supplementary artifacts, such as sequence listings or translations. Confidence in meeting the tentative sunset date of July 1, 2027 is mixed. Fifty-four percent of respondents believe they can meet this deadline, while the rest prefer a later date or are unable to commit. Regarding the implementation approach, nearly 60% support a "big bang" transition in which all IP offices switch at once, while about 40% favor a phased approach that emphasizes flexibility and risk mitigation.

Because the timeframes for implementing WIPO Standard ST.92 vary depending on factors such as IT priorities, funding availability and the need for legislative or administrative changes, it seems most practical for each IP office to proceed at its own pace. If the CWS approves the proposed revision of WIPO Standard ST.92 at this session, the Standard should be fully implemented for all three IP rights (patents, trademarks and industrial designs) by the agreed-upon sunset date. During the transition period, the WIPO DAS will serve as an intermediary to facilitate the exchange of priority documents in providing format specifications tailored to each IP office's stage of implementation. A detailed summary of the survey results is provided in Annex I to this document.

## proposal for Revision of WIPO STandard ST.92

Given that many IP offices exchange priority documents for industrial designs and trademarks, the Digital Transformation Task Force has drafted a revision to WIPO Standard ST.92. The revision includes recommendations for the exchange package of these additional intellectual property categories.

In preparation for the proposed revision, the Digital Transformation Task Force has met online every two months since the last CWS session and held discussions on the Task Force wiki. EUIPO co-led the revision process, leveraging its extensive experience with the exchange of industrial design and trademark priority documents. Further details regarding the work of the Task Force since the last session of the CWS are explained in document CWS/13/7.

The Digital Transformation Task Force proposes the draft revision of WIPO Standard ST.92 for the consideration and approval of the CWS. The proposal for revision of WIPO ST.92 is reproduced as Annex II to the present document, where strikethrough text indicates a deletion and underlined text indicates an addition. Annex III to the present document is the updated XML Schema. Annex IV, V and VI to the present document are XML instances for patent, industrial design and trademarks respectively.

The proposed changes to WIPO ST.92 agreed to by the Task Force can be summarized as follows:

1. Addition of descriptions and examples for industrial design and trademark priority documents;
2. Inclusion of mandatory and supplementary artifact folders for industrial designs and trademarks;
3. Definition of naming conventions and document identification for industrial designs and trademarks;
4. Revision of Annex I: “XML Schema Definition (XSD) for Priority Document Index XML Files”, to include industrial designs and trademarks;
5. Renaming of the Appendix to Annex I and its title;
6. Addition of Appendix B to Annex I – Example XML instance for Industrial Designs PDDP index file;
7. Addition of Appendix C to Annex I – Example XML instance for Trademarks PDDP index file;
8. Renaming of the Appendix to Annex II and its title;
9. Addition of Appendix B to Annex II – PDDP example for Industrial Designs in table format;
10. Addition of Appendix C to Annex II – PDDP example for Trademarks in table format; and
11. Editorial changes and minor grammatical corrections.

In addition to the changes outlined in paragraph 17 above, the Secretariat and the Task Force Leader propose the following further revisions to the WIPO Standard ST.92:

1. Removal of the release notes and their replacement with embedded documentation within the XSD schema in Annex I of the Standard;
2. Replacement of the term “Industrial Design” with “Design” in all design-related component names of the schema, to ensure consistency with WIPO Standard ST.96;
3. Renaming of the element pde:IPTypeCategory to pde:IPRightKindCategory, in line with the terminology used in WIPO Standard ST.96;
4. Use of dgn:AllDesignsIndicator and dgn:DesignIdentifierBag elements from the WIPO ST.96 Design namespace;
5. Enhancement and clarification of descriptions for several components within the XSD;
6. Addition of ArchiveFormatCategoryType under the “pde” namespace with two enumeration values 'ZIP' and ‘TAR’;
7. Replacement of the type pde:DocumentFormatCategoryType with the new type pde:DocumentFileFormatCategoryType, which is defined as a union of following types:

* com:DocumentFormatCategoryType
* com:ThreeDModelFormatCategoryType
* dgn:ViewFileFormatCategoryType
* tmk:MarkMultimediaFileFormatCategoryType
* tmk:SoundFileFormatCategoryType
* pde:ArchiveFormatCategoryType

1. Inclusion of missing components in the DesignSupplementaryDocumentCategory and TrademarkSupplementaryDocumentCategory structures;
2. Replacement of pde:ApplicationFilingDate with com:ApplicationDate;
3. Replacement of pde:ApplicationNumber with com:IPOfficeCode and com:ApplicationNumber;
4. Addition of “Industrial design representation” and “Trademark representation” to the list of document categories, instead of “Media files or links to media files” and “2D/3D image files”; and
5. Including of all the above changes in the patent, design and trademark examples XML instances, as shown in Appendices A, B and C of the Annex I.

## Versioning

The new revision to WIPO Standard ST.92 is proposed as version 2.0. This is due to the changes introduced in Annex I “XML Schema Definition (XSD) for Priority Document Index XML Files”, which are not considered backwards compatible with version 1.0, and therefore this is considered a major update.

## Implementation of the WIPO STandard ST.92

Following the approval of the proposed WIPO Standard ST.92, each IP office is encouraged to develop an implementation plan. To ensure a smooth and coordinated transition, the Task Force Leader and the International Bureau recommend an incremental implementation strategy within the defined "sunset period". This approach provides flexibility, enabling each IP office to implement the Standard at a pace that aligns with its operational capacity and priorities.

After reviewing the feedback collected by IP offices through the WIPO Standard ST.92 Implementation Plan survey and discussing the matter at its meeting held on September 4, 2025, the Digital Transformation Task Force proposes a new “sunset date” of June 30, 2028.

The International Bureau plans to upgrade the WIPO DAS to accept and provide priority documents that comply with WIPO Standard ST.92. This upgrade is expected to take approximately six months. Once upgraded, the WIPO DAS will be able to support priority documents in both the current format and the WIPO Standard ST.92 format until the end of the agreed transition period. Starting from the agreed sunset date, WIPO DAS will only accept and provide priority documents that comply with WIPO Standard ST.92. Technical details regarding the implementation of the proposed standard in WIPO DAS will be discussed separately among the WIPO DAS offices.

## Proposal for the revision of task no. 65

Once the CWS approves the proposed revisions to WIPO Standard ST.92, Task No. 65 will be considered substantially complete. The Task Force will continue to discuss and collaborate on implementing the revised Standard. Furthermore, in implementing the revised Standard, IP offices may require improvements to WIPO Standard ST.92. Therefore, the Task Force proposes to revise the description of Task No. 65 as follows:

“*Ensure the necessary revisions and updates of WIPO Standard ST.92 and support IP offices for their implementation of the Standard before July 1, 2028.*”

*The CWS is invited to:*

1. *note the content of this document and Annexes to the present document;*
2. *note the results of the survey on WIPO Standard ST.92 Implementation Plan, as indicated above in paragraphs 7 to 13 and detailed in the Annex I to the present document;*
3. *consider and approve the proposal for a revision to WIPO Standard ST.92 as indicated above in paragraphs 14 to 18 and detailed in Annex II to the present document;*
4. *approve the new version number as version 2.0 of WIPO Standard ST.92, as indicated in paragraph 19 above;*
5. *note the analysis of the WIPO Standard ST.92 implementation plan, as indicated in paragraphs 20 to 22 above;*
6. *consider and approve the sunset date, as indicated in paragraph 21 above; and*
7. *consider and approve the proposed new description of Task No. 65, as indicated in paragraph 23 above.*

[Annex I follows]