Committee on WIPO Standards (CWS)

Fourth Session
Geneva, May 12 to 16, 2014

MAINTENANCE AND UPDATE OF SURVEYS PUBLISHED IN THE WIPO HANDBOOK ON INDUSTRIAL PROPERTY INFORMATION AND DOCUMENTATION

Document prepared by the Secretariat

INTRODUCTION
1. Part 7 of the WIPO Handbook on Industrial Property Information and Documentation (WIPO Handbook) contains 19 surveys related to different aspects of Industrial Property Offices (IPO) practices. These surveys have been conducted and published upon request by the Committee on WIPO Standards (CWS) and its predecessor bodies. Part 7 of the WIPO Handbook constitutes an important source of information on, for example, application and publication numbering systems, kinds of patent documents issued by offices, formats of dates, optical character recognition practices, codes used by IPOs internally and correction and citation practices, as well as other matters related to patent, trademark and industrial design information.

2. The purpose of conducting a survey has been, in general, to respond to the need of having concrete examples and information about IPO practices that the CWS or its predecessor bodies considered of interest to the users of industrial property information. These materials could also provide a basis for the preparation of proposals for new standards, or for the revision of existing Standards, as well as for explaining how a particular Standard is implemented in different IPOs. It should be noted that there are also surveys not directly related to any particular WIPO Standard (e.g., Part 7.7 of the WIPO Handbook “Supplementary Protection Certificates (SPCs)”).

3. Once a survey has been completed and published, the question of subsequent maintenance and update is usually left open and is addressed differently for different surveys. At present, there is no uniform approach to ensuring the maintenance and update of surveys published in Part 7 of the WIPO Handbook.
4. In order to avoid possible inconsistencies and to ensure that the information contained in Part 7 of the WIPO Handbook is relevant, up-to-date and not repetitive, the International Bureau proposes to address the question of maintenance of surveys in its integrity and invites the CWS to consider the proposals presented in paragraphs 10 to 14, below.

CURRENT SITUATION

5. Survey results, as initially published, provide complete and accurate reflection of IPO practices as they were in place at the moment of conducting the survey. However, several years after its publication, the survey might become outdated or incomplete, as a result of changes in IPO practices.

6. If the update of the information is required for supporting ongoing work of the Committee, the CWS either initiates the complete update of the corresponding survey (sometimes amending the questionnaire in order to focus on issues relevant for the current discussion), or requests the International Bureau to conduct a new survey to replace the outdated one. Such complete updates are not so common and, although having the advantage of being comprehensive, are rather time consuming, work-intensive and usually require contributions from all offices involved even if their practices have not changed.

7. If, at a certain moment, the International Bureau becomes aware of changes in practice of an office that are relevant to a specific survey, it carries out a partial ad hoc update upon request and in collaboration with interested IPOs (e.g., updates of Part 7.3 “Examples and kinds of patent documents” in 2011 and 2014). Updates of this type take considerably less time than the one described in the previous paragraph, but their result is not comprehensive, i.e., while some entries are brought up-to-date, others are not. It leads to a situation where a survey, in particular its publication date, might be confusing since it is not clear whether the entries which were not covered by the update are still accurate, or that some of them should also have been amended, but they were not.

8. A possible response to this situation is to carry out regular updates of these surveys inviting all IPOs to revise corresponding entries and inform the International Bureau on the changes to be reflected, if any. This approach would ensure a better level of reliability of information and timely publication of the accurate information. The International Bureau would propose that this procedure apply, for example, to Part 7.3, Part 7.2.6 and other surveys of Part 7 of the WIPO Handbook (see Annex I for further details).

9. There is a number of surveys for which the approach described in paragraph 8, above, cannot be applied. These surveys contain qualitative and statistical analysis of the responses provided by IPOs, and present the summary of the situation at a given time, which makes a partial update almost impossible and very time consuming. (See, for example, Part 7.2.5 “Survey on application numbering systems”).

PROPOSAL

10. Having the above considerations in mind, the International Bureau has reviewed all surveys published in Part 7 of the WIPO Handbook in order to present a proposal for their maintenance and update. Details concerning each survey and issues relevant for their respective updates are available in Annex I to the present document. Summarizing the results of the exercise, from the maintenance point of view, all surveys could be grouped as follows:

(a) recent surveys which contain up-to-date information and do not require updates so far; they should be kept in the WIPO Handbook and eventually updated completely upon request by the CWS. The corresponding questionnaire may also be amended if the CWS so decides;
(b) surveys requiring regular checking and subsequent updates (see paragraph 8, above);

(c) surveys which contain relevant information, but whose subject matter is covered by more recent surveys; relevant information should be transferred to related (recent) surveys, wherever possible;

(d) surveys related to a specific issue which was a matter of discussion in the past, but which have not been updated and are no longer relevant; such surveys should be moved to the Archive.

11. In order to better reflect the actual IPO practices, an important volume of information should be updated and, for some surveys, it would be necessary to amend the corresponding questionnaire. To ensure the continuous maintenance and update of all surveys published in Part 7, the International Bureau proposes to create the following task:

“Ensure the necessary maintenance and update of surveys published in Part 7 of the WIPO Handbook on Industrial Property Information and Documentation”.

12. If the new task is created, the International Bureau is ready to lead it, i.e., to continue being responsible for the maintenance and publication of surveys in Part 7 of the WIPO Handbook. The new task should be considered of a continuous nature and the International Bureau should report to the CWS at every session on the work done.

13. A tentative work plan for updating Part 7 of the WIPO Handbook, including proposed detailed actions for the next year (the year following CWS/4), is provided in Annex II to the present document. The execution of this plan will depend on the availability of resources and the definition of priorities as reflected in future decisions of the CWS.

14. In order to ensure the necessary involvement of the IPOs in this activity, the International Bureau proposes to create a task force for discussing issues related to the task, including the preparation of proposals for consideration by the CWS, and for carrying out eventual consultations that the task force leader may need.

15. The CWS is invited to:

(a) note the information contained in Annex I to the present document;

(b) consider and approve the specific proposal(s) for each survey that are stated in Annex I to the present document, and, in particular, provide guidance with respect to Parts 7.6 and 7.7 of the WIPO Handbook;

(c) note the tentative work plan for updating Part 7 of the WIPO Handbook, in particular, the actions to be carried out following the fourth session of the CWS, as provided in Annex II to the present document;
(d) create a new task to ensure the continuing maintenance and update of Part 7 of the WIPO Handbook, as referred to in paragraph 11, above;

(e) designate the International Bureau as the task leader;

(f) establish a new task force, as referred to in paragraph 14, above; and

(g) request the International Bureau to report on the progress with the update of Part 7 of the WIPO Handbook at the fifth session of the CWS.

[Annexes follow]
STATUS AND FURTHER ACTIONS PROPOSED WITH RESPECT TO SURVEYS
PUBLISHED IN PART 7 OF THE WIPO HANDBOOK

This document provides detailed proposal for the update and keeping up-to-date of Part 7 of the WIPO Handbook on Industrial Property Information and Documentation (WIPO Handbook). The information related to every survey is presented as follows:

- Survey title and the year of publication of the current version.
- “Related Standards” – list of WIPO Standards directly related to the survey.
- “Related surveys” – list of other surveys published in Part 7 of the WIPO Handbook directly related to the survey, e.g., complementing it, addressing the same or similar issues, etc.
- “Group” – see explanations in paragraph 10 of the main part of this document.
- “Remarks” – additional information related to the survey.
- “Proposal” – actions with respect to each survey proposed to be considered by the CWS.

PART 7.1 REPRESENTATION OF CALENDAR DATES - VARIATIONS IN THE
REPRESENTATION OF CALENDAR DATES BASED ON THE GREGORIAN CALENDAR, AS
PRINTED IN INDUSTRIAL PROPERTY DOCUMENTS OR IN OFFICIAL GAZETTES

Current version published in 1997
Related Standards: ST.2
Related surveys: Part 7.2.3
Group: B
Remarks: The subject is relevant, but the information is not updated
Proposal: Part 7.1 should be updated.

PART 7.2.1 PRESENTATION OF APPLICATION NUMBERS

Current version published in 2005
Related Standards: ST.10/C (reference to the survey in paragraphs 6b and 12a)
Related surveys: Part 7.2.6, Part 7.2.7
Group: C
Remarks: The information is quite out of date. The scope is completely covered by the survey on numbering of applications and priority applications (Part 7.2.6 and Part 7.2.7)
Proposal: The information contained in the survey should be reflected in Part 7.2.6 and Part 7.2.7;
Part 7.2.1 should be subsequently removed from the WIPO Handbook and moved to the Archive; and
reference to this survey should be adapted in ST.10/C accordingly (editorial change).
PART 7.2.2 SURVEY OF NUMBERING SYSTEMS USED, OR INTENDED TO BE USED, BY INDUSTRIAL PROPERTY OFFICES WITH REGARD TO APPLICATIONS, PUBLISHED DOCUMENTS AND REGISTERED RIGHTS
Current version published in 2001
Related Standards: ST.10/C, ST.13, ST.6
Related surveys: Part 7.2.6, Part 7.2.7
Group: C
Remarks: The information is quite out of date. The scope is partially covered by the survey on numbering of applications and priority applications (Part 7.2.6 and Part 7.2.7), except the numbering of published documents and registered rights (Table II)
Proposal: The information regarding application and priority application numbering contained in the survey should be reflected in Part 7.2.6 and Part 7.2.7; new survey on publication and registration numbers should be conducted; and Part 7.2.2 should be subsequently removed from the WIPO Handbook and moved to the Archive.

PART 7.2.3 NUMBERING SYSTEMS AND DATE FORMATS INTRODUCED OR PLANNED TO BE APPLIED WITH REGARD TO THE ARRIVAL OF THE YEAR 2000
Current version published in 2000
Related Standards: ST.2, ST.13, ST.6
Related surveys: Part 7.1, Part 7.2.6, Part 7.2.7
Group: C
Remarks: The information is quite out of date and the object is less relevant now. The scope is partially covered by the surveys on numbering of applications and priority applications (Part 7.2.6 and Part 7.2.7) and on representation of calendar dates (Part 7.1)
Proposal: Survey on the representation of dates in industrial property documents and in official gazettes should be updated (see Part 7.1 above); and Part 7.2.3 should be subsequently removed from the WIPO Handbook and moved to the Archive.

PART 7.2.4 SURVEY ON THE PRESENTATION OF PRIORITY APPLICATION NUMBERS
Current version published in 2007
Related Standards: ST.10/C (paragraph 12a)
Related surveys: N/A
Group: B
Remarks: The survey contains relevant but not updated information as well as examples of priority certificates issued by IPOs
Proposal: Part 7.2.4 should be updated regularly.
PART 7.2.5 SURVEY ON APPLICATION NUMBERING SYSTEMS
Current (first) version published in 2013
Related Standards: ST.13
Related surveys: Part 7.2.6
Group: A
Remarks: This survey contains relevant information and does not yet require the update
Proposal: Part 7.2.5 should remain in the WIPO Handbook and be updated upon request by the CWS.

PART 7.2.6 NUMBERING OF APPLICATIONS AND PRIORITY APPLICATIONS – CURRENT PRACTICE
Current (first) version published in 2013
Related Standards: ST.13
Related surveys: Part 7.2.1, Part 7.2.2, Part 7.2.5
Group: B
Remarks: This survey contains relevant information
Proposal: Part 7.2.6 should be updated regularly.

PART 7.2.7 NUMBERING OF APPLICATIONS AND PRIORITY APPLICATIONS – FORMER PRACTICE
Survey planned to be conducted in 2014 and published in 2015
Related Standards: ST.13
Related surveys: Part 7.2.1, Part 7.2.2, Part 7.2.5, Part 7.2.6
Group: N/A
Remarks: This survey will contain relevant information
Proposal: Once published, Part 7.2.7 should be updated regularly.

PART 7.3.1 EXAMPLES AND KINDS OF PATENT DOCUMENTS LISTED ACCORDING TO CODE
Current version published in 2011
Related Standards: ST.16 (reference to the survey in paragraph 12)
Related surveys: Part 7.3.2, Part 7.3.3, Part 7.2.5 (kind codes)
Group: B
Remarks: This part of WIPO Handbook is derived from Part 7.3.2 (see below) and provides the “index” for its entries, which are listed according to their ST.16 codes
Proposal: Part 7.3.1 should be updated regularly following the update of Part 7.3.2.

PART 7.3.2 INVENTORY OF KINDS OF PATENT DOCUMENTS LISTED ACCORDING TO THE ISSUING INDUSTRIAL PROPERTY OFFICE
Current version published in 2011
Related Standards: ST.16 (reference to the survey in paragraph 12)
Related surveys: Part 7.3.1, Part 7.3.3
Group: B
Remarks: This survey contains relevant information, but certain entries should be updated. If this survey is updated, Parts 7.3.1 and 7.3.3 should be updated accordingly.

Proposal: Part 7.3.2 should be updated regularly.

PART 7.3.3 KINDS OF PATENT DOCUMENTS – SAMPLES OF FIRST PAGES
Current version published in 2011
Related Standards: ST.16 (reference to the survey in paragraph 12)
Related surveys: Part 7.3.2, Part 7.3.1
Group: N/A
Remarks: This part of WIPO Handbook contains examples of front pages of documents described in Part 7.3.2, i.e., it is the addition to Part 7.3.2.
Proposal: Part 7.3.3 should be incorporated into Part 7.3.2 during the next update; and reference to this survey should be removed from WIPO Standard ST.10/C (editorial change).

PART 7.4.1 SURVEY CONCERNING CORRECTION PROCEDURES IN PATENT OFFICES
Current (first) version published in 2009
Related Standards: ST.50
Related surveys: Part 7.4.2
Group: A
Remarks: This survey contains relevant information and does not yet require the update. If this survey is updated, Parts 7.4.2 should be updated accordingly.
Proposal: Part 7.4.1 should remain in the WIPO Handbook and be updated upon request by the CWS along with Part 7.4.2.

PART 7.4.2 EXAMPLES CONCERNING CORRECTION PROCEDURES OF PATENT OFFICES
Current (first) version published in 2009
Related Standards: ST.50 (reference to the survey)
Related surveys: Part 7.4.1
Group: A
Remarks: This survey which relevant information and does not yet require the update.
Proposal: Part 7.4.2 should remain in the WIPO Handbook and be updated upon request by the CWS along with Part 7.4.1.

PART 7.5 PHYSICAL CHARACTERISTICS OF PATENT DOCUMENTS - COMPILATION OF DATA ON PHYSICAL CHARACTERISTICS OF PATENT DOCUMENTS
Current version published in 1990
Related Standards: ST.10/D (reference to the survey in paragraph 5)
Related surveys: N/A
Group: D
Remarks: The information is less relevant and out-of-date.
Proposal: Part 7.5 does not require update and should be removed from the WIPO Handbook and moved to the Archive; and
reference to this survey should be removed from WIPO Standard ST.10/D (editorial change).

PART 7.6 SURVEY OF BIBLIOGRAPHIC INFORMATION CONTAINED IN PATENT GAZETTES AND IN CURRENT INDEXES INSERTED IN PATENT GAZETTES OR PUBLISHED SEPARATELY IN ASSOCIATION WITH PATENT GAZETTES
Current version published in 1990
Related Standards: ST.11 (reference to the survey in paragraph 10)
ST.19 (reference to the survey in paragraph 22)
Related surveys: N/A
Group: Depends on the decision by the CWS (see proposal below)
Remarks: The survey was published in 1990 as well as both WIPO Standards (ST.11 and ST.19) it is related to. The information contained in it is quite out-of-date, but the subject might be relevant. The International Bureau proposes the following two options with respect to this survey for consideration by the CWS:
• Carry out a complete update of the survey followed by regular updates, if the Committee considers that the survey should be kept in the WIPO Handbook (Group B)
• Remove the survey from the WIPO Handbook and move it to the Archive (Group D)
Proposal: The CWS is invited to consider whether Part 7.6 should be updated regularly or removed from the WIPO Handbook and moved to the Archive.

PART 7.7 SURVEY ON THE GRANT AND PUBLICATION OF “SUPPLEMENTARY PROTECTION CERTIFICATES” FOR MEDICINAL AND PHYTOPHARMACEUTICAL PRODUCTS OR EQUIVALENT INDUSTRIAL PROPERTY RIGHTS (SPCS)
Current version published in 2002
Related Standards: N/A
Related surveys: N/A
Group: Depends on the decision by the CWS (see proposal below)
Remarks: The survey was published in 2002. The information contained in this survey is quite out-of-date, but the subject might be relevant. The International Bureau proposes the following two options with respect to this survey for consideration by the CWS:
• Carry out a complete update of the survey followed by regular updates, if the Committee considers that the survey should be kept in the WIPO Handbook (Group B)
• Remove the survey from the WIPO Handbook and move it to the Archive (Group D)
Proposal: The CWS is invited to consider whether Part 7.7 should be updated regularly or removed from the WIPO Handbook and moved to the Archive.
PART 7.8 SURVEY OF FILING PROCEDURES AND FILING REQUIREMENTS, AS WELL AS OF EXAMINATION METHODS AND PUBLICATION PROCEDURES, RELATING TO INDUSTRIAL DESIGNS
Current version published in 1995
Related Standards: N/A
Related surveys: N/A
Group: D
Remarks: The information is very outdated
Proposal: Part 7.8 should be removed from the WIPO Handbook and moved to the Archive.

PART 7.9 SURVEY CONCERNING CITATION PRACTICES IN INDUSTRIAL PROPERTY OFFICES
Current (first) version published in December 2008
Related Standards: ST.14
Related surveys: N/A
Group: A
Remarks: This survey contains relevant information and does not yet require the update
Proposal: Part 7.9 should remain in the WIPO Handbook and be updated upon request by the CWS.

PART 7.10 SURVEY OF PRACTICES IN INDUSTRIAL PROPERTY OFFICES REGARDING CODES USED FOR INTERNAL PURPOSES OR INDIVIDUAL USE
Current (first) version published in January 2009
Related Standards: ST.10/C, ST.16, ST.13, ST.6, ST.60, ST.80
Related surveys: Part 7.2.6
Group: A
Remarks: This survey contains relevant information and does not yet require the update; the scope is partially covered by the survey on numbering of applications and priority applications (Part 7.2.6 and Part 7.2.7), except Publication/Fora
Proposal: Part 7.10 should remain in the WIPO Handbook and be updated upon request by the CWS.

PART 7.11 SURVEY ON THE IMPLEMENTATION AND PROMOTION OF WIPO STANDARD ST.22
Current (first) version published in June 2012
Related Standards: ST.22
Related surveys: N/A
Group: A
Remarks: This survey contains relevant information and does not yet require the update
Proposal: Part 7.11 should remain in the WIPO Handbook and be updated upon request by the CWS.

[Annex II follows]
TENTATIVE WORK PLAN FOR UPDATING SURVEYS PUBLISHED IN PART 7 OF THE WIPO HANDBOOK

Annex II contains the proposal on the tentative work plan for the task on the continuous maintenance and update of Part 7 of the WIPO Handbook. Actions proposed for each survey are indicated in Annex I to the present document.

PROPOSED ACTIONS LISTED BY SURVEY

Part 7.1 “Representation of calendar dates”
- (CWS/6, 2016) create a task to prepare a questionnaire on the presentation of dates;
- (CWS/7, 2017) approve the questionnaire, request the survey update;
- (CWS/8, 2018) note survey results, approve publication of the updated survey in the WIPO Handbook, agree to move Part 7.2.3 to the Archive.

Part 7.2.1 “Presentation of application numbers”
- (CWS/5, 2015) agree to move Part 7.2.1 to the Archive following the transfer of information to Parts 7.2.6 and 7.2.7.

Part 7.2.2 “Survey of numbering systems used, or intended to be used, by industrial property offices with regard to applications, published documents and registered rights”
- (CWS/5, 2015) create a task to prepare a questionnaire on publication and registration numbers;
- (CWS/6, 2016) approve the questionnaire, request that the survey be conducted;
- (CWS/7, 2017) note the survey results, approve publication of the new survey in the WIPO Handbook, agree to move Part 7.2.2 to the Archive.

Part 7.2.3 “Numbering systems and date formats introduced or planned to be applied with regard to the arrival of the year 2000”
- (CWS/8, 2018) agree to move Part 7.2.3 to the Archive (see Part 7.1).

Part 7.2.4 “Survey on the presentation of priority application numbers”
- To be updated regularly;
- (CWS/5, 2015) announce the update of the survey to be carried out during the following year;
- (CWS/6, 2016) note the amendments, if any, approve publication of the updated survey in the WIPO Handbook.
Part 7.2.5 “Survey on application numbering systems”
- No updates required so far. Eventual updates to be requested by the CWS.

Part 7.2.6 “Numbering of applications and priority applications – Current practice”
Part 7.2.7 “Numbering of applications and priority applications – Former practice”
- To be updated regularly;
- (CWS/4, 2014) approve the questionnaire for Part 7.2.7, request that the survey be conducted (Part 7.2.7);
- (after CWS/4) incorporate relevant information from Parts 7.2.1, 7.2.2, 7.2.3;
- (CWS/5, 2015) note the survey results (Part 7.2.7), note the amendments (Part 7.2.6), if any, approve publication of the surveys in the WIPO Handbook.

Part 7.3 “Examples and kinds of patent documents”
- To be updated regularly;
- (CWS/5, 2015) announce the update of the survey to be carried out during the following year;
- (CWS/6, 2016) note the amendments, if any, approve publication of the updated survey in the WIPO Handbook.

Part 7.4 “Correction procedures”
- No updates required so far. Eventual updates to be requested by the CWS.

Part 7.5 “Physical characteristics of patent documents”
- (CWS/4, 2014) agree to move Part 7.5 to the Archive.

Part 7.6 “Survey of bibliographic information contained in patent gazettes …”
Depends on the decision taken at the CWS/4:

**Group B option**
- (CWS/5, 2015) announce the update of the survey to be carried out during the following year;
- (CWS/6, 2016) note the amendments, if any, approve publication of the updated survey in the WIPO Handbook.

**Group D option**
- (CWS/4, 2014) agree to move Part 7.6 to the Archive.
Part 7.7 “Survey on the grant and publication of “Supplementary Protection Certificates” …”
Depends on the decision taken at the CWS/4:

Group B option
- (CWS) create a task to prepare the questionnaire;
- (CWS) approve the questionnaire;
- (CWS) announce the update of the survey to be carried out during the following year (along with other surveys of Group B);
- (CWS) note the amendments, if any, approve publication of the updated survey in the WIPO Handbook.

Group D option
- (CWS/4, 2014) agree to move Part 7.7 to the Archive.

Part 7.8 “Survey of filing procedures and filing requirements, as well as of examination methods and publication procedures, relating to industrial designs”
- (CWS/4, 2014) agree to move Part 7.8 to the Archive.

Part 7.9 “Survey concerning citation practices in industrial property offices”
- No updates required so far. Eventual updates to be requested by the CWS.

Part 7.10 “Survey of practices in industrial property offices regarding codes used for internal purposes or individual use”
- No updates required so far. Eventual updates to be requested by the CWS.

Part 7.11 “Survey on the implementation and promotion of WIPO Standard ST.22”
- No updates required so far. Eventual updates to be requested by the CWS.
SCHEDULE OF PROPOSED ACTIONS

The table below contains visual and less detailed representation of the information provided in the list above:

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ACTIONS FOR THE YEAR 2014/2015 (FROM CWS/4 TO CWS/5)

- New Task Force on continuing maintenance of surveys published in Part 7 of the WIPO Handbook
  - invite IPOs to nominate representatives to the Task Force,
  - set up a Wiki space,
  - grant access rights, etc.
- Finalize Part 7.2.6 incorporating information contained in Parts 7.2.1, 7.2.2, 7.2.3, where possible
- Part 7.2.7 “Numbering of applications and priority applications – Former practice”
  - invite IPOs to respond to the questionnaire,
  - collect responses,
  - prepare Part 7.2.7 incorporating information contained in Parts 7.2.1, 7.2.2, 7.2.3, where possible, for consideration by the CWS
- Move Part 7.5 and Part 7.8 to the Archive
- Depending on the decision of the CWS, move Parts 7.6 and 7.7 to the Archive.

[End of Annex and of document]