

Committee on WIPO Standards (CWS)

Sixth Session
Geneva, October 15 to 19, 2018

REPORT

adopted by the Committee

INTRODUCTION

1. The Committee on WIPO Standards (hereinafter referred to as “the Committee”, or “the CWS”) held its Sixth Session in Geneva from October 15 to 19, 2018.
2. The following Member States of WIPO and/or members of the Paris Union and Bern Union were represented at the session: Algeria; Argentina; Australia; Austria; Belarus; Brazil; Canada; Chile; China; Colombia; Croatia; Czech Republic; Germany; Georgia; Hungary; India; Iran (Islamic Republic of); Italy; Japan; Lithuania; Mexico; Norway; Oman; Panama; Republic of Korea; Romania; Russian Federation; Saudi Arabia; Slovakia; Spain; Sweden; Thailand; United Arab Emirates; United Kingdom; and United States of America (35).
3. In their capacity as members of the CWS, the representatives of the following intergovernmental organizations took part in the Session: the African Intellectual Property Organization (OAPI); the African Regional Intellectual Property Organization (ARIPO); the Eurasian Patent Organization (EAPO); the European Patent Office (EPO); the European Union (EU); and the Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC Patent Office) (6).
4. Representatives of the following non-governmental organizations took part in the Session in an observer capacity: the Confederacy of Patent Information User Groups (CEPIUG); and the Patent Information Users Group (PIUG) (2).

5. The participation of seven Delegations or Representatives from Least Developed Countries (LDCs) or developing countries was financed by WIPO in accordance with the decision taken by the General Assembly in 2011.

6. The list of participants appears as Annex I to this report.

Agenda Item 1: Opening of the session

7. The Sixth Session was opened by the Director General of WIPO, Mr. Francis Gurry, who welcomed the participants and highlighted the importance of WIPO Standards in providing common frameworks for IP data processing and exchange, ensuring the quality of IP information available worldwide. He also emphasized that the work of the CWS is increasingly important due to how the world and technology used by Intellectual Property Offices (IPOs) are evolving.

Agenda Item 2: Election of the Chair and two Vice-Chairs

8. The CWS unanimously confirmed Ms. Katja Brabec (Germany) as Chair, and Ambassador Alfredo Suescum (Panama) as Vice-Chair according to the established practice of the Committee.

9. Young-Woo YUN, Head, Standards Section, acted as Secretary of the Session.

DISCUSSION OF AGENDA ITEMS

Agenda Item 3: Adoption of the agenda

10. The CWS unanimously adopted the agenda as proposed in document CWS/6/1 PROV.2, which appears as Annex II to this report.

PRESENTATIONS

11. The presentations given at this Session of the CWS and working documents are available on the WIPO website at: http://www.wipo.int/meetings/en/details.jsp?meeting_id=46430.

DISCUSSIONS, CONCLUSIONS, AND DECISIONS

12. 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 CWS (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 CWS was expressed or repeated after the conclusion was reached.

Agenda Item 4: Report on the Survey on the Use of WIPO Standards

13. Discussions were based on document CWS/6/2.

14. The CWS noted the content of document CWS/6/2, including that the 49 responses to the survey are publicly available in "CWS Survey on the Use of WIPO Standards" Wiki at <https://www3.wipo.int/confluence/x/OADDB>. The CWS also noted that no IPOs had requested a technical advice and assistance for their implementation of WIPO Standards since the last Session of the Committee in their response.

15. CWS noted the usefulness of survey for obtaining information about the practices of different IPOs in implementing WIPO Standards, which could help IP information users analyze IP documents; for other IP offices they constituted a valuable source of learning existing practices in the field of IP information and documentation.

16. The CWS encouraged IPOs, which had not submitted their responses to the survey, to do so. The CWS requested the International Bureau to issue a circular inviting IPOs to respond to the Survey.

Agenda Item 5 (a): Recommendations from the Meeting on ICT Strategy and Artificial Intelligence

17. Discussions were based on document CWS/6/3.

18. The CWS noted the 40 Recommendations prepared by the Meeting on ICT Strategy and Artificial Intelligence, which the International Bureau convened for the exchange of views and experiences in ICT and business management for effective IPO administration. The Secretariat grouped these 40 Recommendations into three areas: Recommendations related to existing or proposed CWS tasks (Group 1), Recommendations related to potential future CWS activity (Group 2), and Recommendations that do not appear relevant to the CWS for the near future (Group 3). The Secretariat proposed that the CWS Task Forces consider the relevant recommendations in Group 1 and report further actions required for their respective Tasks, including proposals to amend their Task descriptions if needed.

19. The CWS considered the analysis of 40 Recommendations by the Secretariat and their relevancy to its activities indicated in the Annex of document CWS/6/3.

20. The CWS approved the proposal by the Secretariat and requested the respective Task Forces to report progress on the required actions in its Seventh Session.

21. The Secretariat proposed a new Task to review the Recommendations in Groups 2 and 3 and prepare a proposal on future development and enhancement of WIPO Standards, with a corresponding new Task Force to carry out the Task. Several delegations suggested that the new Task should also include review of Recommendations in Group 1, and that the new Task Force should coordinate with existing Task Forces. Several delegations further suggested a need to prioritize the Recommendations of Group 1 according to their relevance to IPOs and create a timeline for consideration of items, while accounting for differences in development levels of member Offices.

22. The CWS recognized that the Recommendations are related to ICT strategy and business policies and agreed to amend the proposed task description as follows: "Prepare a proposal for a roadmap of future development and enhancement of WIPO Standards, including policy recommendations, in view of more effective production, sharing, and utilization of data by IPOs and other interested parties."

23. The CWS also agreed on the following activities which should be carried out under the new Task:

- to review the Recommendations in Group 1 indicated in the Annex of document CWS/6/3, in collaboration with other relevant CWS Task Forces;
- to review the Recommendations in Group 2 and Group 3 indicated in the Annex of document CWS/6/3;
- to prioritize Recommendations and suggest a timeline; and
- to explore the impact of disruptive technologies on IP administration and IP data in view of harmonization and collaboration.

24. The CWS agreed to create a new Task Force named "ICT Strategy for Standards" with the International Bureau serving as (co-)leader of the new Task Force. The CWS requested the International Bureau to issue a circular inviting IPOs to nominate business manager(s) and/or ICT policy maker(s) for the new Task Force, and for volunteers to serve as co-leader with the International Bureau.

25. The CWS considered whether the new Task Force should decide the priority of tasks that should be done by other Task Forces when the new Task Force prepares the priority and timeline for the Recommendations in particular categorized in Group 1.

26. The CWS concluded that all Task Forces should take part on an equal footing and requested that the new Task Force coordinate with existing Task Forces the priority of work in relation to the Recommendations of Group 1. The CWS also agreed that differences of opinion between Task Forces should be raised to the CWS for resolution, if there is any.

27. The CWS requested the new Task Force to prepare a report for its next session on the new Task, including a prioritization of the work items in relation to the 40 Recommendations listed in the Annex of document CWS/6/3.

Agenda Item 5 (b): Creation of a Task to prepare recommendations for Blockchain

28. Discussions were based on document CWS/6/4 Rev., which contains two proposals regarding blockchain technology submitted by the Delegations of Australia and the Russian Federation. The two Delegations also made presentations on their proposals.

29. The CWS noted that several IPOs had experiments on the use of blockchain technology for IP business and some delegations stated that they have ongoing projects exploring the use of blockchain for IP purposes. Several delegations also expressed their interest in participating in the Task Force.

30. The CWS created a new task with description to read:

- “(a) Explore the possibility of using blockchain technology in the processes of providing IP rights protection, processing information about IP objects and their use;
- (b) Collect information about IPO developments in use of and experience with blockchain, assess current Industry Standards on blockchain and consider merit and applicability to IPOs;
- (c) Develop a model to standardize approaches of using blockchain technology in the IP field, including guiding principles, common practice and use of terminology as a framework supporting collaboration, joint projects and proofs of concept; and
- (d) Prepare a proposal for a new WIPO standard applying blockchain technology in the processes of providing IP rights protection, processing information about IP objects and their use”.

31. The CWS approved the establishment of a new Task Force named “Blockchain Task Force”, with the Delegations of Australia and the Russian Federation as co-leaders of the new Task Force. The CWS requested the new Task Force to report progress on the Task at the next CWS session.

32. Some delegations inquired whether good use cases exist for uses of blockchain before the grant of IP rights. The CWS noted that this would be explored by the Blockchain Task Force.

33. The CWS requested that the International Bureau issue a circular inviting IPOs to nominate their experts on blockchain to the new Blockchain Task Force.

34. The CWS agreed that the International Bureau organize an event on blockchain in 2019, inviting CWS Members and any interested parties.

35. The CWS agreed to organize a Blockchain Task Force meeting in person before the next CWS session.

Agenda Item 6: Revision of WIPO Standard ST.3

36. Discussions were based on document CWS/6/5, describing an initiative to improve the quality of data for names of geographic designations, including county names, territories, and other entities, by harmonizing use of such names across the products and services that the International Bureau provides.

37. The CWS noted that WIPO Standard ST.3 is currently aligned with ISO 3166 for the short names of countries, rather than the UN Terminology Database (UNTERM). The International Bureau will make a proposal to bring WIPO Standard ST.3 in line with UNTERM, with a few exceptions based on the established practice by the International Bureau. The CWS further noted that the International Bureau would submit a proposal to modify the streamlined procedure for revision of WIPO Standard ST.3 for consideration at the next session of the CWS. The CWS also noted that the International Bureau proposed to suspend the revision of the short names in Standard ST.3 until the new revision procedure proposal is presented and decided at the seventh session of the CWS.

38. Delegations requested further clarification of the reason for revision to WIPO Standard ST.3 with regard to the short names of countries and of possible impact on the IPOs' IT systems and data. The Secretariat explained that as WIPO is a member of the UN family of organizations, it would be helpful to bring certain short names in line with UNTERM.

39. The CWS approved the proposal to suspend changes to the short names listed in WIPO Standard ST.3 until the next session of the CWS.

40. The Delegation of Austria, on behalf of the European Union, proposed inclusion of the two letter code "EU" for the European Union in WIPO Standard ST.3. The CWS also noted that the International Bureau would prepare and circulate a draft amendment of WIPO Standard ST.3 in which the two letter code "EU" will be incorporated for consultation following the established procedure for revision of WIPO Standard ST.3.

Agenda Item 7: New WIPO standard on Web API

41. Discussions were based on document CWS/6/6 Corr., on developing a new WIPO standard for Web Application Programming Interfaces (APIs) or machine-to-machine communications.

42. The CWS noted that the Meeting on ICT Strategies and Artificial Intelligence (AI) for IP Administration held in May 2018, recognized that many IPOs already use APIs and plan to provide more of their services through APIs. The Meeting also recognized that the consistency of APIs across IPOs is important for the efficiency of data exchange, in particular for third party patent management system providers who will unlikely see a business case in supporting different standards for each Office. The Meeting supported the XML4IP Task Force to develop a proposal for a new WIPO Standard on Web APIs.

43. Several delegations raised questions about the granularity of the Web API standard being developed and whether it could become obsolete by the rapid pace of technological developments, particularly regarding security frameworks. The CWS noted that the proposed security model in the draft standard is intended to be high-level and that Offices may establish their own security models in light of their own office needs. The CWS also noted preferences from several delegations for the use of particular technologies such as Representational State Transfer (REST) vs. Simple Object Access Protocol (SOAP) and OpenAPI Specification (OAS) vs RESTful API Modeling Language (RAML).

44. The CWS noted that the XML4IP Task Force discussed the need to develop model Web APIs to better support IPOs to implement the new WIPO standard in a harmonized way. The model Web APIs are intended to provide common APIs based on the new standard proposal, which can be easily customized by IPOs if required. The Task Force suggested a model common Web API to provide patent legal status event data based on WIPO Standard ST.27 as one suitable candidate.

45. At the Session, two delegations recommended, as another suitable candidate for the common Web API, the exchange of search and examination results considering the One Portal Dossier (OPD) project.

46. The CWS further explored business cases for common Web APIs and approved two candidates for a Web API proof of concept as a priority. The first was the sharing of search and examination results among IPOs following the example of OPD and the second was the exchange of patent legal status data according to WIPO Standard ST.27.

47. The Delegation of the United States of America volunteered to contribute to the search and examination results exchange proof of concept. The Delegation of Australia offered its active collaboration in the patent legal status proof of concept. The CWS also encouraged IPOs to provide more business cases for common Web APIs and to participate in the proof of concept.

48. The CWS requested the XML4IP Task Force to present a final proposal for the new standard on Web API for consideration at its seventh session.

Agenda Item 8 (a): Report on Task No.41 by the XML4IP Task Force

49. Discussions were based on document CWS/6/7, containing the information regarding the revision to ST.96 and related developments.

50. The CWS noted that the new version 3.0 of WIPO Standard ST.96 was approved by the Task Force and published in February 2018, with the following new major XML components:

- Bibliographic data for Supplementary Protection Certificates (SPC);
- Patent search reports;
- Madrid System electronic communication for all transactions; and
- Hague System electronic communication for all transactions.

51. The CWS noted progresses on the several Tasks assigned to the XML4IP Task Force, including development of XML schema on Geographical Indications and Patent Legal Status XML, and development on the new WIPO standard for Web API. The CWS also noted that 24 IPOs out of 49 IPOs which responded to the Survey on the use of WIPO Standards indicated that they partially or completely implement WIPO Standard ST.96.

52. The CWS considered the fixed dates of April 1 and October 1 for new ST.96 version releases, with exceptions for fixing bug or emergency releases. One delegation expressed concern over the twice-yearly frequency of updates to ST.96, noting that IP Offices have to devote resources to implement updates once they are released. The International Bureau clarified that it would not be necessary to release two new versions of ST.96 per year; instead a new version should be released on the fixed date rather than anytime if a new version is ready. The International Bureau anticipates maximum one release of ST.96 per year, except in exceptional circumstances such as bug fixes.

53. The CWS agreed on fixed release dates of April 1 and/or October 1.

54. The CWS also noted that outstanding items for further development of ST.96, including the planned extension of ST.96 scope to cover geographical indications and the Plant Variety Protection (PVP). The CWS also noted that the Republic of Korea offered to host the XML4IP Task Force meeting in person in Seoul, Republic of Korea in 2019.

Agenda Item 8 (b): Report on the progress of the Task No.53 regarding XML for geographical indications

55. Discussions were based on document CWS/6/8 and the presentation by the Delegation of the Russian Federation on the progress of XML schema development for geographical indications.

56. The CWS noted the definitions of geographical indication and appellation of origin, which were agreed upon by the XML4IP Task Force and the agreed definitions will be incorporated in the new XML schema as reproduced below:

“Geographical Indications are indications, which identify a good as originating in the territory of a country, region or locality in that territory. The indication relates to where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin.”

“Appellations of origin are the geographical denomination of a country, region or locality, which serve to designate a product originating therein. The quality or characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors.”

57. The CWS noted the updated mapping table between the Geographical Indications XML Schema (GIN) components and data fields in different information sources, and updated XML schema which are reproduced as Annex II and Annex III, respectively, to document CWS/6/8.

58. One delegation suggested corrections to the mapping table in Annex II of document CWS/6/8 concerning the DOOR classification, and a rewording of the term “GI product indication” to “GI product specification” to improve alignment with EU regulation.

59. One delegation commented that product category classification should provide support for Nice classification, existing national office classification system, and the Lisbon categories. However, the delegation wanted to note that due to the lack of an international harmonized geographical indications classification system, there may be some difficulties in the implementation of the geographical indications proposal, without necessarily opposing the inclusion of geographical indications in WIPO Standard ST.96. They also commented that given this, the CWS may not be the appropriate venue for advancing a proposal for an international classification system for geographical indications.

60. The CWS noted that the XML4IP Task Force members provisionally agreed to define the XML components for the classification referring to the Nice classification, the informal classification used in Lisbon Database and the national classification.

61. The CWS reaffirmed that WIPO Standard ST.96 should be extended to cover geographical indications and requested the XML4IP Task Force to present the final draft XML schema of geographical indications for consideration at the next session of the CWS.

Agenda Item 8 (c): Report on the development of XML for Patent Legal Status Data

62. Discussions were based on document CWS/6/9.

63. The CWS noted the results of the work of the XML4IP Task Force to develop XML for Patent Legal Status Data, including information that the Task Force agreed on the high-level structure for patent legal status XML and the majority of XML components and it is discussing supplementary data structure schemas with two options: (a) a general structure supporting all event categories in WIPO Standard ST.27, and (b) a specific structure tailored to each category. Due to the complexity of the data structure content and different practices of IPOs on Patent Legal Status, the Task Force requires more time to prepare a final proposal of XML components for Patent Legal Status Data.

64. The CWS requested the XML4IP Task Force to present the final draft of Patent Legal Status Data XML for consideration at the seventh session of the CWS.

Agenda Item 9: Report on the study of copyright orphan works data elements and naming conventions

65. Discussions were based on document CWS/6/10 and presentation by the Delegation of United Kingdom which include the result of copyright orphan works study taking into account information from Canada, Germany, Hungary, India, Japan, Republic of Korea, Saudi Arabia, the United States of America and the European Union.

66. The CWS noted although there are varying practices and implementation in countries and regions, there is sufficient commonality of the business data that it is worth extending ST.96 to cover copyright orphan works to facilitate data exchange.

67. Several delegations supported to extend ST.96 to cover copyright orphan works. One delegation stated that it has no objection based on the understanding that the inclusion of the Orphan works data structure in WIPO Standard ST.96 does not presuppose that a regime to address orphan works must include a system of applications and licenses to use orphan works. Systems that have been considered in some countries take a different approach, and many of the fields included in the data structure would be irrelevant in those systems.

68. The CWS agreed to extend Standard ST.96 to cover copyright orphan works and requested the XML4IP Task Force to develop and incorporate the necessary XML schema components for copyright orphan works in WIPO Standard ST.96 taking into account the proposed documentation provided as the Annexes to document CWS/6/10.

Agenda Item 10 (a): Report on Task No. 47 by the Legal Status Task Force

69. Discussions were based on document CWS/6/11, including progress towards finalizing the provisional detailed events and the provisional guidance document for WIPO Standard ST.27 on patent legal status and for the proposed standard on industrial design legal status, and plans to present final proposals on those items at the next session of the CWS.

70. The CWS noted the results of the work of the Legal Status Task Force and the report of the Task Force leader and the Task Force's work plan.

71. The CWS noted that industry user groups expressed support for the work of the Task Force and a desire for smaller Offices to participate in development and implementation of WIPO Standard ST.27 to promote widespread adoption across all PCT Contracting Parties.

72. The CWS encouraged IPOs to participate in the Task Force discussions and for IPOs to provide their mapping tables if they have not yet done so.

73. Taking into account the completed and ongoing works, the CWS modified the description of Task No. 47 and the assignment of modified Task No. 47 to the Legal Status Task Force. The modified description reads “prepare a final proposal for the detailed events and a final proposal for the guidance document with regard to patent legal status data; prepare a final proposal for the guidance document with respect to industrial design legal status data; prepare a recommendation for the exchange of legal status data on trademarks by industrial property offices”.

Agenda Item 10 (b): Revision of WIPO Standard ST.27

74. Discussions were based on document CWS/6/12 which contains a proposal to revise WIPO Standard ST.27 and add a new Annex V - Guidance Document to ST.27.

75. The CWS noted that the revisions to Standard ST.27 include the updates of the Overall Patent/SPC Prosecution Model and the proposed correction and clarification in the main body of Standard ST.27; the changes to the key and detailed events, including both the list of events and their titles/descriptions defined in Annex I of Standard ST.27; and the amendment to Annex II of ST.27 - Supplementary Event Data.

76. The CWS noted a request to modify the detailed events to clearly distinguish between IP rights maintained through payment of maintenance fees and IP rights maintained as a result of a post-grant challenge procedure. The CWS noted that under the existing model, users may have trouble distinguishing between ordinary maintenance payments made during a post-grant challenge and a decision by the IPO upholding IP rights as the result of a post-grant challenge.

77. The CWS agreed to move the detailed events related to maintenance fee payment from Category M “IP right maintenance” to Category U “Fee paid”, with corresponding changes to the Overall Prosecution Model. The relevant parts of the revised standard now read as follows (additional text underlined and deleted text in strike-through):

M. IP right maintenance: This category is a group of events related to the maintenance of a granted IP right in full or amended form as the outcome of a post-grant challenge. It includes, for example, an IP right being maintained in full or amended form following ~~a full or partial renewal~~, an appeal, an IP right review or the inadmissibility, rejection or withdrawal of a request for an IP right review. The events in this category may ~~occur in the grant stage or may~~ move an IP right from the post-grant challenge stage into the grant stage.

M10. IP right maintained: An IP right was maintained in full or amended form. This includes, but is not limited to when an IP right was maintained following ~~a full or partial renewal~~, an appeal, an IP right review or when a request for an IP right review was inadmissible, rejected or withdrawn.

~~M15.* IP right maintained in full or amended form following a full or partial renewal (The IP right was maintained in full or amended form following a full or partial renewal.)~~

U10. Fee paid: A fee payment was made. This includes, but is not limited to full or partial payment of a renewal, maintenance or designation fee.

~~U11.* Full R~~ renewal or maintenance fee paid (A full renewal or maintenance fee was paid.)

U15.* Partial renewal or maintenance fee paid modifying the scope (A partial renewal or maintenance fee was paid which modified the scope of the IP right.)

78. The CWS considered whether to add the phrase “to the applicant” to detailed events D14 and D15, so that the description of D14 would read: “A prior art search report for an application was issued to the applicant”. Noting varying practices of IPOs for issuing search reports and examination reports to the applicant and/or publishing the reports for public inspection, the CWS discussed whether the term “issued” was appropriate.

79. The CWS referred the matter to the Legal Status Task Force for further consideration.

80. The CWS noted an ambiguity in the language of detailed events R12, R13, and R14. A proposal was made to add a clarifying remark to detailed event R12 clarifying that the use of R12 was only intended for Offices which could not further distinguish the more specific conditions of events R13 and R14.

81. The CWS clarified that the use of R13 and R14 are highly recommended if the distinction is possible, otherwise to use R12 which covers the conditions of both R13 and R14 and agreed to modify the description of R12 for the clarification.

82. The CWS agreed to remove the words “due to a legal proceeding” from R14. The agreed relevant parts of Standard ST.27 read (additional text underlined and deleted text in strike-through):

R12*. Change to the name of applicant or owner or transfer of ownership recorded (A change to the applicant(s) or owner(s) of the application or IP right, including a change in name(s) or in composition, was recorded by the IPO. This may be due to a name change, a transfer of ownership, an assignment or a legal proceeding.) This detailed event is intended for use by IPOs which cannot distinguish between R13 and R14. If the distinction is possible, the use of R13 and R14 is highly recommended.

R14*. Transfer of ownership recorded (A transfer of ownership, an assignment, or a change to the composition of applicant(s) or owner(s) of the application or IP right ~~due to a legal proceeding~~ was recorded by the IPO.)

83. In addition, the CWS considered whether to add a new detailed event code “A23” for patent of addition and agreed to refer the matter to the Legal Status Task Force for further consideration. Some delegations stated that adding specific codes for every type of patent would be cumbersome, and the intent of Standard ST.27 is to consolidate similar practices across different Offices. The CWS noted that the Legal Status Task Force agreed to classify patents of addition under detailed event code A12 and amend the description of A12, if needed.

84. The CWS approved the amendments to the Main Body and Annexes I to IV of WIPO Standard ST.27, as reproduced in Annex I to CWS/6/12 with the additional modifications described above.

85. The CWS considered the proposed new Annex V of Standard ST.27, as reproduced in Annex II of document CWS/6/12. The CWS noted that some necessary amendments to Annex V of Standard ST.27 would be required to reflect the modifications described above, for example, removing the recursive arrow around the Grant stage in the Overall Prosecution Model diagram.

86. The CWS adopted the new Annex V of Standard ST.27 as provisional as proposed in Annex II of document CWS/6/12 with the modifications described above. The CWS requested the Secretariat to update the adopted new Annex V of Standard ST.27 to reflect the required modifications mentioned above and publish the updated Annex V.

87. The CWS approved the proposed modification to the “Editorial Note by the International Bureau” to reflect the completed and pending work of the Task Force. The amended Editorial note reads as follows:

“Editorial Note by the International Bureau

The detailed events included in Annex I of this Standard were reviewed and assessed by Industrial Property Offices (IPOs) for one year after its provisional adoption at the CWS/5. Based on the outcome of the review and assessment reported by IPOs, the provisional detailed events were revised. Due to the complexity of various practices of IPOs, more intensive assessment is required to prepare a final proposal on the detailed events, which will be submitted for approval at the seventh session of the CWS. IPOs may choose to exchange legal status data on the basis of categories and key events only, if they so desire.

The Guidance Document, Annex V of this Standard, is provisional and will be reviewed and assessed by IPOs as well as the Legal Status Task Force. The final proposal will be submitted for consideration and adoption at the seventh session of the CWS.”

Agenda Item 10 (c): Implementation plan of WIPO Standard ST.27 by Intellectual Property Offices

88. Discussions were based on document CWS/6/13.

89. Following the decision at the Fifth Session of the CWS, the Secretariat issued Circular C.CWS 92-03 inviting IPOs to assess their business practices and IT systems for tentative implementation of new WIPO Standard ST.27, and review the provisional detailed events in ST.27. The CWS noted that 11 IPOs provided their plans on implementing ST.27, with most indicating that they need to conduct further internal analysis before a timeline for implementation could be communicated. Four IPOs provided preliminary estimates of implementation timeframes ranging from one to five years. Some IPOs indicated that implementation depends on finalizing the XML schema components for patent legal status based on WIPO Standards ST.27 and ST.96 before implementation can be pursued. Another obstacle to implementation identified by some IPOs was competing internal priorities and/or upcoming business and IT changes.

90. The CWS considered the latest version of the consolidated mapping table with updated responses from several IPOs presented by the Secretariat.

91. The CWS approved the provisional consolidated mapping table and requested the Secretariat to publish it on the WIPO website as provisional, with updated versions continuing to be produced as IPOs submit or revise their own mapping data.

92. The CWS agreed that patent legal status data exchange is a good candidate for the development of a common Web API, which was also discussed under Agenda Item 7 above.

93. The CWS requested IPOs that have not responded to Circular C.CWS 92 to share their implementation plan of WIPO ST.27.

Agenda Item 10 (d): Proposal for new WIPO standard for the exchange of industrial design legal status data by Industrial Property Offices

94. Discussions were based on document CWS/6/14 Corr., containing a proposal for a recommendation for the exchange of industrial design legal status data to promote the efficient exchange of legal status data in a harmonized manner between IPOs and facilitate access to that data by IP information users, IPOs, IP data providers, the general public, and other interested parties.

95. Several delegations provided input on the question of whether a new entry point should be added in the diagram of the Overall Prosecution Model for industrial design data. The issue concerned design rights which are only published on registration and not at the application stage. Several other delegations noted that their systems have the same issue, but they considered the existing model sufficient for their needs. The CWS referred the issue to the Legal Status Task Force for further consideration at the meeting during the Session.

96. The Legal Task Force reported back to the CWS the outcome of their discussion on adding additional entry point. The CWS noted that adding multiple entry points could cause confusion among users, particularly when the underlying events in the model remain accurate and the new entry point only indicates a difference in reporting. The Task Force agreed, therefore, that the existing model can accommodate the reporting requirements of various Offices without changes, as it is not expected that every Office will report or even perform every event in the model.

97. Taking into consideration that some IPOs do not follow the prosecution model in publicly reporting events and agreed to include the text (additional text underlined): “nor the publicly reported events” in paragraph 9 of the proposed new standard for clarification. The new sentence in paragraph 9 would read as follows: “Therefore, this model may not accurately describe the prosecution practices for industrial designs, nor the publicly reported events, in some IPOs.”

98. The CWS agreed to correct the title of Category F “IP right grant” to “Industrial design registration” in Annex II of the new standard. The CWS agreed to incorporate the modifications to Standard ST.27 agreed during the Session in the new standard on industrial design legal status, including that the detailed events for maintenance fee payments were moved from Category M “IP right maintenance” to Category U “Fee paid”, with the corresponding arrow removed from the Overall Prosecution Model diagram. The modified part of the new standard reads (additional text underlined and deleted text in strike-through):

M. IP right maintenance: This category is a group of events related to the maintenance of a granted IP right in full or amended form as the outcome of a post-registration challenge. It includes, for example, an IP right being maintained in full or amended form following ~~a full or partial renewal~~, an appeal, an IP right review or the inadmissibility, rejection or withdrawal of a request for an IP right review. The events in this category may ~~occur in the grant stage or may move an~~ IP right from the post- registration challenge stage into the registration stage.

M10. IP right maintained: An IP right was maintained in full or amended form. This includes, but is not limited to when an IP right was maintained following ~~a full or partial renewal~~, an appeal, an IP right review or when a request for an IP right review was inadmissible, rejected or withdrawn.

M15.* ~~IP right maintained in full or amended form following a full or partial renewal (The IP right was maintained in full or amended form following a full or partial renewal.)~~

U10. **Fee paid:** A fee payment was made. This includes, but is not limited to full or partial payment of a renewal, maintenance or designation fee.

U11.* Full R renewal or maintenance fee paid (A full renewal or maintenance fee was paid.)

U15.* Partial renewal or maintenance fee paid modifying the scope (A partial renewal or maintenance fee was paid which modified the scope of the IP right.)

99. The CWS also noted an ambiguity in the language of detailed events R12, R13, and R14 for changes of name or transfers of ownership. A proposal was made to add language to detailed event R12 clarifying that R12 is only intended for offices which cannot further distinguish between the more specific conditions of events R13 (name changes) and R14 (transfers of ownership).

100. The CWS clarified that the use of R13 and R14 are highly recommended if the distinction between name changes and transfers of ownership is possible, otherwise to use R12 which covers both situations. The CWS agreed to remove the words “due to a legal proceeding” from R14. The relevant parts of the new Standard read (additional text underlined and deleted text in strike-through):

R12*. Change to the name of applicant or owner or transfer of ownership recorded (A change to the applicant(s) or owner(s) of the application or IP right, including a change in name(s) or in composition, was recorded by the IPO. This may be due to a name change, a transfer of ownership, an assignment or a legal proceeding.) This detailed event is intended for use by IPOs which cannot distinguish between R13 and R14. If the distinction is possible, the use of R13 and R14 is highly recommended.

R14*. Transfer of ownership recorded (A transfer of ownership, an assignment, or a change to the composition of applicant(s) or owner(s) of the application or IP right ~~due to a legal proceeding~~ was recorded by the IPO.)

101. The CWS approved the Editorial Note proposed by the International Bureau to be included in the new WIPO standard, as follows:

“Editorial Note by the International Bureau

The detailed events included in this Standard are provisional and will be reviewed and assessed by Industrial Property Offices (IPOs) for one year. On the basis of the outcome of the review and assessment reported by IPOs, a final proposal for the inclusion of detailed events in this Standard will be submitted for approval at the seventh session of the CWS. For the time being, IPOs may choose to exchange legal status data on the basis of categories and key events only, if they so desire.

The Committee on WIPO Standards (CWS) adopted the present standard at [its sixth session on October 19, 2018].”

102. The CWS discussed options for the number of the new standard, noting that ST.87 was proposed by the Secretariat. One delegation suggested numbering the new Standard closer to ST.27 (such as ST.28 or ST.29) since the two are related, noting that a new WIPO standard on Trademark Legal Status Data could not be numbered ST.67 since that number is already in use.

103. The CWS approved the name of the proposed standard “WIPO Standard ST.87 – Recommendation for the exchange of industrial design legal status data”. The CWS also agreed to leave it to the Secretariat to select an appropriate number for the new standard, taking into account that a new standard on trademark legal status data could not be assigned number ST.67 as it is already in use.

104. The CWS adopted the proposed new WIPO Standard as reproduced in the Annex of document CWS/6/14 Corr. with the modifications described above.

105. The CWS requested the Secretariat to issue a circular to invite IPOs to assess their business practices and IT systems and review the provisional detailed events.

106. The CWS requested the Legal Status Task Force to finalize the list of detailed events and prepare the guidance document for industrial design legal status data and present them for consideration and approval at its seventh session.

107. The CWS requested the XML4IP Task Force to develop relevant XML schema components and report the outcome of the Task Force work for consideration at its seventh session.

Agenda Item 11 (a): Report on Task No. 44 by the Sequence Listing Task Force

108. Discussions were based on document CWS/6/15.

109. The Task Force proposed modifying the description of Task No. 44 to allow the Task Force to work on further revisions and implementation of WIPO Standard ST.26.

110. The CWS approved the modification of the description of Task No.44 so that the new description reads “Support the International Bureau by providing users’ requirements and feedback on the ST.26 authoring and validation software tool; support the International Bureau in the consequential revision of the PCT Administrative Instructions; and prepare necessary revisions of WIPO Standard ST.26”.

Agenda Item 11 (b): Revision of WIPO Standard ST.26

111. Discussions were based on document CWS/6/16, containing a proposal for the revised Standard ST.26 which includes modifications to Standard ST.26 main body and its Annexes I, II, III, IV and VI and a new Annex VII (transformation of a sequence listing from ST.25 to ST.26).

112. The CWS approved the proposed revision of WIPO Standard ST.26 as proposed in the Annexes of document CWS/6/16. The CWS also approved further amendments proposed by the Sequence Listing Task Force, which are listed as follows:

- replacement of the word “legal” with “permitted” in three separate instances for Annex I Controlled Vocabulary;
- replacement of the word “portion(s)” with “region(s)” in 15 separate instances for Annex VI Guidance Document; and
- addition of a new sentence “The nucleotide sequence feature key “modified_base” is also present in both ST.25 and ST.26; however, Scenario 7 contains appropriate recommendations” after the first in Scenario 9 for Annex VII Recommendation for the Transformation of a Sequence Listings from ST.25 to ST.26.

Agenda Item 11 (c): Implementation plan of WIPO Standard ST.26 by Intellectual Property Offices

113. Discussions were based on presentations for implementing WIPO Standard ST.26 provided by the Delegations of the Republic of Korea, Japan, and the United States of America and the Representative of the European Patent Office.

114. The CWS noted the investigation by each of these offices on the impact that implementation of Standard ST.26 will have on both their regulatory and IT systems. The International Bureau encouraged other Offices to consider their own implementation plans well in advance of the transition date of January 2022.

Agenda Item 11 (d): WIPO ST.26 Software tool

115. Discussions were based on document CWS/6/17 containing a status report on development of the ST.26 Software Tool by the International Bureau.

116. The CWS noted the report and a demonstration by the International Bureau of the current development of the ST.26 Software Tool. Development on the ST.26 Software Tool is proceeding according to the project plan developed by the IB. The International Bureau reported that the project should be finalized in 2019 and the Tool will be deployed in the second half of 2019.

117. Responding to a suggestion by one delegation that communication between components of the ST.26 Tool be conducted via a proxy server, using https protocol with no verification of fixed IP addresses, the International Bureau confirmed these requirements would be addressed at the appropriate time during development of the Tool.

118. The CWS encouraged IPOs to share their plans for implementing Standard ST.26, taking into account the potential modification of their regulations and the upgrade of their IT systems.

Agenda Item 12 (a): Report on Task No. 51 by the Authority File Task Force

119. Discussions were based on document CWS/6/18, containing a progress report on the activities under Task No. 51 and an Authority File Portal mockup in which IPOs' authority files will be made available.

120. The CWS noted the activities carried out by the Authority File Task Force under Task No. 51 and considered Authority File Portal mockup. One representative commented that the large size of authority files can make it difficult for users to open on their desktops. The CWS referred the issue on large size file to the Task Force for further consideration.

121. The CWS approved the Authority File Portal mockup and encouraged its Members to share their practices, including data format, and plan regarding disseminating their Authority File.

122. The CWS requested the Secretariat to issue a circular inviting IPOs to provide their Authority File information and requested the Secretariat to publish the responses to the circular through the Authority File Portal on the WIPO website.

Agenda Item 12 (b): Revision of WIPO Standard ST.37

123. Discussions were based on document CWS/6/19, including the proposals for new Annexes III and IV with the XML Scheme and XML DTD.

124. The CWS approved the proposed revision of WIPO Standard ST.37 regarding the new Annexes III and IV, as reproduced in Annexes I and II to document CWS/6/19.

125. The CWS approved the proposed editorial correction in paragraph 36(b) of WIPO Standard ST.37 by amending the wording “Carriage Return” (CRLF character) to “Carriage Return and Line Feed” (CRLF character). The amended paragraph 36(b) reads as follows:

“Text format (file extension TXT) – to identify the content of minimum data fields and the optional publication exception code element using a single text coded list, where the elements are separated by commas (preferred), tabs or semicolons and a “Carriage Return and Line Feed” (CRLF character) to represent the end of each record (as defined in Annex II). Text files are smaller in size than XML files.”

126. The CWS approved the removal of “Editorial Note by the International Bureau”.

127. The CWS approved the revised description of Task No. 51, which now reads “Ensure the necessary revisions and updates of WIPO Standard ST.37”.

Agenda Item 13: Revision of WIPO Standard ST.60

128. Discussions were based on document CWS/6/20, including a proposal for the revision of WIPO Standard ST.60 on the ‘*Recommendation concerning bibliographic data relating to marks*’ to reflect new types of trademarks.

129. The CWS considered the two options in the proposal by the European Union Intellectual Property Office (EUIPO): a simple option to amend code (554) to include shape marks and add a new code (559) for other types of trademark, and an optimal option to also add four more INID codes to better distinguish certain types of marks, as reproduced in the Annex to document CWS/6/20.

130. Several delegations expressed support for the optimal option. One representative mentioned difficulties users may have searching for marks across different INID codes used before and after the proposed change. The CWS also considered proposals raised by delegations during the session. One proposal would split the three items listed under INID code (551) into either two or three separate codes for better precision, as many countries do not recognize all three types of marks. Another proposal would create a separate INID code for combined marks, as preferable to the current solution of using multiple INID codes or code 550 with a description.

131. The CWS agreed on the optimal option, except for the use of INID codes (547) Word Mark and (548) Figurative Mark, as these two codes are in the numbering range of (540)-(549) which is related to the reproduction of the trademarks. The revised INID codes read as follows (additional text underlined):

(552) Position mark or Pattern mark

(553) Motion mark or Multimedia mark

(554) Three-dimensional mark or shape mark

(555) Hologram mark

(556) Sound mark, including characteristics

(557) Olfactory mark, including characteristics

(558) Mark consisting exclusively of one or several colors

(559) Other type of mark

132. The CWS requested the Secretariat to revise Standard ST.60 accordingly and to publish the revised Standard.

133. The CWS agreed to create a new task which would propose a solution for the issues regarding the numbering of INID codes (547) and (548), the proposal on splitting INID code (551), and a potential INID code for combined marks. The CWS also agreed to refer the new task to the Trademark Standardization Task Force for further consideration and to request the Task Force to present a proposal or a progress report at its next session. The CWS also requested the Secretariat to draft language for the task description and include it in its Work Program.

Agenda Item 14: Date format recommended in WIPO Standards

134. Discussions were based on document CWS/6/21.

135. The Secretariat reported the outcome of the investigation on possible inconsistencies of date formats used in various WIPO Standards. The CWS noted that all recommendations on date format across all WIPO Standards are considered to be aligned with ISO 8601, that the different date formats serve different business purposes for the data in different WIPO Standards, and that WIPO Standards with XML schema use the appropriate date format.

136. Several delegations noted that changing the date formats would create a burden to update their systems.

137. The CWS agreed on the proposal for keeping the Standards unchanged due to the fact that the recommended data formats all comply with ISO-8601.

Agenda Item 15: Proposal for the creation of a WIPO standard on 3D models and images included in intellectual property documents

138. Discussions were based on document CWS/6/22 and the presentation from the Delegation of the Russian Federation.

139. The proposal by the Russian Federation noted that few IPOs currently accept 3D models, while 30 percent of 2D images submitted to Rospatent were created by converting 3D models to 2D. Broader acceptance of 3D formats by IPOs would better serve user needs, and use of 3D formats could allow more efficient methods of search and comparative analysis. The proposal aimed to address technical and regulatory restrictions that currently prevent submission of 3D models. It suggested creating a new Task to consider issues related to 3D models in application and publication of patents, trademarks and industrial designs.

140. Several delegations supported the proposal, including some that do not currently accept 3D model submissions.

141. The CWS created a new Task, with the description "Prepare a proposal for recommendations on three-dimensional (3D) models and images".

142. The CWS established a corresponding Task Force named "3D Task Force" and designated the Delegation of the Russian Federation as the Task Force Leader.

143. The CWS requested the Secretariat to issue a circular inviting IP offices to nominate their experts to the established Task Force.

144. The CWS requested the established Task Force to provide a progress report at the seventh session of CWS.

Agenda Item 16: Proposal for the creation of a Task to update existing WIPO Standards related to the publication of information about IP rights and legal status events

145. Discussions were based on document CWS/6/23 and the presentation by the Delegation of the Russian Federation.

146. The proposal suggested creating a new Task to review WIPO Standards related to publication of information about IP rights and legal status events, and to develop model XSLT for processing XML in ST.96. Responses to the survey on the use of WIPO Standards indicated that some Offices do not use some WIPO Standards because their recommendations are outdated.

147. A number of delegations supported the proposal. Some delegations were concerned about the potential impacts on existing practice, as they had already developed their own stylesheets.

148. One delegation noted that other WIPO Standards besides ST.96 also use XML, and that stylesheets are needed to visualize XML data consistently across IPOs.

149. The CWS created a new Task, with the description “Review WIPO Standards: ST.6, ST.8, ST.10, ST.11, ST.15, ST.17, ST.18, ST.63 and ST.81 in view of electronic publication of IP documentation; and propose revisions of those Standards if needed”.

150. The CWS established a corresponding Task Force named “Digital Transformation Task Force” and designated the United States of America as the Task Force Leader.

151. The CWS requested the Secretariat to issue a circular inviting IPOs to nominate their experts to the established Task Force.

152. The CWS requested the established Task Force to provide a progress report at its seventh session.

153. The CWS created a new Task, with the description “develop visual representation(s) of XML data, based on WIPO XML Standards, for electronic publication”, and assigned the new task to the XML4IP Task Force.

Agenda Item 17: Report on Task No. 50 by the Part 7 Task Force

154. Discussions were based on document CWS/6/24 Rev.2, including a draft questionnaire on the grant and publication of Supplementary Protection Certificates (SPCs) and Extensions of Patent Term (PTEs).

155. The CWS noted that the draft questionnaire covers SPCs and PTEs, not patent term adjustments (PTA) and the Part 7 Task Force decided to prepare a separate questionnaire on patent term adjustments if needed in the future, due to their different nature. The CWS also noted that the Task Force had not yet started its work on a questionnaire on numbering of published documents and registered rights.

156. The International Bureau presented several editorial changes to the questionnaire proposed by the Secretariat for clarity and consistency.

157. The CWS approved the draft questionnaire, as reproduced in the Annex to document CWS/6/24 Rev.2, with additional clarifying edits presented by the International Bureau during this session.

158. The CWS noted that 12 IPOs responded to Circular C.CWS 88 regarding the presentation of priority application numbers and the responses would be reflected in Part 7.2.4 of the WIPO Handbook.

159. The CWS requested the Secretariat to issue a circular inviting IPOs to participate in the survey on the grant and publication of SPCs and PTEs. The CWS also requested the International Bureau to prepare and publish the updated Part 7.2.4.

160. The CWS requested the Part 7 Task Force to prepare a proposal for the questionnaire on numbering of published documents and registered rights and to present the proposal for consideration at its seventh session.

Agenda Item 18: Report on Task No. 52 by the Public Access to Patent Information (PAPI) Task Force

161. Discussions were based on document CWS/6/25, including a draft questionnaire on the content and functionalities of systems for providing access to publicly available patent information.

162. The International Bureau requested clarifications from delegations on certain issues in the questionnaire. In particular, the questionnaire was drafted with the assumption that each IPO has one or two comprehensive portals for patent information, similar to PATENTSCOPE. This model does not apply to every IPO. Some of the questions are unclear about the types of information sought, and other questions ask for duplicate information. It's not certain that IPOs will interpret the questions the same way or respond with similar levels of detail. These issues could limit the effectiveness of the survey as presently written.

163. The CWS referred the questionnaire back to the Public Access to Patent Information (PAPI) Task Force for further consideration. The CWS requested the Task Force to present a proposal for a revised questionnaire at its seventh session.

Agenda Item 19 (a): Report on Task No. 55 by the Name Standardization Task Force

164. Discussions were based on document CWS/6/26.

165. The Delegation of the Republic of Korea, as co-leaders of the Name Standardization Task Force, presented a progress report on task No. 55. They noted that the name Standardization Task Force held three rounds of discussion to draft a questionnaire on use of identifiers by IPOs. Ten IPOs participated in the discussions, and the concerns they raised were satisfied by the resulting questionnaire.

166. The CWS reviewed the work plan, including the actions to be carried out, in particular the proposed workshop on name standardization. The CWS noted that the workshop is tentatively scheduled for Spring 2019, with dates in March and May being considered. Participation will be open to Inter-Governmental Organizations, user groups, and industry so that IPOs can consider their perspectives. The Task Force further agreed that topics for the Workshop should build on the results of the previous Workshop in 2016, with further consideration of topics to be conducted when the results of the survey are available in early 2019.

Agenda Item 19 (b): Questionnaire on the use of identifiers for applicants by intellectual property offices

167. Discussions were based on document CWS/6/27, containing a draft questionnaire to carry out a survey on the use of identifiers for applicants by IPOs, which intends to clarify IPOs' views on issues such as: what "standardization" of names means; which existing practices for name standardization are preferable to IPOs; what the purpose of such name standardization is; how standardized names are used in international data exchange; whether the IPO could disclose the standardized forms of names; whether "standardization" is intended for internal use; and how different approaches used in different countries could be combined.

168. One delegation questioned whether the list of existing identifiers used by IPOs in question 6 was sufficient and which option would cover use of business identifiers. The CWS noted that the participants in the Name Standardization Task Force meeting held during the week of the sixth session, agreed that the existing options were sufficient, but that clarifying examples would be added to the survey question when drafted.

169. The CWS approved the proposed questionnaire on the use of the identifiers for applicants by IPOs, as reproduced in the Annex to document CWS/6/27, with additional editorial changes presented by the International Bureau during the session.

170. The CWS agreed on the proposed actions to be undertaken by the Name Standardization Task Force and the International Bureau to conduct the survey in 2018 and report the outcome at the seventh session of the CWS.

Agenda Item 20 (a): Report on Task No. 57 by the Design Representation Task Force

171. Discussions were based on document CWS/6/28.

172. The Delegation of Australia, as the Task Force co-leader, presented a progress report on task No. 57. It was noted that 11 IPOs participated in the Design Representation Task Force and they prepared a draft questionnaire on electronic visual representation on industrial designs. It was also noted that the Task Force agreed that the objectives of the standard are to maximize re-use of the same visual representations of industrial design across all IP offices, and to establish common requirements to help IP offices exchange, process, publish, and search visual representations of industrial design data.

173. The CWS noted the work plan, in particular, the actions to be carried out following the sixth session of the CWS.

Agenda Item 20 (b): Questionnaire on electronic visual representation on industrial designs

174. Discussions were based on document CWS/6/29, containing a draft questionnaire on IPOs' use of design representations, which seeks information on existing IPOs' practices for submitting, processing, and publishing design representations, including requirements for file types and image resolution.

175. Several delegations requested clarification whether the questionnaire applied to each design filed or to each application filed. The CWS noted that several IPOs allow filing multiple designs in a single application.

176. The CWS agreed to clarify that the questionnaire seeks information on the number of designs filed rather than the number of applications filed, as some IPOs allow the filing of multiple designs in one application. The CWS requested that corresponding edits to the questionnaire be drafted by the International Bureau before conducting the survey.

177. The CWS noted a proposal to add additional questions to the questionnaire regarding items of interest to public user groups. The wording of these additional questions was referred to the Design Representation Task Force meeting. The Task Force reported back with seven additional questions based on the items noted by the CWS.

178. The CWS approved the proposed questionnaire on electronic visual representation regarding industrial designs, as reproduced in the Annex to document CWS/6/29, with the changes made during the session and the additional new questions which read as follows:

“Part 7 – VIEW REQUIREMENTS

This part of the questionnaire relates to technical requirements for images submitted in design applications. It also covers type and number of views required to better specify the elements for protection.

Question 1

What types of views does your Office allow as part of a design application submission?

- Aspect views
- Views magnifying part of the design
- Alternate positions
- Exploded views
- Fully assembled view
- Partial views
- Sectional views
- Sequence of snapshots
- Combination of several means of visual representations
- Graphical symbols for conventional elements
- Article shown broken away
- Straight-line surface shading and stippling
- Other

Remarks: _____

Question 2

What types of visual disclaimers does your Office allow as part of a design application submission?

- Broken lines
- Blurring
- Color shading
- Boundaries
- Other

Remarks: _____

Question 3

Does your Office provide a special provision for representing a part of a product?

- No special provision applies
- At least one view must present the whole product
- Other

Question 4

Does your Office require an exemplary image to be selected?

- Yes, required that the applicant selects the exemplary image
- Not required but selected by the Office
 - by selecting the first image or view in the application
 - images are required in a special order
 - no special order is required
 - by selecting the most representative image in the application
- No

Question 5

What is the minimum number of views your Office requires in a design application?

Question 6

What is the maximum number of views your Office allows in a design application?

Question 7

Does your office have any legislative requirements that prevents you from allowing any of the above types of representations in Part 7?

- Yes
- No

Remarks: _____

179. The CWS also noted that the Secretariat will use an online tool to conduct the surveys based on the questionnaires approved by the CWS.

180. The CWS agreed on the proposed actions to be undertaken by the Design Representation Task Force and the International Bureau to conduct a survey in December 2018 and report the outcome at the seventh session of the CWS.

Agenda Item 21: Information on the entry into national (regional) phase of published PCT international applications

181. Discussions were based on document CWS/6/30.

182. The CWS was informed that since July 1, 2017, designated Offices under the Patent Cooperation Treaty (PCT) have been required under PCT Rule 95.1 to notify the International Bureau of information concerning international applications which enter the national phase at their Office. The International Bureau has made updates to the delivery and visibility of national phase entry data through enhancements to the PATENTSCOPE website where national phase entry data sets may be downloaded in CSV format. Because of the new PCT Rule and the established practice, the International Bureau, as the Task Leader, proposed to discontinue Task No. 23.

183. Two delegations requested that Task No. 23 be continued for one more cycle, since PCT Rule 95.1 is new and more time seems to be required to determine IPOs compliance.

184. Taking into consideration the request, the CWS agreed that discontinuing Task No. 23 might be premature and that the Task should run for one more cycle before being discontinued in 2020.

Agenda Item 22: Report on Annual Technical Reports (ATRs)

185. The International Bureau presented statistics on submissions from IPOs for the Annual Technical Reports covering years 2016 and 2017. Responses for 2016 fell to 17 IPOs, while responses for 2017 dropped to only 14 IPOs, compared to 23 IPOs providing data in 2015.

186. The CWS noted the decline in response rates and encouraged IPOs to provide data for their Offices, even if they only provide a link to their websites where such data is available.

Agenda Item 23: Report by the International Bureau on the provision of technical advice and assistance for capacity building to industrial property offices in connection with the mandate of the CWS

187. Discussions were based on document CWS/6/31.

188. Following the discussion on the need of further training and awareness raising activities, including online courses, on WIPO Standards at the fifth session of the CWS, the International Bureau reported that it has been exploring a feasibility of a distance-learning course with the WIPO Academy on WIPO Standards and plans to organize two online training on WIPO Standards, one in the second half of 2018 and the other one in the first half of 2019.

189. The CWS noted that there had been no requests for technical assistance and training with WIPO Standards since the last CWS session and the Secretariat would provide technical assistance and training regarding WIPO Standards on demand and depending on the availability of resources.

190. The CWS noted the report presented by the International Bureau on its activities carried out in 2017 related to providing technical advice and assistance for capacity building to IPOs, in particular, regarding the dissemination of IP standards information, as reproduced in document CWS/6/31. The CWS also took note that document CWS/6/31 would serve as a basis of the relevant report to be presented to the WIPO General Assembly in 2019, as requested at its 40th session held in October 2011 (see paragraph 190 of document WO/GA/40/19).

Agenda Item 24: Consideration of the Work Program and Tasks List of the CWS

191. The CWS noted the information, including the published CWS Work Program Overview on WIPO's website, contained document CWS/6/32 and considered the List of Tasks reproduced in the Annex to document CWS/6/32 in order to establish the Work Program of the CWS.

192. The CWS approved the List of Tasks, as presented in the Annex to document CWS/6/32; the List of Tasks should be incorporated in the CWS Work Program once it is updated to reflect the agreements reached by the CWS at this Sixth Session.

193. After updating the information regarding the Tasks that had been discussed during the sixth session of the CWS, including the decisions under the Agenda Item 24, the status of Tasks was as follows:

(a) Tasks considered completed at this session:

Task No. 54: Study the copyright orphan works data elements and naming conventions and compare them in view of the proposal to extend WIPO Standard ST.96; report the outcome of the study; and present a proposal for consideration by the CWS to develop a data dictionary and XML schemas for inclusion of copyright orphan works in WIPO Standard ST.96.

(b) Tasks on which work remains to be done:

Task No. 44: Support the International Bureau by providing users' requirements and feedback on the ST.26 authoring and validation software tool; support the International Bureau in the consequential revision of the PCT Administrative Instructions; and prepare necessary revisions of WIPO Standard ST.26.

Task No. 47: Prepare a final proposal for the detailed events and a final proposal for the guidance document with regard to patent legal status data; Prepare a final proposal for the guidance document with respect to industrial design legal status data; and prepare a recommendation for the exchange of legal status data on trademarks by industrial property offices.

- Task No. 52: Survey on content and functionalities of systems for providing access to publicly available patent information of industrial property offices, as well as future plans with respect to their publication practices; prepare recommendations for systems for providing access to publicly available patent information of industrial property offices.
- Task No. 53: Develop XML schema components for geographical indications.
- Task No. 55: Envisaging developing a WIPO standard assisting Industrial Property Offices (IPOs) in providing better “quality at source” in relation to applicant names,
- i. conduct a survey on the use of the identifiers for applicants by IPOs and on the problems, which might be associated with it; and
 - ii. prepare a proposal for future actions aimed at the standardization of applicant names in IP documents and present it for consideration by the CWS.
- Task No. 56: Prepare recommendations for data exchange supporting machine to machine communications focusing on:
- i. message format, data structure and data dictionary in JSON and/or XML
 - ii. naming conventions for Uniform Resource Identifier (URI) of resources.
- Task No. 57: Collect information about the requirements from IP offices and customers; and prepare recommendations for electronic visual representations of designs.
- (c) Tasks to ensure continuous maintenance of WIPO Standards:
- Task No. 38: Ensure the necessary revisions and updates of WIPO Standard ST.36.
- Task No. 39: Ensure the necessary revisions and updates of WIPO Standard ST.66.
- Task No. 41: Ensure the necessary revisions and updates of WIPO Standard ST.96.
- Task No. 42: Ensure the necessary revisions and updates of WIPO Standard ST.86.
- Task No. 51: Ensure the necessary revisions and updates of WIPO Standard ST.37.
- (d) Tasks of continuing activity and/or information nature:
- Task No. 18: Identify areas for standardization relevant to the exchange of machine-readable data on the basis of projects envisaged by such bodies as the Five IP Offices (IP5), the Five Trademark Offices (TM5), the Industrial Design 5 Forum (ID5), ISO, IEC and other well-known industry standard-setting bodies.

- Task No. 23: 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.
- Task No. 24: Collect and publish Annual Technical Reports (ATRs) on Patent, Trademark and Industrial Design Information Activities of the CWS Members (ATR/PI, ATR/TM, ATR/ID).
- Task No. 33: Ongoing revision of WIPO Standards.
- Task No. 33/3: Ongoing revision of WIPO Standard ST.3.
- Task No. 50: Ensure the necessary maintenance and update of surveys published in Part 7 of the *WIPO Handbook on Industrial Property Information and Documentation*.
- (e) Tasks created at the Sixth Session and on which work has not started:
- Task No. 58: Prepare a proposal for a roadmap of future development and enhancement of WIPO standards, including policy recommendations, in view of more effective production, sharing, and utilization of data by IPOs and other interested parties, taking the following activities:
- to review the Recommendations in Group 1 indicated in the Annex of document CWS/6/3, in collaboration with other relevant CWS Task Forces;
 - to review the Recommendations in Group 2 and Group 3 indicated in the Annex of document CWS/6/3;
 - to prioritize Recommendations and suggest a timeline; and
 - to explore the impact of disruptive technologies on IP administration and IP data in view of harmonization and collaboration.
- Task No. 59: Explore the possibility of using blockchain technology in the processes of providing IP rights protection, processing information about IP objects and their use; Collect information about IPO developments in use of and experience with blockchain, assess current Industry Standards on blockchain and consider merit and applicability to IPOs; Develop a model to standardize approaches of using blockchain technology in the IP field, including guiding principles, common practice and use of terminology as a framework supporting collaboration, joint projects and proofs of concept; and Prepare a proposal for a new WIPO standard applying blockchain technology in the processes of providing IP rights protection, processing information about IP objects and their use.
- Task No. 60: Prepare a proposal for the numbering of INID codes in WIPO Standard ST.60 regarding word marks and figurative marks; on splitting INID code (551), and a potential INID code for combined marks.

- Task No. 61: Prepare a proposal for recommendations on three-dimensional (3D) models and images.
- Task No. 62: Review WIPO Standards: ST.6, ST.8, ST.10, ST.11, ST.15, ST.17, ST.18, ST.63 and ST.81 in view of electronic publication of IP documentation; and propose revisions of those Standards if needed.
- Task No. 63: Develop visual representation(s) of XML data, based on WIPO XML Standards, for electronic publication.
- (f) Task on which work has been held in abeyance:
- Task No. 43: Prepare guidelines, for implementation by industrial property offices, regarding paragraph numbering, long paragraphs, and consistent rendering of patent documents.
- Task No. 49: Prepare a recommendation for the electronic management of motion or multimedia marks for adoption as a WIPO standard.

MEETINGS OF THE CWS TASK FORCES

194. During this session, the following CWS Task Forces held informal meetings: Authority File Task Force, Legal Status Task Force, Name Standardization, Design Representation, Sequence Listings Task Force and XML4IP Task Forces.

[Annexes follow]

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[Annex II follows]

AGENDA

Document prepared by the Secretariat

1. Opening of the sixth session
2. Election of the Chair and two Vice-Chairs
3. Adoption of the agenda
See present document.
4. Report on the survey on the use of WIPO Standards
See document CWS/6/2.
5. ICT Strategies and WIPO Standards
 - (a) Recommendations from the Meeting on ICT Strategy and Artificial Intelligence
See documents CWS/6/3.
 - (b) Creation of a Task to prepare recommendations for Blockchain
See documents CWS/6/4.
6. Revision of WIPO Standard ST.3
See documents CWS/6/5.
7. New WIPO standard on Web API
See documents CWS/6/6.
8. XML4IP Task Force
 - (a) Report on Task No. 41 by the XML4IP Task Force
See documents CWS/6/7.
 - (b) Report on the progress of the Task No. 53 regarding XML for geographical indications
See document CWS/6/8.
 - (c) Report on the development of XML for patent legal status data
See document CWS/6/9.
9. Report on the study of copyright orphan works data elements and naming conventions
See document CWS/6/10.
10. Legal Status Task Force
 - (a) Report on Task No. 47 by the Legal Status Task Force
See document CWS/6/11.
 - (b) Revision of WIPO Standard ST.27
See document CWS/6/12.
 - (c) Implementation plan of WIPO Standard ST.27 by Intellectual Property Offices
See document CWS/6/13.
 - (d) Proposal for new WIPO standard for the exchange of industrial design legal status data by industrial property offices
See documents CWS/6/14.

11. WIPO Standard ST.26
 - (a) Report on Task No. 44 by the Sequence Listing Task Force
See documents CWS/6/15.
 - (b) Revision of WIPO Standard ST.26
See documents CWS/6/16.
 - (c) Implementation plan of WIPO Standard ST.26 by Intellectual Property Offices
 - (d) WIPO ST.26 Software tool
See documents CWS/6/17.
12. WIPO Standard ST.37
 - (a) Report on Task No. 51 by the Authority File Task Force
See document CWS/6/18.
 - (b) Revision of WIPO Standard ST.37
See documents CWS/6/19.
13. Revision of WIPO Standard ST.60
See documents CWS/6/20.
14. Date format recommended in WIPO Standards
See documents CWS/6/21.
15. Proposal for the creation of a WIPO standard on 3D models and images included in intellectual property documents
See document CWS/6/22.
16. Proposal for the creation of a Task to update existing WIPO Standards related to the publication of information about IP rights and legal status events
See document CWS/6/23.
17. Report on Task No. 50 by the Part 7 Task Force
See document CWS/6/24.
18. Report on Task No. 52 by the Public Access to Patent Information (PAPI) Task Force
See document CWS/6/25.
19. Name Standardization Task Force
 - (a) Report on Task No. 55 by the Name Standardization Task Force
See document CWS/6/26.
 - (b) Questionnaire on the use of identifiers for applicants by intellectual property offices
See document CWS/6/27.
20. Design Representation Task Force
 - (a) Report on Task No. 57 by the Design Representation Task Force
See document CWS/6/28.
 - (b) Questionnaire on electronic visual representation on industrial designs
See document CWS/6/29.
21. Information on the entry into national (regional) phase of published PCT international applications
See documents CWS/6/30.

22. Report on Annual Technical Reports (ATRs)
23. Report by the International Bureau on the provision of technical advice and assistance for capacity building to industrial property offices in connection with the mandate of the CWS
See documents CWS/6/31.
24. Consideration of the Work Program and Tasks List of the CWS
See document CWS/6/32.
25. Summary by the Chair
26. Closing of the session

[End of Annex II and of document]