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# Committee on WIPO Standards (CWS)

## **Ninth SessionGeneva, November 1 to 5, 2021**

## Proposal for the revision of WIPO Standard ST.37

*Document prepared by the International Bureau*

## Introduction

 At the reconvened fourth session of the Committee on WIPO Standards (CWS), the European Patent Office (EPO) was appointed leader of the Authority File Task Force, which is responsible for managing any necessary revisions of this Standard. Revision of WIPO ST.37 by the Authority File Task Force falls under the framework of Task No.44 whose description reads: “Ensure the necessary revisions and updates of WIPO Standard ST.37.”

 At its fifth session held in May 2017, the CWS

adopted WIPO Standard ST.37 “Recommendation for an authority file of published patent

documents”. Further revisions of WIPO ST.37 were approved by the CWS at its sixth, seventh and eighth sessions, held in October 2018, July 2019 and November 2020 respectively, including the addition of new Annexes III (XML Schema) and IV (XML DTD) and a series of small revisions to both the Main Body and Annexes of ST.37.

 The Patent Cooperation Treaty (PCT) Minimum Documentation Task Force, also led by the EPO, has met twice, in December 2020 and May 2021, since the previous session of the CWS, to examine whether WIPO ST.37 could be used to facilitate describing the contents of patent and utility model collections belonging to the PCT Minimum Documentation. During these two meetings, the PCT Minimum Documentation Task Force agreed to the addition of three extra columns in their ST.37-conforming Authority Files to indicate the presence or absence of the following elements for each publication number therein:

* full text in searchable text format;
* original abstract available in searchable text format; and
* English language abstract available in searchable text format.

 The PCT Minimum Documentation Task Force proposed to the Authority File Task Force that they should collaborate on the revision of WIPO ST.37 so that both parties could benefit from the addition of these three additional indicators. While these new indicators would be mandatory for inclusion by the International Searching Authorities (ISAs) and the International Preliminary Examining Authorities (IPEAs), they are proposed as optional within the WIPO ST.37-compliant authority file.

## Proposed revision of WIPO Standard ST.37

 Within the framework of Task No. 51, in light of the proposal submitted by the PCT Minimum Documentation Task Force, the Authority File Task Force submits for consideration and, where appropriate, approval by the CWS, a final proposal for the revision of WIPO Standard ST.37. Revisions are identified in the Annexes I to III of the present document, with yellow highlighting indicating an addition of new text and purple highlighting indicating a removal. Annex I to the present document is a reproduction of WIPO Standard ST.37 with the revisions highlighted, Annex II to the present document is a reproduction of Appendix to ST.37 Annex III with revisions highlighted and Annex III to the present document is a reproduction of the Appendix to ST.37 Annex IV.

 The following amendments are proposed to revise the Main Body of WIPO Standard ST.37:

1. addition of new paragraph 8 to indicate the recommendation to align with the PCT Minimum Documentation through the inclusion of information indicating which sections are text-searchable;
2. an edit to paragraph 10 (old paragraph 9) to provide a definition for the three additional indicators as new item 10(d):

"*(d) designation of whether the abstract, description, claims of a publication are text-searchable, through selection of one of the following codes:*

* + - *“N” – Not available*
		- *“U” – Unknown*
		- *two-letter language code(s) in which the searchable text is available, either in the original language or as an official translation”*;
1. an edit to the end of paragraph 12 (old paragraph 11) to include the following new sentence:

"*The elements defined in paragraph 10(d) are considered mandatory for inclusion by the International Searching Authorities (ISAs) and the International Preliminary Examining Authorities (IPEAs) of the PCT, or those IPOs wishing their publications to be included within the PCT Minimum Documentation set.";*

1. addition of footnote for paragraph 12, which indicates as the definition of the PCT Minimum Documentation set:

"See [Part 4.2 of the WIPO Handbook on Industrial Property Information and Documentation](https://www.wipo.int/export/sites/www/standards/en/pdf/04-02-01.pdf)*.*";

1. inclusion of a new paragraph 21, which describes the language code that should be used within an authority file;
2. addition of new paragraphs 32 and 33 which read as follows:

"  *Availability of a publication in a text-searchable format*

*32. The availability of the abstract, description and/or, claims of a publication in a text-searchable format, may be indicated in the authority file using the appropriate codes. In the case of the ISA and IPEA, or IPOs who wish to have their publications as part of the PCT Minimum Documentation set, the inclusion of this information in their authority files is mandatory.*

*33. The availability in text- searchable format of each section of a publication must be identified in the authority file with a code “N” for Not available, or a “U” for Unknown (availability) or the two-letter language code(s) for each corresponding available language made available by the Office either as the original language or an official translation.";*

1. an edit to paragraph 37 (old paragraph 32) to include the following additional sentence:

" *(f) describe the codes used to indicate the availability of sections of the published patent specification in searchable format.*";

1. all instances of 'Authority File' in the Main Body were corrected to 'authority file'; and
2. an edit to paragraph 10 (a) to reword how the example is indicated.

 The following amendments are proposed to revise the Annexes of WIPO Standard ST.37:

1. Annex I (Definition File): an indication that IPOs should provide information regarding the availability of the abstract, claims and description in a machine-readable format in their definition file;
2. Annex II (TXT file): a recommendation of how to provide information regarding the availability of the abstract, claims and description in a machine-readable format when providing authority file data as a TXT file, for both an ISA/IPEA and an IPO that is not an ISA;
3. Annex III (XML Schema) and its Appendix: additional components are defined in the XML schema to capture information regarding the availability of the abstract, claims and description in a machine-readable format; and
4. Annex IV (XML DTD) and its Appendix: additional components are defined in the XML schema to capture information regarding the availability of the abstract, claims and description in a machine-readable format.

 The proposed revision of WIPO Standard ST.37 is provided as Annexes to this document for the consideration by the CWS.

 *The CWS is invited to:*

1. *note the content of the present document and its Annexes; and*
2. *consider and approve the proposed revision of WIPO Standard ST.37, as referred to in paragraphs 4 to 8 above and in the Annexes to this document.*

[Annexes (the proposed revision of WIPO Standard ST.37) follow]