

Комитет по стандартам ВОИС (КСВ)

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ПРЕДЛОЖЕНИЕ О ПЕРЕСМОТРЕ ЧАСТИ 6.1 СПРАВОЧНИКА ВОИС «РЕКОМЕНДАЦИИ ПО СОДЕРЖАНИЮ ВЕБ-САЙТОВ ОБ ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ»

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РЕЗЮМЕ

1. Целевая группа по открытому доступу к патентной информации (ОДПИ) предлагает обновить часть 6.1 Справочника ВОИС по информации и документации в области интеллектуальной собственности, озаглавленную «Рекомендации по содержанию веб-сайтов об интеллектуальной собственности».

СПРАВОЧНАЯ ИНФОРМАЦИЯ

2. На своей одиннадцатой сессии в 2023 году КСВ принял к сведению предложение о передаче ответственности за обновление части 6.1 Справочника ВОИС, которым ранее занималась Целевая группа по цифровому преобразованию в рамках задачи № 62. КСВ принял к сведению также письмо Группы по патентной документации (ГПД) в поддержку обновления части 6.1 Справочника ВОИС по информации и документации в области интеллектуальной собственности с некоторыми предложениями, которое воспроизводится в качестве приложения к документу CWS/11/12. КСВ утвердил предложение и утвердил далее обновленное описание задачи № 52 в следующей редакции:

«Подготовить предложение относительно обновления части 6.1 Справочника ВОИС «Рекомендации по минимальному содержанию веб-сайтов ведомств интеллектуальной собственности»

(см. пункт 92 документа CWS/11/28).

3. На своей двенадцатой сессии в 2024 году КСВ отметил, что Целевая группа по ОДПИ планирует подготовить предложение по обновлению части 6.1 Справочника ВОИС для его рассмотрения на тринадцатой сессии Комитета (см. пункт 47 документа CWS/12/29).

4. Целевая группа по ОДПИ собрала и проанализировала виды информации, которые эксперты в области патентной информации и пользователи ожидают найти на веб-сайтах ведомств интеллектуальной собственности (ВИС), а также степень, в которой такая информация предоставляется в настоящее время. На основе этого анализа Целевая группа по ОДПИ подготовила предложение по обновлению части 6.1 Справочника ВОИС, которое приведено в приложении к настоящему документу. Подробная информация о проделанной Целевой группой по ОДПИ работе и прогрессе, достигнутом после предыдущей сессии КСВ, представлена в документе CWS/13/6.

ПРЕДЛАГАЕМОЕ ОБНОВЛЕНИЕ ЧАСТИ 6.1 СПРАВОЧНИКА ВОИС.

5. Целевая группа по ОДПИ представляет предложение по обновлению части 6.1 Справочника ВОИС для рассмотрения и, при необходимости, утверждения КСВ. Данное предложение воспроизводится в качестве приложения к настоящему документу, и все изменения показаны в режиме правки: если текст зачеркнут, его предлагается исключить, если подчеркнут, его предлагается добавить.

6. Предлагаемые изменения в части 6.1 Справочника ВОИС призваны сместить акцент со статичной подачи содержания на интерактивную, ориентированную на услуги и пользователей инфраструктуру веб-сайтов ВИС, и их можно резюмировать следующим образом:

- (a) разработка современных руководящих принципов, которые помогут ведомствам ИС стандартизировать структуру, содержание и функциональность своих веб-сайтов и предоставляемых ими онлайн-услуг;
- (b) удаление раздела «Рекомендуемые принципы дизайна для веб-сайтов интеллектуальной собственности». Это предложение было сделано с учетом быстрого технического развития дизайна веб-сайтов и того факта, что каждое ведомство ИС придерживается своих собственных рекомендаций в области дизайна;
- (c) распределение по категориям рекомендации по содержанию веб-сайтов и онлайн-услугам, предлагаемым ведомствами ИС;
- (d) внесение некоторой редакционной правки.

7. Предлагаемое обновление «Рекомендаций по минимальному содержанию веб-сайтов ведомств интеллектуальной собственности» модернизирует существующие руководящие принципы с учетом современных стандартов в области цифровизации, ориентированности на пользователя и доступности. Таким образом за счет расширения наполнения базовые информационные веб-сайты становятся полностью функциональными онлайн-платформами. Предлагаются новые рекомендации, в том числе в отношении защищенных систем подачи заявок онлайн с пользовательскими информационными панелями, отслеживания заявок в режиме реального времени, пошаговых подсказок, интегрированных платежных систем, а также средств оперативной связи, таких как чат-боты и каналы специализированной поддержки. Больше внимания уделяется также взаимодействию с общественностью за счет руководств пользователя,

часто задаваемых вопросов (ЧаВо) и образовательных ресурсов, предназначенных как для новых, так и для опытных пользователей.

8. Кроме того, предлагаемое обновление вводит комплексные требования в отношении баз данных с возможностью онлайн-поиска, уделяя особое внимание беспрепятственному доступу, поддержке многоязычия, актуальности данных о правовом статусе, подробным библиографическим стандартам и возможности отслеживать деятельность после получения патента, например, продление и смену владельца. Приоритетное внимание уделяется доступности — представлены четкие указания по соблюдению мировых стандартов, обеспечению удобства использования на всех устройствах и для пользователей с ограниченными возможностями. Технические обновления обеспечивают совместимость с современными веб-технологиями и при этом содействуют простоте, скорости и инклюзивности.

9. КСВ предлагается:

(a) принять к сведению содержание настоящего документа и приложения к нему;

(b) рассмотреть и утвердить предлагаемое обновление части 6.1 Справочника ВОИС, о котором говорится в пунктах 5–8 выше, и подробную информацию, приведенную в приложении к настоящему документу.

[Приложение следует]

RECOMMENDED MINIMUM CONTENTS FOR INTELLECTUAL PROPERTY OFFICES' WEB-SITES

*Proposal presented for approval by the Committee on WIPO Standards (CWS)
at its thirteenth session*

INTRODUCTION

1. This document ~~intends to provide~~ provides guidance to Intellectual Property Offices (IPOs) ~~regarding on~~ the presentation and ~~contents~~ content of their ~~Web sites made available through the Internet websites~~. The recommendations ~~are not limited to patents for inventions but~~ cover all the intellectual property (IP) rights ~~dealt with~~ administered by the respective IPO. If an IPO creates a new ~~Web site~~ website or changes ~~the contents/its content or~~ layout thereof, ~~the Office is invited to~~, it is recommended for the IPO to ~~should~~ inform the International Bureau of WIPO ~~of so~~ that ~~fact in order for~~ the International Bureau ~~provides to establish~~ can create a new or updated hyperlink(s) to the individual ~~websites URL~~ of the IPO. ~~The links~~ These hyperlinks are listed under "Site Addresses of IPOs" ~~https://www.wipo.int/members/en/ on the WIPO Web site, http://www.wipo.int/website.~~

RECOMMENDED CONTENT FOR ~~THE WEBSITES OF~~ INTELLECTUAL PROPERTY ~~WEB SITES~~ OFFICES

2. The content of ~~Intellectual Property Web sites~~ IPO websites should be presented in the ~~official~~ language(s) of the national ~~office~~. ~~At least~~ or regional Office. In addition, the homepage and the most important ~~web~~ pages (e.g., information on how to apply for ~~intellectual property~~ IP protection) should also be presented in English.

3. ~~Intellectual Property Web sites~~ IPO websites should ~~provide~~ contain comprehensive information and resources about the procedures of the ~~national office~~ Office and other information to assist users of the national ~~or regional~~ system. ~~For example, Intellectual Property Web sites should contain:~~ The websites should be user-friendly and easy to understand for both new and experienced users.

~~basic~~ The IPO websites should contain the following:

- ~~B~~asic information about national ~~or regional~~ IP rights ~~including definitions and scope of protection~~;
- Information about the IPO, including contact information, location and working hours;
- ~~Legislative information~~
- ~~Legal documents (e.g., such as national or regional IP laws and regulations, and international agreements and treaties)~~;
- Notices about changes in national/or regional IP laws or ~~regulations~~ administration;
- Downloadable forms; ~~if there is no system for filing applications online~~;
- Technical documents ~~information (such as guidelines, and classification information)~~;
- ~~fee schedules~~ A complete and up-to-date fee schedule covering all IP services, including payment methods;
- ~~annual~~ Annual reports (including statistics) ~~of the national office, IPO~~;
- Links to other ~~relevant national, regional or international~~ Intellectual Property IP offices websites;
- ~~Intellectual Property information data~~;
- ~~a News Section~~ Information about IP enforcement (for example, how to report IP infringement; dispute resolution mechanisms; penalties and sanctions; and information about cooperation with other IP rights enforcement authorities); and
- Regularly updated news section covering key announcements, events, and updates for at least the past six months; ~~or an Update Index, covering at least a six-month time period.~~

4. ~~Intellectual Property Web sites~~ IPO websites should contain ~~specific~~ information that is helpful to users, especially those who are new to the intellectual property field. ~~For example, Intellectual Property Web sites should contain IP domain. Such information should include the following:~~

- ~~IP registration procedure information about the (such as eligibility criteria, application procedures of the national office in the form of basic facts, required documents, timelines and processing stages);~~
- ~~To the extent possible, IP educational resources (guides and toolkits, a frequently asked questions (FAQs); page, brochures, educational materials and links to e-learning modules and webinars);~~
- ~~descriptions~~ Descriptions of the products and services provided by the ~~national office~~ IPO, including information on how to ~~obtain access~~ them, ~~their cost, applicable fees~~ and the ~~media formats or channels through which they are made~~ available; and
- ~~references~~ References to ~~sources for support and assistance~~ ~~recourses or information~~, such as libraries and ~~qualified IP~~ legal representatives or ~~law chambers offering IP services; and~~
- Information on help desks or customer support services offered by the IPO.

5. ~~Intellectual Property Web sites~~ IPO websites should contain navigational aids to assist users in locating information on the ~~websites~~. For example, ~~Intellectual Property Web sites~~ websites should contain a site search capability and/or a site index. Nevertheless, the homepage should contain an overview ~~en of~~ the whole ~~Web site as well as an indication on services free of charge and services available only with costs. Furthermore, an indication on the website. The date of on which the website was last update~~ updated should be ~~given~~ stated on the homepage, ~~or at the least and~~ preferably on each page of the ~~Web site~~ websites.

6. ~~Intellectual Property Web sites~~ IPO websites may contain information to allow users to contact designated employees of the ~~national office~~ IPO. For example, the ~~site~~ websites could contain the e-mail address, mailing address, ~~phone~~ telephone and fax number for the office ~~per se~~ itself, points of contacts ~~to receive for receiving~~ and ~~respond~~ responding to external inquiries; and an e-mail address for Web-related help, consistent with standard web support practices.

RECOMMENDED DESIGN PRINCIPLES FOR INTELLECTUAL PROPERTY WEB SITES

7. — ~~Intellectual Property Web sites should preferably post contents in HTML 3.2 (HTML 4.0 when the standard stabilizes), and standard browser image file types (e.g., gif, jpg). The second preferred format for posting administrative or informational text only documents is ASCII text. Large downloadable files may also be made available via FTP.~~

8. — ~~Web pages should use international standard character sets to encode their content. All web pages shall carry a distinct identifier for the particular international character used for the purpose of assisting users with browsers that may not be configured to display the character set.~~

9. — ~~Documents used internally, e.g., documents in image formats, should be made available in the format used internally if it is practical to view that format with a browser. If a browser plug-in is required to view such documents (e.g. Adobe PDF or TIFF), the plug-in or a link to the plug-in should be provided.~~

10. — ~~Web pages should degrade gracefully (i.e., pages containing JavaScript, Java or images should be legible on browsers that cannot deal with JavaScript, Java or images).~~

11. — ~~Intellectual Property Web sites should be kept simple in order to reduce loading times. The use of images should be minimized.~~

12. — ~~Intellectual Property Web sites should take extra care if there is a desire to use frames. When frames are used care should be taken not to exclude users with browsers that don't handle frames. The design of sites with frames needs to take into account limitations introduced by viewing the page on a small screen, and testing should be done to ensure the frames do not create navigation difficulties.~~

13. — ~~Html pages, especially the Home Page, should include the html tags relied upon by WWW search engines for indexing sites (i.e., <TITLE>, <META>, <H1>) whenever possible.~~

14. — ~~Documents presented as ASCII text should be enclosed within minimal html tags (<HTML>, <HEAD>, <BODY>) and <PRE>...</PRE> tags whenever possible. A <TITLE> tag is also highly desirable.~~

15. — ~~Intellectual Property Web site servers should use the default HTTP port 80.~~

16. — ~~Intellectual Property Web sites should have a high degree of accessibility in order to provide information to the widest possible audience and enable usability for individuals with disabilities. For example, Intellectual Property Web sites could provide:~~

- ~~alternative text (<ALT>) for all images,~~
- ~~alternative text for imagemap hot spots,~~
- ~~captioned audio,~~
- ~~text to describe video, and~~
- ~~alternative access to frames or scripts.~~

ADVANCED SERVICES FOR INTELLECTUAL PROPERTY WEB SITES

RECOMMENDED ONLINE SERVICES PROVIDED BY THE WEBSITES OF INTELLECTUAL PROPERTY OFFICES

7. To streamline the IP application process, IPOs should, to the extent possible, implement comprehensive online filing portal(s). These digital platforms can significantly enhance efficiency by reducing paperwork, minimizing manual errors, saving time and providing a more user-friendly experience. It is recommended that the online filing portal includes the following core features:

- Secure user registration and dashboard to allow users to create accounts with secure login credentials. The dashboard should provide real-time application status tracking, notifications and alerts, the option to save and return to draft applications and to view full submission history;
- End-to-end digital application tracking: Full lifecycle tracking with dashboards should be implemented to enable applicants to monitor the progress of applications, receive and respond to office communications (such as action taken by the IPO) and manage post-grant or post-registration activities (such as renewals and oppositions);
- Instant submission confirmation: IPO websites should provide immediate acknowledgment of submission, together with a reference number and a summary of the application details;
- Guided filing wizard: A step-by-step filing assistant that auto-fills information from the user's profile, validates entries for formatting and completeness and offers contextual help and guidance;
- A document management system to enable users to upload and manage supporting documentation (such as declarations, drawings and evidence), with clear file format and size guidelines;
- A dynamic fee calculator and payment integration: IPO websites should incorporate a real-time fee calculator that adjusts based on parameters such as entity type (individual, small entity or large entity); number of claims or classes; and type of application or service. It should integrate secure online payment options for the seamless processing of transactions;
- If possible, the online filing portal may contain (especially in the case of trademarks) a preliminary search report for exact or similar records previously filed with the IPO; and
- Contact details: An e-mail address for questions or any other modern communication channels (such as a chat function or a chatbot) should be provided.

7.8. To the extent possible, ~~IPO websites Intellectual Property Web sites~~ should provide searchable databases or ~~a one or more links~~ to databases relating to ~~intellectual property-IP~~ documents of the IPO (such as legal status information). ~~Links to other searchable databases should be included where appropriate.~~

(a) Main information recommended for online searchable databases

- Access should be barrier-free and eased preferably by the provision of an English-language user interface. Barrier-free access means that every person should be able to use an online database without limitations or geographical restrictions. Users should not be required to provide personal data or prove residency in a specific territory to gain access. This ensures equal and open availability of information to all, regardless of location or personal circumstances;
- Recommended main information should be available in English language; otherwise the information should -be at least in a machine-readable form to enable machine translation;
- A common task is locating patent-family equivalent documents for patent authorities that are not covered by widely used family databases. This requires IPO databases to be properly indexed according to priority data. Documents should at least be searchable by priority date. Ideally, priority numbers should also be searchable, but these should be displayed correctly in the document at the least;
- IP rights data should be complete and updated in a timely manner;
- Bibliographic data should be available, preferably based on relevant WIPO Standards, e.g., Standards ST.9 and ST.16 for patent and supplementary protection certificates (SPCs), ST.60 for trademarks and ST.80 for industrial designs. Examples include the following:
 - publication kind code (preferably based on WIPO Standard ST.15), for patents and utility models, where applicable;
 - relevant dates and numbers (priority, application, publication and registration, including PCT or regional information where applicable);
 - classification(s) for patents, utility models, industrial designs and trademarks;
 - list of goods and services for trademarks;
 - information about the applicant(s) or owner(s);

- inventor(s) or designer(s), when applicable;
 - abstract for patents and utility models;
 - main drawing for patents and utility models, exemplary image for industrial designs and reproduction of the mark for trademarks; and
 - expected expiration date (including calculations for term extensions and SPC adjustments).
- Legal status information should be clear and up to date (preferably based on WIPO Standards -ST.27, ST.61 and ST.87):-
 - The machine readable full text of the latest publication stage should be part of the database.

(b) Additional information recommended for online searchable databases

- There should be access to file wrappers or dossiers (in English, or at least in machine-readable form to make machine translation possible);
- If the IPO publishes the basic details of a deferred industrial design, it should clearly state that the design is subject to a deferment request and specify the end date of the deferment period;
- Updates of ownership information should be provided. Where the ownership of an IP document changes, it should be made clear in the database who the most recent assignee is, and a record of past assignees provided. All assignees should be searchable;
- Show the history of post-grant or registration events;
- Date of the last update of the database(s);
- Export and print functions should be available. In the case of a results list, this functionality should preferably be provided by the selection of the publications to be exported or printed. In the case of designs, it should be possible to export or print the exemplary image only or all of the images; and
- In trademarks databases, both the current registration status and historical information, including renewals, should be available.

(c) Languages and formats recommended for online searchable databases

- The official language(s) and English (at least the search interface);
- Dates should be indicated following WIPO Standard ST.2 recommendations;
- Images should be preferably displayed all together ("mosaic") or individually;
- If the IPO accept sound marks and 3D images or models, the representation should preferably be displayed using WIPO Standards ST.68 and ST.91 respectively; and
- For databases of industrial designs or design patents, all the views of the design should be available at least in an "extended" display mode and the most significant image used as a "thumbnail" if a "gallery" display mode is provided.

(d) Recommended search capabilities for searchable online databases

- A single instance or portal should be used for each IP right. For example, there should be one to search for both applications and granted patents, including those with national, regional, or international effect within the jurisdiction;
- Each searchable IP rights database should include a filtering feature based on bibliographic information, legal status and document type, to enable users to select the specific categories they wish to search for or to analyze the search results. For example, within a single portal for all patents, a user should be able to filter for granted patents;
- When an IPO temporarily provides more than one database for the same IP right during a transition from one system to another, it should provide a clear indication of the contents and update status should;
- The searchable database tool should contain a feature of watching an IP file(s) concerned with a notification mechanism;
- It is preferred that the searchable database provides a bibliographic search option in English; and
- Full text would be preferentially searchable.

(e) Information and instruction for users accessing online searchable databases

- It should be stated whether the IP right database qualifies as an official “Register” (that is, whether its data are valid for legal evaluation) or is simply database without official value.
- Information about how to search the data should be included with examples of application/publication number formats;
- Information about the use of accent marks and other special characters (such as punctuation); truncations; and search operators;-
- Information about the exact database coverage (not just the latest update) is necessary;
- Possible special working times (where the database is not available round the clock), or periods of inactivity due to maintenance or other issues, should be indicated;
- Contact details should be provided, such as an e-mail address for questions, or other modern communication channels (such as a chat function) should be provided; and
- If the numbering system has changed over the years, a concordance list or a guide to find the correct document is required.

9. IPO websites should contain user guide(s) or links to user guide(s) for each portal or system offered online. The user guide(s) should be published at least in English as well as the Office’ official -language(s).

10. 18. — It is recognized that in order to support applications, such as e-commerce, image display, electronic filing, and encryption, the system requirements of the user’s web browser may be higher. As an example, many Intellectual Property Web sites already offer full text searching of their databases with retrieval of images stored in the TIFF format. Newer or more feature full browsers support the use of plug-ins (TIFF is not a browser standard) that would enable the IPO to offer their content without modification. Intellectual Property Web sites IPO websites should clearly indicate to inform the user of the minimum system and browser requirements, including links to any plug-ins.

11. IPO websites should be highly accessible, to provide information to the widest possible audience and enable usability for people with disabilities, including accommodation for blindness and vision impairment, deafness and hearing impairment, limited movement, speech disabilities, photosensitivity and combinations of these disabilities together with some accommodation for learning disabilities and cognitive limitations. Considerations should also address the accessibility of websites content on any kind of device and make content usable for users in general.

12. 19. — Intellectual Property Web sites should be tested by the publishing office. The Office should test its websites and online tools linked to the websites for compatibility with such browsers as may be used in its -national or regional environment and in the international community.

[End of the WIPO Handbook Part 6.1]

[End of Annex and of document]