

WIPO



IPC/A/22/2

ORIGINAL: English

DATE: August 20, 2004

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)**

ASSEMBLY

**Twenty-Second (8th Extraordinary) Session
Geneva, September 27 to October 5, 2004**

AVAILABILITY OF THE IPC ELECTRONIC DATA

Document prepared by the International Bureau

1. Certain IPC information products are made available to users of patent information at cost. The price of the printed version of the seventh edition of the IPC is 250 Swiss francs and the price of the IPC:CLASS CD-ROM is 150 Swiss francs. The Internet version of the IPC is available to the users free of charge.
2. Until the year 1997, the IPC electronic data was also available to the users at cost, except for the member States of the IPC Union which received this data free of charge. The prices for different categories of users of the electronic data of the sixth edition of the IPC are shown in the Annex to this document. The price for the use of the data for commercial purposes was 20,000 Swiss francs.
3. In September/October 1997, the Assemblies of the IPC, Nice, Vienna and Locarno Unions approved the proposal by the International Bureau that the data of the authentic versions (English and French) of the International Classifications be made available in electronic form to any user free of charge even if intended to be used for commercial purposes (see document AB/XXXI/9 and document AB/XXXI/12, paragraph 52). The objective of the International Bureau's proposal was to promote the use of the International Classifications.

4. Since that time, the International Bureau provided many users with the electronic data of the sixth and seventh editions of the IPC in various formats free of charge. Some of the data recipients intended to use it in their companies or organizations for internal purposes, and some intended to use the data for commercial purposes.

5. As a result of IPC reform, many fundamental changes, such as a two-level structure or the electronic layer, containing explanatory and illustrating information, have been introduced in the IPC. This made preparation of the IPC electronic data, which should henceforth be considered as value-added data, much more complex. In addition, a new IPC revision procedure provides for regular (every three months) updating of the IPC data. For supporting the maintenance, publication and updating of the IPC in electronic form, a new IPC management system is under elaboration in the framework of the CLAIMS project. Its total cost will constitute more than 500,000 Swiss francs.

6. It appears that resources provided by the member States of the IPC Union and the International Bureau for the development of the reformed IPC and future expenses of the International Bureau for its maintenance make provision of the reformed IPC data to all users free of charge no more appropriate. While free provision of this data to industrial property offices, whether being the members of the IPC Union or not, should be retained for facilitating their classification work, the policy for provision of the data to other categories of users (organizations or companies) could be reconsidered.

7. It is proposed therefore that reasonable prices for the electronic data of the reformed IPC, which would compensate the cost of the preparation and provision of the data, should be introduced. The prices should be differentiated for various categories of users, depending on their intentions to use the data for internal purposes or for commercial purposes.

8. In order to establish appropriate prices for the electronic data of the reformed IPC and the periodical updates to the IPC, the International Bureau could be requested to carry out consultations with interested users, for example, vendors of commercial patent databases, and to prepare a respective proposal for the consideration by the Committee of Experts of the IPC Union. On the basis of that proposal, the Committee of Experts would be in a position to make a decision in respect of prices which should be applied to different categories of users.

9. The Assembly of the IPC Union is invited to approve the proposals contained in paragraphs 7 and 8, above.

[Annex follows]

ANNEX

EXCERPT FROM ANNEX III TO DOCUMENT AB/XXXI/9

DATA FILES RELATING TO THE SIXTH EDITION
OF THE INTERNATIONAL PATENT CLASSIFICATION (IPC)

Users and Prices

The data files (in ASCII format on diskette) relating to the sixth edition of the IPC, in English or French, may be ordered from WIPO and will be supplied on the following conditions, with the exception of the IPC symbols data file which may be obtained free of charge by any user:

- (i) to the industrial property office of any country being a member of the IPC Union, the African Regional Industrial Property Organization (ARIPO), the European Patent Office (EPO) or the African Intellectual Property Organization (OAPI), *for the purposes of carrying out its functions*, free of charge;
- (ii) to the Industrial Property Office of any country not being a member of the IPC Union, *for the purposes of carrying out its functions*:
 - 500 CHF for the complete text of IPC⁶;
 - 300 CHF for the catchword index relating to IPC⁶;
 - 200 CHF for the concordance data relating to IPC⁵/IPC⁶;
- (iii) to any entity other than those mentioned under (i) or (ii), above, that undertakes to use the data files *for internal purposes only*:
 - 1,000 CHF for the complete text of IPC⁶;
 - 500 CHF for the catchword index relating to IPC⁶;
 - 300 CHF for the concordance data relating to IPC⁵/IPC⁶;
- (iv) to any other entity, or any of the above entities, with the object to use the data files *for commercial purposes*:
 - 20,000 CHF for the complete text of IPC⁶;
 - 3,000 CHF for the catchword index relating to IPC⁶;

2,000 CHF for the concordance data relating to IPC⁵/IPC⁶;

subject to the requirement that the purchaser must declare in writing:

- (v) *not* to reproduce the data files or their contents, in whole or in part, in the form of paper copies or microfiches, except in the case of on-line printouts, and
- (vi) *not* to make the data files or copies thereof, in whole or in part, available to any third party.

[End of Annex and of document]