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STATUS REPORT

Document prepared by the International Bureau

SUMMARY

1. The DAS system was created following a decision by the WIPO Assemblies and the creation of the DAS Working Group which agreed the original Framework Provisions in 2009. The system became operational with 7 IP offices participating, initially for the exchange of patent priority documents only. Since then, the system has grown considerably and has been extended and improved so that it is now the primary mechanism for the exchange of priority documents for most major IP offices.

2. This document presents the current status of the DAS system, an overview of recent developments, a discussion of challenges to improve the service and some consideration for future developments.

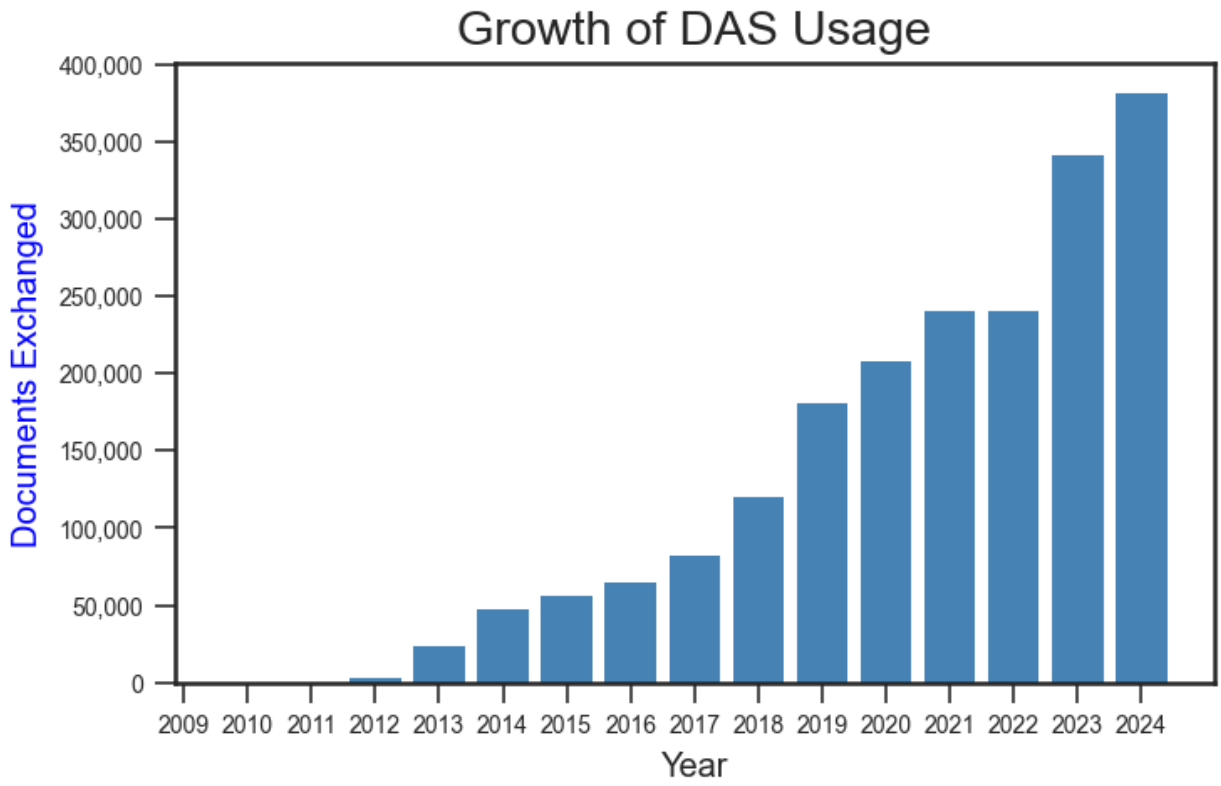
STATISTICS ON USAGE

3. The membership of the system has grown from 7 offices in 2009 to 44 offices at the end of 2024. The participating offices represent the majority of IP filings worldwide, including filings through the global IP systems administered by WIPO such as the Patent Cooperation Treaty (PCT) and the Hague System for the International Registration of Industrial Designs.

4. Of the 44 participating offices, 39 were active in 2024 as Office of First Filing and 33 were active as Office of Second Filing. A total of 381,793 documents were exchanged between these offices in 2024. Of these, 36,461 (9.5%) were industrial design priority documents and

the remainder were patents and utility models. Although the system supports the exchange of trademark priority documents, no such documents were exchanged in 2024.

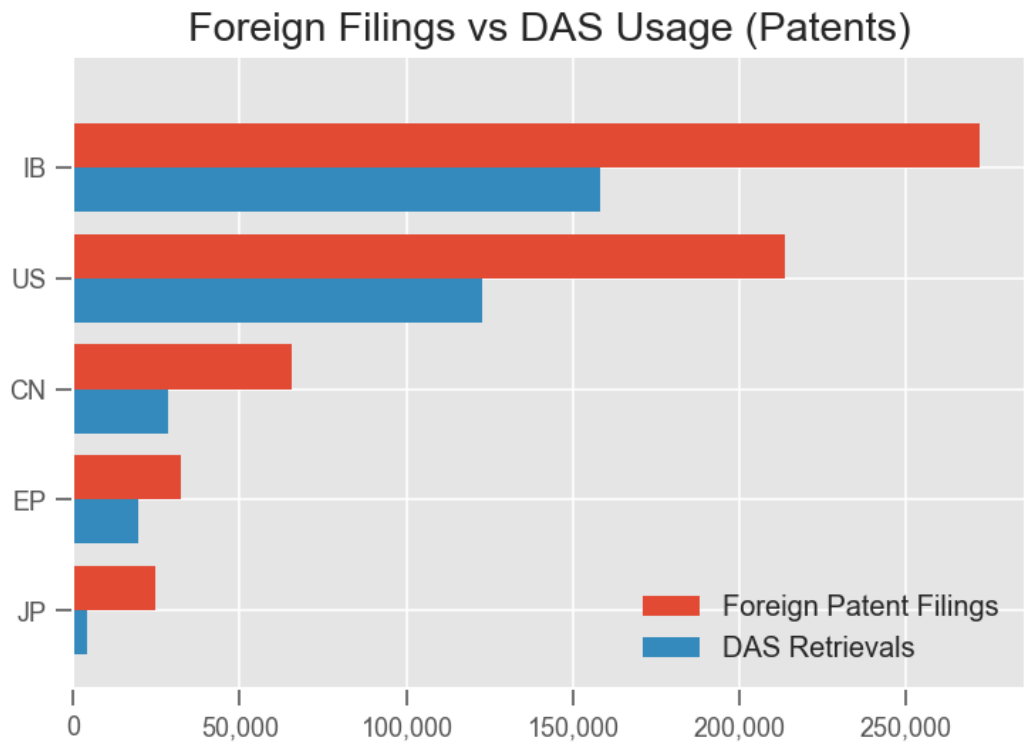
The chart below shows the growth in the number of documents exchanged via the DAS system from 2009 to 2024.

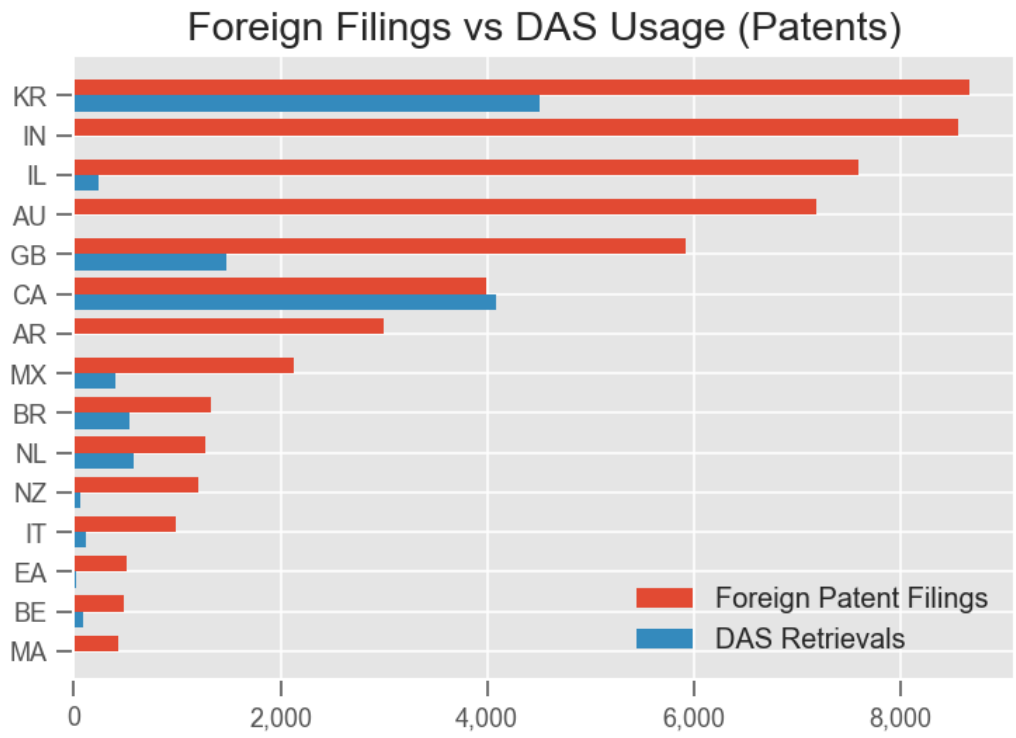


PATENTS

5. The DAS system was originally operational for the exchange of priority documents for patent and utility model applications only. In 2024, 333,654 patent documents were exchanged and 11,677 utility models.

6. The charts below show the number of patent priority documents retrieved via DAS in 2024 compared to the number of foreign (non-resident) patent applications in 2023 in the top 20 patent offices according to WIPO statistics. Foreign filings via the PCT (PCT national phase entries) are excluded from the charts. In many of the participating offices, the number of DAS retrievals corresponds to the majority of foreign patent applications.





7. In some cases, the number of DAS retrievals is very low compared to the number of foreign patent filings. This may be due to a number of factors, including but not limited to:

- Some offices do not systematically require a copy of the priority document for every application claiming priority.

- Some offices require a translation of the priority document into their national language and translations cannot, at present, be submitted via DAS.

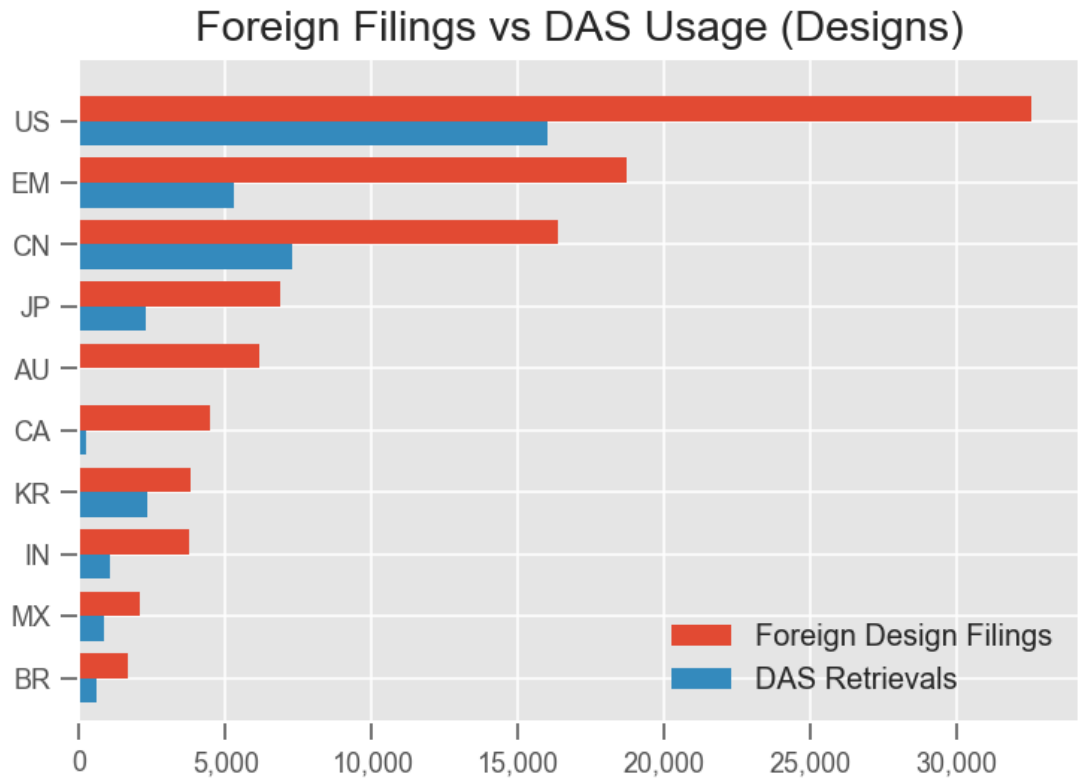
- The DAS system has been implemented relatively recently in some offices and so applicants and their agents may not have adapted their practices to use the system.

8. The use of the DAS system for PCT international applications is significant. As shown in the chart above, 158,119 patent priority documents were retrieved by the IB in relation to PCT international applications in 2024, more than 40% of all DAS retrievals. This compares to 278,100 PCT international applications filed in 2023 (the latest available statistics). It should be noted that the PCT provides a simple mechanism for furnishing priority documents in the case where the PCT receiving office is the same as the office of first filing (see PCT Rule 17.1(b)) but the DAS mechanism is preferred in many cases.

INDUSTRIAL DESIGNS

9. The DAS system has been available for the exchange of priority documents related to industrial designs since the revision of the Framework Provisions in 2012. 33 offices have notified that they are ready to exchange priority documents for industrial design applications. As noted above, 36,461 industrial design documents were exchanged in 2024, or 9.5% of the total.

10. The chart below shows the number of industrial design priority documents retrieved via DAS in 2024 compared to the number of foreign (non-resident) industrial design applications in 2023 in the top offices according to WIPO statistics. In many of the participating offices, this represents the majority of priority documents for foreign industrial design applications.



11. DAS may also be used for international applications filed via the Hague system. Although the Hague system itself does not provide for the furnishing or transmission of priority

documents, applicants may indicate on the Hague application form (or in the eHague online application system) that a priority document is available via DAS, together with the DAS Access Code, and designated contracting parties can use this information to retrieve the document.

TRADEMARKS

12. Since the revision of the DAS Framework Provisions in 2012, it has been possible to use the system for the exchange of trademark priority documents. 13 offices have notified that they are ready to act as an Office of First Filing for trademark priority documents. Similarly, 13 offices have notified that they are ready to act as the Office of Second Filing (not exactly the same offices). However, there are no trademark documents exchanged via the DAS system[1].

13. It should be noted that the trademark system is different from patents and utility models in some significant ways. Firstly, the priority document may not be required systematically by most offices since the priority claim may only become relevant during an opposition procedure, not during the examination procedure. Also, trademark certificates are published by most offices relatively early in the procedure (compared to patents which are typically published 18 months after the priority date) and so the documents are readily available without the need for a system such as DAS.

RECENT DEVELOPMENTS

14. The IB implemented some major improvements and changes to the DAS system in 2024. The system was migrated to a new, resilient and secure architecture, hosted on the cloud, and a new Application Programming Interface (API) was made available to provide better services to offices.

NEW ARCHITECTURE

15. The DAS system at the IB is now hosted on a cloud-based architecture. The system is resilient by design, meaning that it will recover automatically from system errors such as server failures, network failures or other typical outages that affect IT systems. For more critical failures, such as the loss of a complete cloud region, data can be replicated to a different geographical location and the service can be restored quickly. The serverless cloud architecture also allows for easy and automated scaling of resources, so that variations in transaction volumes should not affect the overall service levels. Finally, the system uses best practice security standards throughout, so that data is encrypted and protected at every stage of the process. For more detailed technical information on the DAS system, see the DAS wiki documentation.

APPLICATION PROGRAMMING INTERFACE

16. The new API was made available in the second half of 2024. The API follows the REST standard and includes security best practices such as authentication using OpenID Connect.

17. The API has several advantages over the legacy file exchange mechanisms used in DAS.

- The API allows for real-time exchange of information. In many cases, offices do not need to wait for responses or develop logic in their own IT systems to handle cases where there is no response.

[1] In 2024, a single trademark priority document was exchanged between two offices, but this may have been a test.

- There are effectively no limits on file sizes[2].

- The API has new transactions, such as the ability to check the status of documents before making a request. This feature has been used in the PCT and Hague online application forms to validate priority claim details and the DAS Access Code and to provide feedback directly to applicants.

- New features will be added to the API in the future, to help offices to automate processes and to improve the reliability of the system. For example, requests with errors are currently reported manually to offices (via the DAS wiki). In the future, this information may be provided via an automated API transaction.

18. For more information on the API, see the DAS wiki documentation.

OPERATIONAL CHALLENGES

19. The DAS system has several operational challenges that result in duplicated and manual effort to handle some specific conditions. These are described in more detail below.

OVER-SIZED FILES

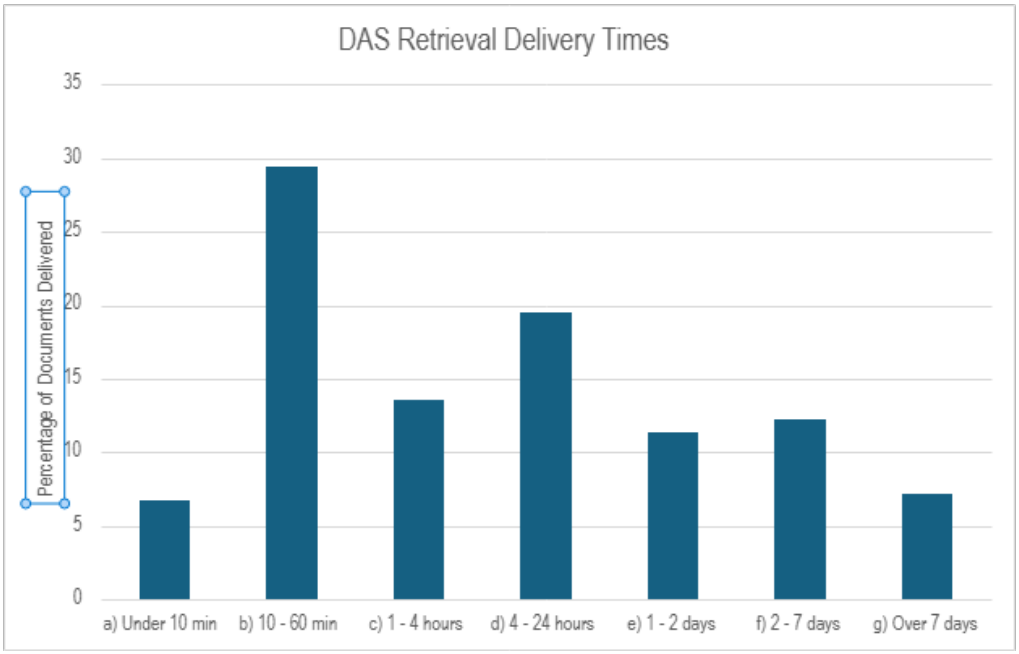
20. The legacy file transfer mechanisms currently used in DAS have a limitation of 50MB – 100MB on the file sizes (depending on the office). To overcome this limitation, and over-sized file transfer process has been implemented. However, this process is almost entirely manual and very time-consuming for offices and for the IB. Approximately 20 documents per week need to be exchange through this process and it can take up to 2 weeks for the document to be delivered.

21. As this limitation is almost exclusively due to the technical mechanisms for file transfer, the solution is for offices to migrate to the new API mechanism. There is effectively no limit to the size of files exchanged through the API since there are no priority documents that will exceed the known limits.

REQUEST FULFILLMENT DELAYS

22. Most of the requests for documents via DAS are fulfilled relatively quickly. However, a small number of requests take several hours or days to be fulfilled. The chart below shows the overall request fulfillment times.

[2] The new DAS architecture can handle files up to 2TB in size, but no priority documents of this size exist. At the moment, a limit of 1.5GB has been implemented for performance reasons, but this may be raised easily in the future if needed.



23. As shown in the chart, 70% of requests are fulfilled within one day. However, a significant percentage of requests take more than one day to fulfill and 7% take more than one week. There can be several reasons for this:

- Over-sized files need to be processed manually and take more time (see above).
- Errors in the request data (incorrect number or codes) also need to be handled manually.
- Some offices have manual procedures for responding to requests or for making documents available to DAS.
- Some offices have IT systems that are not available outside of office hours.

24. The delays in request fulfillment also result in additional issues. For example, some offices will re-send requests if there is no response. This can then lead to additional manual interventions to resolve the reasons for non-response. For offices of first-filing that have manual processes, re-sending requests results in duplicated request and duplicated work.

25. Offices can take some actions to improve the operation of the service in several ways. As noted above, the new API already provides status information to check that a request will be valid before it is sent. Additional transactions will be added in the future so that offices can check the status of outstanding requests and avoid sending duplicate requests. While it is beyond the scope of this status report to propose detailed actions, the DAS support team is available to discuss directly with offices to make improvements to the operations.

26. Document DAS/PD/WG/4/4, *Service Level Standards*, provides recommendations that are intended to address the challenges above and to improve the effectiveness of the DAS system. Although the Service Level Standards are recommendations that are not enforced, the IB will provide a status report on the DAS wiki on a regular basis and may consult with participating offices to establish work plans to improve the service levels.

FUTURE DEVELOPMENTS

27. Several proposals for future development of the DAS system are discussed in detail in document DAS/PD/WG/4/3, *Proposed Technical Changes to DAS*. In summary:

- The new API will be extended to support new functionality that will help to make the system more automated and more efficient.

- The DAS system will be adapted to support the new WIPO Standard ST.92 *Recommendations on the Data Package Format for the Electronic Exchange of Priority Documents*.

- It is proposed to extend the system to provide an option for applicants to submit translations of priority documents. Eventually, this mechanism could be extended to the submission or exchange of any document related to an IP application.

28. Offices are encouraged to migrate from the legacy file-transfer mechanisms to the new API to benefit from all of these future improvements.

29. The Working Group is invited to take note of the present status report and to provide any recommendations on the future development of the DAS system.

[End of document]