

Meeting of International Authorities under the Patent Cooperation Treaty (PCT)

Twenty-Sixth Session
Cairo, February 13 to 14, 2019

USE OF NATIONAL CLASSIFICATION SYMBOLS IN INTERNATIONAL APPLICATIONS

Document prepared by the International Bureau

SUMMARY

1. The International Bureau will soon formally consult on the details of how national classification symbols should be transmitted by International Searching Authorities to the International Bureau, as well as how the results should be made available to patent information users. International Authorities are invited to give preliminary feedback on the options currently considered most likely to be included in that consultation.

BACKGROUND

2. At its eleventh session, held in Geneva from June 18 to 22, 2018, the PCT Working Group endorsed a proposal to allow the electronic transmission of national classification symbols – and particularly the Cooperative Patent Classification (CPC) – to the International Bureau using two options. The preferred option would be to include the information as part of the XML representing the international search report. Alternatively, it could be included in a separate data file (see document PCT/WG/11/8 and paragraphs 108 to 111 of the Summary by the Chair of the session, document PCT/WG/11/26).

3. Where such symbols were received in one of the agreed formats, the International Bureau would import the data into its systems and make it generally available. It was agreed that this option should be used only by International Authorities experienced in the use of the relevant classification as a national classification system. However, it would not be obligatory for experienced Authorities to classify international applications and to send the classification information before they were ready and willing to do so.

4. The International Bureau is still in the process of preparing proposals for the exact details of these options and hopes to issue a consultation circular shortly.

LIKELY DETAILS OF FORMAT

5. The consultation circular is still under discussion, but the currently preferred suggestions for the two options are as follows.

Classification Symbols Included in the International Search Report

6. The search report component in WIPO Standard ST.96 already includes a specific <CPCClassification> element. However, the Annex F DTD on which all current XML for international search reports is based does not have specific CPC support. Rather, in line with PCT Rule 43.3, on which the proposal for introducing CPC symbols is based, it contains only elements to record International Patent Classification and generic national classification symbols. The element <classification-national> is defined to have the following contents:

country	Single mandatory text element, normally expected to be a two letter country code
edition	Single optional simple text element
main-classification	Single mandatory simple text element
further-classification	Optional repeatable simple text element
unlinked-indexing-code	Optional repeatable simple text element
additional-info	Optional repeatable paragraph text element
linked-indexing-code-group	Complex optional element, which has been removed from similar contexts under WIPO Standard ST.96 and would not be used
id	Optional unique identifier attribute for selection of the classification group (little relevance since the element <classification-national> is currently not permitted to have more than one instance within a search report document)
scheme-name	Optional attribute to identify the name of the classification scheme

7. The sub-elements are not defined as strictly as those in the elements for the International Patent Classification, where the preferred arrangement is to separate each classification symbol into section, class, subclass, main group, subgroup, etc. However, given the highly structured nature of the CPC, the complex division does not actually add any information that cannot be easily determined from the text string itself. Consequently, the International Bureau is considering the option of not changing the DTD to add a new provision specific to the CPC. Instead, instructions would be provided on how the existing element should be used. While the data model would not be as pure as if a new element were to be introduced based on <classifications-ipcr>, this approach would appear to meet the international phase data requirements and allow International Authorities to begin implementation work almost immediately.

8. The option that best fits the current data definitions would be to indicate the ST.3 code of the International Authority in the sub-element "Office" and to make clear that the scheme is the CPC by indicating this in the scheme-name attribute, for example:

```
<classification-national scheme-name='CPC'>
  <country>EP</country>
  <edition>2019.01</edition>
  <main-classification>G06Q10/02</main-classification>
  <further-classification>G06Q10/10</further-classification>
  <further-classification>G06Q10/1093</further-classification>
  <further-classification>G06Q30/0641</further-classification>
</classification-national>
```

9. The first classification symbol would use the “main-classification” element. All other classifications would use “further-classification” elements. Indexing codes would use “unlinked-indexing-code” (the element “linked-indexing-code-group” allowed for in the DTD would not be used). The main problems with this arrangement are that:

- (a) there is no obvious way to distinguish between invention and additional information, unless it is by adding a suffix such as “i” to the relevant symbols, which would be shown as plain text on the resulting form, rather than being formatted with the stylesheet (though this may also be the case for IPC codes, as shown below, so may be acceptable for CPC); and
- (b) C-sets could only be supported with careful consideration of how the further-classification element’s sequence attribute is used, which may not be compatible with other uses.

10. Using the current stylesheet (which ignores the country and edition codes from the classification-national element), this would result in a classification box on the international search report as follows:

<p>A. CLASSIFICATION OF SUBJECT MATTER</p> <p>G06F 3/084(2006.01)i; G06Q 10/02(2006.01)i; G06F 10/10(2006.01)i CPC:G06Q10/02; G06Q10/10; G06Q10/1093; G06Q30/0641</p> <p><i>According to International Patent Classification (IPC) or to both national classification and IPC</i></p>

Classification Symbols Sent Separately from the International Search Report

11. For classification symbols sent separately from the international search report, the International Bureau is considering proposing a simple text format file with a new minspec code such as “ccpc” to indicate a CPC classification file.

12. One option for this would be to use a minor variation of WIPO Standard ST.8, which allows the coding of IPC symbol information specific to a single international application into lines 50 characters long. Alternatively, on the assumption that Offices unable to produce XML search reports would wish to have a simple file format, but that some Offices might find it easier to deliver information in batches covering multiple applications rather than one at a time, the International Bureau is considering a CSV format that could be used equally for both. The fields would be international application number, edition code, CPC code and optional information value (“INV” or “ADD” – if omitted, “INV” is assumed). In this way, the CPC information from the above XML might be represented as:

```
PCT/EP2019/123456, 2019.01, G06Q10/02, INV
PCT/EP2019/123456, 2019.01, G06Q10/10, INV
PCT/EP2019/123456, 2019.01, G06Q10/1093, INV
PCT/EP2019/123456, 2019.01, G06Q30/0641, ADD
```

13. A further optional field would be required to show grouping information if it is considered that the data standard should support C-sets.

Availability of CPC Codes for Patent Information Users

14. The CPC codes recorded would be made available in at least the following ways:
- (a) as HTML views shown on the PATENTSCOPE pages; and
 - (b) as XML in the same format as may be agreed for delivery of the classification codes by the International Authority, such as that shown under paragraph 8, above.

OTHER ISSUES

15. A variety of internal issues remain to be considered in terms of how the classification symbols would be imported and stored. The main other issues of concern to Member States are believed to be about the availability of the CPC. At present, the latest symbol files are made available on the CPC website¹ and can readily be imported for Offices' validation systems. However, questions remain as to the availability and language versions of the CPC (currently established only in English) for examiners and patent information users.

16. The International Bureau would appreciate any indications International Authorities are able to provide on the likely timescales they would have for implementing either format.

17. The Meeting is invited to provide preliminary feedback on the format proposals outlined in paragraphs 6 to 14 of the present document.

[End of document]

¹ See <http://www.cooperativepatentclassification.org/index.html>