

WIPO



PCT/TCO/SS/I/6

ENGLISH ONLY

DATE: October 15, 1971

WORLD INTELLECTUAL PROPERTY ORGANIZATION

UNITED INTERNATIONAL BUREAU FOR THE PROTECTION OF INTELLECTUAL PROPERTY

PATENT COOPERATION TREATY

INTERIM COMMITTEE ON TECHNICAL COOPERATION

STANDING SUBCOMMITTEE

First Session : Geneva, December 8 to 10, 1971

PATENT ASSOCIATED LITERATURE

Report by the International Bureau

SUMMARY

The present document contains a summary of proposals made by the Information Services of the Institution of Electrical Engineers (INSPEC) concerning a service to cover patent associated literature (the "PAL" System). The document also contains observations made on the PAL System by the United Kingdom, the United States of America and the International Patent Institute (IIB).

Introduction

1. On May 21, 1971, copies of proposals submitted to WIPO by the Institution of Electrical Engineers, a United Kingdom professional society, were distributed to the National Offices represented on the Standing Subcommittee of the Patent Cooperation Treaty Interim Committee for Technical Cooperation, and to the IIB. These proposals, prepared by the information service of the Institution ("Information Services in Physics, Electrotechnology, Computers and Control": INSPEC), concern a service for covering Patent Associated Literature (the "PAL" System).
2. These proposals were distributed without comment at that time, except for the indication that the International Bureau thinks it inappropriate for royalties to be paid to WIPO on revenues obtained by INSPEC from National Offices (cf. sub-item (e) under paragraph 7.1).
3. On that occasion, the International Bureau stated that an appropriate procedure of consultation with National Offices interested in such a service was envisaged for a later date, but that the Offices were invited to present any comments which they would like to make in the meantime.
4. To date, three letters have been received and are reproduced as Annexes to the present document:
 - Annex A: Observations by the International Patent Institute
 - Annex B: Observations by the United Kingdom
 - Annex C: Observations by the United States
5. In the light of the suggestion contained in the last paragraph of Annex B, that the proposal should be studied by the PCT Interim Committee for Technical Cooperation, the matter has been placed on the agenda of the first session of its Standing Subcommittee.

Summary of the Proposals

6. The proposal envisages that a range of specialized products be developed from the INSPEC data base in the fields of physics, electrical and electronics engineering, computers and control (Phase 1), with an early extension into mechanical engineering (Phase 2). At the same time, a cooperative effort would be pursued with Chemical Abstracts Service, and possibly with other organizations, to make it possible at a later date to provide parallel services in the chemical and other fields (Phase 3).

7. Since the major abstracting services are obliged in any case to scan large areas of the world's literature for their own data bases, it is relatively easy, and certainly less costly, for an additional selection to be made at this level in order to identify documents which are likely to be relevant for patent searches, and thus to define a subset of "Patent Associated Literature"--or "PAL". This selection would be made according to criteria established by WIPO together with appropriate National Patent Office authorities and the IIB.

8. The PAL services outlined in the proposal would cover this subset, and would provide abstracts, indexes and magnetic tape data bases, with each PAL item carrying the appropriate Int. Cl. symbols. It is hoped also that it would be possible to make arrangements for the provision of full text copies of much of the PAL material, since the importance of having the full text available for patent searches is recognized. There will, however, be copyright problems in this area, and at this stage one can do no more than offer certain suggestions as to how they might be resolved.

9. The proposal includes cost estimates for most of the PAL services. The annual cost will necessarily be dependent on the number of International Searching Authorities which agree to participate in the system. In Phase 1, covering physics and electrical engineering, it will range from \$20,000 if three Offices subscribe, down to \$10,000 if seven or more subscribe, for the basic service.

Future Action

10. The members of the Subcommittee are invited to study the proposals and to submit written comments and questions thereon to the International Bureau by November 15, 1971, in time for preparation and circulation of a further document on this subject prior to the first session, at which time the proposals will be discussed.

11. The International Bureau is particularly interested in obtaining the views of the Subcommittee members as to whether:

- (i) the Standing Subcommittee could be charged with the task of establishing the criteria for the selection of periodicals and/or documents to be systematically covered by the PAL service;
- (ii) the responding Authority would be willing to subscribe to the PAL service already in Phase 1;
- (iii) same with Phase 2 and 3 provided the price increases proportionately with the number of abstracts;

- (iv) the International Bureau should make an agreement with INSPEC or the whole matter--except for the establishment of the above-mentioned criteria--should be left to bilateral arrangements between INSPEC and any interested Authority.

12. The Subcommittee is invited to make a decision on any further steps in this matter.

/Annexes A to D follow/



INSTITUT INTERNATIONAL DES BREVETS

BOITE POSTALE 5021 - LA HAYE (PAYS-BAS)

TELEPHONES:

SIÈGE: (070) 51 22 31

SERVICE TECHNIQUE: (070) 24 54 77

ADRESSE TÉLÉGRAPHIQUE:

BREVPATENT

TÉLEX No. 31.651

Mr. Arpad Bogsch
First Deputy Director General
W. I. P. O.
32, Chemin des Colombettes
GENEVA

S w i t z e r l a n d.

LA HAYE, le 9th June 1971.
97, Nieuwe Parklaan

Dear Dr. Bogsch,

My Director-General has asked me to reply to your letter of May 21 concerning the "PAL" system.

Whilst time has precluded a detailed study of the proposal, the IIB is prima facie very interested in this matter and would wish to be kept informed of any developments and to take part in any consultations relating thereto.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'L.F.W. Knight', is written over a horizontal line.

L.F.W. Knight
Conseiller à l'Informatique

/Annex B follows/



THE PATENT OFFICE
25 SOUTHAMPTON BUILDINGS
LONDON W.C.2

Telephone: 01-405 8721

From the Comptroller-General

10 June 1971

Our ref: IPCD 40250

Mr Arpad Bogisch
First Deputy Director General
WIPO
32 chemin des Colombettes
1211 Geneva 20
SWITZERLAND

Dear Arpad

I was very interested to receive the copy of the INSPEC proposals regarding a non-patent literature information service which you sent me on 21 May 1971.

The proposed service looks very promising and I understand that the existing INSPEC services enjoy a high reputation among their users. The suggested prices appear to be reasonable and as far as I can see would mean that it would be cheaper for an Office to use this service than to do the necessary scanning and abstracting itself, even if it had all the journals already available.

The proposal should certainly be studied by the PCT Interim Committee for Technical Co-operation and we will reserve any comments on the details of the proposal for a meeting of that Committee or its subcommittee.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'E. Armitage'.

E Armitage

/Annex C follows/



**U.S. DEPARTMENT OF COMMERCE
Patent Office**

Address Only: COMMISSIONER OF PATENTS
Washington, D.C. 20231

October 8, 1971

Dr. Arpad Bogsch
First Deputy Director General
World Intellectual Property Organization
32 chemin des Colombettes
Geneva, Switzerland

Dear Dr. Bogsch:

In response to your letter of May 21, 1971, I am pleased to enclose the comments of the U. S. Patent Office on the proposals submitted by the Institution of Electrical Engineers concerning the INSPEC and PAL systems.

We would appreciate your circulation of our comments to the member and observer States of the PCT Interim Committee for Technical Cooperation prior to the forthcoming December meetings.

Sincerely,

A handwritten signature in cursive script, reading "Richard A. Wahl".

Richard A. Wahl
Assistant Commissioner of Patents

Attachments

The United States Patent Office is definitely interested in a cooperative system whereby, through WIPO, an agreement would be made with one or more abstracting services to supply certain non-patent technical literature (NPTL) to several Searching Authorities. The United States Patent Office is also interested in having an agreed list of periodicals and technical literature common to prospective or actual Searching Authorities, Rules 34.1 and 36.1, with a common source for providing selected items from such list to be included in the examiner search file. The United States Patent Office examiners have guided INSPEC in the types of materials to be included in the NPTL service for the Patent Office.

The "PAL Indexes" described on page 3.5 of the INSPEC proposal are believed suitable to define and control an inventory for Searching Authorities. They also serve their basic "index" functions, of course.

It could be agreed whether the PAL Abstract Sheet alone, specimen at page 3.4 of the proposal, would be adequate for examiner search.

In the United States Patent Office our examiners indicated a keen desire for full text in part at least of the abstracted article. Consequently, INSPEC furnishes

the "tear-sheet" service mentioned near the bottom of page 2.2. However, for more than one subscriber full-text copies must be available and the copyright problem arises. The copyright proposal on pages 3.8-3.9 might be a solution. The United States Patent Office would be agreeable to maintaining a subscription to each journal on a "high yield" list.

The INSPEC service is too new in the United States Patent Office to permit an examiner citation rate study of the material in the search files. The dates of the earliest publications placed in the files have only recently attained the age where they can be legally-effective prior art, considering the filing date of the applications being taken up for search and examination. The "effective date" items are still quite small in number, although the number grows as each month passes. Studies will be undertaken when the time appears fruitful.

The United States Patent Office further believes WIPO should arrange for expansion of the service to include other abstracting services such as Chemical Abstracts Service, see pages 4.3 et seq. There should be close coordination so that only one document numbering system, one index system, etc., is used. At present, in the

United States Patent Office, the prefix "S" denotes "Science Abstracts." Another service such as CAS might use "C". Shirley Institute abstracts in the textile field could use "T", etc. A reel-type microfilm is used to capture and miniaturize the incoming abstract and tear sheets. This film can be used to supply copies to applicant when cited by the examiner.

The selection system described at pages 5.4-5.5 is essentially the one used by the United States Patent Office and appears now to operate satisfactorily after a break-in period. How the system would work with inputs from several Searching Authorities would need yet to be determined. See also page A-3 for further discussion of the selection system.

The costs, pages 6.1, 6.2, appear reasonable.

Commenting on the fact that INSPEC, CHEMICAL ABSTRACTS SERVICE and others are commercial and may have or acquire "monopoly" powers, it is pointed out that their source material is, like published patent documents, readily available to anyone who wishes to perform a similar service. At this time it is believed that no National Office nor the IIB has the staff to scan the wide field of technical literature in all the languages, select and abstract pertinent items. The United States Patent Office

finds it significantly more effective and efficient to utilize commercial sources than to institute "in-house" processes.

The major points of a WIPO-INSPEC, pages 7.1-7.2, appear fairly reasonable at this time. However, it may be that the ban on external use by WIPO end after, say six months, so that WIPO could be free to supply at a price copies of the material.

The "outline agreement" with an individual Search Authority would need to have price escalation limits set, e.g., not to exceed 4 or 5% per year.

/Annex D follows/

RAW/j
10/1/71

ORGANISATION MONDIALE DE LA
PROPRIÉTÉ INTELLECTUELLE

Bureaux internationaux réunis
pour la protection de la
propriété intellectuelle (BIRPI)



WORLD INTELLECTUAL
PROPERTY ORGANIZATION

United International Bureaux
for the Protection of Intellectual
Property (BIRPI)

May 21, 1971

./.

I have the honor to transmit herewith a copy of proposals submitted to WIPO by the Institution of Electrical Engineers, a United Kingdom professional society. The proposals, prepared by the information service of the Institution ("Information Services in Physics, Electro-technology, Computers and Control": INSPEC), concern an information service to cover Patent Associated Literature (the "PAL" System).

These proposals are distributed without comment at this time, save to note that we think it inappropriate for royalties to be paid to WIPO on revenues obtained by INSPEC from National Offices (cf. sub-item (e) under paragraph 7.1).

Copies of the proposals are being sent to the National Offices of the members of and the observer at the Standing Subcommittee of the Patent Cooperation Treaty Interim Committee for Technical Cooperation (Austria, Germany (Federal Republic), Japan, the Soviet Union, Sweden, the United Kingdom, the United States of America, the International Patent Institute and Brazil).

We intend later to propose an appropriate procedure for consultation with National Offices which may be interested in such a service. If, in the meantime, you have any comments, we would be pleased to receive them.

Sincerely yours,

Arpad Bogsch
First Deputy Director General

/End of document/