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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

STANDING COMMITTEE ON INFORMATION TECHNOLOGIES

PLENARY

Fourth Session

Geneva, December 6 to 10, 1999

REPORT

adopted by correspondence

INTRODUCTION

1. The Standing Committee on Information Technologies (SCIT) held its fourth Plenary ("SCIT Plenary") session in Geneva from December 6 to 10, 1999.
2. The following Member States of WIPO and/or the Paris Union were represented at the session: Albania, Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, El Salvador, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lithuania, Mexico, Morocco, Netherlands, Norway, Oman, Panama, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Uganda, Ukraine, United Kingdom, United States of America, Viet Nam and Zimbabwe (64).
3. Representatives of the African Intellectual Property Organisation (OAPI), the Benelux Trademark Office (BBM), the European Communities (EC), the Eurasian Patent Office (EAPO) and the European Patent Office (EPO) (5) took part in the session in a member capacity.

4. Representatives of the following organizations took part in the session in an observer capacity: International Labour Office (ILO), League of Arab States (LAS), Organization of African Unity (OAU), Ibero-Latin American Federation of Performers (FILAIE), International Federation of Inventors' Association (IFIA), International Federation of Industrial Property Attorneys (FICPI), International Federation of Reproduction Rights Organization (IFRRO), Patent Documentation Group (PDG) and International League of Competition Law (LIDC) (9). The list of participants appears as Annex I to this report.

5. The session was opened by Mr. K.-P. Wittig, Deputy Director, Inter-Office Information Services Department.

ELECTION OF OFFICERS

6. The SCIT Plenary unanimously elected Mr. P. Back (United Kingdom) as Chair and Mrs. A. Vadász (Hungary) and Mr. A. El Faki Ali (Sudan) as Vice-Chairs.

7. Mr. K.-P. Wittig acted as Secretary of the session.

ADOPTION OF THE AGENDA

8. The SCIT Plenary unanimously adopted the agenda, which appears as Annex II to this report.

CONCLUSIONS, DISCUSSIONS AND DECISIONS

9. As decided by the Governing Bodies of WIPO at their tenth series of meetings (see document AB/X/32, paragraphs 51 and 52), held from September 24 to October 2, 1979, the report of this session reflects only the conclusions (decisions, recommendations, opinions, etc.) of the SCIT Plenary and does not, in particular, reflect the statements made by any participants, except where any reservation in respect of any specific conclusion of the SCIT Plenary was made or repeated after the conclusion was arrived at.

SUMMARY OF DISCUSSIONS BY THE CHAIR

10. The Chair presented a written draft Summary of Discussions (document SCIT/4/7) reflecting the major topics covered and the conclusions reached by the SCIT Plenary. A revised version of the text of that document, reflecting all comments on the draft Summary agreed upon during the closing session on December 10, 1999, is recorded in paragraphs 11 to 44, below.

IMPLEMENTATION OF THE SCIT STRATEGIC INFORMATION TECHNOLOGY PLAN

(Documents SCIT/4/2, SCIT/4/2 Add.1)

11. In introducing the documents the International Bureau referred to the Strategic Implementation Plan as a dynamic management tool which would evolve to include changing priorities and resource levels. One of the many issues still to be considered was the relationship between the Strategic Implementation Plan and the SCIT Work Program. For the International Bureau to meet its own requirements and those of the SCIT the redundant areas covered by both documents needed to be addressed. There needed to be a mechanism whereby new priorities arising from the SCIT can be translated into projects and then integrated into the Strategic Implementation Plan. At the same time the International Bureau recognized the SCIT's responsibility to monitor the progress of projects, and status reports would continue to be provided at all SCIT Plenary meetings.

12. On the question of internal project management the International Bureau is in the process of adopting a common methodology using Industry Standard products. These include the methodology developed and maintained by the Project Management Institute, the more specialized and complimentary Rational Unified Process and, for quality control, the relevant components of International Standard ISO 9001. A new set of minimum criteria for prioritizing resource allocation and project scheduling is also being developed internally to cover the creation of new projects. In the area of staffing replies to the International Bureau's request for Technical Support Services were currently being evaluated. The short-listed companies will be used to bolster resources in specialist areas on a short-term basis. Where skill sets were needed long-term existing staff would receive the necessary training. This would enable the International Bureau to absorb projects, once the development phase has been completed, into the Core operational IT side.

13. SCIT members welcomed the document and the work that had gone into its production. Particular emphasis was placed on the recognition of the constraints on the International Bureau in its IT development, the need to reduce the technology gap between developed and developing countries and the need to include Member State comments in future versions of the Plan. The Strategic Implementation Plan was a watershed in the International Bureau's IT effort and care would need to be taken to involve Member States in its deployment. A stable global infrastructure involving, where useful, regional intellectual property offices, would form a critical foundation for IT implementation in IPOs and must include training for local staff.

14. In noting the Strategic Implementation Plan the International Bureau was requested to submit, well in advance of the next meeting of the SCIT Plenary, two papers; one on the project management methodologies that WIPO was planning to implement, including their application to existing projects, and the other dealing with the issues of the Strategic Implementation Plan's relationship with planning mechanisms such as the SCIT Work Program and those internal to the International Bureau. The latter should also include a proposal on how new activities suggested by Member States could be resourced and

introduced into the Strategic Implementation Plan. Until the review of the Strategic Implementation Plan's planned priorities is completed, the SCIT Plenary decided that the current priorities, that emphasise WIPONET, PCT IMPACT and IPO automation, will continue.

EXCHANGE OF INFORMATION ON PROGRESS IN THE FIELD OF INFORMATION TECHNOLOGIES

15. The SCIT Plenary noted the information provided by the Delegation of the United States of America concerning the changes in their industrial property legislation, with particular attention given to those changes having international repercussions. All these changes were signed into law on November 29, 1999.

16. The SCIT Plenary also noted the information by the Delegation of Finland on two new laws related to electronic commerce in their country. One of these laws concerns electronic commerce in public administration and the other applies to electronic identity cards. The Delegation of Finland offered to give a presentation on the matter at the next meeting of the SCIT Working Groups.

REPORT BY THE INTERNATIONAL BUREAU ON THE ELABORATION OF STANDARDS FOR FILING OF PATENT APPLICATIONS (Task Nos. 37 and 38)*

17. The International Bureau provided an oral report in respect of Task Nos. 37 and 38 which had been created by the SCIT Plenary at its February 1999 meeting (see document SCIT/2/8, paragraphs 33 to 36). At that meeting, the SCIT Plenary had agreed, in respect of Task No. 37, to an offer from the Trilateral Offices that they would provide a draft E-filing standard to be used as the basis of further work and finalization of the standard by a Task Force established for this purpose. The Trilateral Offices had produced this draft and also an Action Plan for further work, both of which had been submitted to the Task Force and also discussed by the Standards and Documentation Working Group (SDWG) at the SCIT/WG/2 meeting (see paragraph 32 of this report).

18. With regard to Task No. 38, the development of an International Standard Application Format (ISAF), an initial draft submitted by the USPTO, had been made available to the Task Force and comments requested. The Delegation of the United States of America reported that subsequent work on the development of ISAF had been put on hold pending the completion of the Trilateral Offices' work on the draft E-filing standard (see above) due to the relationship between the two activities. The Delegation concluded by stating that the USPTO would do some testing and produce updated drafts which would be made available for Task Force consideration.

* In the SCIT Work Program for the 2000-01 biennium, these Tasks have been renumbered into Task Nos. 13 and 8, respectively.

REQUESTS TO GRANT OBSERVER STATUS IN MEETINGS OF THE SCIT
(Document SCIT/4/3)

19. In the discussions, eight delegations expressed their positions with regard to the granting of observer status to the publishers of the journal *World Patent Information (WPI)* and *The Copyright Group*, as had been requested by the two institutions. Views were divided as to whether observer status should be granted taking into account the commercial interests of the publishers of *WPI* and of *The Copyright Group*. Although some delegations referred to the merits of granting observer status to *WPI* in view of their publication activities of disseminating information to the general public concerning SCIT matters, e.g., notifying of decisions taken by the SCIT regarding IP information and documentation matters, there was no clear majority for granting the requested observer status to the publishers of *WPI*.

20. In response to questions raised by some delegations regarding WIPO rules as the basis for the granting of observer status, the International Bureau explained its policy by referring to the WIPO General Rules of Procedure (Publication 399, Rev.3, Rules 8 and 24) and to the Special Rules of Procedure of the SCIT (document SCIT/1/7, Annex III, Appendix I, paragraph 4). According to paragraph 4 of the SCIT Special Rules, the “Director General of WIPO may, and, if so requested by the SCIT Plenary, shall invite, as observers, interested intergovernmental organizations and interested international and national non-governmental organizations, as well as organizations providing information services in the field of intellectual property information, which are not accredited with observer status at WIPO meetings”.

21. The SCIT Plenary agreed that the International Bureau would prepare, for consideration at the next Plenary session, a set of guidelines which could help clarify the various possibilities for inviting organizations involved in the commercial provision of IP information services to attend or participate in the meetings of the SCIT Plenary and/or the Working Groups, particularly with regard to a possible conflict of interest.

22. Awaiting the above-mentioned guidelines, the SCIT Plenary decided to defer its decision as to whether the two institutions should be granted observer status.

NOTIFICATION BY THE CANADIAN INTELLECTUAL PROPERTY OFFICE TO
TERMINATE ITS PARTICIPATION WITHIN THE JOPAL PROJECT AND
AMENDMENTS WITH REGARD TO THE PCT LIST OF PERIODICALS
(Document SCIT/4/6)

23. The SCIT Plenary considered proposed amendments to the PCT List of Periodicals as suggested in paragraphs 8 to 10 of document SCIT/4/6 and agreed to approve the amendments as follows:

(a) to remove the journals with the PCT identification number 037 and 222 from the PCT list and include a reference to the two journals in its Appendix 1 “Periodicals which have been deleted from the original list, including those for which publication has been discontinued;”

(b) to insert journals 232 (European Journal of Inorganic Chemistry) and 233 (Nature Biotechnology), which are the successor journals of the periodicals 037 and 222, respectively, in the PCT list;

(c) to reflect the change in the title of journal 178 (Journal of Organic Chemistry of Russia) in the PCT list.

24. Noting that all ten International Searching Authorities (ISAs) under the PCT had been informed by the International Bureau of the above-mentioned changes and were represented at the fourth Plenary session of the SCIT, the SCIT Plenary agreed that the amended PCT list would come into effect as of January 1, 2000. The International Bureau informed that it would publish the amended PCT list on the SCIT area of WIPO's Web site (WIPO Standards and Other Documentation) and in the PCT Gazette.

25. The SCIT Plenary took note of the decision by the Canadian Intellectual Property Office to terminate, by December 31, 1999, its contribution to the JOPAL Project. The SCIT Plenary appreciated the offer made by the Austrian Patent Office and by the German Patent and Trademark Office to take over, in addition to their current workload, responsibility for selecting articles from PCT journals 233 (old number 222) – Nature Biotechnology and 205 – IEEE Electron Device Letters, respectively. PCT journals 208, 211 and 219 will, for the time being, not be covered within the JOPAL Project.

26. The International Bureau was requested to prepare a survey to provide information on the current use of JOPAL in the light of the availability via the Internet of other sources of non-patent information especially those which are accessible free-of-charge. Information in respect of the use of these alternative sources would also be requested. The survey would be sent out in Q1/2000 and a report of these findings would be provided to the fifth Plenary session for consideration of possible future action in respect of the JOPAL Project.

**REPORT ON THE SECOND SESSION OF THE WORKING GROUPS OF THE
STANDING COMMITTEE ON INFORMATION TECHNOLOGIES
(Document SCIT/WG/2/11)**

27. The SCIT Plenary noted the Summary of Discussions by the Chair of the second session of the SCIT Working Groups as contained in document SCIT/WG/2/11 and amended by the Working Groups, and expressed satisfaction with the work carried out. Further, the SCIT Plenary reviewed the decisions taken and recommendations made by them at the second session and reached the following conclusions:

Report by the International Bureau on the Establishment and Operation of WIPONET
(Document SCIT/WG/2/2)

28. The SCIT Plenary agreed

(a) to adopt the WIPONET project implementation approach and revised implementation schedule as contained in paragraphs 13 and 14 of document SCIT/WG/2/2;

(b) to recommend to the Program and Budget Committee that:

(i) the Program 12(SRF) unspent balance for the 1998-99 biennium, arising from the delay in the award of a contract for WIPONET, be reappropriated to WIPONET for the 2000-01 biennium; and

(ii) funds be made available in future biennial program and budgets to meet the running costs resulting from WIPONET project deployment; and

(c) to adopt the needs analysis project approach suggested in paragraph 18 of document SCIT/WG/2/2.

29. In agreeing the above the SCIT Plenary noted that, with reference to paragraph 28(b)(ii), above, the sharing of running costs between WIPO and the IPOs needs to be carefully considered on an ongoing basis. With reference to paragraph 28(c), above, the SCIT Plenary requested the International Bureau to prepare a document, in advance of its next meeting, showing the timetable for the work to be carried out under the needs analysis.

Standard for Electronic Filing, Processing, Storage and Records Management of International Applications under the Patent Cooperation Treaty (PCT)
(Document SCIT/WG/2/10, project file SCIT/P 8/99)

30. The SCIT Plenary noted a request by the SDWG that the International Bureau should pursue further the matter of obtaining a binding agreement with the applicant for a patent on the Ticket Mechanism (as outlined in the draft E-filing standard) that free licenses would be granted to IPOs, and applicants or agents communicating with IPOs.

31. The SCIT Plenary noted further that the International Bureau was requested by the SDWG to work with the Trilateral Offices to identify a time interval that may be allowed between an applicant receiving a ticket and attempting to send the corresponding application.

32. The SCIT Plenary agreed to adopt the Action Plan by the Trilateral Offices as amended and contained in Annex III to this report.

Recommended Minimum Contents for Web Sites of Intellectual Property Offices
(Document SCIT/WG/2/4)

33. The SCIT Plenary agreed to adopt the Recommended Minimum Contents for Intellectual property Offices' Web Sites, as presented by the SDWG and contained in Annex IV to this report.
34. Finally, the SCIT Plenary noted that the International Bureau would undertake to give further consideration, in the context of the IPDL Project, to the establishing of hyperlinks to searchable databases of IP information through WIPO's Web site.

Revision of WIPO Standard ST.14 - Industrial Designs
(Project file SCIT/P 4/99)

35. The SCIT Plenary agreed to adopt the revised WIPO Standard ST.14, as presented by the SDWG, and reproduced in Annex V to this report. The SCIT Plenary further agreed to consider Task No. 40 of the SCIT Work Program for the 1998-99 biennium completed.

Proposal by the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM) for Revision of WIPO Standard ST.60
(Document SCIT/WG/2/5, project file SCIT/P 7/99)

36. The SCIT Plenary followed the recommendation by the SDWG and agreed to adopt the inclusion, in Standard ST.60, of a new INID code (558) with the definition in English, French and Spanish as follows:
- English: "(558) Mark consisting exclusively of one or several colors;"
 - French: "(558) Marque consistant exclusivement en une ou plusieurs couleurs;"
 - Spanish: "(558) Marca consistente exclusivamente en uno o varios colores".

As a consequence, the editorial change to be inserted in the Explanatory Notes of WIPO Standard ST.60 related to INID code (550) was also adopted by the SCIT Plenary.

Status Report on the Revision of WIPO Standards ST.30, 31, 32, 35 and 40
(Project file SCIT/P 2/98)

37. Noting that the revision of WIPO Standard ST.35 had been agreed to by correspondence, and no objection had been raised by members of the Working Group, the SCIT Plenary adopted the revised Standard.

Monitor the Changeover to Electronic Data Carriers and Update Technical Guidelines as Necessary

(Document SCIT/WG/2/7, project file SCIT/P 6/99)

38. The SCIT Plenary agreed to adopt the revised Technical Guidelines as recommended by the SDWG and included as Annex VI to this report.

39. The SCIT Plenary considered the suggestion by the SDWG to have the Statement of Principles Concerning the Changeover to Electronic Data Carriers for the Exchange of Patent Documents updated and agreed to include this activity in the SCIT Work Program for the 2000-01 biennium.

Continuation of the Production of the CD-ROM Series GlobalPat

(Document SCIT/WG/2/9)

40. The SCIT Plenary noted the great interest by some IPOs in the continued availability of the GlobalPat CD-ROM collections and agreed to WIPO's participation in the GlobalPat project in conformity with the concept outlined in Project 2 of the SCIT Strategic Implementation Plan ("Changeover assistance").

SCIT WORK PROGRAM FOR THE 2000-01 BIENNIUM

(Document SCIT/4/4)

41. The basis for the SCIT Plenary discussions was document SCIT/4/4 and the related annexes. Delegations raised questions in respect of some of the tasks that were included in Annex 2 as candidates to be discontinued (Task Nos. 5, 12, 17 and 21 of the SCIT Work Program for the 1998-99 biennium) and also proposed tasks in Annex 1 for removal (Task Nos. 8, 9 and 40 of the SCIT Work Program for the 1998-99 biennium) or revision of the task description (Task No. 10 of the SCIT Work Program for the 1998-99 biennium, now renumbered into Task No. 14). The SCIT Plenary agreed that prioritization of the renumbered Task Nos. 3 and 4 were set the same. Questions relating to the meaning of priority status and those priorities currently allocated to tasks in the light of the priorities given to projects under the Strategic Implementation Plan were also raised. The means of showing the correspondences between the Work Program and the Strategic Implementation Plan were also discussed, the Delegation of the United States of America proposing the addition of an extra column to indicate the appropriate project number as one simple way of doing this. In conclusion of the discussions, the SCIT Plenary agreed to approve the provisional Work Program for the 2000-2001 biennium as amended. The provisional Work Program is included as Annex VII to this report.

42. The SCIT Plenary proceeded to consider the paper submitted by the Government of India relating to the establishment of a Traditional Knowledge Digital Library (TKDL) and how such a proposal should be addressed, but did not decide, for the time being, to create any new task to pursue the subject matter within the SCIT Work Program. However, some delegations suggested that the feasibility of electronic exchange of traditional knowledge documentation should be studied as part of the overall WIPO approach to intellectual property aspects of traditional knowledge.

43. The International Bureau offered to prepare a paper for submission to the SCIT which would take all of the above issues into account. The SCIT Plenary welcomed the offer and the tabling of the document for discussion at the next meeting (see paragraph 14, above).

NEXT MEETINGS

(Documents SCIT/4/5, SCIT/4/5 Add.1)

44. The SCIT Plenary agreed to the following tentative schedule of meetings in the first half of the year 2000:

April 10-14	Third joint meeting of the SCIT Working Groups (SCIT/WG/3)
July 10-14	Fifth Plenary session (SCIT/5).

45. The draft of this report was sent to participants to the fourth session of the SCIT Plenary and adopted by correspondence.

[Annexes follow]