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STANDING COMMITTEE ON INFORMATION TECHNOLOGIES STANDARDS AND DOCUMENTATION WORKING GROUP

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REVISION OF WIPO STANDARD ST.10/C

Document prepared by the Secretariat

1. At its first session, held from May 28 to 30, 2001, the Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT) noted a proposal submitted by the Delegation of Japan for the revision of WIPO Standard ST.10/C and appreciated the offer by this Delegation to act as task leader. The SDWG agreed to initiate the creation of a task for the revision of WIPO Standard ST.10/C and requested the Delegation of Japan to submit the project brief to the Secretariat for consideration by the SCIT Plenary at its next session. (See paragraphs 34 and 35 of document SCIT/SDWG/1/9.)
2. On July 2, 2001, the Japan Patent Office (JPO) submitted to the Secretariat a project brief for the revision of WIPO Standard ST.10/C that had been prepared in consultation with other industrial property Offices. The said project brief was presented for consideration by the SCIT Plenary at its seventh session, held in June 2002. Following discussions, the SCIT Plenary agreed:
 - (a) to create a task for the revision of Standard ST.10/C; and
 - (b) to create a Task Force to handle such revision.

(See paragraphs 25 to 28 of document SCIT/7/17.)

3. In accordance with the above-mentioned decision by the SCIT Plenary, the International Bureau (IB) distributed, by e-mail, a letter by the Japan Patent Office (JPO), dated June 24, 2002, inviting those Offices wishing to participate actively in the discussion to nominate a representative to work as part of the ST.10/C Task Force. In reply to this circular, 14 representatives have been nominated by those Offices.

4. Upon setting up the electronic forum, the Task Force began its work on the basis of the project brief referred to in paragraph 2, above, on July 16, 2002. The JPO, as leader of the Task Force, submitted the report of the Task Force on the work carried out, the issues addressed and the agreements reached on September 27, 2002, for the consideration by the SDWG. The report of the ST.10/C Task Force is reproduced as an Annex to this document with three Appendices attached.

5. An oral progress report of the work carried out by the Task Force since submitting the report referred to in paragraph 4, above, and the latest results reached will be presented at the current session of the SDWG in order to inform the Working Group on the status of the revision of WIPO Standard ST.10/C.

6. *The SDWG is invited:*

(a) *to note the contents of the Report of the Standard ST.10/C Task Force as given in the Annex to this document and the three attached Appendices;*

(b) *to note the oral progress report by the ST.10/C Task Force and, eventually, to consider approving proposals made by the Task Force concerning the revision of WIPO Standard ST.10/C.*

[Annex follows]

ANNEX

REPORT OF THE WIPO STANDARD ST.10/C TASK FORCE
SEPTEMBER 27, 2002

1. INTRODUCTION

In order to improve the quality of patent family data and to avoid confusion in the presentation of priority application numbers, after finalizing the specific description of the Task Force (see Appendix 1), the WIPO Standard ST.10/C Task Force (ST.10/C Task Force) started its work with regard to WIPO Standard ST.10/C in July 2002.

For the above purposes, the Task Force considered in particular the need to:

(1) Revise and update the Appendix to WIPO Standard ST.10/C

The following revisions and updates of the Appendix to WIPO Standard ST.10/C were considered:

(a) a revision and update to cover all the member states of the Paris Convention;

(b) a revision and update to include the presentation of application numbers of both patents and utility models in the examples; and

(c) a revision and update to include in the examples the presentation of application numbers assigned by receiving regional offices of a particular country in those cases where there is no uniform system established for assigning application numbers among the different receiving regional offices.

(2) Revise the recommendation set out in the Standard

The following two recommendations were also considered for adding to WIPO Standard ST.10/C:

(a) a recommendation to industrial property offices to comply with the Standard when presenting the application number of a patent document in the notification of the first filing and in the certificate of priority; and

(b) a recommendation to industrial property offices to demand and facilitate the compliance, by applicants, of the standard when providing the priority application number in subsequent filings.

2. REVISION AND UPDATE OF THE APPENDIX TO WIPO STANDARD ST.10/C

Based on the input received, the Task Force summarized the information on the countries or organizations which are members of the Paris Convention and/or having utility model application systems in a table (see Appendix 2). The following information is now available:

- (a) The countries or organizations that are currently listed in Table 1 and/or 2 of the Appendix (marked with a circle in either "Table 1" or "Table 2");
- (b) The countries or organizations that are not listed on these Tables although their numbering systems are known (marked with a triangle in either "Table 1" or "Table 2");
- (c) The countries or organizations that have utility model application systems and that are listed on these Tables (marked with a circle in "Utility model");
- (d) The countries or organizations that may have utility model application systems but that are not listed on these Tables (marked with a triangle in "Utility model")
If the existence of the utility model application number has not been confirmed yet, a question mark is put next to the triangle; and
- (e) The countries or organizations whose application numbering systems remain unknown (not marked in any column).

The Task Force also revised the Tables of the Appendix concerning Armenia (AM), Kazakhstan (KZ), Japan (JP) and United States of America (US). Besides this revision, the Korean Intellectual Property Office (KIPO) has already requested WIPO to replace the current Table by the new one.

It was pointed out that the Task Force would not have to cover all the historical number formats on the Tables. It was agreed that, as a minimum requirement, each Industrial Property Office (IPO) should provide all possible formats that might reasonably still be used when citing a priority document. However, the Task Force agreed that each office might decide to provide the entire historical number formats as they are important in some cases such as patent family building for older documents.

3. REVISION OF THE RECOMMENDATION SET OUT IN THE STANDARD

As for the revision of the recommendation set out in the Standard, the task leader first proposed to revise paragraphs 11 (and 12) of the ST.10/C Standard. In response to the proposal, the USPTO suggested that the following three options be considered:

- A - Ask each IPO to publish the unique recommended format, which will be used in future. IPOs would not have the freedom to use separators, check digits, etc., anymore. Theoretically, the three middle columns of the Appendix could be merged into one.
- B - Let the IPOs choose with which form of the number they want to continue, but ask them and the applicant, to use always this same one. Some countries will then use check digits etc.
- C - Recommend to all IPOs to widely publish the use of the clean ST.10/C number and use this one in communications with the applicant, even if the other number format (with check digit etc.) is still published on the document as well.

The USPTO supported the option B on the ground that it will satisfy the Task Force's goal of consistent presentation of priority application numbers.

On the other hand, the European Patent Office (EPO) and the JPO supported the option C because it will certainly solve the other options' disadvantages. Each IPO will be free to use check digit, separators etc. if it wishes, and will not have to re-format the number for some data processing such as family matching. A concrete proposal of the option C was made by the JPO as follows:

- The revision of the Paragraph 11 of the ST.10/C Standard was proposed based on the JPO approach (see the site <http://www.jpo.go.jp/info/1312-028.htm> and Appendix 3).
- Priority application number complying with "Recommended Presentation in Abbreviated Form as a Priority Application Number" given in the Appendix to Standard ST.10 should always be provided on the certificate of priority published by the IPO.
- This data processing should be made by each IPO itself to prevent applicants from choosing the wrong number.
- In order for other IPOs and applicants to easily recognize the number, this number is presented following the ST.3 country code (e.g. JP2000-001234) in a specified line named "[ST.10/C]".
- Each IPO should announce this revision to its applicant (e.g. on the homepage).
- In this announcement, each IPO should recommend its applicants to use this numbering system (ST.3 + "recommended priority application number") when presenting the priority application number in subsequent filings.

The USPTO agreed to the JPO proposal to some extent, but suggested that all the offices provide the ST.10/C priority application number in exactly the same format and in a way that differs from any existing application and publication number (i.e., different from ST.13 and ST.6). Further to this suggestion, several offices have presented various structures for the ST.10/C priority application number. Also, two-phase processes, consisting of a moderate and pragmatic solution as a first phase and a standardized format solution as a second phase, have been proposed in this regard.

4. TASK FORCE ACTIVITIES AND TIME FRAME

(1) Revise and update the Appendix to WIPO Standard ST.10/C

Despite its efforts, the Task Force is not familiar with the application numbering systems of a few countries or organizations. It turned out that the Task Force would not be able to cover all the countries or organizations joining the Paris Convention by the proposed deadline. In addition, it was understood that it would need to further investigate some countries' systems to appropriately update the Appendix. Furthermore, the Task Force was not able to collect enough information on missing examples with regard to application numbers assigned by receiving offices of a particular country other than the Indian case.

Therefore, it was agreed that the Task Force would take the following approaches:

- The Task Force should make every effort to revise or update the Appendix and reach an agreement on this issue as far as it can. A document containing the agreements reached by the task force would be sent to the IB by the deadline.
- The Task Force would continue its remaining discussions beyond the deadline. If any progress is made, a progress report on the latest results will be made by the task force leader for the consideration of the SDWG members at the next SCIT/SDWG Meeting to be held from December 2 to 6, 2002.
- Also, the leader would propose at the Meeting that the Task Force should continue its discussions to make further progresses on the revision and the update of the Appendix to WIPO Standard ST.10/C. Furthermore, the leader will ask the IB to persuade the countries or organizations listed on the attached table into assisting our task. We may deliver a questionnaire on application numbering system to them through the IB and make use of their answers.

(2) Revision of the recommendation set out in the Standard

It was noted that the standardized format proposed by the USPTO and supported by several offices might meet all the requirements of the task and should be discussed in a positive way among the Task Force. Nevertheless, it was recognized that this revision seemed to have a great impact on the numbering systems and data processing systems. It was also pointed out that the Task Force would have to carefully examine what format is appropriate for the ST.10/C priority application number and hear other IPOs' opinions. On the other hand, it was suggested that a two-phase process, consisting of a moderate and pragmatic solution as a first phase and a standardized format solution as a second phase, would be the best way for our goal. Taking into consideration these opinions, it was agreed that the Task Force would take the following approach with regard to the revision of the recommendation set out in the Standard:

- In the document "Report of the WIPO Standard ST.10/C Task Force," the Task Force would only record the discussions for the purpose of keeping other IPOs informed.
- The Task Force will continue its remaining discussions (e.g. examining the possibility of adopting a two-phase process, appropriate format (in each phase) and potential problems) beyond the deadline.
- If any progress is made, a progress report on the latest results will be made by the task force leader for the consideration of the SDWG members at the next SCIT/SDWG Meeting to be held from December 2 to 6, 2002, by which date, the Task Force hopes to complete its concrete proposal for the revision so that other IPOs could participate in the discussion at the Meeting.
- The Task Force will make every effort to conclude its discussion on opinions of other IPOs and will propose the revision of the recommendation set out in the Standard on an appropriate occasion.

[Appendix 1 follows]

APPENDIX 1

TASK 30: REVISION OF WIPO STANDARD ST.10/C

I. BACKGROUND AND STATUS OF WORK

– The necessity of revision of WIPO Standard ST.10/C was proposed by the JPO at the Trilateral Working Group Meeting held in Washington in April 2001. This proposal was supported by both the EPO and the USPTO.

– The proposal was made and supported at the first SCIT/SDWG Meeting held in Geneva in May 2001. (See paragraphs 34 and 35 of document SCIT/SDWG/1/9.)

– The JPO submitted a project brief entitled “Project Brief of the Revision of ST.10/C” to the Secretariat on July 2, 2001. (See Annex to document SCIT/7/5.)

– It was agreed that at the seventh SCIT Plenary held in June 2002, a Task Force would be set up to discuss this issue. (See paragraph 25 to 27 of document SCIT/7/17.)

– The Task Force was established on July 12, 2002.

II. RELEVANCE/SCOPE OF TASK

In order to improve the quality of patent family data and to avoid confusion in the presentation of priority application numbers, the Task Force considers in particular the need to:

(1) Revise and update the Appendix to WIPO Standard ST.10/C

The following revisions and updates of the Appendix to WIPO Standard ST.10/C should be considered:

(a) a revision and update to cover all the member states of the Paris Convention;

(b) a revision and update to include the presentation of application numbers of both patents and utility models in the examples; and

(c) a revision and update to include in the examples the presentation of application numbers assigned by receiving regional offices of a particular country in those cases where there is no uniform system established for assigning application numbers among the different receiving regional offices.

(2) Revise the recommendation set out in the Standard

The following two recommendations should also be considered for adding to WIPO Standard ST.10/C:

Appendix 1, page 2

(a) a recommendation to industrial property offices to comply with the Standard when presenting the application number of a patent document in the notification of the first filing and in the certificate of priority; and

(b) a recommendation to industrial property offices to demand and facilitate the compliance, by applicants, of the standard when providing the priority application number in subsequent filings.

III. PROPOSED ACTION WITH TIME FRAME

The Task Force would make every effort to send to the International Bureau by September 15, 2002, a document containing the agreements it reached. On the basis of that document, the International Bureau will prepare the corresponding SCIT/SDWG document in English, French and Spanish to be distributed to the SDWG members for their consideration at the next session to be held from December 2 to 6, 2002.

IV. TASK LEADER

The JPO will perform the role of Task Force Leader.

[Appendix 2 follows]

APPENDIX 2

APPENDIX TO WIPO STANDARD ST.10/C

STATUS TABLE

EXPLANATORY NOTES

Information available in the Status Table is defined as follows:

- For columns with the headings "Table 1" and "Table 2":
 - Countries or organizations that are currently listed in Table 1 and/or 2 of the Appendix to WIPO Standard ST.10/C are marked with a circle.
 - △ Countries or organizations that are not listed on the above-mentioned Tables, although their numbering systems are known, are marked with a triangle.
- For the column with the heading "Utility Model":
 - Countries or organizations that have utility model applications systems and that are listed on the above-mentioned Tables are marked with a circle.
 - △ Countries or organizations that may have utility model applications systems but that are not listed on the above-mentioned Tables are marked with a triangle.
 - △ ? If the existence of the utility model application number has not been confirmed yet, a question mark is shown to the right of the triangle.
- Countries or organizations whose application numbering systems remain unknown have been left unmarked.

APPENDIX TO WIPO STANDARD ST.10/C

STATUS TABLE

Country or Organization	Table 1	Table 2	Utility model	Remarks
OA African Intellectual Property Organization (OAPI)		○	△ ?	
AL Albania				
DZ Algeria	△			
AO Angola			△ ?	
AG Antigua and Barbuda				
AR Argentina	△	○	△	
AP African Regional Industrial Property Organization (ARIPO)	△			
AM Armenia	△		△	revising
AU Australia	△	○	△ ?	
AT Austria	○		○	

CountryorOrganization		Table1	Table2	Utilitymodel	Remarks
AZ	Azerbaijan				
BS	Bahamas				
BH	Bahrain				
BD	Bangladesh				
BB	Barbados				
BY	Belarus	△		△	
BE	Belgium	○	○		
BZ	Belize				
BJ	Benin				
BT	Bhutan				
BO	Bolivia	△		△ ?	EPOrevising
BA	BosniaandHerzegovina	△			
BW	Botswana				
BR	Brazil	○	○	○	
BG	Bulgaria	△	○	○	
BF	BurkinaFaso				
BI	Burundi				
KH	Cambodia				
CM	Cameroon				
CA	Canada		○		
CF	CentralAfricanRepublic				
TD	Chad				
CL	Chile	△		△ ?	EPOrevising
CN	China	△		△	
CO	Colombia	△	○	△ ?	EPOrevising
CG	Congo				
CR	CostaRica	△			EPOrevising
CI	Côte d'Ivoire				
HR	Croatia	△			
CU	Cuba	○	○		
CY	Cyprus	△			
CZ	CzechRepublic	△		△	
CS	Czechoslovakia(ceasedtoexiston December31,1992)	○		△	
KP	DemocraticPeople'sRepublicofKorea				

CountryorOrganization	Table1	Table2	Utilitymodel	Remarks
CD	DemocraticRepub licoftheCongo			
DK	Denmark	○	○	
DM	Dominica			
DO	DominicanRepublic	△		EPOrevising
EC	Ecuador	○	○	EPOrevising
EG	Egypt	○		
SV	ElSalvador	△	△ ?	EPOrevising
GQ	EquatorialGuinea			
EE	Estonia	○	○	
EP	EuropeanPatentOffice	○		
FI	Finland	○	○	
FR	France	○	△ ?	
GA	Gabon			
GM	Gambia			
GE	Georgia		○	EPOrevising
DE	Germany	○	○	
GH	Ghana		△ ?	
GR	Greece	○	○	
GD	Grenada			
GT	Guatemala	△	△ ?	EPOrevising
GN	Guinea			
GW	Guinea-Bissau			
GY	Guyana			
HT	Haiti			
VA	HolySee			
HN	Honduras	△	△ ?	EPOrevising
HU	Hungary	○	○	
IS	Iceland	△		
IN	India	○		
ID	Indonesia	△	△ ?	EPOrevising
IR	Iran(IslamicRepublicof)			
IQ	Iraq	△		
IE	Ireland	○	△ ?	
IL	Israel	△	○	

CountryorOrganization	Table1	Table2	Utilitymodel	Remarks
IT Italy	○		○	
JM Jamaica				
JP Japan	○		○	updating
JO Jordan				
KZ Kazakhstan	○		○	revising
KE Kenya	○		○	
KG Kyrgyzstan	○		○	
LA LaoPeoplefsDemocraticRepublic				
LV Latvia	△			
LB Lebanon				
LS Lesotho				
LR Liberia				
LY LibyanArabJamahiriya				
LI Liechtenstein				
LT Lithuania	○	○		
LU Luxembourg		○		
MG Madagascar	△			
MW Malawi	△			
MY Malaysia	△		△ ?	
ML Mali				
MT Malta				
MR Mauritania				
MU Mauritius				
MX Mexico	○	○	△	
MC Monaco		○		
MN Mongolia	△	○	△ ?	
MA Morocco			△ ?	
MZ Mozambique				
NL Netherlands	○	○	△ ?	
NZ NewZealand	△	○		
NI Nicaragua	△			EPOrevising
NE Niger				
NG Nigeria				
NO Norway	○		△	

CountryorOrganization		Table1	Table2	Utilitymodel	Remarks
OM	Oman				
PK	Pakistan	○			
PA	Panama	△		△ ?	EPOrevising
PG	PapuaNewGuinea				
PY	Paraguay	△			EPOrevising
PE	Peru	△		△ ?	
PH	Philippines	△	○	△	
PL	Poland	△	○	○	
PT	Portugal	△	○	○	
QA	Qatar				
KR	RepublicofKorea	○		○	already requested to update
MD	RepublicofMoldova	○	○	○	
RO	Romania	○	○		
RU	RussianFederation	○		○	
RW	Rwanda				
KN	SaintKittsandNevis				
LC	SaintLucia				
VC	SaintVincentandtheGrenadines				
SM	SanMarino	△			
ST	SaoTomeandPrincipe				
SN	Senegal				
SL	SierraLeone				
SG	Singapore	△			
SK	Slovakia	○		○	
SI	Slovenia	○			
ZA	SouthAfri ca	○			
SU	SovietUnion		○		
ES	Spain	○	○	○	
LK	SriLanka				
SD	Sudan				
SR	Suriname				
SZ	Swaziland				
SE	Sweden	○			
CH	Switzerland	○			

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CountryorOrganization		Table1	Table2	Utilitymodel	Remarks
SY	SyrianArabRepublic				
TJ	Tajikistan	○		○	
MK	TheformerYugoslavRepublicof Macedonia	○			
HK	TheHongKongSpecialAdministrative RegionofthePeopleísRepublicofChina	△			
TG	Togo				
TT	TrinidadandTobago	○	○		
TN	Tunisia	△			
TR	Turkey	△		△	
TM	Turkmenistan	○	○		
UG	Uganda			△ ?	
UA	Ukraine	○		△	
AE	UnitedArabEmirates			△ ?	
GB	UnitedKingdom	○			
US	UnitedStatesofAmerica		○		
UY	Uruguay	△		△ ?	EPOrevising
UZ	Uzbekistan	○		○	
VE	Venezuela	○		△ ?	EPOrevising
VN	VietNam	△		△	
WO	WIPO	○			
YU	Yugoslavia	○		△	
ZM	Zambia	○			
ZW	Zimbabwe	○			

[Appendix3fol lows]

APPENDIX 3

REVISION OF ST.10/C, PARAGRAPH 11 (AND 12) AS FOLLOWS

RECOMMENDATION

11. In order to improve the quality of patent family data and to avoid confusion in the presentation of priority application numbers, the following recommendations are made:

(a) Industrial property offices (IPOs) should always provide priority application number complying with "Recommended Presentation in Abbreviated Form as a Priority Application Number" given in the Appendix to the Standard ST.10/C (in addition to the application number or the minimum significant part of the number) when presenting the application number of a patent document in the notification of the first filing and in the certificate of priority. The "Recommended Presentation in Abbreviated Form as a Priority Application Number" should be presented with the ST.3 code (preferably in a specified line or column) to be easily recognized as priority number by other IPOs and applicants.

Example of presentation of "Recommended Presentation
in Abbreviated Form as a Priority Application Number"

[ST.10/C] [JP2000-001234]

(b) Industrial property offices should demand and facilitate the compliance by applicants of paragraph 11(a) of the Standard 10/C when providing the priority application number in subsequent filings.

12. It is desirable that this Standard be implemented by industrial property offices, at the latest, as of XXXX.

[End of Annex and of document]