

# WIPO



SCIT/SDWG/5/13

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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

GENEVA

## **STANDING COMMITTEE ON INFORMATION TECHNOLOGIES**

### **STANDARDS AND DOCUMENTATION WORKING GROUP**

#### **Fifth Session**

**Geneva, November 8 to 11, 2004**

#### REPORT

*adopted by the Working Group*

#### INTRODUCTION

1. The Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT) held its fifth session from November 8 to 11, 2004.
2. The following Member States of WIPO and/or the Paris Union were represented at the session: Australia, Austria, Belgium, Brazil, Bulgaria, Canada, China, Croatia, Democratic Republic of the Congo, Egypt, Finland, France, Germany, Greece, Hungary, Indonesia, Ireland, Japan, Kenya, Libyan Arab Jamahiriya, Lithuania, Mexico, Nigeria, Norway, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Syrian Arab Republic, Ukraine, United Kingdom and the United States of America (36).
3. Representatives of the International Telecommunication Union (ITU), the African Intellectual Property Organization (OAPI), the European Patent Office (EPO), the Eurasian Patent Organization (EAPO), the European Community (EC) (5) took part in the session in a member capacity.

4. Representatives of the Patent Documentation Group (PDG) and the Exchange and Cooperation Centre for Latin America (ECCLA) (2) took part in the session in an observer capacity.

5. The list of participants appears as Annex I to this report.

#### Agenda Item 1: Opening of the Session

6. The session was opened by Mr. Neil Wilson, Director and Chief Information Officer, Information Technology Division, who welcomed the participants on behalf of the Director General.

#### Agenda Item 2: Election of the Chair and Vice-Chairs

7. The Working Group unanimously elected Mr. Leif Stolt (Sweden) as Chair and Mr. Bogdan Boreschievici (Romania) and Mr. Lee Byung-Jae (KIPO) as Vice-Chairs.

8. Mr. Neil Wilson acted as Secretary of the session.

#### Agenda Item 3: Adoption of the Agenda

9. The Delegation of Austria, supported by the Delegation of France, proposed that agenda items 5, 6 and 14 be discussed together. The revised agenda was adopted by the SDWG and appears as Annex II to this report.

10. The Delegation of the United States of America requested that for future meetings trademark issues could be scheduled for the latter part of the SDWG meeting and that the meeting be coordinated with the MECA Users' Meeting in order to optimize the attendance of trademark participants.

#### Agenda Item 4: Request for the revision of WIPO Standard ST.60

11. The Secretariat introduced document SCIT/SDWG/5/2 concerning the revision of the list of Internationally agreed Numbers for the Identification of (bibliographic) Data (INID) codes under WIPO Standard ST.60. These codes had been found insufficient to render a clear tri-lingual publication of data in the WIPO *Gazette of International Marks*, as well as in the ROMARIN and Madrid Express databases.

12. The Secretariat proposed that a task, under existing SCIT Task No. 33, be created for the revision of WIPO Standard ST.60 as outlined in document SCIT/SDWG/5/2 and that this additional task be assigned to a new Task Force.

13. The Delegations of Australia, Japan and Mexico supported the creation of this additional task and Task Force and offered to participate.

14. The Delegation of the Russian Federation proposed assigning the above additional task to the existing Task Force on Trademark Standards.
15. The Secretariat clarified that Task No. 33 was established to provide a “fast track” revision of non-electronic standards, while the function of the Trademark Standards Task Force was to develop new standards rather than revise existing standards.
16. The Delegation of the Republic of Korea, the Task Leader, indicated that the Trademark Standards Task Force was already fully occupied with its current duties and requested that the task forces be kept separate. This was supported by the Delegation of Canada.
17. The Secretariat indicated that the proposed “fast track” approach would be a more effective way of revising the standard.
18. The Delegation of Romania expressed its concern over the likelihood of a duplication of effort between the two Task Forces.
19. The Secretariat explained that such duplication was unlikely since the mandates of the new Task Force was to ‘fast track’ a revision of a standard, while the Trademarks Standard Task Force concentrated on the establishment of new standards.
20. The SDWG approved the revision of WIPO Standard ST.60 and the creation of WIPO Standard ST.60 Revision Task Force. The Secretariat would be the Task Leader and would send out a circular inviting industrial property offices to nominate representatives to participate in the Task Force.

Agenda Item 5: Proposal by the WIPO Standards and IPC Reform Task Force on the Revision of WIPO Standard ST.8 (Task No. 31)

21. The Secretariat introduced document SCIT/SDWG/5/3 concerning the revision of WIPO Standard ST.8.
22. The Representative of the EPO gave an oral report concerning the progress made on the revision of WIPO Standard ST.8 and described the changes proposed in SCIT/SDWG/5/3. The Representative presented the changes made in the examples of WIPO Standard ST.8, which were described in an updated document circulated prior to the opening of the fifth Session of the SDWG. These changes were proposed by the Trilateral Working Group on Classification and supplemented by proposals from the Delegations of Austria and the Russian Federation as outlined in the updated document, and accepted by the Task Force.
23. The SDWG adopted the text of WIPO Standard ST.8 as reproduced in Annex III to this report.

Agenda Item 6: Revision of WIPO Standard ST.10/C (Task No. 30)

24. The Delegation of Japan, as Task Leader, gave an oral report concerning the progress of the revision of WIPO Standard ST.10/C. The Task Leader reported on the efforts of the Task Force to develop the proposals outlined in SCIT/SDWG/5/4.

25. The Task Leader presented several additional proposals, described in an updated document circulated prior to the opening of the session, to be discussed by the SDWG in conjunction with the proposals outlined in SCIT/SDWG/5/4.

26. Upon discussions on proposed changes to the description of Task No. 30, the SDWG approved the changes as reproduced in Appendix 2 to the Annex to document SCIT/SDWG/5/4. It also approved the Task Force's proposals for the timelines related to the completion of its work.

27. The SDWG discussed a proposal on the revision of WIPO Standard ST.10/C presented by the WIPO Standard ST.10/C Task Force in the updated document.

28. Based on a question from the Delegation of Spain, the SDWG agreed that the last sentence of the first paragraph of the editorial note in WIPO Standard ST.10/C would be deleted.

29. Concerning the proposal from the Delegation of the United States of America relating to font types in the classification examples, the Secretariat supported adding the terms "(i.e., non-bold)" and "(i.e., non-italic)" in the examples with the term "(regular font style)".

30. The Delegation of the United States of America also proposed changing item 12 (a) by deleting "(in addition to the application number or the minimum significant part of the number)".

31. Other changes described in the updated document were approved by the SDWG without modification. The revised WIPO Standard ST.10/C that was adopted is reproduced in Annex IV to this report.

#### Agenda Item 7: Oral progress report by the Task Force Leader of the Trademark Standards Task Force

32. The Delegation of the Republic of Korea, as Task Leader, gave an oral report concerning the progress of the Trademark Standards Task Force.

33. Upon introducing the background of the Task, the Delegation presented the following:

(a) At the meeting on January 29, 2004, between members of the Trademark Standards Task Force and the OHIM XML Working Group, agreement was reached that once the OHIM XML Working Group had completed its work concerning an XML standard for trademarks, the Trademark Standards Task Force would take that work as input for its own work, i.e., that of preparing a draft standard to present for the consideration of the SDWG as a proposal for the adoption of a new WIPO standard.

(b) The OHIM XML Working Group, consisting of Delegations from OHIM, WIPO, the United Kingdom, Germany and the Benelux Trademark Office, was building a common data model, including common elements and country specific elements thus producing the TM-XML version 0.4. In close cooperation with the WIPO Standard ST.36 Working Group, the OHIM XML Working Group was harmonizing definitions on common subject matter within the two standards.

(c) An additional survey, which was originally scheduled to be conducted in 2004, as preparation for the development of a WIPO standard for the electronic management of the figurative elements of trademarks, would now be conducted in 2005. The Task Leader would report on the survey and a draft proposal of recommendations at the next session of the SDWG in 2005.

(d) The OHIM XML Working Group was preparing a draft version 0.5, which would serve as a proposal to the SDWG and input for the establishment of a WIPO XML standard for trademarks.

34. The Delegation of France asked if version 0.4 from the OHIM XML Working Group, referenced above, was the most recent version of the standard. The Representative of the OHIM indicated that version 0.5 was the most recent version and would be ready for review by the end of November 2004, adding that version 1.0 would be ready by the end January 2005.

Agenda Item 8: Renewal of the WIPO Handbook on Industrial Property Information and Documentation (Task No. 26)

35. The Secretariat, as Task Leader, gave an oral progress report on the Renewal of the WIPO Handbook Task Force.

36. The Task Force had been assigned two objectives: firstly to look at the content and secondly at the publication and maintenance procedures for the WIPO Handbook. The Task Force had begun its work at the end of March 2004, and by July 2004, had completed an initial proposal concerning the renewal of the contents of the WIPO Handbook. The resulting proposal appears as Annex to document SCIT/SDWG/5/5 and includes:

(a) Support for nine structured parts rather than the ten in the current WIPO Handbook.

(b) Creation of three new parts: Examples and IPO practices, Archives and Access to Industrial Property Information and Documentation.

(c) Concerning WIPO Standards:

- Adoption of a convention for paragraph numbering
- Adoption of a convention for naming attachments and use of “Appendix” (drop Annex)
- Adoption of a new single grouping of standards into 4 categories (a) through (d).

(d) The Annex to document SCIT/SDWG/5/5 also proposes updating the glossary of terms in order to have a consistent use of terms across all standards.

37. The Secretariat introduced the item and several proposals made by the Task Force, as outlined in SCIT/SDWG/5/5. Following substantial debate, the Secretariat was requested to make a number of modifications in the WIPO Handbook. The detailed outcome of these discussions, as adopted by the SDWG, is contained in Annex V to this report entitled "Proposal for the Renewal of the Contents of the WIPO Handbook".

38. In reply to the Representative of the EPO, who indicated that some standards, such as WIPO Standard ST.25, were missing from the proposal; the Secretariat explained that only standards with surveys or examples that could be moved or updated appeared in the proposal.

39. The Delegation of the United States of America raised a question concerning the resolution of conflicts between terms in the glossary having different definitions within different standards, as a result of changes in editing practices.

40. The Secretariat explained that it was for this reason that there would be no deletion of definitions in the standards. The proposal stated that the glossary would be updated but not the standards themselves.

41. The Delegation of the United States of America proposed that working groups engaged in the revision of standards be requested to review the definitions in the standard and incorporate the definitions as described in the glossary. This could be done gradually in the course of revision, not as a specific change task. This proposal was approved by the SDWG.

42. The Delegation of France indicated that it might be necessary to keep the existing categories for archival purposes, e.g. standards that had been moved to the Archive; to which the Secretariat replied that this user requirement, as proposed by the Delegation of France, would be added to the list of discussion topics for the Task Force.

43. In response to the Delegation of Romania, enquiring as to how this new WIPO Handbook would be maintained, the Secretariat informed the SDWG that due to resource constraints and competing priorities it may not be possible to guarantee the ongoing publication of the WIPO Handbook on CD-ROM; the priority would continue to be the publication of revised standards on the WIPO website. Furthermore, resource constraints may delay the implementation of the proposed upgrading of the publication platform of the WIPO Handbook. At the request of the Delegation of the United States of America, the statement is reproduced verbatim below:

"With the Working Group's approval of the proposal, which was presented by the Task Force for the Renewal of the WIPO Handbook, we now have the guidelines we need to carry out such renewal of the WIPO Handbook. In order to implement all the proposals contained in the agreement reached by the Working Group, the Secretariat will have to assign financial and human resources to the project; we will also need some time to carry out the project. Due to resource constraints it is unlikely that we will be able to carry out every aspect of the project concerning the new contents of the WIPO Handbook and the new publication platform in the immediate future. We will however begin to move in the direction proposed and approved by the Working Group.

“In some weeks, we will publish the new WIPO Standard ST.36 and the Standards that have been revised at this meeting on the Internet. This is to say that we will replace the versions of these standards that are available now with their newly revised versions that will be adopted this week. There will be no change with regard to the way in which we have done this up until now.

“However, we also intend to prepare a new publication of the Standards as described on pages 4 to 8 of document SCIT/SDWG/5, including, of course, the changes agreed on during the discussions by this Working Group. We will also include the track changes files wherever applicable. In fact, this will be more of a re-publication of the Standards than a new and different publication since there will be no substantive changes to the Standards themselves. As a result, the new versions of the Standards will be aligned with the proposals for the new contents of the WIPO Handbook that have been agreed on by this Working Group today. Once ready, these new versions of the Standards will replace their current versions in the same SCIT area of WIPO’s website.

“Since it has also been agreed “where applicable, to clearly separate standard text from standard examples and surveys (usually in the form of Appendices or Annexes)” [page 4, 3(a)], the re-publication of the Standards according to the new format will require the addition of at least two more entries, namely “Examples and IPO Practices” and “Archives”, to the current web page of WIPO Standards. Under these two new entries we will publish those examples and surveys that, at present, are in the body of the Standards but that, according to the recommendation for the new contents of the WIPO Handbook, should be published separately from the Standards themselves.

“It is difficult to estimate the amount of work involved in this exercise. However, we hope that during the year 2005, we will be able to prepare a first version of what I have just described. This initial re-publication of WIPO Standards, as well as the different Parts titled “Examples and IPO Practices” and “Archives”, should improve gradually over the next few years until the new publication platform is ready. Initially, the publication platform will use the same area of WIPO’s website, but with a different structure. We will try to stay as close as possible to the proposed contents of Part 3 and the new Parts “Examples and IPO Practices” and “Archives” agreed on for the WIPO Handbook. However, all this will not yet be based on the new publication platform proposed by the Task Force and supported by this Working Group.

“Once discussions concerning the publication platform are complete, we will carry out the development of this platform of the WIPO Handbook in parallel to this process concerning the re-publication of WIPO Standards. The initiation and evolution of the development of the new publication platform for the WIPO Handbook will clearly depend on available resources.

“Taking into account that future revisions and updates of the surveys, Appendices and Annexes published in the WIPO Handbook will depend on the implementation of the new publication platform, it is possible that the said revisions and updates may not be possible in 2005. Meanwhile we will focus our resources on giving assistance and providing the facilities needed by the task forces and task force leaders in order for them to carry out their work, as well as on enabling the progress of the SDWG in its standardization work; this includes, of course, the re-publication of WIPO Standards on WIPO’s website as explained earlier.

“It is also clear that resource availability may preclude us from publishing the CD-ROM version of the WIPO Handbook.”

#### Agenda Item 9: Revision of WIPO Standard ST.3

44. The Secretariat presented a summary of document SCIT/SDWG/5/6 and requested the SDWG to approve the changes proposed to WIPO Standard ST.3 concerning the continued use of the country code “YU” for Serbia and Montenegro rather than “CS”.
45. The Delegation of Canada recommended the approval of these changes.
46. The Delegation of the United States of America noted that there were now two different codes for Serbia and Montenegro that could be used for different purposes and expressed concern that this would cause confusion among applicants. Furthermore, it was noted that Serbia and Montenegro qualified their approval of the use of the “YU” code with the phrase “for the time being”. The Delegation of the United States of America further suggested that appropriate differentiation could be made based on the date and number formats. The Delegation recommended the continuation of the policy of a single code for each country based on the ISO International Standard 3166-1.
47. The Secretariat indicated that any concern regarding the expression “for the time being” may be unwarranted. Serbia and Montenegro had indicated that in the next few years a referendum might be held concerning the future of the country and that this qualifier might be related to such a referendum. The Secretariat also noted the strong statements by the ISO 3166 Maintenance Agency members supporting a second alternative code to “CS” despite the final decision to support one single code.
48. The Delegation of the United States of America pointed out that the issue of Serbia and Montenegro’s qualification “for the time being” implies that the long-term use of “YU” was not certain. To avoid such uncertainty, WIPO should strictly follow the ISO standards and in fact should only retain non-ISO codes in WIPO Standard ST.3 (e.g., ARIPO, OAPI, etc.).
49. The Delegation of the United Kingdom supported the use of “YU” and not of “CS”.
50. The Delegation of Germany recommended adopting the proposal as presented, revisiting the issue later if the aforementioned referendum occurs.
51. The Delegation of the United States of America stated that confusion was inevitable given this situation and the use of two codes would simply exacerbate this confusion.



52. The Delegation of Canada noted that ISO has changed their procedure so that codes would no longer be reused, thus the case in question should be unique.
53. The Representative of the EAPO noted that this would not be the first time that WIPO Standard ST.3 was out of alignment with the ISO standard.
54. The Delegation of Slovakia agreed with the intervention of the Representative of the EAPO and noted that there would be no need for WIPO Standard ST.3 if it conformed exactly to ISO 3166. The Delegation supported the use of the code “YU” as outlined in the proposal.
  55. The SDWG approved the use of the “YU” code as proposed in paragraph 6 of document SCIT/SDWG/5/6.
56. The Delegation of the United States of America requested clarification as to when to use the code “CS” and when to use the code “YU”.
57. The Secretariat replied that “YU” should be used in the industrial property field. Offices must make their own policies concerning this matter and the Secretariat would not be in a position to provide a definitive response.
58. The Delegation of the United States of America then requested clear guidance from the SDWG as to when and how to use each of these codes.
59. The Delegation of Canada observed that on their external correspondence the full address was stated, including the country name but not the country code. Internally, however, the country code was used exclusively.
60. The Delegation of the United States of America requested guidance from the Representative of the EPO as to how the codes are used in the EPO DOC-DB database. In replying, the Representative of the EPO stated that their practice was to use the code that the issuing country used. In this case the code “YU” would be used.
61. The Delegation of the United States of America asked whether it should be noted in WIPO Standard ST.3 that the situation with Serbia and Montenegro was an exception to the rule of conformity with the ISO International Standard 3166.
  62. Upon confirmation from the Secretariat that the WIPO Standard ST.3 end note was in line with the intervention of the Delegation of the United States of America, the SDWG approved the proposal to add a reference to the end note in paragraph 3.
63. The Secretariat commented that industrial property office usage of the WIPO Standard ST.3 code “YU” might be an ideal subject of a future survey of industrial property office practice concerning the use of WIPO Standard ST.3.
64. The Delegation of the United States of America requested that the following statement be placed in the report:

“The Delegation of the United States of America expressed its concern regarding the use of WIPO Standard ST.3 code YU for Serbia and Montenegro for industrial property purposes. WIPO Standard ST.3 will no longer be “...aligned with the universally recognized ISO Alpha-2 Code contained in International Standard ISO 3166-1:1997...” or the “...announcements published in ISO 3166-1 Newsletters” as stated in paragraph 3 of WIPO Standard ST.3. The Delegation pointed out that this would be the only instance wherein a WIPO Standard ST.3 was in direct conflict with an ISO 3166-1 code.

“The Delegation believed this would result in confusion to users of IP information particularly in those situations where the ISO 3166-1 code CS was needed for mailing or correspondence addresses, yet the WIPO Standard ST.3 code YU would be associated with data such as priority document numbers, inventor names, assignee (owner) names, etc. for example, on the front of a published patent document.

“The Delegation was also concerned that the Federal Intellectual Property Office of Serbia and Montenegro agreed only to continue using the code YU “... for the time being...”. Should that Office decide to use CS in the future, the SDWG would need to revise the WIPO Standard ST.3 code accordingly.”

65. The Secretariat then described the issues surrounding the issuance of a two letter code “QZ” for the Community Plant Variety Office (CPVO) of the European Union. Due to a lack of input from the CPVO, it was agreed that this matter be deferred to the next meeting.

#### Agenda Item 10: Questionnaire on the Correction Procedures Relating to Patent Information Published by Patent Offices (Task No. 35)

66. The Secretariat briefly introduced document SCIT/SDWG/5/7 and described the questionnaire contained therein.

67. The SDWG approved the changes proposed by the Delegation of the Russian Federation with regard to a modification to Question 4, which should be read “If you use correction procedures that are not fully in accordance with WIPO Standard ST.50 and do not plan to be fully in line with this standard in the future,...”.

68. The Delegation of Spain proposed moving question 11 to become question 2 (d) with the appropriate changes to the wording.

69. The Delegation of France supported the proposal of the Delegation of Spain and suggested grouping questions 6, 7, 8, 9 and 12 together under the appropriate heading. This proposal was supported by several Delegations and Observers.

70. The SDWG approved the following section titles with their respective grouping of questions: “Compliance with WIPO Standard ST.50” (questions 1-5, plus current question 11 to be placed after current question 3) and “Type and Cause of Errors” (questions 6-9, plus current question 12). The Working Group also approved the paragraph breakdown as described in the earlier proposal and a last question (current

question 10) with no specific title. The introductory question of current question 11 would be replaced with the following wording: “In the case where your Office publishes corrections on machine-readable media:”.

71. In response to the Representative of the PDG, who raised a question concerning the future steps with this Task, the Secretariat, supported by the Delegation of Kenya, proposed the establishment of a Task Force with the Secretariat as the Task Leader. This was approved by the SDWG.

Agenda Item 11: Questionnaire on the Harmonization and Identification of the Parts of Patent Specifications (Task No. 36)

72. The Secretariat introduced the document SCIT/SDWG/5/8 and described the questionnaire therein.

73. The Delegation of the United States of America proposed changing questions 1 and 2 to reflect the use of the words “media and format”, instead of simply “media”. The SDWG approved this change.

74. The Representative of the PDG raised a question concerning the future steps to be taken with this Task. In reply, the Secretariat proposed the establishment of a Task Force, with the Secretariat as the Task Leader. This was approved by the SDWG.

75. The Delegation of Romania proposed developing an automatic procedure for establishing Task Forces associated with the handling of questionnaires and the analysis of responses to the questionnaires.

76. The Delegation of Germany noted the Tasks No. 35 and No. 36 were narrowly defined and that a follow-up reference should be added in order to broaden the scope of these Tasks.

77. The Delegation of the United States of America proposed describing, in the Working Group rules, how surveys would be designed and conducted, the results gathered, summarized and then distributed. The Delegation of the United States of America proposed that the Secretariat develop and propose these rules.

78. The Delegation of Austria cautioned against an excessive number of Task Forces, due to resource limitations on the part of the participating Offices.

79. The Secretariat recalled that the Working Group had previously decided against the automatic creation of Task Forces and continued by proposing that the Task Forces and Task Leaders be appointed in an *ad hoc* manner, as had been the practice in the past.

80. The Secretariat made the observation that the proposed Task Leader of the Tasks No. 35 and No. 36, was the recently created PCT Statistics Section which was ideally placed to undertake the role and that this new section was part of the Office of the PCT and not part of the WIPO Standards and Documentation Service.

81. The SDWG approved Secretariat's proposal to add, at the end of the title of Task No. 35, a sentence "Prepare a proposal regarding this matter for consideration by the SDWG". The title of Task No. 36 would also include the sentence "Prepare a proposal regarding this matter for consideration by the SDWG".

82. The SDWG agreed that the guidance given in interventions made during this discussion would be taken into consideration when Tasks were established and that all actions necessary for the complete processing of such tasks would be taken into consideration in the future.

Agenda Item 12: Report on progress made by the Electronic Data Processing and Exchange Standards (EDPES) Task Force (Tasks Nos. 13, 17, 18 and 19)

83. The Secretariat, as Task Leader for Tasks 13, 17, 18 and 19, presented an oral report on the activities of the EDPES Task Force. The Secretariat indicated that the Task Force had been primarily concerned with the review of the proposed WIPO Standard ST.36. Concerning other outstanding Tasks, the Secretariat reported no progress in those areas and indicated that it had carried out the notifications requested during the fourth session of the SDWG, but that no responses had been received.

84. The Secretariat reported to the SDWG that the EDPES Task Force had considered the proposed WIPO Standard ST.36 and recommended its approval by the SDWG. It was recalled that the Secretariat exceptionally requested that Member States address their substantive technical questions and comments, in writing, to the Secretariat prior to the meeting. As of the deadline the Secretariat had received one comment which was a proposal, from the German Patent and Trademark Office, to change the proposed name of the standard to "Recommendation for the Processing of Patent Information Using XML (Extensible Markup Language)", thus highlighting the utility of the standard for various types of patent data, rather than solely for patent documents.

85. The Delegation of the United States of America provided background information on the evolution of the proposed WIPO Standard ST.36 and its relationship with the contents of Annex F.

86. The Delegation on behalf of the Trilateral-WIPO Standards Working Group (TWSWG), recommended to approve the change suggested by the Delegation of Germany.

87. The proposed change in the title was approved by the SDWG.

88. At the EDPES Task Force meeting, the Delegation of Spain had presented its request for the addition of a <second-last-name> field. It was explained that in many Spanish-speaking countries at the second last name was used and was required to completely identify an individual. The Delegation of Spain also proposed the addition of a <country-of-origin-of-the-inventor> tag, for enhanced statistical purposes.

89. The Delegation of Mexico supported this proposal, underlining the importance of this change for the proper and accurate identification of individuals in Ibero-American countries.
90. The Delegation of the United States of America, on behalf of the Trilateral-WIPO Standards Working Group, commented on the proposals made by the Delegations of Mexico and Spain. It was indicated that the current PCT forms did not support the use of a second last name and that it was not within the mandate of the TWSWG to modify current PCT practice. The Delegation proposed that Mexico and Spain made use of the national data elements of the proposed WIPO Standard ST.36 and report back to the SDWG concerning their experiences. It was also noted that in any event, a change would need to be made to Annex F before WIPO Standard ST.36 could be revised. The same was true for the proposed <country-of-origin-of-the-inventor> tag. The Delegations proposing these changes were invited to comment on how this proposed new tag was different from the nationality or country of residence of the inventor.
91. The Delegation of Spain replied that while it was true that this <second-last-name> tag was not yet in use, it was being added to the Spanish Office's automation system. Concerning the proposed country of origin of the inventor, it was explained that the country of origin could be different from the nationality of the inventor and that such information could be statistically useful.
92. The Delegation of Portugal stated that their assumption was that in all international authority documents the last name was the father's name. However, in Hispanic countries, the last name was assumed to be the mother's name preceded by the father's name defining a last name field composed by two names for authors from these countries. Thus, the Delegation of Portugal supported the suggestion of the Delegation of the United States of America.
93. The Delegation of Japan and the Representative of the EPO supported the recommendation of the Delegation of the United States of America.
94. The Delegation of France noted that standards were subject to change and that the trend in Europe was towards supporting two last names, an example was given of a law recently passed in France. The Delegation indicated that the trend was towards a second family name and that while this may not be an issue at this time, it may become one in the future.
95. The Delegation of the United States of America indicated that this issue was not discussed in the Annex F deliberations.
96. The Delegation of the United States of America further indicated that this was originally out of the scope of the TWSWG and given the interventions made by the Delegations of France and Mexico, suggested that the SDWG monitor trends on how two last names were used rather than set the trend. Once Mexico and Spain have acquired experience in this area, they could report back to the SDWG and then suitable changes could be made to all WIPO standards to reflect this trend.
97. The Delegation of the United States of America asked whether or not any countries were currently collecting this information and suggested that if they were, the information should be analyzed to identify the utility of such a change.

98. The Delegation of Mexico asked how two last names would be handled in WIPO Standard ST.36, given the absence of a second last name field.
99. The Delegation of the United States of America, on behalf of the TWSWG suggested that offices could continue their current practices, as no such field exists in the existing PCT forms.
100. The SDWG approved the new WIPO Standard ST.36, titled “Recommendation for the Processing of Patent Information Using XML (Extensible Markup Language)”, as reproduced in the Annex to document SCIT/SDWG/5/9.

### Agenda Item 13: Consideration of the SDWG Task List

101. Following a brief introduction by the Secretariat the SDWG discussed the Tasks contained in the Annex to document SCIT/SDWG/5/10 and agreed to the following:

Task No. 6: Task No. 6 would be removed from the Task List.

Task No. 7: The Secretariat asked the SDWG as to whether or not the Task should be revised. The Delegation of Germany proposed adding to the description the terms of use of the data exchanged between Offices. The Delegation of the United States of America proposed holding the Task in abeyance until the results of the WIPO Handbook Task Force deliberations were known. The SDWG agreed to hold Task No. 7 in abeyance.

Task No. 13: The Task was closed following the proposal by the Delegation of the United States of America, based on the fact that WIPO Standard ST.36 was now complete.

Task No. 15: The Task was reactivated and the description of the Task would be updated accordingly.

Task No. 17: The Delegation of the United States of America indicated that feedback was required from the ED PES Task Force concerning WIPO Standard ST.8. The Delegation of the United States of America indicated that it would raise the issue with the TWSWG and that as WIPO Standard ST.36 had been completed the TWSWG could concentrate its efforts on other standards.

Task No. 19: The Representative of the EPO noted that efforts were underway to modify the MIMOSA standard and would report back on the results of this work once the standard was mature.

Task No. 23: The Secretariat announced that an item concerning this Task would be added to the agenda of the next session of the SDWG.

Task No. 24: The Secretariat read out a letter from the Swiss Federal Institute of Intellectual Property concerning their decision to no longer submit Annual Technical Reports (ATRs) to WIPO, based on their view that the reports are not useful in their current form. The Swiss Federal Institute of Intellectual Property suggested that the ATRs should be redrafted and provided an example at <http://www.evanti.ch/>. The Swiss Federal Institute of Intellectual Property believed that such a platform could facilitate cooperation between the Offices. The Secretariat asked for comments from the SDWG. It was agreed that the Secretariat would incorporate the letter in a document for consideration at the next session of the SDWG.

Task No. 30: The Delegation of the United States of America proposed surveying the Offices, by letter, to determine the compliance with the provisions of paragraph 12(a) in WIPO Standard ST.10/C concerning priority document numbers in filing notification and certificates of priority. The Delegation of Spain, who supported this survey, also proposed inviting Offices to send copies of their certificates of priority to the Secretariat and noted the importance of ensuring compliance with the Standard. The SDWG agreed and the Secretariat would issue a suitable circular.

Task No. 32: The Delegation of Romania informed the SDWG that discussions had started, during the eighth SCIT Plenary, between WIPO and the Romanian State Office for Inventions and Trademarks relating to the transfer of the pilot system from Romania to WIPO. However, since the SCIT Plenary no progress had been made concerning this matter. The Working Group agreed that the description of the Task would be changed to reflect the status of the Task as being complete with regard to the prototype.

Task No. 35: The description of the Task would be updated in accordance with the decisions of the SDWG during the meeting.

Task No. 36: The description of the Task would be updated in accordance with the decisions of the SDWG during the meeting.

102. The Secretariat asked the SDWG to provide changes in the Task Force membership lists, in writing, to the Secretariat.

#### Agenda Item 14: Reactivation of SDWG Task No. 15

103. The Secretariat introduced document SCIT/SDWG/5/12 and gave the background concerning the reactivation of Task No. 15.

104. The SDWG approved the reactivation of this task as outlined in SCIT/SDWG/5/12, with the Secretariat serving as Task Leader and agreed with the schedule outlined in the document.

105. The Secretariat agreed to send out a circular inviting industrial property offices to nominate representatives to participate in the Task Force.

Agenda Item 15: Schedule of activities

106. The Secretariat proposed September 19 to 23, 2005, for the next session of the SDWG. The Representative of the EPO noted that these dates conflicted with an EPO Working Party meeting and may cause difficulty for European Member States to attend. The Representative suggested delaying the meeting by one week.

107. The Secretariat clarified that the meeting could not be delayed by one week because of a conflict with the WIPO General Assemblies.

108. In response to the question from the Representative of the OAPI the Secretariat confirmed that this would be the only meeting of the SDWG in 2005.

109. The SDWG agreed to hold its sixth session from September 19 to 23, 2005.

110. The Secretariat indicated that June 1, 2005, would be the deadline for all documents relating to the next meeting to be received by the Secretariat.

Meetings of the SDWG Task Forces

111. During this session of the SDWG the following meetings of the SDWG Task Forces took place: the joint meeting of the Trademark Standards Task Force and the OHIM XML Working Group; the joint meeting of the WIPO Standards and IPC Reform Task Force and the WIPO Standard ST.10/C Task Force; and the meeting of the Renewal of the WIPO Handbook Task Force.

Agenda Item 16: Adoption of the report of the session

*112. This report was adopted by the Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT).*

Agenda Item 17: Closing of the Session

*113. The meeting was closed following the adoption of the Report.*

[Annexes follow]