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STANDARDS AND DOCUMENTATION WORKING GROUP

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REVISION OF WIPO STANDARD ST.3

Document prepared by the Secretariat

Serbia and Montenegro

1. On July 23, 2003, the Maintenance Agency of International Standard ISO 3166 (ISO 3166/MA) announced, in ISO 3166 Newsletter No.V-8, the change of the country name “Yugoslavia” to “Serbia and Montenegro”, with “CS” as the new two-letter code to replace “YU”. Subsequently, the International Bureau issued Circular SCIT 2583, dated August 21, 2003, requesting the members of the Standing Committee on Information Technologies (SCIT) to express their views, by correspondence, as to whether they agreed to revise WIPO Standard ST.3 in accordance with the decision by the ISO 3166/MA. However, it was not possible to reach a consensus then; the majority of industrial property offices did not wish to adopt the use of code “CS”, since it had been used for “Czechoslovakia” in International Standard ISO 3166-1 until 1993. Consequently, this matter was brought to the attention of the SCIT Standards and Documentation Working Group (SDWG) at its following meeting, held in January 2004. SCIT members were informed of the results of the proposal given in Circular SCIT 2583 through Circular SCIT 2588, of October 17, 2003.

2. After the publication of ISO 3166 Newsletter No.V-8, several organizations, including WIPO, informed the ISO 3166/MA that problems were arising from the implementation of the two-letter code “CS” for “Serbia and Montenegro”. The Chair and Vice-Chair of the ISO 3166/MA then took several initiatives in an attempt to resolve the problems resulting from the re-assignment of code “CS”, the latest of which was a proposal to exceptionally reserve a second ISO 3166-1 code element for the country name “Serbia and Montenegro” for use in systems that cannot accommodate the re-assignment of code “CS”.

3. The SDWG, at its fourth session in January 2004, considered the adoption of a two-letter code to represent “Serbia and Montenegro” in WIPO Standard ST.3. The SDWG agreed to continue to provisionally use the two-letter code “YU”. Before deciding upon the adoption of a new two-letter code for “Serbia and Montenegro”, the SDWG preferred to wait for the results of the vote by ISO 3166/MA on the proposal concerning the reservation of a second ISO 3166-1 code element (SCIT/SDWG/4/14, paragraphs 52 to 59).

4. On February 27, 2004, the Secretariat of the ISO 3166/MA announced that the proposal to exceptionally reserve a second ISO 3166-1 code element for “Serbia and Montenegro” had been rejected by the ISO 3166/MA. Thus, code “CS” is the only two-letter code provided by International Standard ISO 3166-1 to represent “Serbia and Montenegro”.

5. In order to inform the SDWG of the position of the Federal Intellectual Property Office of Serbia and Montenegro, the International Bureau sent a letter to that Office, informing them of the problems that were arising from the implementation of code “CS” by industrial property offices, and of the agreement concerning this matter reached by the SDWG at its fourth session. In the said letter, the International Bureau also requested the Office to express their views regarding the adoption of code “YU” to represent “Serbia and Montenegro” in WIPO Standard ST.3. The Federal Intellectual Property Office of Serbia and Montenegro replied to the International Bureau that, in its opinion, for the time being, it seemed most reasonable to continue with the usage of code “YU” to designate “Serbia and Montenegro” in the field of industrial property.

6. Consequently, in order to have an alternative two-letter code to code “CS” for use in the industrial property field that is acceptable by the industrial property community, the International Bureau proposes that the following revision of WIPO Standard ST.3 be considered for approval by the SDWG:

(a) to keep two-letter code “YU” to represent “Serbia and Montenegro” in WIPO Standard ST.3;

(b) to remove the current Editorial Note to the Standard; and

(c) to change the current endnotes of Annex A, Sections 1 and 2 (“See Editorial Note”), which refer to code “YU”, in a note at the end of the Standard that would read as follows:

“Subsequent to the country name change of “Yugoslavia” to “Serbia and Montenegro”, that took effect on February 4, 2003, and to the decision by the ISO 3166/MA to use the new country name and new two-letter code “CS” (to replace “YU”), which was announced on July 23, 2003, the SCIT Standards and Documentation Working Group agreed, at its fifth session, held in November 2004, to recommend that the two-letter

code “YU” continue to be used for “Serbia and Montenegro” in the industrial property field because code “CS” raises certain problems due to its former use to represent “Czechoslovakia” until 1993.”

Current endnotes of the Standard would be renumbered accordingly.

The Community Plant Variety Office (European Union)

7. The system for the protection of plant variety rights run by the Community Plant Variety Office (European Union) (CPVO) allows for intellectual property rights, valid throughout the European Union, to be granted for plant varieties. Consequently, industrial property offices issuing plant patents of countries that are not Member States of the European Union may receive patent applications which claim a right of priority based on a CPVO priority document. This means that these industrial property offices need to refer to the CPVO when citing the priority data in the corresponding plant patent applications; consequently, a two-letter code is needed to identify the CPVO on the first page of patent documents, official gazettes, databases, etc.

8. The SDWG considered, at its fourth session, the establishment of a two-letter code to represent the CPVO in WIPO Standard ST.3. The SDWG agreed with the proposal by the International Bureau to contact the CPVO in order to present a proposal regarding this matter for consideration by the SDWG at its next session.

9. As a follow-up to the above agreement by the SDWG, the International Bureau sent a letter to the CPVO explaining the necessity of establishing a two-letter code to represent the CPVO in WIPO Standard ST.3 in response to the need to cite CPVO priority documents in certain plant patent applications, as referred to in paragraph 7, above. After explaining the reasons for the proposal (see paragraph 10, below), the International Bureau proposed to the CPVO to use the two-letter code “QZ” to represent the CPVO in WIPO Standard ST.3, and requested them to express their views regarding the adoption of the said code. In case the CPVO would not find the proposed code “QZ” to be acceptable, they were invited to propose a different code which should not conflict with either International Standard ISO 3166-1 or WIPO Standard ST.3.

10. The letter also explained the main reason which had led the International Bureau to propose “QZ” to represent the CPVO in WIPO Standard ST.3. To avoid any conflict with International Standard ISO 3166-1, the International Bureau consulted with the ISO 3166/MA on the different possible alternatives for a two-letter code for the CPVO. The ISO 3166/MA Secretary recommended to the International Bureau to use one of the codes which are available for user-assigned purposes, i.e., the letter combinations AA, QM to QZ, XA to XZ, and ZZ. This recommendation prevents the International Bureau from proposing, for example, a more visual or meaningful code beginning with the letter “E” and followed by another letter. Furthermore, since 1998, the CPVO and the International Union for the Protection of New Varieties of Plants (UPOV) have been using the two-letter code “QZ” to identify the CPVO in the CD-ROM “UPOV-ROM Plant Variety Database”; the same code has also been employed to identify the CPVO in certain UPOV Council documents since then. It is expected that “QZ” will continue to be used to represent the CPVO in the said database in the future.

11. At the moment of preparing this document, the International Bureau has not yet received any reply to its letter from the CPVO, the International Bureau will present an oral report, at the next session of the SDWG, in November 2004, to inform the Working Group of the status of this matter.

12. The SDWG is invited:

(a) to note the information provided above and in the oral report by the International Bureau;

(b) to consider and adopt the revision of WIPO Standard ST.3 referred to in paragraph 6, above.

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