

WIPO



SCIT/SDWG/6/4

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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

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STANDING COMMITTEE ON INFORMATION TECHNOLOGIES STANDARDS AND DOCUMENTATION WORKING GROUP

Sixth Session
Geneva, September 19 to 22, 2005

REVISION OF WIPO STANDARD ST.3

Document prepared by the Secretariat

The Community Plant Variety Office (European Union)

1. 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; therefore, a two-letter code is needed to identify the CPVO on the first page of patent documents, in official gazettes, databases, etc.

2. The Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT) considered, at its fourth session in January 2004, the establishment of a two-letter code to represent the CPVO in WIPO Standard ST.3. The SDWG agreed with the suggestion offered by the International Bureau (IB) to contact the CPVO in order to present a proposal regarding this matter for consideration by the SDWG at its next session. (See document SCIT/SDWG/4/14, paragraph 60.)

3. As a follow-up to the above agreement by the SDWG, the IB sent a letter, dated June 4, 2004, to the CPVO explaining the necessity of establishing a two-letter code to represent the CPVO in WIPO Standard ST.3. After explaining the reasons for the proposal, the IB 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. The above-mentioned letter is reproduced in Annex I to this document.

4. At its fifth session, in November 2004, the SDWG agreed to defer the discussion concerning the inclusion in WIPO Standard ST.3 of a two-letter code to represent the CPVO to the next meeting since the IB had not received any reply to its letter from the CPVO. (See document SCIT/SDWG/5/13, paragraph 65.)

5. In order to be able to inform the SDWG of the views of the CPVO with regard to the two-letter code to represent the CPVO in WIPO Standard ST.3, and also to let the CPVO know the decision made by the SDWG at its fifth session concerning this matter, the IB sent a second letter to that Office dated May 24, 2005, that is reproduced in Annex II to this document. At the moment of preparing this document, the IB had not received any reply to the said letter. The IB will inform orally of any comments received from the CPVO at the next session of the SDWG, in September 2005.

6. The IB proposes that the following revision of WIPO Standard ST.3 be considered for approval by the SDWG:

(a) revision of paragraph 10 to read:

“10. The letter combinations AA, QM to QY, XA to XZ and ZZ are available for individual use and for provisional codes.”

(b) to add the code “QZ” – to represent the name of the “Community Plant Variety Office (European Union) (CPVO)” – to WIPO Standard ST.3, Annex A, Sections 1 and 2.

African Regional Intellectual Property Organization (ARIPO)

7. The African Regional Industrial Property Organization (ARIPO) sent a *note verbale*, dated September 13, 2004, notifying WIPO that ARIPO’s name had changed to the African Regional Intellectual Property Organization (ARIPO). The said note is reproduced in Annex III to this document.

8. In accordance with the above-mentioned change announced by ARIPO, the IB proposes that the revision of the entries corresponding to ARIPO in Annex A, Sections 1 and 2, of WIPO Standard ST.3 be considered for approval by the SDWG, i.e., replacing the word “Industrial” with “Intellectual” in the said entries, keeping the same two-letter code “AP” to represent this Organization.

9. *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;

(c) to consider and adopt the revision of WIPO Standard ST.3 referred to in paragraph 8, above.

[Annexes follow]

SCIT/SDWG/6/4

ANNEX I

**WORLD INTELLECTUAL PROPERTY
ORGANIZATION**

世界知识产权组织

**ORGANIZACIÓN MUNDIAL
DE LA PROPIEDAD INTELECTUAL**



**ORGANISATION MONDIALE
DE LA PROPRIÉTÉ INTELLECTUELLE**

المنظمة العالمية للملكية الفكرية

**ВСЕМИРНАЯ ОРГАНИЗАЦИЯ
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ**

June 4, 2004

Re: Two-letter code to represent the Community Plant Variety Office
(CPVO) in WIPO Standard ST.3

Dear President Kiewiet,

The International Bureau (IB) of the World Intellectual Property Organization (WIPO) has been requested to establish a two-letter code to represent the Community Plant Variety Office (CPVO) in WIPO Standard ST.3 (Recommended Standard on Two-Letter Codes for the Representation of States, Other Entities and Intergovernmental Organizations) in response to the need to cite CPVO priority documents in certain plant patent applications.

In the industrial property community, which includes the industrial property offices, it is common practice to use the two-letter codes established in WIPO Standard ST.3 in order to represent the names of States, other entities and intergovernmental organizations. For example, WIPO Standard ST.3 two-letter codes are used to indicate the country or organization which has published a patent document, registered a trademark or an industrial design; to identify the country of residence of the inventors or the applicants; to identify the country or organization where the so-called priority applications (in accordance with Article 4 of the Paris Convention for the Protection of Industrial Property) are filed; etc. These codes are used in patent documents, official certificates, official gazettes, databases, etc. WIPO Standard ST.3 is aligned with International Standard ISO 3166-1, "Codes for the Representation of Names of Countries and their Subdivisions – Part 1: Country Codes".

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Mr. Barteld P. Kiewiet
President
Community Plant Variety Office (CPVO)
3, boulevard Maréchal Foch
49021 Angers
France

Mr. Barteld P. Kiewiet, Angers – June 4, 2004

The system for the protection of plant variety rights run by the CPVO allows 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; in consequence, there is a need for a two-letter code to identify the CPVO in official gazettes, databases, the first page of patent documents, etc.

In order to prepare an appropriate proposal for a two-letter code to represent the CPVO in WIPO Standard ST.3 and to avoid any conflict with International Standard ISO 3166-1, the IB consulted with the Maintenance Agency of International Standard ISO 3166 (ISO 3166/MA) on the different possible alternatives. The ISO 3166/MA Secretary, after having discussed the matter with the Chair and Vice Chair of the ISO 3166/MA, recommended to use one of the user-assigned codes defined in clause 8.1.3 of ISO 3166-1: 1997, as these codes are the tool of choice for adding entities to the official list of ISO 3166-1. Considering the relative scarceness of ISO 3166-1 two-letter codes which are still available for assignment, the ISO 3166/MA Secretary has explained that it would not be advisable to set aside a hitherto un-used two-letter code element for a use which is not within the scope of ISO 3166-1, since it would not encode a country or territory name. This recommendation prevents us from proposing, for example, a more visual or meaningful code beginning with the letter "E" and followed by another letter. Requests for the reservation of ISO 3166-1 two-letter codes for particular applications have been recently turned down by the ISO 3166/MA with the same recommendation to implementing user-assigned codes.

In accordance with the above-mentioned clause 8.1.3 of ISO 3166-1: 1997, the two-letter codes which are available for user-assigned purposes are the series of letters AA, QM to QZ, XA to XZ, and ZZ.

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 being used to represent the CPVO in the said database in the future.

Mr. Barteld P. Kiewiet, Angers – June 4, 2004

Taking into account the recommendation by the ISO 3166/MA to use a user-assigned code, as well as the actual use of two-letter code "QZ" for the CPVO referred to above, the IB considers that, in order to avoid duplication of codes to represent the CPVO, it is advisable to keep "QZ" as the two-letter code to represent the CPVO in WIPO Standard ST.3. The inclusion of "QZ" in the said WIPO Standard would strengthen the use of code "QZ" by the industrial property community and help industrial property information users to understand the citations concerning priority documents referring to the CPVO.

In order to inform the Standards and Documentation Working Group (SDWG) of the WIPO Standing Committee on Information Technologies (SCIT), which is the body empowered to adopt new WIPO Standard ST.3 codes, of the position of your Office, the IB would like to ascertain the views of your Office regarding the adoption of the code "QZ" to represent the "Community Plant Variety Office (CPVO)" in WIPO Standard ST.3. We would appreciate knowing whether or not your Office would agree to this proposal.

In case your Office does not find the proposed code "QZ" to be acceptable, I would appreciate it if you could provide us with another proposal for a code to represent the "Community Plant Variety Office (CPVO)" in WIPO Standard ST.3. The proposed two-letter code should not conflict with either WIPO Standard ST.3 or International Standard ISO 3166-1.

After the adoption by the SDWG of a code to represent the CPVO, the IB intends to request the ISO 3166/MA to mention the use of the said code in WIPO Standard ST.3 in Annex A ("Code elements from coding systems based on ISO 3166-1 but not denoting country names") to the "Reserved code elements under ISO 3166-1". The said Annex A currently lists 10 codes contained in WIPO Standard ST.3 and used by the industrial property community.

./ A copy of WIPO Standard ST.3 is enclosed for your information. It is also available on the WIPO web site at <http://www.wipo.int/scit/en/standards/standards.htm>.

I thank you very much in advance for your attention in this matter.

Sincerely yours,



Francis Gurry
Deputy Director General

[Annex II follows]

SCIT/SDWG/6/4

ANNEX II

**WORLD INTELLECTUAL PROPERTY
ORGANIZATION**

世界知识产权组织

**ORGANIZACIÓN MUNDIAL
DE LA PROPIEDAD INTELECTUAL**



**ORGANISATION MONDIALE
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المنظمة العالمية للملكية الفكرية

**ВСЕМИРНАЯ ОРГАНИЗАЦИЯ
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ**

May 24, 2005

Re: Two-letter code to represent the Community Plant Variety Office
(CPVO) in WIPO Standard ST.3

Dear President Kiewiet,

This is a follow-up to my letter to you of June 4, 2004, concerning the establishment of a two-letter code to represent the Community Plant Variety Office (European Union) (CPVO) in WIPO Standard ST.3.

At its last session in November 2004, the Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT) considered the revision of WIPO Standard ST.3 in order to adopt the two-letter code "QZ" to designate the CPVO. However, as the International Bureau (IB) of the World Intellectual Property Organization (WIPO) has not yet received a reply to the above-mentioned letter, the SDWG decided to defer this decision to the next session to be held in September 2005.

Since the industrial property community needs to cite CPVO priority documents in certain plant patent applications and the IB has not received any alternative proposal to the use of code "QZ" to represent the CPVO in WIPO Standard ST.3, the SDWG will consider again the adoption of the said code "QZ" for the CPVO at its session of September 2005. In order to inform the

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Mr. Barteld P. Kiewiet, Angers – May 24, 2005

SDWG of the position of your Office, I would appreciate it if you could provide us with some information concerning the views of your Office regarding this matter. Any information and/or comments by your Office concerning either the proposed code "QZ" or any alternative proposal that does not conflict with International Standard ISO 3166 or WIPO Standard ST.3 would be welcome.

Thank you in advance for your kind assistance and collaboration.

Yours sincerely,



Francis Gurry
Deputy Director General

[Annex III follows]

SCIT/SDWG/6/4

ANNEX III



**AFRICAN REGIONAL INDUSTRIAL PROPERTY
ORGANIZATION (ARIPO)**

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ARIPO/CM/IX/01

NOTIFICATION OF CHANGE OF NAME

The African Regional Industrial Property Organization (ARIPO) presents its compliments to the World Intellectual Property Organization (WIPO) and has the pleasure, honour and privilege to advise that in accordance with the decision of the Council of Ministers made during its Ninth Session held in Dar es Salaam, United Republic of Tanzania [please see paragraph 51 and 52 of the Report of the Ninth Session of the Council of Ministers, (document *ARIPO/CM/IX/11*)], the name of the African Regional Industrial Property Organization (ARIPO) has been changed to the African Regional Intellectual Property Organization (ARIPO).

The change of the name of the Organization is consistent with the amendments to the Lusaka Agreement to incorporate the new mandate on Copyright and Related Rights. Both the change of the name and the amendments to the Lusaka Agreement shall have effect two months from the date of this notification, i.e. November 13, 2004.

ARIPO avails itself of this opportunity to renew to WIPO the assurances of its highest consideration.

HARARE
September 13, 2004

The World Intellectual Property Organization (WIPO)
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[End of Annex III and of document]