

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
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STANDING COMMITTEE ON INFORMATION TECHNOLOGIES

STANDARDS AND DOCUMENTATION WORKING GROUP

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ANNUAL TECHNICAL REPORTS (TASK No. 24)

Document prepared by the Secretariat

Introduction

1. At the fifth session of the Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT), held in November 2004, the Secretariat informed the SDWG, for its consideration, of a letter from the Swiss Federal Institute of Intellectual Property concerning their decision to no longer submit to the International Bureau (IB) their Annual Technical Reports (ATRs) on patent, trademark and industrial design information activities. The letter is reproduced as Annex I to this document. The SDWG agreed that the Secretariat would incorporate the letter in a document for consideration at the next session of the SDWG. (See document SCIT/SDWG/5/13, paragraph 101, Task No. 24.)
2. Within the framework of current SDWG Task No. 24, the ATRs have been prepared for many years by the industrial property offices (IPOs) which are members of the SCIT (or, previously, members of the former Permanent Committee on Industrial Property Information (PCIPI), and Permanent Committee on Patent Information (PCPI)), on request by the IB, for making their information activities available to other offices and the public. At present, the ATRs cover three different modalities; namely the ATRs on patent information activities

(ATRs/PI), trademark information activities (ATRs/TM), and industrial design information activities (ATRs/ID). The first modality that was established was the ATRs/PI in 1978. In 1990, a similar decision was made with regard to the ATRs/TM, and for the ATRs/ID in 1996.

3. The ATRs follow a structure which was approved by member countries and revised when considered appropriate. The last time the recommended contents of the ATRs/PI and ATRs/TM were revised was in 1996; the recommended contents of the ATRs/ID have never been revised since that modality was established in that same year. The current recommended contents of the three modalities of ATRs are available from the ATR web page of WIPO's website, at <http://www.wipo.int/scit/en/atrs/index.htm>.

4. Annex II to this document reproduces a table providing the number of ATRs received from the IPOs and published by the IB since 1978. The ATR web page allows access to the ATRs for the period 1998-2004; it should be noted that the exercise corresponding to the ATRs for the year 2004 has not yet been completed. The collection of ATRs previous to the year 1998 is only available on paper.

Current situation

5. In 2001, the IB started collecting ATR information through an electronic report form in order to reduce the workload for the IPOs and the IB in the preparation and processing of the ATRs. In 2002, a test exercise for a new ATR Management System was carried out. Based on the feedback received from the offices that collaborated in that exercise, the ATR Management System was further developed and was launched in 2003. To this effect, since then, circulars have been issued, every year, to all IPOs inviting them to prepare and send their ATRs online using the new system. With the launch of the ATR Management System, the IB re-designed the ATR web page, which includes the guidelines for preparing the ATRs using the system, and set up two electronic mailboxes to assist users in creating user accounts and to ask questions concerning the use of the system.

6. Unfortunately, since the launching of the new ATR Management System in 2003, the necessary annual updating and refining of the system, as well as the closing of the annual exercise, took longer than expected. For that reason, the late distribution of the circulars inviting offices to submit their ATRs has been one of the causes that limited the number of ATRs which was received and published by the IB.

7. The length of time since the last revision (1996) of the recommended contents of the ATRs referred to in paragraph 3, above, could also have had an impact on the number of ATRs received by the IB, and their contents, which might have become outdated. Thus, it is likely that the recommended contents would require revision and updating.

8. In addition to those reasons referred to in paragraphs 6 and 7, the decline in the number of ATRs published during the last few years and the usefulness of the ATRs are also due to the expanding use of information technologies in the IPOs, information services, communication channels with the public and other IPOs, as well as access to and dissemination of industrial property information, as result of the important and relevant changes during the last decade. Websites of the IPOs have become a common platform for informing users and other offices of the information activities carried out and planned. Bilateral and multilateral exchanges of information and experiences based on Internet

technologies are faster and more efficient than ever. New information tools have been made available to users and other IPOs on the IPO websites. Electronic publication on the IPO websites has started to replace traditional publication on paper. As stated in the letter from the Swiss Federal Institute of Intellectual Property, it is also possible that, now, the “practical usefulness of these reports appears to be very limited”. Thus, the IB is of the view that it is now an appropriate time for the SDWG to review current Task No. 24.

9. Notwithstanding the considerations referred to in the previous paragraphs, it should also be noted that the recommended contents and user guidelines for preparing the ATRs have proved to be adequate, flexible and useful for the IPOs, and the IPOs did not seem to encounter any difficulties in following them. Furthermore, for many years, the large number of such reports prepared by the IPOs showed the interest of the IPOs in cooperating in the exchange of information related to their patent, trademark and industrial design information activities.

Proposal

10. In view of the above, the IB would like to bring Task No. 24 to the attention of the SDWG, and propose the following options for their consideration:

- (a) to leave current Task No. 24 and ATRs as they are, without any modification;
- (b) to revise and update current recommended contents of the ATRs, and, once the new contents are agreed on by the SDWG, continue publishing the ATRs using the ATR Management System;
- (c) to reword Task No. 24 and develop a new platform, as suggested in the letter from the Swiss Federal Institute of Intellectual Property; and
- (d) to discontinue Task No. 24.

11. The SDWG is invited:

- (a) to note the letter from the Swiss Federal Institute of Intellectual Property reproduced as Annex I to this document, as well as the above information concerning Task No. 24; and*
- (b) to consider the proposals stated in paragraph 10, above, and approve a recommendation concerning the steps to be taken with regard to Task No. 24 and the Annual Technical Reports.*

[Annexes follow]

ANNEX I

[Translation prepared by the International Bureau]

From: Swiss Federal Institute of Intellectual Property, Berne, Switzerland

To: Mr. Neil Wilson, Acting Director for IT Services (sic), WIPO, Geneva

Your Ref.: C.SCIT2596/7/8

Our Ref.: CB-731.11

Berne, September 15, 2004

Re.: Annual Technical Reports for 2003 on Intellectual Property Information Activities

Dear Director,

I refer to your letter cited above concerning the annual technical reports (ATRs) on the information activities relating to trademarks, patents and industrial designs. Following an in-depth discussion, we have decided not to send any more reports in the future. After consulting the existing reports, we have noted that the number of States that submitted a report had decreased regularly during the past few years and that it had now reached a critical threshold. Furthermore, the practical usefulness of these reports appears to be very limited: apart from an occasional mention in the publication *World Patent Information*, they scarcely seem to be used nowadays.

We therefore consider that it would be expedient to remodel the ATRs completely both in terms of their content and their form. In that regard, we take the liberty of making a number of suggestions to you:

- The ATRs should provide an opportunity for offices to give details of the developments in their work. The production of an Internet platform on which offices could present their solutions is, in our opinion, a better approach than the reports. Switzerland has begun to produce such a platform which may be consulted at the address www.evanti.ch
- A large number of offices will be ready to make available details of some of their developments in the form of an open or shared source; such a platform would allow sharing of that kind to be administered.

- Finally, such a platform could also stimulate the exchange of ideas or facilitate the search for cooperation partners.

I hope that, in these few lines, I have been able to make clear to you the position of the Federal Institute of Intellectual Property and, should you require further information, please do not hesitate to contact me.

Yours sincerely,

(signed)
Christian Bock

[Annex II follows]