Citation Processing in the EPO
presentation to the
SCIT
Standards and Documentation Working Group

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Citation practice: Filing

- There is no obligation for the applicant to highlight or "mark up" citations.
- Sometimes they include a list of references.
- If using PatXML (EPO patent authoring tool), they can mark up citations (in XML) using a data entry screen.
- Common Application Format (CAF) may change this...
- On receipt at the EPO we OCR and extract citations to make sure the citation is ready for the examiner.
Citation practice: PatXML data entry screen
Citation practice: Publication data capture

- All applications are scanned for citations and these are marked up according to ST.36 XML; **firstly** within the **description**:

  . . . described in the
  `<patcit id="pcit0001" dnum="US4698010A">`
  `<text>US patent 4,698,010 (Marcello Toncelli, October 6, 1987</text>`
  `</patcit>"

  in which aggregates of a material of variable . . .

  □ = publish "as filed"
Citation practice: Publication data capture

- Secondly in the extracted Reference List:

```xml
<patcit id="ref-pcit0001" dnum="US4698010A">
  <document-id>
    <country>US</country>
    <doc-number>4698010</doc-number>
    <kind>A</kind>
    <name>Marcello Toncelli</name>
    <date>19871006</date>
  </document-id>
</patcit>
<crossref idref="pcit0001">[0002]</crossref>
```
Citation practice: Publication data capture (NPL)

- **NPL** within the **description**:

Standard methods

allow base exchanges to be performed . . .

= publish "as filed"
Citation practice : Publication data capture (NPL)

- **NPL** within the Reference List:

```xml
<nplcit id="ref-ncit0012" npl-type="b">
  <book>
    <author><name>SAMBROOK</name></author>
    <author><name>RUSSELL</name></author>
    <imprint><name>CSH Press</name></imprint>
    <pubdate>20010000</pubdate>
  </book>
</nplcit>
```

```xml
<crossref idref="ncit0013">[0021]</crossref>
<crossref idref="ncit0014">[0023]</crossref>
<crossref idref="ncit0018">[0030]</crossref>
<crossref idref="ncit0019">[0030]</crossref>
```
Citation practice: Publication

• Marking up citations allows us to extract all of them and build a Reference List:

REFERENCES CITED IN THE DESCRIPTION

This list of references cited by the applicant is for the reader’s convenience only. It does not form part of the European patent document. Even though great care has been taken in compiling the references, errors or omissions cannot be excluded and the EPO disclaims all liability in this regard.

Patent documents cited in the description

• FR 2761785 [0011]
• JP 11253480 B [0011]
• JP 3294819 B [0011]
• US 4582402 A [0016]
• US 5414477 A [0016]

Non-patent literature cited in the description

• KLEIN R; KLEIN BE; WONG TY; TOMANY SC. Cruickshanks KJ. The association of cataract and cataract surgery with the long-term incident of age-related maculopathy. Arch Ophthalmol, 2002, vol. 120, 1551-1558 [0008]
• WANG JJ; MITCHELL P; CUMMING RG; LIM R. Cataract and age-related maculopathy: the Blue Mountains Eye Study. Ophthalmic Epidemiol, 1999, vol. 6, 317-326 [0009]
• MCCARTY CA; MUKEH RN; FULCI I; MITCHELL
Citation practice: on the EPO Publication Server

• . . . and to link to those citations in eg. espacenet

[Similar possibilities in Register, MIMOSA online]
Citation practice: Search Report

- The EPO examiner uses an online data entry panel to enter all search report citations.
- There is a central database where all search reports are stored (EP and ISR).
- This allows us to extract the data and mark up the search report according to WIPO ST.36 XML.
- This XML data is added to the complete publication XML file.
- Production planned for 2008.
The current forms (same for ISR)
The ISR forms (even more wasteful!)
The new layout (partial view) - generated from XML data

<table>
<thead>
<tr>
<th>EUROPEAN SEARCH REPORT</th>
<th>Application number: 06250611.8</th>
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<td>G11B</td>
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</table>

**DOCUMENTS CONSIDERED TO BE RELEVANT:**
(Citation, category, relevant claim number(s) and any relevant passage (*)

  - Category: D,A
  - Claim(s): 1,11
  - * the whole document*

  - Category: D,A
  - Claim(s): 1,11
  - * abstract *

Citation practice: Common Application Format (CAF)

• A Trilateral project
• An application format (for description, claims, etc) which will be acceptable in the EPO, JPO and USPTO
• Includes a section in the description for references cited: <citation-list>
• ST.36 to be updated

Thank you; contact for more information: pbrewin@epo.org