

DER PRÄSIDENT
DES DEUTSCHEN PATENTAMTS

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Geschäfts-Nr.: 543/2(9)-2.1.1.-L6,1a-P37
Bitte in der Antwort stets die Geschäftsnr. angeben

Re.: Revision of WIPO Standard ST.14
Your Circular C.SCIT 2378/03 of July 22, 1998

Dear Mr. Takagi,

In the following please find the comments of the German Patent Office on the proposed draft of paragraph 11 of WIPO Standard ST.14.

Ad (b):

We propose exchanging the subparagraphs (vii) and (viii). The ISBN and ISSN numbers form part of the bibliographic description of the monographs or conference proceedings. The location should follow after that description.

Consequently, Example 1 should read as follows:

WALTON, Herrmann. Microwave Quantum Theory. London: Sweet and Maxwell, 1973. ISBN 5-1234-5678-9. Vol.2, pages 138 to 192, especially pages 146 to 148.

A 10th digit (check digit) of the ISBN was added. In the example above it is assumed that the ISBN was allotted by the publisher to the whole monograph, not to Volume 2 only. In the other case the ISBN should follow after the volume indication.

Ad (c):

Similar to the proposal above subparagraphs (v) and (vi) should be exchanged. The example should read as follows:

DROP, J.G. Intergrated Circuit Personalization at the Module Level. IBM tech. dis. bull. ISSN 2345-6789. October 1974, Vol. 17, No. 5, pages 1344 and 1345.

Ad (d):

In the examples 1 - 3 the bibliographic data elements of the source document (article, patent document) follow the respective data elements of the host document (abstract journals CA, PAJ, Soviet Patents Abstracts). Differing from this sequence Standard ISO 690, chapter 7.11.2., recommends that "*Details ... relating to the contribution shall be followed by a normal reference to the host document as a whole, ...*". The sequence of the respective data elements of Example 1 under paragraph 11bis (referring to the electronic version of a abstract journal) is already in accordance with that standard (and also with chapter 5.1.3.of ISO 690-2).

Therefore we propose the following sequence:

Example 1: Shetulov, D.I.: Surface Effects During Metal Fatigue. *Fiz.-Him. Meh. Mater.* 1971, 7(29), 7-11 (Russ.). *Chemical abstracts*, Vol. 75, No. 20, 15 November 1971 (Columbus, OH, USA, page 163, column 1, the abstract No. 120718k)

Example 2: JP 30-02404 A (FUDO). *Patent abstracts of Japan*, Vol. 15, No. 105 (M-1092, 1991 (abstract)

Example 3: SU 1374109 A (KARELIN, V. I.) 15.02. 1988. *Soviet Patent Abstracts*, Section E1, Week 8836, London: Derwent Publications Ltd., Class S, AN 88-255351 (abstract)

Ad Paragraph 11bis

Ad (i)

As in many cases electronic documents are only available via a host document (CD-ROM product, online database) it is suggested rewording the paragraph as follows:

(i) Type of medium in square brackets [] after the title of the publication or the designation of the host document, if any, e.g., [online] [CD-ROM] ...

Ad (ii):

It is suggested rewording the sentence as follows:

(ii): Date when the document was retrieved from the electronic media in square brackets, following ...

Examples 1, 3 and 5 seem not to fit with the explanations given in the sentence given above these examples since these documents are available both in paper and in electronic forms.

Therefore, it is suggested creating a new heading for these examples, preferably above the old heading.

Since under paragraph 11bis it is referred to standard ISO 690-2, the sequence of data elements given in this standard (chapter 5.1.3.) should be followed. In the case of an

online database the name of this database, in the case of an CD-ROM product, the name of this product should be regarded as the *title of host document* according to standard ISO 690-2.

Consequently, the designation of the *type of medium* (e.g. [online] or [CD-ROM]) should follow the *title of host document*.

Since often the *Primary responsibility of host document* is identical with the *publisher* (of host document) it may be discussed whether one should do without the indication of the *primary responsibility of host document* in these cases (see examples 2 and 3 below).

Remarks to the examples of paragraph 11bis of the draft:

Example 1:

The cited document is also available in paper form (see above). ST.16-Code, publication date and accession week should be added.

Example 2:

The order of the bibliographic data elements should be amended (see below).

Example 3:

The cited document is also available in paper form (see above). It is suggested replacing this example originating from the beginning of INSPEC by a new one.

Example 4:

The URL given leads to an index. Preferably instead of this URL the direct address of the postscript pages should be given (see below).

Example 5:

The cited document is also available in paper form (see above). Besides this it is presented in the Internet in page-oriented form.

Example 6:

This example does not seem to be appropriate since it refers to the title of a journal which, as a whole, probably never will be cited by a patent examiner. We therefore propose to replace this example by an example of the citation of an article of such a journal.

The cited document (journal) is also available in paper form (see above). Besides this it is presented in the Internet in page-oriented form.

The document is not available any more on the Internet today. The given URL does not lead to an operating server.

Example 7:

The URL given leads to an index page. Preferably instead of this URL the direct address of the postscript pages should be given (see below).

Example 10:

This example corresponds to example 8 (electronic bulletin board).

On principle an example of electronic mail should not be part of the Standard since electronic mail cannot be regarded as a public document in the sense of patent legislation.

Example 11:

The term "datasheet" does not form part of the title but explains the character of the document. We propose to insert this term directly after the title before the designation of the media ([online]).

Therefore, it is suggested amending the examples and their headings as follows (without presenting the primary responsibility of host document within the examples 2, 5, 6 and 7):

The following examples illustrate the citation of an electronic document which is **also available in paper form** or, in case of an abstract, of which at least the source document is available in paper form:

Examples 1 - 2: Documents retrieved from online databases outside the Internet

Example 1: SU 1511467 A (BRYAN MECH) 28.01.1990. In: Derwent Publications Ltd. (London, U.K.): World Patents Index (WPI) [online], week 5/1990. [retrieved on 1998-02-24] Accession no. 90-121923, Retrieved from QuestelOrbit. (abstract) (ST.16 code, publication date and week added)

Example 2: Jolly, A. et al.: Active components for the LMJ diode-pumped regenerative amplifier. In: SPIE-International Society for Optical Engineering: Proceedings of the SPIE, Vol 3047, p. 158-70. In: INSPEC Database [online], London: Institute of Electrical Engineers (U.K.) [retrieved on 1998-09-09] Accession-No. 98:5872243. Retrieved from STN. (abstract)

Examples 3 - 4: Documents retrieved from the Internet
(examples have still to be inserted)

Examples 5 - 6: Documents retrieved from CD-ROM products

Example 5: JP 0800085 A (TORAY IND INC) 1996-01-09. In: Patent Abstracts of Japan [CD-ROM] (abstract)

Example 6: Hayashida, O. et. al.: Specific molecular recognition by chiral cage-type cyclophanes having leucine, valine, and alanine residues. In: Tetrahedron 1995, Vol. 51 (31), p. 8423-36. In: CA on CD [CD-ROM]. Columbus, OH: CAS. Abstract 124:9350.

The following examples illustrate the citation of an electronic document **not available in paper form** or in a page-oriented presentation mode:

Examples7 - 8: Documents retrieved from online databases outside the Internet

Example 7: Dong, X.R., "Analysis of patients of multiple injuries with AIS-ISS and its clinical significance in the evaluation of the emergency managements". In: Medline Database [online]. Bethesda, MD. USA: U.S. National Library of Medicine, May, 1993 [Retrieved on 1998-02-24]. Accession No. 94155687. Retrieved from: DIALOG Information Services, Palo Alto (CA). (abstract)

Example 8: (has to be added)

Examples 9 -10: Documents retrieved from the Internet:

Example 9: WALLACE, S., and N. BAGHERZADEH: Multiple Branch and Block Prediction. Third International Symposium on High-Performance Computer Architecture [online], February 1997. [retrieved on 1998-05-20] Retrieved from the Internet:<URL: <http://www.eng.uci.edu/comp.arch/papers-wallace/hPCA3-block.ps>>

(Examples 10 - 11 may be added.)

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