



**STATEMENT OF PRINCIPLES CONCERNING THE CHANGEOVER
TO ELECTRONIC DATA CARRIERS
FOR THE EXCHANGE OF PATENT DOCUMENTS**

*Text adopted by the PCIPI Executive Coordination Committee
at its sixteenth session on May 19, 1995*

INTRODUCTION

1. As a result of recent developments in the field of electronic data processing, a gradual and non-reversible shift is being observed worldwide in data carriers used for the exchange of information from paper, microfiches and microfilms to electronic means. The patent community is not excluded from this trend in that, at present, many countries are already using, or plan to use in the near future, electronic data carriers, *inter alia*, CD-ROM, for the exchange of patent documents.
2. Historically, exchange of patent documents has been agreed on a bilateral basis and without charge. Where possible, choice of data carrier has been met.
3. The larger offices, which produce the bulk of the world's patent documents, are finding that the cost of disseminating patent documents on conventional carriers is becoming prohibitive. The logistical difficulties involved in delivering this great bulk of material are also becoming a problem and wasteful of both human and natural resources.
4. All offices are faced with the logistical and space problems associated with the storage of and retrieval from huge and rapidly growing files stored on conventional data carriers.
5. Fortunately, technology advances are providing an expanding list of alternatives to help the patent community cope with these problems. The storage capabilities of electronic data carriers are continually increasing. New and more efficient text search engines have recently been developed. In addition, advances in telecommunications already allow for the transmission of information (both text and image) almost instantaneously, anywhere in the world. Realizing that patent offices have helped to create these emerging technologies through the patenting process, a concerted effort to take full advantage of them should be made in order to solve the problems that face the patent community.
6. The advantages of using electronic data carriers for patent document exchange are recognized, in particular, in the case of CD-ROM the obvious cost benefits and the large decrease in the physical size of the collection. However, it is also recognized that there are currently disadvantages, in particular, in the case of CD-ROM the difficulty of a swift and inexpensive replacement of classified collections in paper form by those on CD-ROM and the current non-availability of universally established efficient means of printing of documents from CD-ROM. The problem of library access to data stored on CD-ROM is also currently a concern.

NEED FOR INTERNATIONALLY AGREED PRINCIPLES

7. The need to establish a multilateral framework of principles concerning the timing and the implementation of a replacement of conventional data carriers by electronic data carriers, e.g., CD-ROM, should be underlined. This will serve to create a favorable climate for assuring the successful exchange of patent documents which is an important basis for strengthening the role of the patent system and, for this purpose, will serve to promote the early and successful conclusion of effective bilateral agreements on the exchange of patent documents.

GENERAL PRINCIPLES

8. Exchange of *current* patent documents would as a general principle remain free of charge. To encourage the conclusion of effective and mutually beneficial agreements on the use of electronic data carriers for this exchange of patent documents, it is recommended that, in concluding the agreement, offices should attempt to take account of the advantages and disadvantages of the use of electronic data carriers to both the providing office and the receiving office.
9. All offices should be committed to continued efforts, e.g., a reduction of the number of sets of paper documents to be exchanged between offices, for the complete and eventual replacement of documents on paper, microfiche, microfilm and other conventional data carriers by electronic data carriers, e.g., CD-ROM.



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PRINCIPLES ON TIMING

10. All offices which receive multiple sets of patent documents via bilateral exchange from a providing office on conventional data carriers should take steps immediately to reduce, as soon as practicable, that number to a single set, and be prepared to accept any additional sets in electronic format.

11. All offices should in principle be prepared, at the latest by the year 2000, to accept the changeover to electronic data carriers if the providing office so desires and provided that the guidelines set forth in the Appendix/Appendices to this document have been followed, unless the offices bilaterally agree to other guidelines.

12. For the offices currently receiving multiple sets under bilateral exchange agreements on a conventional carrier, prior to the year 2000 and at a time the providing office produces patent data in electronic format which complies with the guidelines set forth in the Appendix/Appendices to this document or other bilaterally agreed guidelines, the providing office, as a general rule, will provide one exchange copy of patent documents on a conventional data carrier. If receiving offices still desire to continue receiving more than one set of patent documents on conventional data carriers, then the providing office may recover the cost of producing and delivering additional sets of documents on a conventional data carrier.

13. Beginning from the year 2000, if receiving offices still desire to continue receiving patent documents on a conventional data carrier, then the providing office may recover the cost of producing and delivering documents on a conventional data carrier.

PRINCIPLE ON ASSISTANCE

14. Due consideration should be given to the additional cost having to be borne by receiving offices in changing over to new electronic data carriers, for instance, by means of technical assistance to such offices being furnished by providing offices. Offices producing data in electronic format will strive to develop these data in a manner which facilitates their use by receiving offices. The providing offices also will strive to provide information and other available assistance to facilitate this use.

PRINCIPLE ON TECHNICAL ASPECTS

15. The changeover should be carefully planned and prepared. All guidelines set out in the Appendix/Appendices to this document should be followed unless the parties bilaterally agree to other guidelines.

DATE OF IMPLEMENTATION

16. This Statement of Principles shall be implemented on January 1, 1996, and should be reviewed for possible revision no later than the year 2000. Appendix/Appendices should be reviewed for possible revision, as needed.

[Appendix follows]



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APPENDIX

TECHNICAL GUIDELINES – FACSIMILE CD-ROM

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I. GENERAL

Frequency of Publication

In deciding the frequency of publication of CD-ROMs due consideration should be given to the needs of the receiving offices.

Contents

The types of data of patent documents contained on the CD-ROM should be clearly identified by the publisher.

Standards

All relevant WIPO Standards should be followed, e.g., ST.33, ST.40 and ST.50.

II. ORGANIZATION OF DATA

Providing offices should make every effort to follow all the recommendations laid down in the relevant WIPO Standards, e.g., ST.40. However, any departure from the recommendations in respect of directory structure, image file format, indexes and character coding sets should be notified in writing to the International Bureau and clearly defined in the product documentation.

III. USER INTERFACE

- (1) To assist users to more easily use the CD-ROM product, either the screen interface should follow closely those of other similar products, or an additional commonly used language interface, e.g., English, should be provided.
- (2) A menu-assisted mode of operation should be provided.
- (3) Installation options and help screens should be provided.
- (4) Screen layout and display should permit easy readability.

IV. SOFTWARE

- (1) The software should be able to work in environments which are widely supported, i.e., popular and available, e.g., MS-DOS or WINDOWS.
- (2) The software should preferably provide for the possibility of use of jukeboxes and use in local area networks.
- (3) The software should run on hardware which is standard and widely used, and due consideration should be given to the needs of the small user.

V. HARDWARE

The hardware required, including specified printers and screens, should be standard and widely used and due consideration should be given to the needs of the small user.



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VI. COMPATIBILITY

- (1) The need to update hardware with undue frequency should be avoided.
- (2) New software versions should provide for backward compatibility with earlier CD-ROM issues of the same documentation series.

VII. PRINT

Recommended configurations of hardware and supplied software should provide for:

- (i) a print capacity of at least 10 pages per minute from a facsimile CD-ROM;
- (ii) recto-verso printing with recognition of end of document;
- (iii) printing all of a document or particular sections, e.g., first page, drawing pages, etc. All these printing options should be available without display of the document;
- (iv) a print quality of at least 300 dpi.

VIII. DOWNLOADING OF DATA

Downloading functions should reflect current PCIPI policy.

IX. MEDIA QUALITY

- (1) CD-ROM quality control checks should be in line with internationally accepted industry standards.
- (2) Providing offices should ensure the availability of replacement CD-ROMs for issued CD-ROMs which are defective or damaged, on or shortly after delivery. In case of a manufacturing defect the replacement should be free of charge.
- (3) Receiving offices should give due regard to the storage (e.g., exposure to light, temperature and humidity) and handling (e.g., use of caddies, jukeboxes) of CD-ROMs to minimize problems of deterioration or damage.
- (4) Providing offices should store all data on electronic data carriers of high quality for a period longer than the expected lifetime of an issued CD-ROM.

X. COPYING OF CD-ROMs

Receiving offices are permitted to make archival copies of the CD-ROMs for internal use only.

XI. TRAINING/SUPPORT FROM PROVIDING OFFICES

- (1) Concise, clear manuals or instructions, preferably in a language which is commonly used, e.g., English, should be provided.
- (2) Technical advice on installation and subsequent problems should be available.
- (3) Software training courses, preferably free, should be provided if required.
- (4) Advice on the various systems and their proper use and details of costs involved should be available, particularly for developing countries.

[End of Appendix and of text]