

Draft Proposal for Revision of ST.36 ICE and ST.36 Model DTD
Prepared for ST.36 Task Force Review

January 21, 2008

1. The Standard and Documentation Working Group (SDWG) at its eighth session requested the ST.36 Task Force undertake the following:
 - (a) to prepare a revision of the International Common Elements (ICEs) of WIPO Standard ST.36 on the basis of the latest version of the DTDs provided by the PCT Administrative Instructions (Annex F DTDs); and
 - (b) to consider whether it was necessary to revise any other part of WIPO Standard ST.36 as a consequence of changes made to Annex F since the adoption of the Standard in November 2004, and if necessary, to revise the Standard.
2. To understand changes applied to the Annex F DTDs, we have investigated the Proposals for Changes (PFCs) to the PCT e-filing standard as all of these changes are processed using the PFC procedure. For further information on the procedure, please consult with the PFC website at http://www.wipo.int/export/sites/www/efiling_standard/en/.
3. Several Annex F PFCs were submitted and already processed since 2005, but the ST.36 ICEs were not revised in synchronization. The elements added to the Annex F DTDs, therefore, have not been introduced into the ST.36 ICEs. To align Annex F DTDs with the ST.36 ICEs, the ICEs should be revised according to the processed PFCs. All PFCs which are already processed are available at the http://www.wipo.int/efiling_standard/en/pfc_files_already_processed.htm.
4. In general, the PFCs aim to revise the Annex F DTDs, but some previous PFCs included the requests for changes of the Model DTD which is Annex A to the ST.36 - DTDs of model for publication- i.e., *xx-patent-document.dtd*. To reflect the said PFCs, the revision of the Model DTD should be considered. The revision may impact to the ST.36 ICEs as the revision of Annex F DTD does.
5. The IB has, as part of this exercise, prepared draft proposals for revision of the Model DTD, i.e., *xx-patent-document-v1-1_draft.dtd* as Appendix 1 and of the ICE as Appendix 2 to this document.
6. With regard to the revision of the ST.36 ICE, it was pointed out that the changes regarding the elements in the Annex F DTDs and Model DTD cannot be automatically applied to the ST.36 ICEs. Sixty elements have been proposed to be added to the Annex F DTDs or the Model DTD, and two elements have been removed from the DTDs since 2004. The added and removed elements are reproduced in the attached document, *ST36ICEs_elements-changes_20080115.xls*. For a better understanding of the proposed changes, the newly added and removed elements in the DTDs are categorized by six types as follows:
 - a. office-specific elements which is used by Annex F DTDs;
 - b. elements which are without 'wo' prefix, but used by only wo-specific elements / DTDs in Annex F;

- c. elements which names are not compliant with the ST.36 naming convention for elements;
- d. Elements in the ICEs which are no longer used by the latest Annex F DTDs, but may still be used by offices;
- e. Elements which are used by common elements / DTDs in Annex F; and
- f. Elements which are proposed to be used by only xx-patent-document.dtd.

Types	Elements
a. Office-specific elements	wo-amended-claims wo-amendment-info wo-application-info wo-bib-change-info wo-bibliographic-data wo-bio-material-after-pub wo-correction wo-demand-info wo-dtext wo-ocr-text wo-priority-info wo-publication-info wo-published-application wo-published-text wo-pubnum wo-repub-code wo-search-report wo-text-letter-code wo-xml-application
b. Elements used by only wo-specific elements or DTDs	abstract-figure bib-change-request biological-material-doc combined-declaration considered-not-made declaration-info designated-states-as-dec elected-office front-page iper-status isr-status later-election made-by pct-art64 pct-pub-info pct-rule91-1f pct-rule91-1f-doc previous-record priority-claim-considered-not-made priority-claim-considered-not-made-doc priority-claim-ib-info relevant-date withdrawn
c. Non-compliant naming convention	art17.2a-doc PCT-All pct-art17.2a
d. No longer-used elements in Annex F	sequence-listing-computer-readable-form, sequence-listing-written-form
e. Elements used by common elements	address-4

or DTDs in Annex F	address-5 confdate date-opinion-completed doi incorporation-by-reference limitation-of-search o restoration-fee restoration-quantity restore-rights restore-rights-reason
f. Elements proposed to be used by only xx-patent-document.dtd	date-application-partially-withdrawn date-opposition-filed srep-search-opinion

7. Regarding the elements in type ‘a’ and ‘c’ above-mentioned, it is proposed that they should not be introduced into the ST.36 ICEs. Office-specific elements cannot be a part of the ICE. For example of excluding office-specific element from the ST.36 ICE, the elements ‘ep-chg’ and ‘ep-chg-info’ are already used by current xx-patent-document-**v1-0**.dtd, but should not be introduced to the current ST.36 ICE. With regard to promoting office-specific element to a common element, please refer to the paragraph 39 of the ST.36. For further information on the ST.36 naming convention, please refer to *Naming international common elements* section in the ST.36.

8. As for the elements in type ‘d’, it is proposed that they should be included to the ST.36 ICEs because they may still be used by offices even though they have been removed from Annex F DTDs since 2004. It is also proposed that elements in Type ‘e’, should be included to the ST.36 ICEs because they are already used by common elements in ST.36 ICEs.

9. The elements in type ‘b’ above-mentioned are noted, because the elements are currently used by only wo-specific DTDs. The IB for PCT, however, proposes that the elements should be introduced into the ST.36 ICEs, because the elements relate to the information which may be of common interest for exchange in the future, even if they are currently used by only wo-specific DTDs. Therefore, the elements should be reserved for future use.

10. With regard to the elements in type ‘f’, the elements were introduced to xx-patent-document-**v1-1_draft**.dtd (as attached) following a consultation by the wrong route: although these relate only to ST.36 and not Annex F, they were included in an Annex F proposal for change. The three elements should be introduced to the ICEs. For further information on the elements, please refer to the PCT/EF/PFC 06/001, http://www.wipo.int/export/sites/www/efiling_standard/en/pfc_already_processed/pfc-06-001.pdf. It was notified to Offices of all PARIS states (not only PCT ones) as well as to a number of NGOs, using Circular C. PCT 1078, as well as notified to the Annex F Consultative Group.

11. You are kindly invited to comment the said proposals in paragraphs 7 to 10.

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