

C. PCT 1357

September 18, 2012

Dear Madam,  
Dear Sir,

This Circular is addressed to your Office in its capacity as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty (PCT).

At the nineteenth session of the Meeting of International Authorities (MIA) and the second informal session of the PCT/MIA Quality Subgroup, held in Canberra from February 6 to 10, 2012, International Authorities discussed the subject of search strategies. These discussions covered both the issue of making search strategies used by the International Searching Authority for individual applications available on PATENTSCOPE, and the utility of search strategies for assessing quality.

*Search Strategies on PATENTSCOPE*

In relation to making search strategies available on PATENTSCOPE, International Authorities discussed a proposal by the Canadian Intellectual Property Office to make search strategy information more widely available with a view to helping designated Offices in assessing international search reports (document PCT/MIA/19/5). The outcome of this discussion is summarized in paragraph 26 of the Summary by the Chair (document PCT/MIA/19/13):

“26. The Meeting agreed that those Authorities which were willing should begin to provide their search strategies to the International Bureau in whatever form they might be available and that the International Bureau should make them available on PATENTSCOPE. The International Bureau should also publish any explanation provided by International Authorities of the contents of their search strategy and how best to understand and use it.”

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To date, as a follow-up to this discussion, IP Australia and the United States Patent and Trademark Office (USPTO) have indicated that they will shortly be beginning to send their search strategies to the International Bureau for their inclusion on PATENTSCOPE.

The International Bureau welcomes the initiatives of IP Australia and the USPTO, and wishes to encourage other International Authorities to transmit their search strategies to the International Bureau. Search strategies in image format (TIFF) may be transmitted via the PCT Electronic Data Interchange (PCT-EDI) system<sup>1</sup> using the document type code "ssgy". The system documentation ("minspec") will shortly be updated to formally recognize this code. International Authorities who are willing to make available their search strategies on PATENTSCOPE are requested to contact the International Bureau (Mr. Peter Waring, Head, Technical Cooperation Section, PCT International Cooperation Division; telephone: +41-22-338 8521; e-mail: [pcticd@wipo.int](mailto:pcticd@wipo.int)) to arrange a test transmission, to discuss the appropriate package format if machine-readable formats are also to be included, or to discuss any other concerns which they may have in relation to transmission of these documents.

#### *Utility of Search Strategies for Assessing Quality*

In relation to the utility of search strategies for assessing quality, whether as a purely internal matter or between Authorities, International Authorities at the second informal session of the PCT/MIA Quality Subgroup agreed that a greater degree of understanding was required and that a greater degree of consistency was at least desirable. It needed to be clear who the search strategies were aimed at and what they were to be used for. Facilities for recording search strategies or search listings varied considerably between different search systems and approaches needed to be found which worked in relation to all searching systems used and allowed the contents to be used readily (see paragraph 10 of the report of the second informal session of the Quality Subgroup, reproduced in the Annex to document PCT/MIA/19/13). The Quality Subgroup agreed (see paragraph 11 of the report of the second informal session of the Quality Subgroup) to consider matters further on the electronic forum, beginning with:

"(a) Willing Authorities would post examples of search strategies or search listings to assist in identifying best practices to assist internal development within Offices, scope for effective use by different interested parties and possible recommendations for developing more consistent approaches between Offices;

"(b) Authorities would seek to find a common understanding of terminology, including items such as "search statement", "search strategy" and "search listing"."

In accordance with this agreement, a new task "Utility of Search Strategies" has been established on the electronic forum of the Quality Subgroup. It is proposed that this task will be led by the International Bureau, unless an International Authority wishes to take the lead on this task and informs the International Bureau accordingly. Each International Authority is invited to post a few examples of its search strategies or search listings, which should cover all the main components of a typical search strategy used in its work as an International Searching Authority, on this part of the electronic forum to form a basis for identifying best practices among Authorities.

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<sup>1</sup> See <http://www.wipo.int/patentscope/en/pct-edi> for further information on PCT-EDI, including the PCT Minimal Specification for Transmitting Documents to the IB.

In addition, each Authority is invited to post on the forum comments or definitions that it applies in relation to terminology associated with international searches, such as its understanding of the terms in paragraph 11(b) of the Annex to document PCT/MIA/19/13.

Examples and comments or definitions should be posted on the electronic forum of the Quality Subgroup by October 26, 2012. If you require access to this forum, please contact the International Bureau at *pct.mia@wipo.int*.

Yours sincerely,

A handwritten signature in blue ink that reads "James Pooley". The signature is fluid and cursive, with the first name "James" and last name "Pooley" clearly distinguishable.

James Pooley  
Deputy Director General