



C. PCT 1425

October 2, 2014

Madam,
Sir,

Missing IPC classes from international patent applications

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

This Circular discusses the subject of international applications that are published without having been classified by the International Searching Authority under the International Patent Classification (IPC) and thus without an IPC symbol.

The issue of missing IPC symbols was brought to the attention of the International Bureau by the Secretary General of the Patent Documentation Group (PDG) in a letter dated March 20, 2014, who suggested that the International Bureau take up the matter with International Authorities, noting the importance of the issue, as even an “apparently ‘small’ amount of 2 per cent of documents with missing IPC classes will lead to the loss of a significant number of potentially highly relevant patent documents”.

According to an analysis of the International Bureau, over 5,500 international applications were published in 2013 without an IPC classification. This represents about 2.9 per cent of all published international patent applications. Although there has been a marked improvement in this figure over recent years, it remains large enough to be a significant problem for users of published patent information. The percentage of cases with this problem also varies considerably between different International Searching Authorities and between fields of technology as represented by the IPC classification eventually given.

/...

./ To illustrate, the Annex to this Circular presents several graphs on international applications published in 2013 without an IPC classification. The raw data used to produce these graphs can be accessed on the PCT Quality Subgroup forum at <https://www3.wipo.int/confluence/display/pctqualitysubgroup/Missing+IPC+classes+from+international+patent+applications>. This is a snapshot of information taken in September 2014 from live databases. You may freely use the information for analysis within your Office, but as the data may contain minor errors, the information should not be distributed more widely or republished at this stage. However, these errors should not affect the conclusions from any analysis.

A number of different situations can result in an international patent application being published without an IPC classification. Some are outside the direct control of the International Searching Authority, such as late delivery of the search copy. Others are more closely associated with the Authority, such as backlogs in particular technical fields. Some Authorities appear to suffer particularly from difficult processes, such as delays caused by nomination of an alternative International Searching Authority when the original Authority is found not to be competent; these issues may also deserve further investigation for their effects in other areas, including on the timeliness of establishment of international search reports. Difficulties may also exist in identifying applications where an international search report is unlikely to be available in time for international publication and communicating an IPC classification to the International Bureau for these applications at an earlier stage than the international search report.

The International Bureau does not hold enough data to reliably identify the causes of problems in specific cases, but initial analysis suggests that these vary in their relevance between different Authorities. International Authorities which have a significant number or proportion of their international applications published without an IPC classification are invited to study the information in the Annex to this Circular and the raw data on the Quality Subgroup forum to identify the root causes of the problems with a view to solving the underlying problem where possible, or alternatively reinforcing the existing arrangements for delivery of IPC codes on demand for cases close to publication where the international search report has not yet been established.

The International Bureau invites comments from all International Authorities on the problems with applying IPC classes in time for international publication and possible remedies. Comments should be addressed to the PCT Business Development Division, email: pctbdd@wipo.int, by November 19, 2014. Such comments may either be general, in which case they may be shared with other International Authorities on the Quality Subgroup forum, or else form the basis for individual or collective efforts to resolve specific problems. Any comments received by that date will be taken into account in preparing a further paper for the Meeting of International Authorities, envisaged to take place in early 2015. However, ongoing comments will remain welcome after that date whenever difficulties in transmitting IPC symbols to the International Bureau are encountered by International Searching Authorities, and can also be sent to this email address.

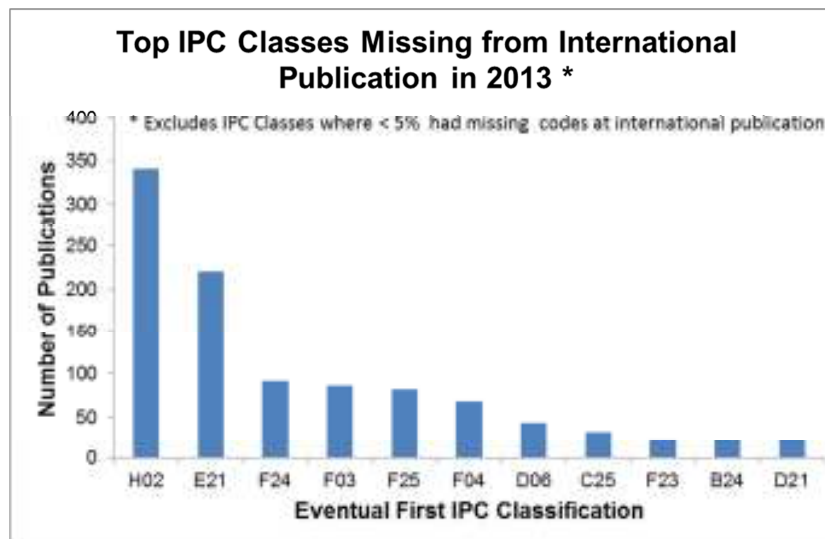
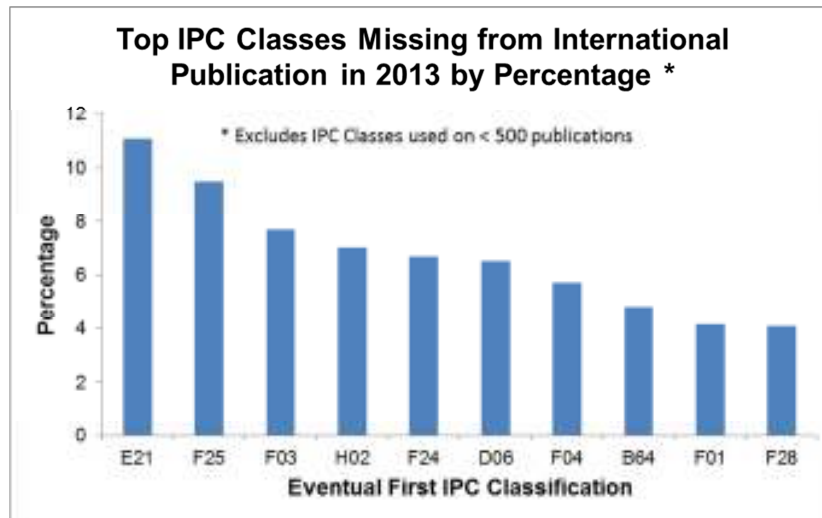
Yours sincerely,



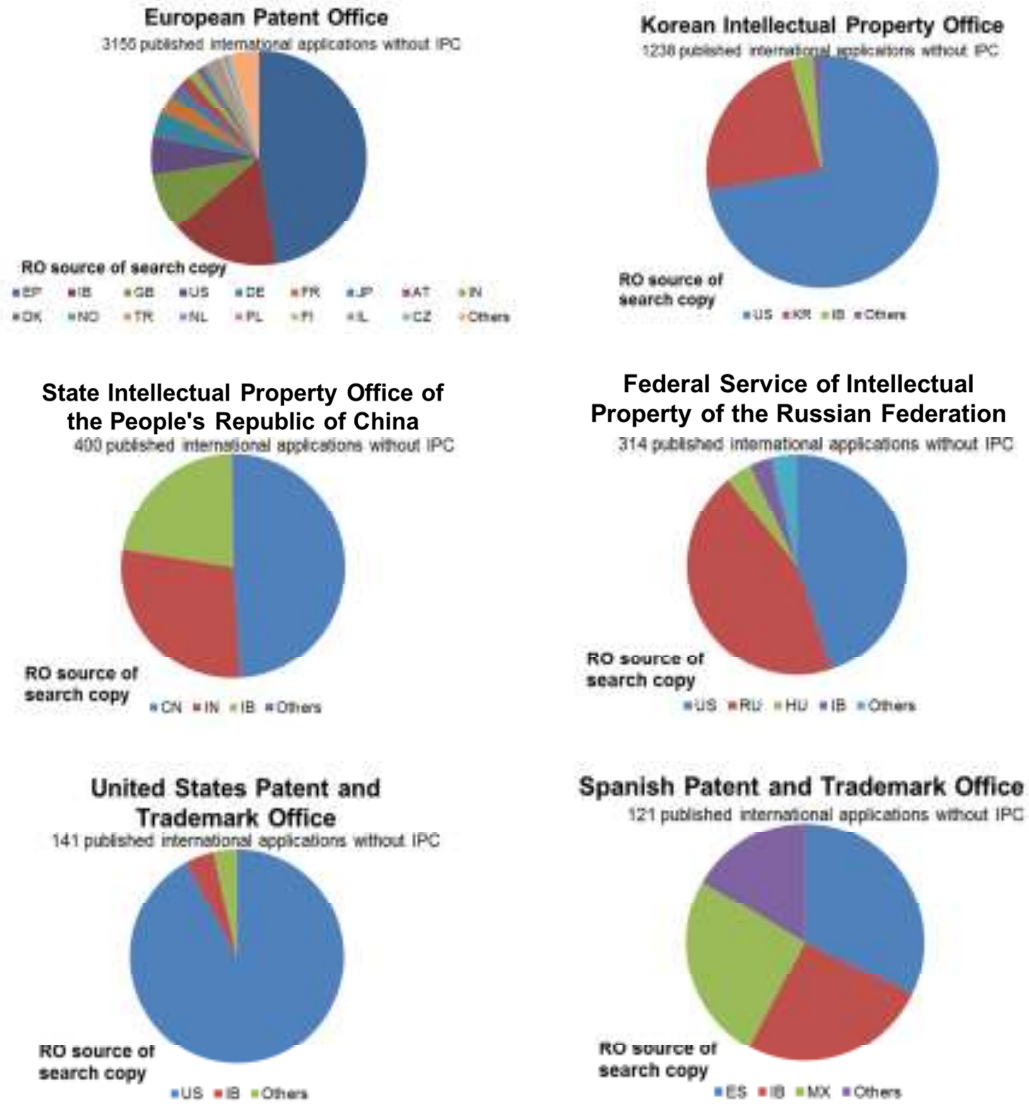
James Pooley
Deputy Director General

Enclosure: Annex International applications published without an
IPC classification in 2013

International Applications Published without an IPC Classification in 2013



Distribution of Receiving Offices for International Applications published without an IPC Classification in 2013 by International Searching Authority*



* International Searching Authorities only shown where more than 100 international applications were published without an IPC symbol

[End of Annex]