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STANDARD ST.13

RECOMMENDATION FOR THE NUMBERING OF APPLICATIONS FOR INDUSTRIAL PROPERTY RIGHTS (IPRS)

Revision adopted by the SCIT Standards and Documentation Working Group at its ninth session on February 21, 2008

INTRODUCTION

- 1. Recognizing the importance of having a format for application numbers that could be widely used by industrial property offices (IPOs), the aim of this Recommendation is to provide guidance to those offices which intend to change their present numbering systems, or to introduce new numbering systems, for applications for patents, for utility models, for trademarks, for industrial designs, for SPCs and for layout-designs (topographies) of integrated circuits.
- 2. Application numbers are primarily used by IPOs in order to identify each application received. They are also utilized by subsequent offices and applicants when priority is claimed. Recently, the need for indicating exact application numbers has been increasing as priority certificates are exchanged among IPOs electronically, and access by IPOs or the public to electronic dossiers is available over the Internet. In this regard, WIPO Standards ST.10/C and ST.13 cover formats and presentations for application numbers; however, the formats and presentations actually employed by IPOs have been historically inconsistent. This inconsistency poses difficulties for other offices and the public as to the correct and complete identification of application numbers. Therefore, it is recommended that IPOs follow the guidance of this Standard when revising existing application numbering systems or creating new application numbering systems.

DEFINITIONS

- For the purposes of this Recommendation:
- (a) the term "patents" includes such industrial property rights as patents for inventions, plant patents, design patents, inventors' certificates, utility certificates, utility models, patents of addition, inventors' certificates of addition and utility certificates of addition;
- (b) the term "industrial designs" includes two-dimensional and three-dimensional features of shape and surface of objects, and thus covers both concepts of "designs" and "models" where a distinction is made between the former and the latter; the term "industrial designs" does not include design patents;
- (c) the term "trademarks" means trademarks, service marks or another type of distinguishing signs according to the definition of the marks in the legislation concerned, including but not limited to collective marks, certification marks or guarantee marks;
- (d) the term "other industrial property rights (IPRs)" includes layout-designs (topographies) of integrated circuits and SPCs;
- (e) the term "layout-designs (topographies) of integrated circuits" means the three-dimensional disposition, however expressed, of the elements, at least one of which is an active element, and of some or all of the interconnections of an integrated circuit, or such a three-dimensional disposition prepared for an integrated circuit intended for manufacture;
- (f) the term "SPCs" stands for supplementary protection certificates. The SPC takes effect at the end of the term of a patent which protects the product as such, a process to obtain the product or an application of the product.

REFERENCES

4. (a) References to the following Standards are of relevance to this Recommendation:

WIPO Standard ST.3 Recommended Standard on Two-Letter Codes for the Representation of

States, Other Entities and Intergovernmental Organizations.

WIPO Standard <u>ST.10/C</u> Presentation of Bibliographic Data Components.



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(b) The following Standards should be referred to for information purposes:

WIPO Standard ST.6 Recommendation for the Numbering of Published Patent Documents.

WIPO Standard ST.34 Recommendation Concerning the Recording of Application Numbers in Electronic Form for the Exchange of Bibliographic Data.

WIPO Standard ST.60 Recommendation Concerning Bibliographic Data relating to Marks.

WIPO Standard ST.80 Recommendation Concerning Bibliographic Data relating to Industrial Designs.

RECOMMENDATION FOR APPLICATION NUMBERING

5. It is recommended that an IPO wishing to change its present numbering system, or intending to introduce a new system for application numbering for IPRs, i.e., patents, trademarks, utility models, industrial designs or other IPRs, should use a system for the application number meeting the requirements in the seven sections listed below:

(a) General

This Standard covers application numbers for all types of IPR applications, such as applications for patents, utility models, designs and trademarks. It does not apply to intellectual property rights such as copyright. An indispensable part of the application number should consist of the following three elements: a code for the type of industrial property right, a year designation and a serial number.

The application number should have a fixed length of 15 characters, composed of two digits for the type, four digits for the year and nine digits for the serial number. See the sections below for more details on each part.

The sequence of indispensable elements in the application number format is <type> <year> <serial>:

<type>: the type of industrial property right (2 digits) see Section (b) <year>: the year designation (4 digits) see Section (c) <serial>: the serial number (9 digits) see Section (d)

In addition, the following rules are also recommended as optional or additional format systems:

- A code for place of filing and a control number may also be included in the application number as an optional part. In this case, both alphabetic and numeric characters may be used for the code for the place of filing.
- The WIPO Standard <u>ST.3</u> country/organization code is not part of the application number except in cases described in Section (e). For representation, however, the application number should always be preceded by the ST.3 code of the corresponding office.
- A different format can be used for an application number and a publication number (see WIPO Standard ST.6).

[For detailed examples of application number formats, see "Examples of application numbers according to this Recommendation" listed at the end of this Standard]

(b) Type of Industrial Property Right

The code for the type of IPR forms an indispensable part of the application number. IPOs introducing parallel numbering series for different types of IPRs are recommended to use two digits (numeric characters only), which represent the type of IPR, in order to avoid possible confusion with the country code, which is represented by two alphabetic characters in accordance with WIPO Standard ST.3. Each category for two digits of the numeric character is listed below:

- Hierarchy, reserved for patents

10-19: patent applications

10: applications for patents for inventions

11: applications for patents from Patent Cooperation Treaty (PCT) applications (PCT applications in the national phase)

12-19: office use



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Hierarchy, reserved for utility model applications

20-29: utility model applications20: applications for utility models

21: applications for utility models from PCT applications

22-29: office use

 Hierarchy, reserved for other IPRs, i.e., industrial designs, trademarks, layout-designs (topographies) of integrated circuits, SPCs, etc.

30-89: office use

Hierarchy, reserved for use by the International Bureau of WIPO

90-99: reserved for the International Bureau of WIPO use

91: international applications filed under the PCT in the international phase

(c) Year Designation

The year designation forms an indispensable part of the application number. A year designation should consist of four digits for indicating, according to the Gregorian calendar, the year of filing the application. However, in case that an IPO does not wish to provide a year designation, the corresponding digits should be set to "0000" for machine-readable form, e.g., for electronic storage, exchange or identification. The digits "0000" may be omitted from the display or print presentation, if desired.

(d) Serial Number

The serial number forms an indispensable part of the application number and is an essential element for identifying an individual application accurately. The serial number should have a fixed length of nine digits. The use, however, of the nine digits is at each office's discretion. Gaps in sequential numbering schemes are permitted. The order of assignment of serial numbers does not necessarily need to reflect the order of registration. On the other hand, when regional filing information is part of the application number, this information must be coded in the first two positions of the serial number (see Section (e) – code for internal use).

Basic rules for the Serial Number:

- A fixed length of nine digits is preferably required
- All nine digits should be employed for electronic storage, exchange or identification (machine-readable form)
- Leading zeros may be omitted for presentation in documents or displays of document images (human-readable form)
- Starting at the number 1 each year is not necessary

Codes for regional filing information must be coded in the first two positions.

(e) Code for Internal Use

The code for internal use forms an optional part of the application number. If IPOs wish to use a certain code for indicating place of filing where there is an overlap in the number sequences among different regional offices within a country or an organization, the code for internal use should be used as an optional part of the application number. However, when the country code is used for identifying different member offices of intergovernmental organizations, WIPO Standard <u>ST.3</u> applies. The code for internal use can be used at the discretion of each office.

Basic rules for the Code for Internal Use:

- If an office wishes to code regional filing information in the application number, office internal information can be coded in the nine digits for the serial number (see Section (d)).
- The code must be located at the first two positions of the serial number. In this case, these two positions can also be characters.



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(f) Control Number (check digit)

The control number forms an optional part of the application number. Control number (check digits) are used by several IPOs in relation to application numbers for the purposes of internal control.

Basic rules for the Control Number:

- The control number should consist of a single numeral
- The control number should be in computer-readable form
- The control number should be located at the last position (furthest to the right) of the nine-digit serial number

(g) Separator

It should be noted that separators may be used for separating different elements in the application number (the type of IPR, the year designation, and the serial number). The separator is not part of the computer-readable form, and should be used only for presentation. The following elements may be used as a separator: a slash, "/"; a hyphen, "-"; or a space: "".

RECOMMENDATION FOR COMBINED USE WITH INDUSTRIAL PROPERTY OFFICE CODE

6. It should be noted that the two-letter IPO code according to WIPO Standard <u>ST.3</u> does not form part of the application number. However, the ST.3 code should be associated with the application number, since there is a need to uniquely identify the application and the IPO that received the application or under whose rules the application was filed. In using the ST.3 code, it is recommended that the code precede the application number and, when printed, be separated from the application number by a space.

FURTHER OBSERVATIONS

- 7. It is recalled that application numbers as presented in documents relating to patents for inventions, to plant patents, to design patents, to utility models, or to industrial designs, or as published in official gazettes, are frequently the only means to identify all members of a patent family. Therefore, it is considered important to present application numbers, and particularly priority application numbers, in a clear and unambiguous manner enabling the application to be uniquely identified.
- 8. IPOs may start using this Recommendation at any time. It is recommended that when implementing WIPO Standard ST.13 for the numbering of applications, a timely announcement to that effect should be made in official publications, e.g., in the gazette, and that the International Bureau of WIPO should also be informed, e.g., by being forwarded a copy of such a publication.

Examples of application numbers according to Recommendation

Patent application filed in country XX in the year 2014 with serial number 000345678

Presentation: XX 10 2014 345678 Machine readable: 102014000345678

PCT application entered into the national phase in country XX in the year 2015 with serial number 01234567 and check digit 9

Presentation: XX 11-2015-12345679 Machine readable: 112015012345679

Patent application filed in country XX in the year 2015 with serial number 000123456 but without a year designation

Presentation: XX 10 123456

Machine readable: 10000000123456

Utility model application filed in country XX in the year 2016 with serial number 4321

Presentation: XX 20/2016/4321

Machine readable: 202016000004321

[End of Standard]