

Committee on WIPO Standards (CWS)

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PROPOSAL FOR A NEW TASK ON THE IMPLEMENTATION OF WIPO STANDARD ST.37

Document prepared by the International Bureau

SUMMARY

1. To support more Intellectual Property Offices (IPOs) in providing a WIPO Standard ST.37-compliant authority file, a new Task is proposed for addition to the Committee on WIPO Standards (CWS) Work Program. It is expected that this Task will ensure the appropriate priority will be given to support the production of a greater number of WIPO ST.37-compliant authority files by IPOs.

BACKGROUND

2. WIPO Standard ST.37 was adopted at the fifth session of the CWS. This Standard was revised four times under the framework of Task No. 51 to produce versions 1.1, 2.0, 2.1 and 2.2 before the Standard was considered stable and the Task Force was disbanded in 2021 (see paragraph 70 of document CWS/9/25). The most recent revision of the Standard implemented a series of indicators which specify whether the abstract, claims and description of a patent application are text searchable, in order to meet the changes under the Patent Cooperation Treaty (PCT) that will take effect from January 1, 2026, regarding the PCT Minimum Documentation that International Searching Authorities are required to consult during an international search.

3. IPOs are invited annually to provide updates to their WIPO ST.37-compliant authority files by a CWS Circular. Compliant authority files are then published on the WIPO website in Part 7 of the WIPO Handbook at: https://www.wipo.int/standards/en/authority_file.html. At the same time, IPOs who have not submitted an authority file are invited to do so. Currently the WIPO Authority File Portal includes 30 authority files compliant with WIPO ST.37, submitted by IPOs to the International Bureau.

4. The International Bureau in February 2022 published a set of guidelines to support IPOs in the production of their authority files, in order to address common questions and errors which were noted after review of these files before publication. These guidelines are published on the WIPO website at: <https://www.wipo.int/standards/en/authority-file-guidelines.html>.

5. The International Bureau also conducted a pilot with the Belgian Patent Office to support their production of a WIPO ST.37-compliant authority file while they were digitizing their patent collection for inclusion in PATENTSCOPE. The pilot was conducted through a series of online meetings where updates and relevant questions were posed. The pilot will conclude once the WIPO ST.37-compliant authority file is published on the WIPO Authority File Portal.

6. At the latest meeting of the PCT Minimum Documentation Task Force, held in May 2023, the Task Force members agreed to a two-phase implementation of the digitalization of published patent documents dating back to 1991. As part of the agreement, the members also agreed to provide a WIPO ST.37-compliant authority file following the latest version 2.2 of WIPO ST.37 which includes three text searchable indicators, as this Standard-format comprehensive list of patent publications can be used as a means of validation of the digitized patent collection. Phase 1 commences on January 1, 2026, and requires the front-file to be electronically searchable. Phase 2 commences on January 1, 2036, and will cover all patent documents dating back to 1991. For further details of the discussions during this meeting on the digitalization of published patent documents, see the Appendix to document PCT/MIA/30/2.

7. Authority files are an important tool in ensuring the completeness and validity of patent document collections. However, if these files are not produced in a standard format ensuring that all published patent documents are captured and allowing improved readability, they have little value.

PROJECT BRIEF FOR THE PROPOSED NEW TASK

8. According to the CWS Organizational Matters and Special Rules of Procedure, a written project brief for a new Task should be submitted for approval for inclusion into the CWS Work Program by the CWS. The project brief should include a “*clear description of the problem... and indicate how it was determined...also provide the objectives of the task...*”. Provided below is this project brief for consideration by the CWS.

Problems identified

9. Part 4.1 of the WIPO Handbook, details the issuing 18 IPOs which contribute to the inventory of patent documents according to PCT Rule 34.1, the patent documents which form part of the PCT Minimum Documentation inventory. Currently 14 IPOs out of 18 provide the International Bureau with an authority file in WIPO ST.37 format. However only three of these 14 IPOs, provide appropriate data coverage back to 1991 and the text searchable indicators which meet the new requirements detailed in version 2.2 of WIPO ST.37 and in paragraph 6 above. These 15 IPOs may need support from the International Bureau in order to meet the Phase 1 deadline of January 1, 2026.

10. Currently the PATENTSCOPE database holds the national patent document collections of 79 countries but not all of these countries have an authority file available which can be used to ensure that these collections are complete. To ensure that the collections available are comprehensive, the International Bureau encourages IPOs to provide an authority file compliant with WIPO ST.37 so that it can be published as part of the WIPO Authority File portal. The authority files would likely be useful for other IPOs to validate the completeness of their patent document collections.

Proposed Solution

11. The provision of WIPO ST.37 compliant-authority files from many IPOs in time requires collective efforts of IPOs and the International Bureau. Taking into account the problems identified above, the International Bureau proposes the creation of a new Task, the description of which would read:

“Ensure that IP offices provide their patent authority file in compliance with WIPO Standard ST.37 by providing any technical support or training necessary, based on available resources”

12. It is proposed that this Task be created without a new Task Force. The International Bureau volunteers to manage the Task, if there is no IPO which would like to take the role of the Task Leader.

Objectives

13. The objective of creating this new Task is to support the International Authorities that contribute patent documents to the PCT Minimum Documentation inventory included in the Part 4.1 of WIPO Handbook, in meeting the agreed requirements for digitization detailed in paragraph 6 above by the end of 2025. The International Bureau also seeks to cooperate with or support Offices who contribute patent documents to the PATENTSCOPE collection to author their own patent authority files compliant with WIPO ST.37.

14. While we are currently trying to prioritize work being conducted under the CWS mandate, it is hoped with the creation of this new Task, the appropriate priority will be given to the production of authority files by the relevant IPOs.

Risks and Success Factors

15. The International Bureau acknowledges the challenges for IPOs who do not have a fully digitized patent collection, or one which relies on disparate platforms to provide a comprehensive picture of all patent publications, in producing an authority file. In formalizing the support that it provides to IPOs as a new CWS Task it is hoped that this support can be prioritized as part of the Work Program. IPOs are invited to provide specific feedback to the International Bureau regarding the type of support that they will require in producing their WIPO ST.37-compliant authority files.

16. Success factors should be indicated in order to determine when this Task can be considered complete. For this particular new Task, it is proposed that once all of the IPOs who contribute to both the PCT Minimum Documentation inventory and PATENTSCOPE database have provided a WIPO ST.37-compliant authority file to the International Bureau, then this Task can be considered complete.

17. *The CWS is invited to:*

(a) note the content of the present document;

(b) consider and approve the creation of the new Task and designate the International Bureau as the Task Leader, if no IPO volunteers as referred to in paragraphs 11 and 12 above;

(c) note the success factor indicated in paragraph 16 if this new Task is added to the Work Program; and

(d) request IPOs to communicate with the International Bureau the type of support that will be required for the production of WIPO Standard ST.37-compliant authority files, as indicated in paragraph 15.

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