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Committee on WIPO Standards (CWS)

Seventh Session
Geneva, July 1 to 5, 2019

PAPI TASK FORCE PROPOSAL FOR A QUESTIONNAIRE ON PROVIDING ACCESS TO PUBLICLY AVAILABLE PATENT INFORMATION

Document prepared by the International Bureau

BACKGROUND

1.   The Committee on WIPO Standards (CWS), at its reconvened fourth session held in March 2016, noted the request and information provided by the Patent Documentation Group (PDG) concerning the requirements for national and regional patent registers. The CWS agreed, in particular, to collect industrial property offices (IPOs) practices on content, functionalities and future plans with respect to their patent registers (see Annex III to document CWS/4BIS/6).

2.   The CWS, at its fifth session in 2017, created a new Task No. 52:

"Survey on content and functionalities of systems for providing access to publicly available patent information of industrial property offices, as well as future plans with respect to their publication practices; prepare recommendations for systems for providing access to publicly available patent information of industrial property offices" (see paragraphs 94 to 96 of document CWS/5/22).

3.   The CWS also established the Public Access to Patent Information (PAPI) Task Force to carry out Task No. 52, and designated the International Bureau of WIPO as the Task Force leader. The CWS requested the established Task Force to take into account the knowledge gathered during the maintenance of the Patent Register Portal and the results of the work of the Legal Status Task Force. (See paragraphs 97 to 100 of document CWS/5/22.)

4.   The PAPI Task Force commenced its business from September 2017 and currently 32 experts nominated by Industrial Property Offices (IPOs), along with industry groups and the International Bureau, participate in the Task Force. Task Force Members include Chile, China, Germany, United Kingdom, India, Japan, Republic of Korea, Russian Federation, Slovakia, and Ukraine, along with Confederacy of European Patent Information User Groups (CEPIUG) and Patent Documentation Group (PDG).

DRAFT QUESTIONNAIRE FOR SURVEY

5.   In accordance with the decision by the CWS, the PAPI Task Force carried out five rounds of discussions before the sixth session of the CWS to prepare a proposal for the questionnaire on the content and functionalities of systems for providing access to publicly available patent information. The questionnaire was presented at the sixth session of the CWS. The International Bureau requested clarifications from delegations on a number of issues raised by the questionnaire. The CWS referred the questionnaire back to the PAPI Task Force for further consideration. The CWS requested the Task Force to present a proposal for a revised questionnaire at its seventh session.

6.   The PAPI Task Force held three rounds of discussions to address the issues raised at the sixth session of the CWS. The Task Force also considered ways to increase responses to the questionnaire. The questionnaire has been divided into two parts for this purpose. After the survey is approved by the CWS, the International Bureau will circulate the first part on basic patent information to Offices. The first part is designed to be answered quickly and easily. Once Offices submit answers to the first part, they will be sent the second part of the survey asking for more detailed information. The final draft of the questionnaire is reproduced as the Annex to this document for consideration and approval by the CWS.

7.   The proposed draft questionnaire consists of two parts covering six areas:

Part I. Basic availability and coverage of online data systems

Part II. Detailed information about the features of online data systems

(a)   Conditions for access to patent information systems

(b)   Content available from the systems

(c)   Functionality of the systems

(d)   What the IPO would like to access from other IPOs' systems

(e)   The IPO's future plans for their patent information systems and helpful areas for WIPO recommendations.

WORK PLAN

8.   The Task Force proposes the following work plan to carry on Task No. 52:

Action	Expected Result	Planned Date
Present progress report, including a final draft questionnaire regarding systems for publically available patent information at the seventh session of the CWS	It is expected that the CWS will review and approve the draft questionnaire at this session.	July 2019
Conduct the survey with the approved questionnaire *[Note : the Secretariat will investigate the best survey tool]*	The Secretariat will issue a circular inviting IPOs to participate in the survey	Oct 2019
Collect and analyze the survey responses	IPOs will respond the survey; and the Task Force will analyze survey outcome.	Feb 2020
Prepare a report on the result of survey	The Task Force will prepare a summary of the survey result and propose further action required for consideration at CWS/8.	CWS/8

9.   The CWS is invited to:

(a)   note the content of the present document;

(b)   consider and approve the draft questionnaire, as reproduced in Annex to the present document; and

(c)   request the Secretariat to issue a circular inviting IPOs to participate in the survey referred to in paragraph 7 above.

[Annex follows]

DRAFT QUESTIONNAIRE ON THE CONTENT AND FUNCTIONALITIES OF SYSTEMS FOR PROVIDING ACCESS TO PUBLICLY AVAILABLE PATENT INFORMATION

GLOSSARY

Basic patent information – published patent applications and / or granted patents

Publication – In line with Part 8 of the WIPO Handbook, the terms "publication" and "published" are used in the sense of making available:
  - a patent document to the public for inspection or supplying a copy on request;
  - multiple copies of a patent document produced on, or by, any medium (e.g., paper, film, magnetic tape or disc, optical disc, online database, computer network, etc.).

Legal status information – information about events that may affect the grant, scope, term, ownership, or other legal aspects of a patent or patent application.

PART 1

This part of the survey covers basic availability and coverage of online data systems.

<u>Core Information</u>

Q1. Does your Office provide access to basic patent information (published applications or granted patents) online?

☐ YES ☐ NO

Q2. How can users access basic patent information online? Mark all that apply:

☐ Online queries with no login required

☐ Online queries with free login (no payment required)

☐ Online queries with paid subscription or contract required

☐ Online queries only in designated locations, such as a public search facility

☐ No online queries, only bulk data downloads are available

Q3. Who can access this information online?

☐ Information is only available to patent attorneys admitted to practice before the Office

☐ Information is only available to residents of the Office's country or region

☐ Information is available to anyone

☐ Other: (Please specify:_____)

Q4. Does your Office/Organization make authority files of published patent documents available as per WIPO Standard ST.37?

☐ YES ☐ NO

Comment:_____

Q5. Are there any significant gaps in coverage of the authority file information?

☐ YES ☐ NO

If yes, please explain, for example missing data sources, time frames for substantial delays in updates, or other reasons for gaps.

Comment: _____

Q6. What types of patent information from your Office are available online? Please select all that apply:

☐ Unpublished applications (limited info made available before
   publication)
☐ Published applications
☐ Granted patents
☐ Legal status information
☐ Corrections
☐ Priority information
☐ Patent Term Extensions or Supplementary Protection Certificates
☐ Patent family information
☐ File inspection
☐ Court decisions
☐ Reassignments
☐ Licensing information
☐ Official Gazette
Other: (Please specify:_____)

Please provide URLs where the available types of information can be accessed online:

_____

Q7. What languages do the online systems for patent information indicated above use for the user interface and search?

     a. Basic Patent information (applications and grants)
     [language selection list] _____
     b. Legal status information
         same as (a), or:
     [language selection list] _____

Q8. What time periods does the available online data cover for the following types of patent information? If the data has gaps or is incomplete, please note so under Remarks.

Type of Information	From (date)	To (date)	Not available	Remarks
Published applications				
Granted patents				
Legal Status information				
Corrections				
Priority information				
Patent Term Extensions or Supplementary Protection Certificates				
Patent family information				
File inspection				
Court decisions				
Reassignments				
Licensing information				
Official Gazette				
Other:_____				

Q9. Is the following legal status information available in online systems:

　　YES / NO / PARTIAL for each

☐ Whether the patent is granted

☐ Whether the patent is currently in force

☐ PCT national phase entry date

☐ PCT national phase non-entry date

☐ Fee payments

☐ Change of ownership

☐ Pre- and post-grant events following court decisions.

☐ Other information

Comments:

Q10. How often is each type of patent information updated online?

Type of Information	Update frequency (multiple choice: realtime, daily, weekly, biweekly, monthly, quarterly, other)
Published applications	
Granted patents	
Legal Status information	
Corrections	
Priority information	
Patent Term Extensions or Supplementary Protection Certificates	
Patent family information	
File inspection	
Court decisions	
Assignments	
Licensing information	
Official Gazette	

PART 2

This part of the survey covers more detailed information about the features of online data systems.

<u>Access Conditions</u>

Q11. Please explain any other conditions or requirements for access to basic patent information, such as limits on the number of queries, number of results, or data limits.

_____

Q12. Are fees required for access to particular types of information?

☐ YES ☐ NO

If yes, please indicate for which information and explain the payment procedure.

_____

Q13. Are the online interfaces for different languages synchronized? Please indicate the reference language and any differences in the data available in different languages (for example, in the frequency of updates, coverage, search tools, etc.).

    a. Basic Patent information (applications and grants)

       _____

    b. Legal status-specific information

       _____

Content

Q14. Are documents available for download in a searchable text format? This refers only to the content of the document which can be represented as text. Do not consider images or figures in your answer. If a document has both images and text, answer Yes if all the text elements are searchable.

☐ YES ☐ NO ☐ PARTIAL (some text elements not searchable)

Q15. Do the information systems provide access to updated versions of patent documents when changes are made after publication (e.g. "as granted" rather than "as filed")?

☐ YES ☐ NO

Q16. Which parts of patent documents are updated:

☐ complete document,

☐ claims,

☐ description,

☐ other:

Q17. Is the event history (list of relevant legal status information) for a given document available in online systems?

FUNCTIONALITY

Systems provided by your Office/Organization

Q18. Are the following features available in the online systems in question?

	Patent Applications	Patent Grants	Legal status data
Basic search			
Advanced search			
Field combination search			
Semantic search			
Machine translations			

Q19. Are the following fields available for search in the online systems in question?

	Patent Applications	Patent Grants	Searchable in English or Latin character set?
Patent publication number			
Patent application number			
Priority date			
Priority number			
Applicant name			
Inventor name			
PCT application number			
PCT publication number			
Title			
Abstract			
Claims			
Description			

Q20. For machine translations, please indicate which languages are translated:_____

_____

　　　From (original document languages): [language selection list]

　　　Other: (Please specify _____)

　　　To (translated output languages): [language selection list]

　　　Other: (Please specify _____)

Q21. Which sections of the document are translated:

☐ Entire document
☐ Title
☐ Abstract
☐ Description
☐ Claims
Other: (Please specify:_____)

Q22. What number formats are accepted when searching by application or publication numbers? Please provide examples of the numbers accepted by the system.

_____

Q23. Are WIPO ST.3 country codes or WIPO ST.16 kind-of-document codes used as part of the search term when searching by application or publication number?

☐ Yes, the codes are required

☐ Yes, the codes are optional

☐ No, the codes are not accepted when searching

Q24. Do the online systems have a single interface for the available types of patent documents? For example, for published patent applications, granted patents, patent term extensions, fee payments.

☐ YES ☐ NO

Q25. Do the online systems have a single interface for different types of industrial property rights? For example patents for inventions, plant patents, design patents, inventors' certificates, utility certificates, utility models, patents of addition and others.

☐ YES ☐ NO

Q26. If there are separate websites or portals for these other types of industrial property, please list them.

Q27. Do the online systems contain information on documents issued under international or regional IP protection systems, which have (potential) effect in your jurisdiction?

☐ YES ☐ NO

Q28. If so, what types of documents are available, e.g. translations?

Q29. Is this data searchable in the same online systems as national documentation?

☐ Yes, international / regional data is available and searchable

☐ International / regional data is available in the online systems, but not searchable

☐ No, international / regional data is only available in other systems

☐ The national online systems provide links to the international / regional systems
Comments:

Systems provided by other Offices/Organizations

Q30. What functionality would you like to see in the systems provided by other Offices?

	For full descriptions	For legal status
Possibility to translate content into other languages		
Search by bibliographic data fields		
Full text search		
Possibility to download documents in various formats		
Alerting		
Other. Please specify		

Q31. What is your desired update frequency for data from other Offices:

	For full descriptions	For legal status
Immediate publication of all changes		
Daily updates		
Weekly updates		
Other. Please specify		

Q32. Should the other Offices' systems support machine-to-machine communication (such as web services) for exchanging data with your Office?

For full descriptions:

☐ YES ☐ NO ☐ NO PREFERENCE

For legal status information:

☐ YES ☐ NO ☐ NO PREFERENCE

Q33. Should the other Offices' systems provide search capabilities for national data sets and data published by other Offices (with an interface in the national language)?

For full descriptions:

☐ YES ☐ NO ☐ NO PREFERENCE

For legal status information:

☐ YES ☐ NO ☐ NO PREFERENCE

Q34. Is there a user guide for searching (such as explanation of fields or examples) available in the system?

☐ YES ☐ NO

Q35. Is there a clear indication of which information in the official publication is issued by your Office/Organization, or a disclaimer indicating which information is from other sources?

FUTURE PLANS

Q36. Please briefly describe your future plans with respect to your Office's online systems, their content and functionality.

Q37. In which of the following areas are WIPO recommendations the most needed and/or most effective:

	For full descriptions	For legal status
Composition of published information		
Frequency of updates		
Availability of information and/or interfaces in other languages		
Information retrieval functionality		
Other. Please specify		

[End of Annex and of document]