

Committee on WIPO Standards (CWS)

Eighth Session

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REPORT BY THE DIGITAL TRANSFORMATION TASK FORCE (TASK NO. 62)

Document prepared by the Digital Transformation Task Force Leader

BACKGROUND

1. At the sixth session of the Committee on WIPO Standards (CWS), the Committee approved new Task No. 62, the description of which reads: “Review WIPO Standards: ST.6, ST.8, ST.10, ST.11, ST.15, ST.17, ST.18, ST.63 and ST.81 in view of electronic publication of IP documentation; and propose revisions of those Standards if needed” (see paragraphs 143 to 151 of document CWS/6/34). The CWS established a corresponding Task Force named “Digital Transformation Task Force” and designated the United States Patent and Trademark Office (USPTO) as the Task Force Leader (see paragraphs 145 to 153 of document CWS/6/34). At the seventh session of the CWS, the Task Force presented a plan to discuss existing practices, establish criteria for reviewing Standards, and prioritize standards for review. The United States is the Task Force Leader (see paragraphs 102 to 104 of document CWS/7/29).

PROGRESS REPORT

2. The Task Force Leader prepared a draft work plan in consultation with the International Bureau and circulated it to the Task Force for comment. The goal of the work plan is to update existing WIPO Standards and practices for publishing information related to IP rights in the digital environment. To achieve this goal, the Task Force will:

- review WIPO Standards in view of electronic publication of IP documentation;
- review the publication practices to improve digital dissemination of information; and
- propose revisions to those Standards if needed.

3. The work plan contains the following steps, with an indication of their current status:
 - IP Offices (IPOs) to share existing practices on electronic publication (*status-completed*);
 - Discuss existing challenges to the current process (*status-completed*);
 - Share and discuss future plans for electronic publication (*status-completed*);
 - Agree on definition and criteria for electronic publications (*status-completed*);
 - Discuss file types: image, bib, full-text (*status-initial discussions*)
 - Agree on the criteria for reviewing the standards (*status-in progress*);
 - Prioritize the order to review the standards in the task description (*status-completed*); and
 - Begin review and propose updates of existing standards where needed (*status-ongoing*).
4. The Task Force held an online WebEx meeting on March 16, 2020. Discussion topics included the “definition of electronic publication” and the proposed prioritized order for review of the standards.
5. The Task Force has developed the following proposed definition of electronic publication based on these discussions. Definitions for other terms may be added as needed.

Electronic publication – making the (full) contents of a granted patent or published application document available to the public in an electronic medium.

- (a) The electronic medium is accessible via the Internet;
- (b) Publication can provide different file format versions of a document. For instance, it may be provided as structured, machine-readable text and/or as images of the document. Machine-readable versions are preferred where possible;
- (c) At a minimum, publication should provide the full and complete document as defined by the IPO Rules, Regulations, and Statutes;
- (d) Publications may contain individual drawings, figures, images, tables, photographs, chemical structures, genetic sequence data, molecular formulas, mathematical expressions, and any additional information, which was part of the full document;
- (e) The publications should be suitable for use on multiple platforms of computerized electronic devices, including, for example, phones, tablets and computers; and
- (f) The publications should be readily accessible, as individual documents or in bulk, for dissemination to public users.

6. The open issues under discussion by the Task Force are as follows:
- One Office indicated there should be a mechanism to ensure distinct retrieval such as an ISBN (International Standard Book Number) or a DOI (Digital object identifier);
 - One Office also introduced the concept of authenticity for example by digital signature;
 - Per a comment on the second item (b) in paragraph 5 above, the meaning of “different versions” has been further clarified. In reference to a comment on the third item (c) in paragraph 5 above, the Task Force considers publication to refer to the full publication and prefer not to specify components/sections to be included; and
 - One Office proposed including ST.50 as part of this task: ST.50 Guidelines for issuing corrections, alterations and supplements relating to patent information.
7. Based on discussions on the wiki and during the online meeting, the agreed upon prioritized order of review is as follows:

First - Standard ST.10: Published patent documents (November 1997)

These guidelines focus primarily on paper publication.

- Standard ST.10/A: Format of patent documents (April 1994) FORMAT (MARGINS, SIZE) OF PATENT DOCUMENTS
- Standard ST.10/B: Layout of bibliographic data components (December 2008)
- Standard ST.10/C: Presentation of bibliographic data components (August 2017)
- Standard ST.10/D: Physical characteristics of patent documents (October 2016)

Second - ST.6: Recommendation for the numbering of published patent documents (December 2002)

These guidelines refer to a specific element of patent publication.

UKIPO has suggested including review of ST.13 in view of the overlap of the two standards.

Third - Standards Related to Gazettes/Journals - ST.11, ST.19, ST.17, ST.18, ST.63, ST.81

- ST.11: Recommendation on the minimum of indexes to be inserted in patent gazettes or published in association with patent gazettes (December 1990)
*Recommendations for the Publication of Indexes Issued yearly/half-yearly/quarterly by Industrial Property Offices.
USPTO has suggested including review of ST.19 as it is closely associated with this standard.*
- ST.17: Recommendations for the coding of headings of announcements made in official gazettes (December 1990)
The Task Force would like to hear comments from Offices that have implemented this standard to publish their gazette and discuss the possibility of archiving this standard. It appears this information is now more readily available from other sources (like IP Office patent registers or USPTO's PAIR system).
- ST.18: Recommendation concerning patent gazettes and other patent announcement journals (November 1997)
The Task Force recommends this standard to be updated after the others as it references elements described in the other standards under consideration such as patent number information, patent classification information, etc.
- ST.63: Recommendation concerning the content and layout of trademark gazettes (November 1997)
- ST.81: Recommendation concerning the content and layout of industrial designs gazettes (November 1997)
The Task Force Leader would like to work with another Office to lead this review, since USPTO has the practice of design patents and not industrial designs. This was discussed during the WebEx meeting. At present no Office has volunteered.

Fourth - ST.8: Standard recording of IPC symbols on machine-readable records (March 2011)

These guidelines refer to a specific element of patent publication.

Fifth - ST.15: Guidelines for the wording of titles of inventions in patent documents (December 1995)

These guidelines refer to a specific element of patent publication.

Most Offices suggested not to archive this standard.

NEXT STEPS

8. In view of the comments received on the review process and review criteria to be used, the Task Force Leader started to review ST.10 as a test of the review process. We consider this will provide experience to develop the process and criteria further for review of the remaining standards. The proposed revisions will be posted on the wiki for comment. The Task Force Leader looks forward to the active engagement and support of the Task Force members to complete this work.

REVISION OF WIPO HANDBOOK PART 6

9. In the course of updating WIPO materials, the International Bureau received an inquiry about recommendations for IPO websites. Part 6 of the WIPO Handbook on Industrial Property Information and Documentation contains recommendations on minimum contents for IPO websites, which were last updated in 2002. It was suggested that Part 6 should be reviewed and updated.

10. The International Bureau discussed this proposal with the Digital Transformation Task Force Leader and agreed that this proposal is aligned with the Digital Transformation Task Force's work to propose revisions to older WIPO Standards in view of recent developments in electronic publication. In consultation with the International Bureau, the Task Force Leader therefore proposes adding this item to Task No. 62 for the Digital Transformation Task Force to perform. To carry out the proposed work, the Task Force plans to collect information about IPO websites from Task Force members and from industry observers, and then evaluate whether a broader collection would be needed. It is proposed that Task 62 be modified as follows:

"Task No. 62: Review WIPO Standards: ST.6, ST.8, ST.10, ST.11, ST.15, ST.17, ST.18, ST.63 and ST.81, and WIPO Handbook Part 6, in view of electronic publication of IP documentation; and propose revisions of those Standards and materials if needed."

11. *The CWS is invited to:*
- (a) note the content of the present document, including the definition of electronic publication;*
 - (b) note the progress of the Digital Transformation Task Force to date and encourage IPOs to actively participate in the Task Force discussions; and*
 - (c) approve the proposed modification of Task No. 62 as described in paragraph 10 above.*

[End of document]