

## **Committee on WIPO Standards (CWS)**

**Eleventh Session**  
**Geneva, December 4 to 8, 2023**

### **RECOMMENDATIONS ON ICT AND IP ADMINISTRATION**

*Document prepared by the International Bureau*

#### **SUMMARY**

1. The ICT Strategy for Standards Task Force presents a set of recommendations on Information and Communication Technology (ICT) and Intellectual Property (IP) administration for consideration by the Committee on WIPO Standards (CWS). These recommendations should be considered for implementation by IP offices.

#### **BACKGROUND**

2. At its sixth session in 2019, the CWS noted the “40 Recommendations” prepared at the Meeting on ICT Strategy and Artificial Intelligence, which the International Bureau convened to support the exchange of views and experiences in ICT and business management for effective Intellectual Property Office (IPO) administration. The CWS noted the analysis of 40 Recommendations by the Secretariat and their relevancy to the activities of the CWS which were categorized into three Groups as follows (see Annex of document CWS/6/3):

- (a) Group 1: Recommendations that are related to the existing CWS Tasks or new Tasks that are proposed to be established at the sixth session of the Committee;
- (b) Group 2: Recommendations that are not directly related to any of current or proposed CWS Tasks, but seem to be relevant to potential future activity of the Committee; and
- (c) Group 3: Recommendations that do not seem relevant to the CWS activity at the time of the sixth session of the CWS or in the near future.

(See also paragraphs 4 to 9 of document CWS/6/3.)

3. At its sixth session, the CWS created Task No. 58 and established the ICT Strategy for Standards Task Force, designating the International Bureau as the Task Force Leader (see paragraphs 17 to 24 of document CWS/6/34).

4. The ICT Strategy for Standards Task Force has worked on the analysis of the relevancy of those 40 Recommendations to the CWS activities and the priority of the Recommendations, taking into account the results of the two surveys conducted within the Task Force and the members of the CWS. Further detail on the activities of the Task Force regarding the 40 Recommendations are described in document CWS/11/21.

#### PROPOSED RECOMMENDATIONS

5. At its tenth session, the CWS adopted its Organizational Matters and Special Rules of Procedure which details the mandate of CWS:

*“9. The mandate of the CWS will be to provide a forum to adopt new or revised WIPO standards, policies, recommendations and statements of principle relating to intellectual property data, global information system related matters, information services on the global system, data dissemination and documentation, which may be promulgated or referred to the WIPO General Assembly for consideration or approval.”*

6. The Task Force reviewed the 40 Recommendations in light of the CWS mandate mentioned above, in particular those Recommendations categorized into Group 3, and noted that all 11 Recommendations categorized into Group 3 seem relevant in light of the description above. The Task Force also noted the results of the survey, which showed that IPOs gave a higher priority to several Group 3 Recommendations relative to Group 1 Recommendations (see paragraph 7 of document CWS/9/2). Therefore, the Task Force agreed to reclassify the grouping of 40 Recommendations, as all of Recommendations seem relevant to the CWS activities, in light of the CWS mandate.

7. Furthermore, the Task Force also discussed how to improve their recommendation proposal and agreed on the following points to be considered:

- The Task Force considered the inclusion of some new recommendations after analyzing recent discussions by IPOs in various forums that were shared with the Task Force: five years had passed since the 40 Recommendations had been proposed and they consider that some of the recommendations are no longer valid;
- Some Task Force members suggested to generalize the recommendations to be more generic: some recommendations deal with a specific business or solution as a recommendation while others are more general suggestions;
- The Task Force also considered that it is important to make some Recommendations more explicit or clearer so that IP offices would be able to interpret them in the same manner for their implementation: some Recommendations are not stated very clearly; and
- Some Task Force members suggested reducing the number of the recommendations so that the IPOs can focus on their implementations in a suggested timeframe; and in addition, some of the recommendations have already been achieved or conducted.

8. The Task Force considers four Recommendations completed and the original text of those Recommendations is reproduced below:

- R17: The work on development of search and examination report standards for WIPO Standard ST.96 should not simply convert the ST.36 standard to the expectations of ST.96, but analyze whether the structures encourage easy reuse of data between stages of search and examination both with an IPO and between different IPOs (completed);
- R23. IPOs are encouraged to provide their authority file or the link to their website of authority file to the IB. (completed);
- R32: The quality of exchange between IPOs and with the IB would be improved if IPOs move to using WIPO Standard ST96 for Hague-related XML components (completed);
- R33: Technical issues related to the acceptance of moving images need to be considered, alongside the associated preparations with regards to integrity in terms of transmission and storage – as well as publication and sharing (completed, See ST.91 and ST.69 - multimedia marks).”

9. The Task Force proposes the new set of recommendations on ICT and IP administration, which is reproduced in the Annex to the present document. There are 10 recommendations with corresponding recommended actions. The related Recommendations from the previous list of 40 Recommendations document are also provided for information. The Task Force requests that the CWS review the new set of 10 recommendations and their recommended actions and discuss a timeline for implementation.

10. The Task Force also suggests that the CWS requests the Secretariat to issue a Circular inviting its Members to comment on these newly proposed recommendations, detailed in the Annex to the present document, after this session. The Task Force will analyze the responses from the CWS members and report the results of the responses to the next session of the CWS. This feedback will also be used to improve the set of recommendations.

11. *The CWS is invited to:*

*(a) note the content of the present document and the Annex to the present document;*

*(b) consider and comment on the Recommendations on ICT and IP administration which is reproduced in the Annex to the present document and as referred to paragraphs 6 to 9 above; and*

(c) *request the Secretariat to issue a circular inviting its Members to comment on the proposed Recommendations on ICT and IP administration and the ICT Strategy for Standards Task Force to report the results of the responses as proposed in paragraph 10 above.*

[Annex follows]

**PROPOSED RECOMMENDATIONS ON ICT AND IP ADMINISTRATION**

<b>Recommendations</b>	<b>Recommended Actions</b>	<b>Related 40 Rec.</b>
<p><u>Recommendation 1:</u> IP offices should have <b>ICT strategy</b>, either as a part of business strategic planning or independently, including measures to annually evaluate it.</p>	<ul style="list-style-type: none"> <li>(a) IP offices should develop an ICT Strategy in line with their business planning.</li> <li>(b) IP offices should share their ICT strategy with other Offices, where possible.</li> <li>(c) The International Bureau should provide a forum to discuss ICT Strategies, including their evaluation and updates, among IP offices.</li> </ul>	<p>Not applicable as this is new</p>
<p><u>Recommendation 2:</u> IP offices should ensure that IP data and documentation are available for publication and exchange with other IP offices in <b>machine-readable full text formats</b> following relevant WIPO Standards.</p>	<ul style="list-style-type: none"> <li>(a) IP offices should digitize paper-based or image-based IP documents into machine-readable full text formats, where possible structured data formats either in XML or JSON following relevant WIPO Standards.</li> <li>(b) IP offices are encouraged to support other IP offices' digitization, including sharing their experience and digitization solutions.</li> <li>(c) IP offices should exchange, publish and disseminate IP data and documents in XML or JSON following relevant WIPO Standards.</li> </ul>	<p>R3, R4, R13, R14, R16, R17 and R32</p>
<p><u>Recommendation 3:</u> IP offices should ensure that <b>data governance framework</b> is in place taking into account organizational policies and related legal framework, and annually evaluated.</p>	<ul style="list-style-type: none"> <li>(a) IP offices should establish and maintain data governance framework which includes data governance strategy, data management policy, and data protection policies and guidelines.</li> <li>(b) IP offices should share their data governance framework or associated documents with other IP Offices, where possible</li> <li>(c) IP offices should share and disseminate data and documentation without any barriers and free-of-charge or at a marginal cost.</li> </ul>	<p>R22 and R29</p>

Recommendations	Recommended Actions	Related 40 Rec.
<p><u>Recommendation 4:</u> IP offices should optimize the current business models, legal frameworks and workflow processes to make them suitable for the <b>digital age</b> in collaboration with internal and external stakeholders at all stages.</p>	<ul style="list-style-type: none"> <li>(a) IP offices should identify business problems, and possible and best digital solutions to address them.</li> <li>(b) IP offices should ensure a general common understanding of digital transformation at the organizational level, including the possible and appropriate use of emerging technologies based on an appropriate determination of the business case and of the most suitable solutions.</li> <li>(c) IP offices should ensure that API and Cloud first policy is in place, considering relevant domestic regulations and business policy, for modernization, automation and optimization of business processes, including data exchange and dissemination.</li> <li>(d) IP offices should consider legal changes to support digital transformation, such as:               <ul style="list-style-type: none"> <li>i. development of automated decision making frameworks</li> <li>ii. use of qualified electronic signature in IP administration.</li> </ul> </li> </ul>	<p>R1, R2, R6, R36 and R39</p>
<p><u>Recommendation 5:</u> IP offices should make sure that the adoption of possible <b>blockchain and Artificial Intelligence (AI)</b> use cases will be based on assessments of project risks, including with respect to relevant organizational policies and regulations as well as potential implication of blockchain and AI-powered solutions in business operation.</p>	<ul style="list-style-type: none"> <li>(a) IP offices should explore and share the use cases of blockchain technology.</li> <li>(b) IP offices should explore and share the use cases of AI-powered tools and services, including massive, publicly-available generative AI capabilities as they mature, for functions including image searching, semantic text searching, image and text classifications, translation and customer support,</li> <li>(c) IP offices should consider ways in which the technology can be shared and made available to smaller IP offices to improve the quality and efficiency in business processes</li> </ul>	<p>R7, R12 and R15</p>

Recommendations	Recommended Actions	Related 40 Rec.
<p><u>Recommendation 6:</u> IP offices should be encouraged to cooperate in developing and using <b>common ICT reference architectures for IP, including solutions and platforms</b> to improve the quality and efficiency in business processes, and to share experience.</p>	<p>(a) IP offices should share their technology stacks in use within other IP offices, where possible, and the International Bureau should provide a forum and a platform for sharing as needed.</p>	<p>R10, R16, R21, R25, R28, R30, R31 and R34</p>
<p><u>Recommendation 7:</u> IP offices should contribute to <b>multilateral or international cooperative projects</b> concerning IP data, global IP information systems and services, IP data dissemination, and IP documentation</p>	<p>(a) IP offices should actively participate in the cooperative projects that the CWS approved or noted such as:</p> <ul style="list-style-type: none"> <li>i. Global Identifier pilot;</li> <li>ii. Unified API catalog; and</li> <li>iii. Provision of patent authority files following WIPO Standard ST.37.</li> </ul> <p>(b) IP offices are encouraged to offer multilateral cooperative projects and participated in the projects which are offered by other IP offices.</p>	<p>R8, R9, R11, R19, R23, R24, R35 and R40</p>
<p><u>Recommendation 8:</u> IP offices should participate in developing <b>WIPO Standards</b> and implement them where possible.</p>	<p>(a) IP offices are encouraged to nominate their subject matter experts to the CWS Task Forces.</p> <p>(b) IP offices are encouraged to inform the International Bureau of their implementation status of WIPO Standards and to participate in the surveys of the CWS.</p>	<p>R20, R26, R27 and R33</p>

Recommendations	Recommended Actions	Related 40 Rec.
<p><u>Recommendation 9:</u> IP offices should ensure that <b>information security policy</b> is in place on the basis of best practices, and annually evaluated.</p>	<p>(a) IP offices should develop and maintain their information security policy. (b) IP offices are encouraged to share their information security policy and their experiences, including current challenges and solutions to address them.</p>	<p>R36 and R37</p>
<p><u>Recommendation 10:</u> IP offices should share experience and information on planning, managing, delivering and evaluating <b>ICT projects</b></p>	<p>(a) IP offices should share experience relating to different ICT project delivery models, including: i. Internally run; and ii. Provided by external service providers</p>	<p>Not applicable as this is new</p>

[End of Annex and of document]