WIPO
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XML4IP TASK FORCE MEETING

Geneva, June 9-10, 2015

MEETING NOTES

INTRODUCTION

1.   The XML4IP Task Force meeting took place in Geneva from June 9 to 10, 2015. Delegations from the following 16 countries/organizations were represented at the meeting: AT, AU, CA, CN, CZ, EA, EP, ES, GB, JP, KR, RU, UA, US, UPOV and WIPO. The meeting agenda was adopted as proposed by the International Bureau of WIPO. The meeting agenda and participants list are annexed to this document.

2.   The meeting was opened by Mr. Yun who welcomed delegations to the meetings. Mr. Yun, as Task Force Leader, chaired the meeting.

DISCUSSIONS, CONCLUSIONS, AND AGREEMENTS

Agenda Item 3: Progress report on the XML4IP Task Force activities

3.   The Task Force Leader delivered a progress report on the development of ST.96 since the last XML4IP Task Force meeting held in London in November 2014. He highlighted the approval of version 2.0 of ST.96 by the XML4IP Task Force on May 28, 2015 and thanked all Task Force members for their kind collaboration in preparation of the version 2.0, in particular the members from the USPTO who worked out the finalization of Annex III (XML Schema).

4.   He informed participants that the International Bureau was working on the ST.96 version 2.0 is available in the Task Force e-forum wiki and the International Bureau would publish it on WIPO website once all materials including translation were ready, hopefully in June.

5.   He gave an update on progress in the preparation of the pending Annexes V and VI. The pending Annexes were updated on the basis of XML Schema version 2.0 and the Task Force members were invited to review and test them.

Agenda Item 4: Revision of ST.96 XML Schemas

a. **Revision on Common components**

IssueID-481

6.   It was recalled that some simple type components need strong validation with specific enumeration and other components needed the flexibility for a union of string and list of enumerated values. With the union of string and enumeration, any values were acceptable and not strictly enforced even though there was the list of values specified.

7.   Participant noticed that both approaches existed in ST.96 and agreed to allow both approaches in the future. It was agreed that the Issue be closed.

>   *Action point:*

>   *8.   The Task Force Leader to close* IssueID-481 if there is no controversial comment from the XML4IP TF members.

IssueID-519 (Transaction component)

9.   The Task Force Leader indicated that transaction layer existed in the area of design and trademark; several IPOs had expressed the need of transaction component for patent as well. The issue was to add transaction to patent or define common transaction for three IP modalities. UKIPO and CIPO preferred common transactions for all three industrial properties.

10.   It appeared that further studies were needed to identify common components. UKIPO volunteered to study on common components in view of online and renewal components. It was agreed to wait on outcome of UKIPO study on transaction model across all three industrial properties.

>   *Action point:*
>   11.   UK IPO to report the outcome of study on common transaction model.

IssueID-557 (Online filing and renewal)

12.   UKIPO reported its proposal posted in the e-forum, which related to transaction and Norwegian Office's need for renewal. UKIPO began looking at higher level transaction layer. It would require components from all 3 industrial properties and a solution needs to be developed.

13.   It was noted that some components in the proposal were already reflected in ST.96 XML Schema version 2.0. It was explained that OnlineFilingBag equated to online transactions per UKIPO; customer could select service for:
*   renewal of patent, trademark, or design;
*   other online transactions such as change of address;
*   application for patent, trademark, or design;
*   request for search; or
*   other business.

14.   The following participants commented on the proposal:
*   EPO mentioned that there were DTDs for fee sheet and online filing for PCT
*   RosPatent had similar transaction approach for end users and there is 1 transaction per application.
*   CIPO had proprietary approach for each application type, but prefers commonalities.
*   KIPO said that it accepted payment for several cases at same time.

15.   UKIPO provided further explanation, particularly, on:
- OnlineFormCode which indicates type of transaction – such as renewal
- RenewalBag which only covered patent renewal at the moment and would expand for trademark and design later on. Further analysis from other IP Offices needed and it was noted that RosPatent posted schemas relating to renewal.
- CustomerReference which referred to a specific renewal, not customer number
- Many subcomponents needed to be updated, e.g.,
    i. LateRenewalProductCode which was UKIPO's specific codes and CIPO proposed a rename it to IPOfficeProductCode to be reusable by other IP Offices; and
    ii. Fee could be grouped to cover renewal fee and latest renewal fee.

16.   Overall it was noticed that the proposal needed to be updated and UKIPO would provide updated proposal based on UKIPO's practice for review by the XML4IP TF members.

Action point:

17.   The UKIPO to provide the updated proposal

b. Revision on Patent components

IssueID-424

18.   Participants noted that the JPO would like to know whether PCT components will be added to ST.96. It was informed that PCT-related ST.36 elements and attributes were added in ST.96. However it seemed many more components should have been created in ST.96 to deal with PCT data.

19.   It appeared that this issue needed to be discussed further and discussion of the work plan was needed regarding this matter. Several delegations expressed its positions as follows:

- UKIPO would need PCT components within a year;
- USPTO had no plan for PCT yet;
- IP Australia had no plans for PCT; and
- CIPO had no plans for dealing for PCT.

Issue ID-478 (Notification and announcement)

20.   The TF Leader indicated that this issue was related to life cycle of patent to publish relevant information with the notification. ST.96 did not offer components yet to store this information in patent area while in trademark and design areas, MarkRecord and DesignRecord exist respectively. RosPatent suggested adding, in patent area, a component like Record to store information on any changes and another component, e.g., announcement, for granted patent. It was informed that the RosPatent needed those components to notify the public or applicant; the RosPatent also published other information when Record status changes. The TF leader mentioned that the XML4IP TF should monitor the progress of the LSTF's discussion and it would be desirable that new components are aligned with the new standard regarding patent legal status since this issue is related to the legal status data.

21. The USPTO proposed to analyze this issue further regarding notification and announcement as the USPTO has Certificate of Correction. The USPTO would provide a proposal on Certificate of Correction. This might be a separate issue.

Action point:

22. The USPTO to provide a proposal on Certificate of Correction

Issue ID-550 (License of Right)

23. The UKIPO indicated that this issue is related to post-grant patent license of rights data and dates. The KIPO and the UKIPO suggested separating License of rights data and dates. It was agreed that this issue ID would keep only issue related dates proposed by the UKIPO and that a new issue ID would be created to address license of rights transaction data, ApplicantIntent, proposed by the KIPO.

24. In order to facilitate discussion on the IssueID-550, the UKIPO would provide a clearer description for License of Right related dates which indicate that a patent is available to be licensed.

25. In addition, the UKIPO would provide proposal for the transaction data and then the International Bureau will create a new Issue ID.

26. The EPO commented that ST.9 might need to be updated to capture data and dates related to license of rights. It was agreed that further analysis was needed.

Action points:

27. The UKIPO to provide a clearer description for License of Right related dates and a proposal for license of rights transaction data.

28. The XML4IP TF to analyze the need of revising ST.9

c. Revision on Trademark components including components for Madrid System

IssueID-414 (State of Trademark)

29. Participants noticed that an initial proposal had been made by the RosPatent and comments from TF members, RU, US, GB and AU, had been provided. Participants also noted that the XML4IP TF had agreed to use MarkCurrentStatusCode in free format which could be used for office-specific status until a decision on common status is made by Legal Status Task Force.

IssueID-538 (MECA Transactions from WIPO to Office)

30. The Task Force Leader briefed participants on the issue. There were two different approaches suggested by the TF members to develop ST.96 XML schema components for MECA transactions. First approach was to extend the current components to cover MECA transactions. The first approach was to extend the current trademark components to cover MECA transactions and the other approach was to develop specific schema components for

MECA. The first approach was loose and flexible and would not provide stronger validation. The Task Force Leader said that the decision on the approach would impact on the development of schemas for Hague system and eventually for the PCT later on.

31.   Madrid/IB preferred the other approach for strict and strong validation by specific components for the transactions. Hague/IB also preferred to use specific schema for Hague system with the same reason to communicate with its contracting parties. USPTO, UKIPO and CIPO also preferred to use specific components for Madrid and Hague systems while RosPatent preferred to use existing ST.96 components.

32.   After discussion, participants agreed on the other approach for Madrid and Hague systems and the PCT later for stronger validation in implementation schema. It was also agreed to place the schema components for Madrid and Hague systems as a part of ST.96.

33.   The Madrid/IB committed to providing data in ST.96 if contracting parties requires it as it provided data in ST.66. The Madrid/IB was waiting on request from IP Office in order to proceed with the ST.96 schemas creation.

34.   The CIPO mentioned that it needed draft schemas to be completed by September 2015 and the USPTO said it needed draft schemas now and the MECA-Out before MECA-In. It was agreed that the XML4IP TF physical meeting should be organized to develop the schemas as well as online conferences. It was noted that some draft components for MECA-Out had been developed in ST.96 in September 2014, potentially in North America.

Action point:

35.   The International Bureau to organize online conferences via WebEx and the TF physical meeting to develop schema components for MECA

Issue ID 539 (MECA-In: Office to WIPO)

36.   The Task Force Leader mentioned that many draft schemas for the MECA-In transactions had been developed back in September 2014; the CIPO had updated them based on the CIPO's practice and MECA.dtd. It was noted that the changed or added schemas were indicated with prefix "CA".

37.   It was informed that TRANXX was to catch all structure for sending PDF documents when no details were available.

38.   It was informed that the Madrid/IB received MECA-In transactions in ST.66 from DPMA and Rospatent. It was noted that ST.66-based MECA-In could facilitate developing MECA-In schemas for ST.96 since ST.66 was similar to ST.96. Therefore, it was agreed that Madrid/IB would provide DE's XML schema and sample XML instances for MECA-In transaction and the Rospatent would provide RU's XML schema and sample documents.

39.   The following IP Offices expressed their interest in using ST.96 MECA-In transaction schema and their participation in schema development and reviews:

- USPTO needed it immediately
- CIPO needed it by September 2015
- IPAustralia needed it by June 2016
- RosPatent potentially

Action points:

40. The Madrid/IB to provide DE's XML schema and sample XML instances for MECA-In transaction.

41. The Rospatent to provide RU's XML schema and sample documents.

IssueID-569 (PublcationContact in Trademark)

42. The KIPO proposed to PublcationContact in Trademark as it had been included in version 2.0 for patent and design. The Rospatent and the USPTO supported adding PublcationContact in Trademark as proposed by the KIPO. It was agreed on the KR's proposal and the change would be included in next version of ST.96.

Action points:

43. The International Bureau to update the issue with the conclusion by the XML4IP TF

IssueID-543 (OtherDate)

44. Madrid/IB and the UKIPO preferred the option 1, removing the component OtherDate and defining specific component per date. The USPTO and the RosPatent wanted to check on usage of OtherDate before removing it. It was agreed to remove OtherDate if no IP Office use it.

Action points:

45. The USPTO and the RosPatent to check on usage of OtherDate.

d. Revision on Design components including components for Hague System

IssueID-546 (Opposition vs. Cancellation)

46. The Task Force Leader explained the discussion on this issue at the London meeting held in November 2014. Two options had been presented at that meeting and the second option had been agreed by participants.

47. Delegations to this meeting reaffirmed the conclusion at the London meeting and the UKIPO would provide draft content model for InvalidationBag to be included in the next version of ST.96.

Action point:

48. The UKIPO to provide draft content model for InvalidationBag.

IssueID-556 (Hague transactions from Office to WIPO)

49. The discussion on this issue was based on the inputs by the CIPO. The International Bureau thanked the CIPO for its excellent work.

50. The CIPO stated that it needs both Hague communications to and from WIPO by September 2015. So, the CIPO hoped that WIPO would make a decision soon to start a project to create the ST.96 version for Hague communications.

51.   It was informed that the CIPO had created draft schemas for five Hague Office to IB transactions similar to MECA, which was available in the TF e-forum wiki. It was noted that a few more transactions needed to be further developed. The CIPO requested the XML4IP TF members, particularly the Hague/IB to provide inputs. The representative of the Hague/IB promised to provide necessary information; the CIPO would update the draft schemas further after additional information would receive from the Hague/IB.

52.   The Hague/IB indicated that the biggest transaction was currently indirect Hague Design application from KIPO based on ST.96; the DesignApplication component needed to be added to Hague transaction.

53.   At the meeting, delegations of CIPO, USPTO and the International Bureau said that they would take part in reviewing and testing the draft schemas. KIPO stated that it would confirm later if they could be a party to the review.

54.   With regard to the Hague transactions from Office to WIPO, the Hague/IB mentioned that it would be ready to receive data in ST.96. The following IPOs mentioned their current situation and plan:

- CIPO had interests to use ST.96 in September 2015.
- OIEP had no issue using Hague DTD.
- KIPO delivered indirect Hague application to the Hague/IB using the ST.96 DesignApplication component. For other transactions in the future, they will advise TF members of their plan after internal discussion.
- The JPO commented that it had sent Hague design application in PDF format and had no plan to use ST.96 for Hague communication
- SIPO had no plans to use ST.96 for Hague communication.

55.   With regard to the transactions from Hague/IB to IP Office, the Hague/IB stated that currently Bulletin in Hague DTD was the official publication. It would be up to Contracting Parties to consume the data. The Hague/IB planned to improve Bulletin using ST.96 schema, but no specific date had been defined yet. This would be a future project.

56.   The following IPOs mentioned their current situation and plan:

- CIPO plans to implement Hague transactions in ST.96 for both direction IB to Office and Office to IB; and hope to complete schema development by September 2015.
- USPTO currently uses the updated Hague DTD.
- JPO uses ST.36 for patent, uses SGML for Trademark and Design.

Action points:

57.   The Hague/IB to provide input on the draft schemas posted by the CIPO.

58.   The CIPO to update the draft schemas.

59.   The International Bureau to organize online conferences to discuss XML schemas for Hague communications.

Agenda Item 5: Annex V preparation

IssueID-508 (XML vs JSON)

60.   The Task Force Leader explained the background of the issue and said that both XML and JSON were beneficial depending on need. However, no further request on JSON had been raised in the context of ST.96 so far. Therefore, he proposed to close issue.

Action point:

61.   IssueID-508 to be closed if there is no objection.

7th Review of Annex V

62.   The Task Force Leader informed participants that the 13th draft of Annex V was prepared on the basis of ST.96 version 2.0 and the XML4IP TF members were invited to the seventh review of Annex V by June 30, 2015. He also indicated that the USPTO had provided an updated Schematron which would be a part of Annex V to support validation of IPOs' implementation schema against ST.96.

63.   The USPTO gave a presentation on how to use Schematron tool for validating XML schema. It was noticed that the Schematron tool could be used for checking XML schemas which are developed by external contractors. Participants thanked the USPTO for providing the tool. The USPTO announced that they had found minor shortcomings in the tool and would update it soon.

Action points:

64.   The XML4IP TF members to review Annex V and test Schematron.

65.   The USPTO to provide an updated Schematron.

Agenda Item 6: Annex VI preparation

66.   The Task Force Leader briefed participants on the update of Annex VI, Transformation Rules and Guidelines. Annex VI had been updated based on ST.96 version 2.0 and the XML4IP TF members were invited to review Annex VI main body and Appendixes. He indicated that the JPO had commented on the identity constraint in Annex VI and participants agreed to modify the rule [TR-23] and its related sentences. He emphasized the importance of TF members' participation in reviewing mapping tables in Appendixes A and B to ensure the correct mapping between ST.96 and other Standards, ST.36/ST.66/ST.86.

67.   Participants were invited to assist with validation of the mapping and the following IPOs expressed their position as follows:

- USPTO and UKIPO would join the test
- CIPO could assist with testing Trademark area.
- EPO would like ST.96 to align with ST.36.
- RosPatent, OEIP, JPO, IP Australia, SIPO, KIPO needed to check internally regarding assisting with the review and validation.

Action point:

68. The XML4IP TF members to review draft Annex VI and its Appendixes.

<u>Agenda Item 7: Exchange of information: Presentation on IPOs' activities and plan related to WIPO Standard ST.96</u>

69. The three offices/organizations, CIPO, USPTO and UPOV, provided presentations on their activities and plan related to ST.96.

CIPO
70. The CIPO mentioned that it dealt with four IP types, i.e., patent, trademark, industrial design and copyrights. It used ST.36 for patent, ST.66 for trademark, ST.86 for industrial designs and no XML format for copyrights. It was informed that the CIPO planned to use ST.96 for all IP types.

71. Since three IPOs, i.e., CIPO, UKIPO and OHIM, were looking for XML for copyrights, it appeared that the International Bureau might need to organize online conferences to discuss copyrights data model.

Action point:

72. The International Bureau to organize online conferences to discuss copyrights data model if the three IPOs agree.

USPTO
73. It was informed that the USPTO had been converting patent data in TIFF image to ST.96-based XML format. The USPTO had a project to convert Office Action data and e-filing data in MS-Word format to XML based on ST.96 version 2.0. The USPTO also informed participants that they would gradually implement ST.96 and plan to replace ST.36-based publication with ST.96 in 2017. It was also advised that the USPTO also exchanged CPC data in ST.96 with the EPO.

74. Regarding trademark information, it was said that the USPTO used ST.96 V1_0_D3 version for handling and publication of national and international trademark data; the USPTO planned to use ST.96 for trademark e-filing, MECA communication and trademark next generation project.

75. Participants had particular interest in converting MS-Word to XML and requested the USPTO to share its experience. The USPTO stated that it would have internal discussion and, where possible, provide materials for the XML4IP TF through the International Bureau.

Action point:

76. The USPTO to provide further materials regarding conversion of MS-Word document to XML where possible.

UPOV
77. The UPOV updated participants with progress on their Electronic Application System (EAS) project using ST.96. The UPOV developed PVP-XML which was based on ST.96 and fundamental for the EAS project to communicate with breeders (applicants) and Contracting Parties. Participants noticed that ST.96 was successfully used in not only industrial property field but also other business. Participants thanked the UPOV for the update.

Agenda Item 8: Work plan of the XML4IP Task Force

78.   Discussion was based on "XML4IP TF 2015 Work Plan" presented by the Task Force Leader. The Task Force Leader summarized what tasks had been done and what would be the remaining works. The International Bureau will publish ST.96 version through WIPO website in June and suggested finalizing the preparation of Annexes V and VI based on the version 2.0.

79.   The Task Force Leader reminded participants of the following items for further development of XML Schemas requested by the TF members.

- Search Report
- Written Opinion
- PCT Forms
- Transaction (Common transaction or specific transaction)
- Amendment
- Legal Status Data
- Madrid electronic communication
- Hague electronic communication
- Geographical Indication

80.   Participants expressed their preferences regarding future work as follows:

- UKIPO : Design components. The UKIPO will provide a proposal on any further additions to Design area by August 2015. It may need additional components regarding PCT, but not needed right now.
- RosPatet : Search Report and Geographic Indication. It will provide first draft schema of search report by October 2015; no concrete plan for Geographic Indication, but may start around October 2015.
- IP Australia : PCT National Phase entry and Geographic Indication. For PCT, it is not certain if additional components are needed and will report back to the International Bureau; It needs schema for Geographic Indication.
- CIPO : Madrid and Hague communications by September 2015. Geographic Indication is considered as trademark.
- USPTO : MECA communication now. Geographic Indication may not be moved outside of Trademark.
- EPO : Amendment . EPO has its own internal format for all the documents. It will check the possibility to share its internal amendment model with the XML4IP TF.

81.   There were various opinions from different delegations. Due to urgency for the USPTO and the CIPO and international data exchange, participants agreed to give priority to develop XML schemas for Madrid and Hague communications.

Action points:

82.   The UKIPO to provide a proposal on any further additions to Design area by August 2015.

83.   The Rospatent to provide first draft schema of search report by October 2015 and possibly draft schema for Geographic Indication.

84.   The EPO to check the possibility to share its internal amendment model with the XML4IP TF.

Agenda Item 9: Other matters

85.   Due to the urgent needs of XML schemas for Madrid and Hague communications, participants agreed to organize another TF physical meeting in September 2015 or earlier in order to complete the development of XML schemas for the communications.

Action point:

86.   The International Bureau to follow up the provisional agreement to organize the XML4IP TF meeting 2015.

[Annex I follows]

ANNEX I: ADOPTED AGENDA

1. Opening of the meeting and welcome to delegations
2. Adoption of the agenda
3. Progress report on the XML4IP Task Force activities
4. Revision of ST.96 XML Schemas
   - Revision on Common components
   - Revision on Patent components
   - Revision on Trademark components including components for Madrid System
   - Revision on Design components including components for Hague System
5. Annex V preparation
6. Annex VI preparation
7. Exchange of information: Presentation on IPOs' activities and plan related to WIPO Standard ST.96
8. Work plan of the XML4IP Task Force
9. Other matters
10. Closing the meeting

[Annex II follows]

ANNEX II: PARTICIPANTS LIST

FIRST NAME	LAST NAME	OFFICE / ORGANIZATION	TITLE
Katharina	Fastenbauer	Austrian Patent Office	Head of Patent Support and PCT
Derek	Spero	CIPO	Solutions Architect
Andrey	Sekretov	EAPO	Head Standardization and Patent Information Quality Group
Fernando	Ferreira	EPO	
Patrick	Le Gonidec	EPO	Project Manager
Michal	Verner	Industrial Property Office of the Czech Republic	Head of IT Operations
Ngan-Hoa	Ha	IP Australia	Director, Enterprise Architecture & SOA
Yuya	Ushida	JPO	
Toshiki	Koda	JPO	
Ara	Cho	KIPO	Deputy Director
DaeKyung	Yang	KIPO	Assistant Deputy Director
Maria Rosa	Carreras Durbán	OEPM	Coordinadora Área Proyectos Tecnológicos Internacionales
Kunihiko	Fushimi	Permanent Mission of Japan in Geneva	
Ilya	Kononenko	ROSPATENT	Head of Division, Federal Institute of Industrial Property (FIPS) of Rospatent
Lingyun	Fei	SIPO	Director
Liang	Deng	SIPO	Director
Xuefang	Chen	SIPO	Director
Julie	Daltrey	UKIPO	Data Architect
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Artem	Kononenko	Ukrainian Intellectual Property institute	Chief Expert of the Patent Documentation and Standardization Division of the State Enterprise
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Philippe Benjamin	Rivoire	UPOV	Technical/Regional Officer (Africa, Arab countries)
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Arti	Shah	USPTO	IP Project Manager
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