

C. PCT 1463

December 18, 2015

Madam,
Sir,

Report on Characteristics of International Search Reports

1. This Circular is addressed to your Office in its capacity as an International Searching Authority under the Patent Cooperation Treaty (PCT). In that capacity, and as a member of the quality subgroup of the Meeting of International Authorities under the PCT, your Office is invited to comment on the annexed draft report on characteristics of international search reports with a view to sharing experiences of how to make good use of the information available and identifying useful further information which national Offices and the International Bureau should work towards providing.

Background

2. For the past three years, the International Bureau has prepared reports, presenting various characteristics of international search reports for discussion by the International Searching Authorities (see Circulars C. PCT 1360, 1398 and 1434). The most recent discussions by the quality subgroup are summarized in paragraphs 29 to 32 of Annex II to document PCT/MIA/22/22, as follows:

“29. All Authorities which took the floor on the matter stated that they had found the report on characteristics of international search reports in its present form very valuable, notably as a “self-assessment” tool. There did not seem to be a need to fundamentally change the nature of the report.

“30. One Authority saw particular value in characteristics 1.1, 1.3 (notably in light of the further breakdown provided under 1.9), 2.8 and 2.9 and suggested to replace characteristic 3.1, related to the percentage of patent citations in non-official

languages, with a characteristic showing the percentage of patent citations which were not in the language of the application. This Authority further stated that it was content with the presentation of the report, notably the availability of Excel tables, but wondered whether there were any plans to present the characteristics in the form of an online tool as part of WIPO's IP Statistics Data Center.

"31. The International Bureau confirmed its intention to publish similar characteristics reports in the future, in line with a previous agreement to publish such reports on a regular (annual) basis.

"32. The Subgroup recommended that Authorities which had suggestions for further improvements of the report should share those suggestions and ideas on the Subgroup's e-forum."

Updated Report

- ./. 3. The Annex to this Circular presents a report on characteristics of international search reports, updating the data presented in Circular C. PCT 1434 up to the end of the fourth quarter of 2014. The underlying data and a further explanation of the description of the data and definitions used are made available on the quality subgroup's electronic forum.
4. The characteristics which are the subject of the report have been updated compared to the previous report, as follows:
 - (a) Subdivisions of item 1.3 have been provided as suggested in discussions on the quality subgroup's electronic forum, distinguishing between citations in category "E" and those in category "P".
 - (b) Item 1.7 ("Percentage of PCT search reports with D citations") is omitted since it was agreed that it was of no value (in the previous report it was omitted from the overview in Circular C. PCT 1434, but remained in the associated package of data).
 - (c) For each of the characteristics previously presented as pie charts covering only a single year (items 1.9, 2.9 and 3.4), the characteristics are now presented as stacked bar charts covering multiple years since the most interesting feature was likely to be the changes over time within a particular Office, rather than the absolute values or the comparisons between Offices.
5. The characteristics reflect international search reports issued up to the end of 2014, whereas the report prepared at the end of 2014 had covered only reports issued up to the end of 2012. This is an attempt to respond to the demand by many International Authorities for more up-to-date information. However, it should be recognized that the 2014 information is not complete – a few international search reports from 2014 have not yet been published and many more will not have been processed by the European Patent Office in time to be reflected in the version of PATSTAT (Autumn 2015) used to assist the reporting. For a variety of reasons, including the different application timing strategies followed by companies which may form significant parts of any Authority's workload in different technical fields, the sample of 2014 reports available may not accurately reflect the final figures when they become available. This may be particularly noticeable for the technical breakdowns (which are based *only* on the available 2014 data).
6. The report now includes characteristics for international search reports established by the Indian Patent Office and Egyptian Patent Office. The National Institute of Industrial Property of Chile began operation as an International Searching Authority during 2014, but its first international search reports will be counted in the data for 2015.

Issues for the Quality Subgroup

7. As has previously been discussed, none of these characteristics provide any direct measure of quality of the international search reports. Moreover, it is not clear how any meaningful measure of quality could be made using the data currently available. On the other hand, the trends in the characteristics over time, or differences between different fields of technology within an Authority may provide useful pointers to areas which could be the subject of investigation.

8. The quality subgroup is therefore invited to continue discussions how they have been able to use these characteristics to assist quality-related work within their Office or how they believe these characteristics could be used to assist quality-related work among the International Authorities as a whole.

9. The experience from using these characteristics should also be taken into account in the more general discussions of what further information the International Bureau and national Offices should seek to collect and how that information can best be presented and used. It is recalled that the characteristics in this report were developed from "Stage 1" of an intended three stage process, which aimed eventually to measure the degree to which the international phase search had been found useful for the national phase examination. That process only moved to the later stages on a small scale, labor-intensive manual sample. The data currently collected is insufficient to make meaningful statistical analysis even for the simpler cases where the international application enters the national phase without amendment. Nevertheless, the eventual aim should be to seek metrics which are directly associated with the quality of the international phase products. Interim work should focus on metrics which are able at least to assist the identification of areas of potential concern (whether for quality of final products or effectiveness of processes) so that International Authorities or the International Bureau can devote resources to areas where improvements can be made.

10. This subject will be discussed at the physical meeting of the quality subgroup, to be held in Santiago, January 18 and 19, 2016. Comments are invited on the quality subgroup's electronic forum in advance of the meeting to assist delegations to prepare for an effective discussion.

Yours sincerely,



John Sandage
Deputy Director General

Enclosure: Annex: Report on Characteristics of International Search Reports