

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION
(IPC UNION)**

COMMITTEE OF EXPERTS

**Thirty-Third Session
Geneva, October 2 to 10, 2003**

USE OF THE REFORMED IPC

Document prepared by the International Bureau

1. At its thirty-second session, held in February 2003, the IPC Committee of Experts approved the plans of the Secretariat to submit a circular with a questionnaire to members and observers of the Committee, as well as to States not members of the IPC Union but applying the IPC for classification of their patent documents, informing them of the forthcoming entry into force of the reformed IPC and of its various aspects which would influence classification and reclassification of patent documents. The purpose of the questionnaire was to survey industrial property offices about their intentions to apply either the core or advanced level of the reformed IPC when classifying patent documents and about their plans and ability to carry out reclassification of their national patent collections according to amendments of the IPC (see document IPC/CE/32/12, paragraph 76).

2. The International Bureau issued, on June 30, 2003, WIPO Circular No. IPC 107, inviting the said recipients to provide the information requested in the questionnaire. The Circular is reproduced as Annex I to this document.

3. A summary of replies, prepared by the International Bureau, appears as Annex II to this document.

4. *The Committee of Experts is invited to consider the results of the survey.*

[Annexes follow]

ANNEX I

C. IPC 107
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June 30, 2003

Re: Use of the Reformed IPC

Madam,
Sir,

In 1999, the Committee of Experts of the IPC Union decided to launch the reform of the International Patent Classification (IPC) in order to adapt the Classification to the electronic environment, to increase its efficiency for the retrieval of patent information and to facilitate its use for small and medium-sized industrial property offices and the general public. This decision was later endorsed by the Assembly of the IPC Union.

The next edition of the IPC will enter into force on January 1, 2005. It will already represent the reformed IPC and will include many new features elaborated in the course of IPC reform.

One of the most important features of the reformed IPC will be its two-level structure which would better satisfy differing needs of small, medium-sized and large industrial property office and the general public. The two-level system will consist of a core and an advanced level.

The core level will contain approximately 20,000 entries at high hierarchical levels (classes, subclasses, main groups and, in some fields, subgroups) of the current IPC. It will be a relatively stable part of the IPC. Revision amendments to the core level will be made in three year revision cycles when necessitated by technological process.

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The advanced level will represent a further elaboration of the core level, i.e., it will include the core level and additional subgroups. Initially, in 2005, it will include approximately 70,000 entries of the current, seventh edition of the IPC, but its size will grow rapidly since revision amendments to the advanced level will be made continuously through an accelerated procedure.

It is intended that the relatively simple core level will be used for classifying and searching patent documents belonging to small and medium-sized national patent collections, while the more complex advanced level will be used for classifying and searching patent documents belonging to large patent collections. In particular, classification at the advanced level will cover patent documents included in the PCT Minimum Documentation.

According to the Strasbourg Agreement Concerning the International Patent Classification, the competent authorities of the countries of the IPC Union shall include in their published patent documents the complete symbols of the IPC, with the following exceptions:

- patent applications which are only laid open for public inspection may be classified at the subclass level of the IPC containing approximately 600 entries;
- countries which do not proceed to an examination as to novelty and in which the procedure for the grant of patents or other kinds of protection does not provide for a search into the state of the art may include in their published patent documents only subclass symbols.

After the entry into force of the reformed IPC, the Member States and observer organizations of the IPC Union, to which the above-mentioned exceptions do not apply, will be required to use classification symbols of at least the core level for classifying their published patent documents, i.e., they can choose to use either the core or the advanced level. States which are not members of the IPC Union, but which assign the IPC to their published patent documents, can choose to use the subclass, the core or the advanced level.

It should be noted that industrial property offices that will in general choose the core level for classifying their published patent documents can use the advanced level for that purpose in technical fields of special interest to them.

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One of the objectives of IPC reform is to provide possibilities for performing patent searches with the use of the current version of the IPC only and to eliminate the need to rely on superseded IPC editions. This objective will be achieved by reclassification (i.e., updating of IPC symbols on patent documents) of patent collections according to periodical revision changes of the core level or, if an industrial property office has chosen the advanced level for classifying its published patent documents, according to the continuous revision changes of the advanced level.

Access to the worldwide collection of patent documentation will be provided through the Master Classification Database which will be created in the course of IPC reform. The Master Classification Database will contain the IPC data of patent documents classified only according to the current version of the IPC, patent family information and will provide links to patent documents in the electronic form. The provision of such classification data should be achieved by reclassification efforts of industrial property offices.

Reclassification at the advanced level of patent documents included in the PCT Minimum Documentation and the initial loading of the data according to the reformed IPC in the Master Classification Database will be ensured by a special committee consisting of major industrial property offices, with the participation of certain other offices. Industrial property offices whose documents are not included in the PCT Minimum Documentation will be encouraged to carry out reclassification of their published patent documents. It should be noted that, while the periodical (once every three years) reclassification effort will be almost negligible at the subclass level and will be small at the core level, it will be large at the advanced level in view of its continuous, rapidly introduced changes. According to the rules of functioning of the Master Classification Database, patent documents with initial classification at the advanced level, which will not be reclassified in the established period of time, will automatically be given corresponding classification at the core level.

With a view to alleviating the workload of reclassification, industrial property offices, whose documents have patent family members in the PCT Minimum Documentation, may request that these documents be reclassified by automatic propagation of the reclassification data from the PCT Minimum Documentation. However, documents which have no such family members, for example, filed by residents of the country without filing abroad, should be reclassified by the industrial property offices concerned.

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/. This circular is intended to collect information necessary for the implementation of the reformed IPC. You are kindly invited to complete the attached questionnaire relating to the use of the reformed IPC, in light of the explanations provided above. It would be appreciated if the questionnaire could be returned to the International Bureau by September 1, 2003. The electronic version of the questionnaire is available at the address <http://www.wipo.int/classifications> under the headings IPC/Circulars and should be returned to the e-mail address ipc.mail@wipo.int.

Yours sincerely,

Francis Gurry
Assistant Director General

[Annex follows]

Annex to WIPO Circular IPC 107

QUESTIONNAIRE RELATING TO THE USE OF THE REFORMED IPC

To be returned to: World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Reply submitted by:
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1. Does your Office use at present subclass symbols or complete symbols of the IPC for classification of your published documents?

Subclass symbols Complete symbols

2. Does your Office intend to use the subclass level, the core level or the advanced level of the reformed IPC after its entry into force (January 1, 2005) for classification of your published patent documents?

Subclass level Core level Advanced level

3. Does your Office intend to carry out reclassification of your published patent documents following revision changes made to the core level or to the advanced level of the reformed IPC?

Yes No

4. Would your Office like to request that reclassification of your published patent documents having patent family members in the PCT Minimum Documents be made by automatic propagation of the reclassification data from the PCT Minimum Documentation?

Yes No

5. If the response to Question 3 is "Yes," would your Office be prepared to carry out reclassification according to the reformed IPC (next edition of the IPC) of the complete collection of your published patent documents, or its part not covered by the option indicated in Question 4?

Yes No

6. Remarks

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ANNEX II

SUMMARY OF THE REPLIES RECEIVED ON CIRCULAR IPC 107

1. A total of 44 replies were received including 32 from Member States of the IPC Union (54 members); 10 from States not members of the IPC Union; and two from the European Patent Office (EPO) and the Eurasian Patent Office (EAPO), respectively.

2. Replies were received from following offices:

Algeria (DZ)	Kyrgyzstan (KG)
Armenia (AM)	Lithuania (LT)
Austria (AT)	The Former Yugoslav Republic of Macedonia (MK)
Azerbaijan (AZ)	Madagascar (MG)
Belarus (BY)	Mexico (MX)
Belgium (BE)	New Zealand (NZ)
Bulgaria (BG)	Norway (NO)
Canada (CA)	Portugal (PT)
China (CN)	Romania (RO)
Colombia (CO)	Russian Federation (RU)
Croatia (HR)	Serbia and Montenegro (CS)
Czech Republic (CZ)	Slovakia (SK)
European Patent Office (EP)	Slovenia (SI)
Estonia (EE)	Spain (ES)
Eurasian Patent Office (EA)	Sweden (SE)
France (FR)	Switzerland (CH)
Germany (DE)	Turkey (TR)
Hungary (HU)	Ukraine (UA)
Ireland (IE)	United Kingdom (GB)
Israel (IL)	United States of America (US)
Japan (JP)	Uruguay (UY)
Republic of Korea (KR)	Uzbekistan (UZ).

3. The answers to the five questions included in the questionnaire can be summarized as follows:

Question 1:

“Does your Office use at present subclass symbols or complete symbols of the IPC for classification of your published documents?”

44 offices replied that they use complete symbols, including one office using subclass symbols for published applications and complete symbols for published patents.

Question 2:

“Does your Office intend to use the subclass level, the core level or the advanced level of the reformed IPC after its entry into force (January 1, 2005) for classification of your published patent documents?”

16 offices replied they would use the Core Level;
24 offices replied they would use the Advanced Level;
4 offices replied they would apply the Core Level and Advanced Level in parallel, depending on the relevance of the technical field for their country.

Question 3:

“Does your Office intend to carry out reclassification of your published patent documents following revision changes made to the core level or to the advanced level of the reformed IPC?”

23 offices replied they would carry out such reclassification;
21 offices replied they would not carry out such reclassification.

Question 4:

“Would your Office like to request that reclassification of your published patent documents having patent family members in the PCT Minimum Documents be made by automatic propagation of the reclassification data from the PCT Minimum Documentation?”

34 offices replied they would request such propagation;
7 offices replied they would not request such propagation;
one office has not yet decided on this matter.

The EPO and the USPTO indicated that this question did not apply to their offices.

Question 5:

“If the response to Question 3 is “Yes,” would your Office be prepared to carry out reclassification according to the reformed IPC (next edition of the IPC) of the complete collection of your published patent documents, or its part not covered by the option indicated in Question 4?”

18 of the 23 offices that replied to question 3 with “Yes” would be prepared to carry out such reclassification.

4. Some offices that replied “Yes” to question 3 explained that they would reclassify only such documents of their national collection that have no family members in the PCT Minimum Documentation and for which, therefore, no automatic propagation according to question 4 is possible.

5. One remark requested provision of a definition of the family mentioned in question 4.
6. One patent office explained with regard to question 4 that it would request automatic propagation only for documents having a foreign priority. Another office also requested the facility to request automatic propagation for selected categories of documents only.
7. With respect to question 5, some offices replied that they may reclassify only a limited part of their collection, e.g. documents published after a specific date.
8. One office requested technical assistance by WIPO for application and reclassification according to the reformed IPC.

[End of Annex II and of document]