

**IPC REVISION PROJECTS/
PROJETS DE RÉVISION DE LA CIB**

**CHEMICAL FIELD/
DOMAINE DE LA CHIMIE**



IPC/C 362/96
ORIGINAL: English/French
DATE: November 13, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE
GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: PROPOSITION DE :	GB	REVISION OF IPC AREA: RÉVISION DU DOMAINE DE LA CIB :	C 09 K
KIND OF REVISION: TYPE DE RÉVISION :	Creation of subgroups Création de sous-groupes		

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal	/ Demande de révision avec proposition détaillée	GB	25.01.96
2	Comments (re Annex 1)	/ Observations (réf. annexe 1)	EP	23.10.96
3	Comments (re Annex 1)	/ Observations (réf. annexe 1)	RO	07.10.96
4	Comments (re Annex 1)	/ Observations (réf. annexe 1)	RU	16.10.96
5	Comments (re Annex 1)	/ Observations (réf. annexe 1)	SI	24.10.96
6	Comments (re Annex 1)	/ Observations (réf. annexe 1)	CA	18.10.96
7	Comments (re Annex 1)	/ Observations (réf. annexe 1)	US	28.10.96
8	Rapporteur report	/ Rapport du rapporteur	GB	02.99
9	Proposal	/ Proposition	EP	05.99
10	Comments	/ Observations	JP	07.99
11	Decision of the Working Group	/ Décision du groupe de travail	WG	07.99
12	Comments	/ Observations	CA	10.99
13	Comments	/ Observations	RO	10.99
14	Comments	/ Observations	GB	11.99
15	Comments	/ Observations	SE	11.99

RAPPORTEUR : EP **TECHNICAL FIELD/DOMAINE TECHNIQUE :** C

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
16	Rapporteur report	/ Rapport du rapporteur	GB	11.99
17	Decision of the Working Group	/ Décision du groupe de travail	WG	12.99
18	Comments	/ Observations	EP	03.00
19	Comments	/ Observations	GB	03.00
20	Comments	/ Observations	JP	03.00
21	Comments	/ Observations	RO	03.00
22	Rapporteur report	/ Rapport du rapporteur	GB	04.00
23	Decision of the Working Group	/ Décision du groupe de travail	WG	06.00
24	Proposal	/ Proposition	EP	07.00
25	Comments	/ Observations	EP	09.00
26	Comments	/ Observations	JP	09.00
27	Comments	/ Observations	RU	09.00
28	Comments	/ Observations	RO	09.00
29	Comments	/ Observations	DE	10/00
30	Rapporteur report	/ Rapport du rapporteur	EP	10/00
31	Rapporteur proposal	/ Proposition du rapporteur	EP	10/00
32	Comments	/ Observations	CA	11/00
33	Decision of the Working Group	/ Décision du groupe de travail	WG	01/01
34	Proposal	/ Proposition	EP	04.01
35	Comments	/ Observations	CA	04.01
36	Comments	/ Observations	RU	04.01
37	Comments	/ Observations	FR	04.01
38	Comments	/ Observations	EP	05/01
39	Comments	/ Observations	DE	05/01
40	Rapporteur report	/ Rapport du rapporteur	EP	05/01
41	Rapporteur proposal	/ Proposition du rapporteur	EP	05/01
42	French version of approved amendments	/ Version française des modifications approuvées	EP	06.01
43	Comments	/ Observations	RO	06.01

ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
44	Decision of the Working Group / Décision du groupe de travail	WG	08.01
45	Comments / Observations	EP	08.01
46	Comments / Observations	DE	10.01
47	Comments / Observations	CA	10.01
48	Comments / Observations	EP	10.01
49	Comments / Observations	RO	10.01
50	Comments / Observations	RU	10.01
51	French version of approved amendments / Version française des modifications approuvées	EP	10.01
52	Rapporteur report / Rapport du rapporteur	EP	11.01
53	Rapporteur proposal / Proposition du rapporteur	EP	11.01

EXCERPT FROM DOCUMENT IPC/WG/5/3
EXTRAIT DU DOCUMENT IPC/WG/5/3

Project C 362 (chemical) – The Working Group approved a number of amendments relating to the new main group C 09 K 8/00 (see Annex 8 to this report) which had been created at its fourth session.

The EPO was invited to submit:

- the data on the potential file size of groups C 09 K 8/44 and 8/46 (see Annex 33 to the project file) for determining which of the groups could be excluded from the classification scheme to avoid exhaustion of the superior group C 09 K 8/42;
- the data on the potential file size of the proposed groups C 09 K 8/564 and 8/566 (see Annex 41 to the project file) which could exhaust the scope of the superior group 8/562;
- examples of patent documents illustrating the contents of the new group C 09 K 8/518;

Comments were invited on:

- which one of groups 8/44 and 8/46 and which one of groups 8/564 and 8/566 should be excluded from the classification scheme to avoid exhaustion of the respective superior groups, in the light of the data to be submitted by the EPO;
- the correctness of the wording of group 8/518, in the light of its intended scope as illustrated by the examples to be submitted by the EPO;
- the desirability of the creation of the proposed groups C 09 K 8/03 and 8/035 (see Annex 41 to the project file) which should be, respectively, a two-dot group and a three-dot group;
- whether the wordings of the new groups C 09 K 5/584 and 5/588 correctly reflected their intended scope;
- the appropriate hierarchical position and the wording of the group proposed as C 09 K 8/588 (see Annex 41 to the project file);
- the desirability of the creation of a group covering “enhanced recovery of oil using bacteria,” presently covered by group E 21 B 43/22, and the appropriate place for the group.

The Working Group did not consider the remaining part of the Rapporteur’s proposal covering groups C 09 K 8/602 to 8/64 (see Annex 41 to the project file).

The EPO was invited to submit a modified proposal concerning subdivisions of the new group C 09 K 8/60, not using in the scheme the last place rule and introducing, instead, precedence

references where necessary, and taking into account the approved subdivisions of other one-dot groups of main group C 09 K 8/00.

Comments were invited on the proposal to be submitted.

Projet C 362 (chimie) – Le groupe de travail a approuvé plusieurs modifications relatives au nouveau groupe principal C 09 K 8/00 (voir l'annexe 8 du présent rapport) qui a été créé lors de sa quatrième session.

L'OEB a été invité à fournir :

- des données sur la taille possible des dossiers concernant les groupes C 09 K 8/44 et 8/46 (voir l'annexe 33 du dossier de projet) en vue de déterminer quels groupes pourraient être exclus du schéma de classement, pour éviter l'épuisement du contenu du groupe C 09 K 8/42 qui leur est hiérarchiquement supérieur;
- des données sur la taille possible des dossiers concernant les groupes C 09 K 8/564 et 8/566 proposés (voir l'annexe 41 du dossier de projet) qui pourraient épuiser le contenu du groupe 8/562 qui leur est hiérarchiquement supérieur;
- des exemples de documents de brevet illustrant le contenu du nouveau groupe C 09 K 8/518;

Des observations ont été demandées

- sur le point de savoir lequel du groupe 8/44 ou du groupe 8/46 et lequel du groupe 8/564 ou du groupe 8/566 doit être exclu du schéma de classement pour éviter l'épuisement du contenu des groupes hiérarchiquement supérieurs respectifs, compte tenu des données fournies par l'OEB;
- sur l'exactitude du libellé du groupe 8/518 compte tenu de la portée prévue pour ce groupe, illustrée par les exemples qui doivent être présentés par l'OEB;
- sur l'opportunité de la création des groupes C 09 K 8/03 et 8/035 proposés (voir l'annexe 41 du dossier de projet) qui devraient être, respectivement, un groupe à deux points et un groupe à trois points;
- sur le point de savoir si les libellés des nouveaux groupes C 09 K 5/584 et 5/588 rendent compte de façon satisfaisante de la portée prévue pour ces groupes;
- sur la position hiérarchique appropriée et le libellé du groupe C 09 K 8/588 proposé (voir l'annexe 41 du dossier de projet);
- sur l'opportunité de la création d'un groupe couvrant “enhanced recovery of oil using bacteria”, matière actuellement couverte par le groupe E 21 B 43/22, et sur la place appropriée de ce groupe.

Le groupe de travail n'a pas examiné le reste de la proposition du rapporteur concernant les groupes C 09 K 8/602 à 8/64 (voir l'annexe 41 du dossier de projet).

L'OEB a été invité à présenter une proposition modifiée concernant les subdivisions du nouveau groupe C 09 K 8/60, sans appliquer dans le schéma la règle de la dernière place, mais en prévoyant des renvois de priorité si nécessaire et en tenant compte des subdivisions approuvées des autres groupes à un point du groupe principal C 09 K 8/00.

Des observations ont été demandées sur la proposition à présenter.

ANNEX	8	C 09 K	[Project-Rapporteur : 362/EP]	<SC05003E>
D	7/00	(transferred to 8/02)		
D	Note(s) after 7/00	<Deleted>		
D	7/02	(transferred to 8/04)		
D	7/04	(transferred to 8/05)		
D	7/06	(transferred to 8/32)		
D	7/08	(transferred to 8/38)		
N	8/04	• • Aqueous well-drilling compositions		
N	8/05	• • • containing inorganic compounds only, e.g. mixtures of clay and salt		
N	8/06	• • • Clay-free compositions (containing inorganic compounds only 8/05)		
N	8/12	• • • • containing synthetic organic macromolecular compounds or their precursors		
N	8/14	• • • Clay-containing compositions (containing inorganic compounds only 8/05)		
N	8/467	• • • containing additives for specific purposes		
N	8/473	• • • • Density reducing additives, e.g. for obtaining foamed cement compositions		
N	8/48	• • • • Density increasing or weighting additives		
N	8/487	• • • • Fluid loss control additives; Additives for reducing or preventing circulation loss		
N	8/493	• • • • Additives for reducing or preventing gas migration		
N	8/50	• Compositions for plastering borehole walls, i.e. compositions for temporary consolidation of borehole walls (compositions for consolidating loose sand or the like around wells 8/56)		
N	8/502	• • Oil-based compositions		
N	8/504	• • Compositions based on water or polar solvents (8/502 takes precedence)		

N	8/506	• • • <i>containing organic compounds</i>	
N	8/508	• • • • <i>macromolecular compounds</i>	
N	8/512	• • • • • <i>of natural origin, e.g. polysaccharides, cellulose (8/514 takes precedence)</i>	
N	8/514	• • • • • <i>containing cross-linking agents</i>	
N	8/516	• • <i>characterised by their form or by the form of their components, e.g. encapsulated material</i>	
N	8/518	• • • <i>Gasified compositions, e.g. foams</i>	
N	8/52	• <i>Compositions for preventing, limiting or eliminating depositions, e.g. for cleaning</i>	R
N	8/524	• • <i>organic depositions, e.g. paraffins or asphaltenes</i>	
N	8/528	• • <i>inorganic depositions, e.g. sulfates or carbonates</i>	
N	8/532	• • • <i>Sulfur</i>	
N	8/536	• • <i>characterised by their form or by the form of their components, e.g. encapsulated material</i>	
N	8/565	• • <i>Oil-based compositions</i>	
N	8/57	• • <i>Compositions based on water or polar solvents (8/565 takes precedence)</i>	
N	8/58	• <i>Compositions for enhanced recovery methods for obtaining hydrocarbons, i.e. displacing fluids for improving the mobility of the oil</i>	R
N	8/584	• • <i>characterised by the use of specific surfactants</i>	
N	8/588	• • <i>characterised by the use of specific polymers</i>	
N	8/592	• • <i>Compositions containing organic compounds used in combination with injected gas</i>	
N	8/60	• <i>Compositions for stimulating production by acting on the underground formation</i>	R

ANNEX	9	C 23 F	[Project-Rapporteur : 362/EP]	<SC05002E>
	11/00	— — — corrosive agent	(compositions for in situ inhibition of corrosion in boreholes or wells C 09 K 8/54; adding inhibitors to mineral — — —	R

**Project: C362+368 Subclass: C09K**

Re.: IPC/WG/5/3, par. 13.

1. Statistical data:

1.1 EP was invited by the WG at its 5th session to prepare some '*data on the potential file size of groups C09K8/44 and 8/46 (see Annex 33 to the project file) for determining which of the groups could be excluded from the classification scheme to avoid exhaustion of the superior group C09K8/42*':

* Before discussing the results of the survey made by EP, it is important to emphasise that the structure in annex 33 was proposed as it stands, to be consistent with C04B (C04B26/00 compositions containing organic binders only, C04B28/00 compositions containing inorganic binders with or without organic co-binders). Furthermore, well cementing compositions containing organic binders only are very different from the traditionally used compositions based on hydraulic cements. Therefore, it was considered preferable to keep the organic binder compositions separated from the others.

* As at present, ECLA is very different from IPC7 or 8, EP had to improvise somewhat to find some relevant statistical data.

For **C09K8/46, 688 documents** were found in EPODOC (IN FILE) with the code M04B111:00T22. In principle this code relates to compositions for well-cementing containing inorganic binders (with or without organic co-binders). Well-cementing compositions containing organic binders only, are not considered to be classifiable in the corresponding C04B subclass.

For **C09K8/44, about 20 documents** were found by a quick manual search in ECLA group E21B33/13B and its subgroups. Concerning compositions based on organic binders only, these ECLA groups might not be complete. The real figure very probably will be relatively small anyhow.

***Conclusion:** Taking into account that at least the order of magnitude for the data given above is correct, it is clear that it is advisable to create group C09K8/46, while according to the number of documents retrieved, creation of group C09K8/44 seems not to be necessary.

1.2 EP was also '*invited to submit the data on the potential file size of the proposed groups C09K8/564 and 8/566 (see Annex 41 to the project file) which could exhaust the scope of the superior group 8/562*':

*As could be expected from the ECLA scheme (E21B43/02B1 and subgroups) documents relating to compositions containing organic compounds (C09K8/566) are far more numerous than those relating to compositions containing inorganic compounds (C09K8/564).

Thus:

for **C09K8/564, 80 documents** were found in EPODOC (IN FILE in E21B43/02B1A) and for **C09K8/566, 171 documents** were found in EPODOC (IN FILE in E21B43/02B1B, 43/02B1C+, 43/02B1D)

* **Conclusion** : According to these data group C09K8/566 should be created.

2. Examples

'The EPO was invited to submit examples of patent documents illustrating the contents of the new group C09K8/518':

The ECLA group corresponding to this new IPC8 group is E21B33/138B3 containing 46 IN FILE documents in EPODOC, which might be exemplified by US4232741, US3530940 and US3878686. Because the hierarchically higher group in ECLA (E21B33/138) is broader than the IPC8 hierarchical higher group C09K8/50, the real potential file size of this group might be lower than the mentioned 46 documents.

3. Reformulated proposal for subdividing group C09K8/60

'The EPO was invited to submit a modified proposal concerning subdivisions of the new C09K 8/60, not using in the scheme the last place rule and introducing, instead, precedence references where necessary, and taking into account the approved subdivisions of other one-dot groups of man group C09K8/00':

* During its 5th session, the WG decided not to introduce the rather complicated last place rules as proposed by rapporteur in annex 41 to the project file, but to introduce instead precedence references to come to the same intended result. EP as R. was thus invited to modify the proposal for the subgroups of C09K8/60 - part of RP that was not dealt with at WG5 - along the same lines. I.e.: not introducing a LPR, moving the "oil-based compositions" group to the top of the scheme and give precedence to this group by a reference in the "organic" group, not creating the "inorganic" group which would be far smaller than the "organic group" and making the "foam" group a subgroup of the "special form" group.

Groups 8/60 and 8/64, which are already adopted, are added to the following scheme only to make the reading of this scheme easier.

* Modified proposal:

[N 8/60 . Compositions for stimulating production by acting on the underground formation
< already adopted at WG5 >]

N 8/601 .. Oil-based compositions

N 8/602 ..Compositions based on water or polar solvents (8/601 takes precedence)

N 8/606 ... containing organic compounds

N 8/608 macromolecular compounds

N 8/612 of natural origin, e.g. polysaccharides, cellulose

N 8/618 . . characterised by their form or by the form of their components, e.g. encapsulated material

N 8/619 ... Gasified compositions, e.g. foams

"C" 8/62 . . *Compositions for forming crevices or fractures, ~~e.g. eroding chemicals such as acids~~*

< change of a group already adopted at WG4, because of possible creation of group 8/632 >

N 8/621 . . . Oil-based compositions

N 8/622 . . . Compositions based on water or polar solvents (8/621 takes precedence)

N 8/626 containing organic compounds

N 8/63 . . Gasified compositions, e.g. foams

N 8/632 . . . **Eroding chemicals**, e.g. acids

N 8/634 in combination with additives added for specific purposes

N 8/636 Fluid loss control additives

N 8/638 Anti-sealing additives

[N 8/64 . . *Compositions for reinforcing fractures, e.g. compositions of proppants used to keep the fractures open*

< already adopted at WG4 >

]

Paul Daeleman

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trademark Office	Class/Subcl.: C09K
	Date : 05.09.2001
DE - Comments — C362	

Re: Comments on IPC/WG/5/3 Project C362

- *Which one of groups 8/44 and 8/46 and which one of groups 8/564 and 8/566 should be excluded*

8/44 and 8/564 should be excluded (see EPO comments from 8 August 2001).

- *the correctness of the wording of group 8/518*

The examples cited by EPO (comments from 8 August 2001) cover foams only. The wording of the group should be restricted to foams therefore. "Gasified compositions" do not fit under compositions characterised by their form very well. Compositions characterised by their components (8/502 to 8/514) can contain gas as well.

- *the desirability of the creation of groups 8/03 and 8/035*

These groups should be created as two-dot and three-dot groups.

- *the correctness of the wording of the new groups C09K 5/584 and 5/588*

The numbering of these groups must read 8/584 and 8/588. It is not necessary to decide if a surfactant or polymer is specific or not. It is important if a composition is characterised by the use of a surfactant or polymer. "Specific" should be deleted in the wording of both groups.

- *the position and wording of the group proposed as C09K 8/588 from Annex 41*

This group should be a two-dot entry and created if the number of documents justifies it.

the desirability of the creation of a group covering the use of bacteria

We are in favour creating a group for compositions characterised by the use of micro-organisms or bacteria as subgroup of 8/58.

Comments on the proposal covering groups c09K 8/602-8/638 submitted by EPO on 8 August 2001

We agree to the proposed scheme in principle. The wording of groups 8/619 and 8/63 should be amended according to our proposal for group 8/518.

H. P. Gerster

The Canadian Intellectual
Property Office



Project Number: C362

Date: 25 Sept. 2001

Class/Subclass: C09K

Page 1 of 1

Comments re: annex 45 - Reformulated proposal by EPO

CA is generally in favour of the reformulated proposal for subdividing group C09K-8/60. However, we would like to question the need for the subgeneric group 8/634. We suggest that perhaps, a group which is coordinate to 8/636 and 8/638 could be established using the major subject matter of the group 8/634.

Gerry Guzzo
Section Head



EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
24 September 2001

Project: C362

Subclass: C09K

Re.: Annex 44 to the project file (Decision of WG)

These are additional comments to EP's early comments of 8-8-01 (annex 45 to the project file):

* Groups 8/03 and 8/035 are considered useful for documents of the type EP0092755, to be able to classify compounds as such used in the context of well-drilling.
The corresponding ECLA groups contains 74 "in file" documents for inorganic compounds (C09K7/00B) and 315 for organic compounds (C09K7/00D). In our opinion, at least 8/03 should thus be created for the core level of IPC8.

* To EP, wordings of groups 5/584 and 5/588 are acceptable.

* In annex 41, group 8/588 should have appeared with the same number of dots as group 8/586 (now adopted as 8/592). This in accordance with the corresponding groups in ECLA (E21B43/22C and 43/22D).
So we support the further adoption of:

N 8/594 . . *Compositions containing organic compounds used in combination with generated heat, e.g. by steam injection.*

* As a general rule in IPC, the term materials does not include micro-organisms. Therefore, the correct place for "enhanced recovery of oil using bacteria" might not be C09K. Subclass C12S seems to be more appropriate, unless good reasons would be found to keep this subject matter in E21B43/22.

Paul Daeleman

STATE OFFICE FOR INVENTIONS
AND TRADEMARKS

2001

Date : September

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RO COMMENTS

PROJECT : C 362+368

Class/Subclass : C09K

Comments were invited on :

-which one of the group 8/44 and 8/46 and which one of the groups 8/564 and 8/566 should be excluded from the classification scheme to avoid exhaustion of the respective superior groups , in the light of the data submitted by EPO

We totally agree with the conclusion of the EPO to create the subgroups C09K8/46 and C09K 8/566

on the ground of the number of documents retrieved

-the correctness of the wording of group 8/518, in the light of its intended scope as illustrated by the examples to be submitted by the EPO

We consider incorrect the wording of the group 8/518 because it seems that the group does not refer to the compositions or compounds characterized by their form involved in the plastering of the boreholes, but to the use of such materials in the methods of plastering of the borehole walls . It should be used here the same wording as for the proposed subgroup 8/618.

- the desirability of the creation of the proposed groups C09K 8/03 and 8/035 which should be ,respectively, a two-dot group and a three dot group

We are in favour to create the proposed groups C09K 8/03 and 8/035, if there are specific additives provided especially for the use in well drilling compositions; the specific place for this

additives is under the well drilling composition

- whether the wordings of the new groups C09K5/584 and 5/588 correctly reflected their intended scope

RO considers as acceptable the wordings of the new groups C09K 5/584 and C09K 5/588 and it is in favour to introduce the group C09 K 5/588 as a two-dot group

-the desirability of the creation of a group covering Enhanced recovery of oil using bacteria A, presently covered by group E21B 43/22 and the appropriate place for the group

Taking into consideration that, the subject matter has its place, as method, in E21B 43/22 we do not see the need for the creation of a new group covering the same subject matter.

-comments on the proposal concerning subdivisions of the new group C09K 8/60 submitted by EPO

RO generally agree with the subdivisions of the group C09K8/60 proposed by EPO, but we consider that between the subgroups 8/601, 8/602, 8/606, 8/619 and the related ones 8/621, 8/622, 8/626 and 8/63 some overlaps could appear.

Mirela Georgescu

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project : C 362 (368)	Date: 03.10.2001
Class/Subclass : C 09 K	

Re: IPC/WG/5/3, par.13

- which one of groups 8/44 and 8/46 and which one of groups 8/564 and 8/566 should be excluded from the classification scheme to avoid exhaustion of the respective superior groups, in the light of the data to be submitted by the EPO.

Our examiners would like to keep group 8/44. We agree that the number of documents relating to group 8/46 is larger than one of group 8/44. Taking into account that some of such documents are (were?) classified in group E 21 B 33/18, we think that the number of documents relating to cementing composition containing organic compounds only is much more. So we prefer to have a separate group for that particular part of the subject matter. As to an exhaustion of 8/42, similar situation exists in different places of the IPC where there is a subdivision according to inorganic and organic parts, e.g. C 09 K 17/00. Besides, we are concerned that without group 8/44 it is necessary to clarify the title of group 8/46 in line with C 04 B 28/00, to cover compositions containing inorganic binders with or without organic co-binders.

We have no objections against the deletion of group 8/564.

- the correctness of the wording of group 8/518, in the light of its intended scope as illustrated by the examples to be submitted by the EPO.

We think the wording of group 8/518 is correct.

- the desirability of the creation of the proposed groups C 09 K 8/03 and 8/035 (see Annex 41 to the project file) which should be, respectively, a two-dot group and a three-dot group.

In our viewpoint, the creation of groups 8/03 and 8/035 is desirable, because there are documents (maybe not so much), relating to additives as such without specifying the well-drilling compositions.

- whether the wordings of the new groups C 09 K 5/584 and 5/588 correctly reflected their intended scope.

We agree with the wordings of these groups. But in our opinion, there is no need to limit compounds used for 8/592 (adopted) and 8/588 by organic compounds only (see US 5020595). We think that "organic" should be deleted from the wording of these groups.

- the appropriate hierarchical position and the wording of the group proposed as C 09 K 8/588 (see Annex 41 to the project file).

We do not consider steam as gas in this case and, on the another hand, steam or other vapours could be used without injected gas (US 5143156). So we believe that group 8/588 should be two-dot group.

- the desirability of the creation of a group covering "enhanced recovery of oil using bacteria", presently covered by group E 21 B 43/22, and the appropriate place for the group.

We think that it is desirable to create a group covering use of bacteria for enhanced recovery of oil under group 8/58, e.g. at the end of subdivision of 8/58, if the number of documents is sufficient. In any case it is necessary to include this subject matter in the title of 8/58. We are not in favour of classifying this subject matter in another place. C 12 S is not a suitable place, because it is not listed first when printed on the patent documents. In our opinion, it would be better to include "microorganisms" under wording of "material" in the note after subclass C 09 K.

- the EPO modified proposal.

We support the EPO proposed subdivision of group C 09 K 8/60.

E.Brill.



OFFICE EUROPEEN DES BREVETS
Direction Principale Documentation

Traduction
24 Octobre 2001

Projet: C362

Sous-Classe: C09K

Réf.: - Annex 44 to the project file (technical annex 8 of IPC/WG/5/3)
- Annex 42 to the project file

Proposition pour la version Française, incorporant les modifications proposées par l'Office CH.

I. Sous- classe C04B

(Réf.: Annex 33 to the project file (WG decision))

< rien à traduire >

II. Sous- classe C09K

D 7/00 (transféré en 8/02)

D Note(s) après
7/00 <Supprimée>

D 7/02 (transféré en 8/04)

D 7/04 (transféré en 8/05)

D 7/06 (transféré en 8/32)

D 7/08 (transféré en 8/38)

N 8/00 Compositions pour le forage des puits; Compositions pour le traitement
des puits ou des trous de forage, p.ex. pour des opérations de
complétion ou de réparation

N 8/02 . Compositions pour le forage des puits

N Note(s) après
8/02 Dans ce groupe, sauf indication contraire, le classement s'effectue à la
dernière place appropriée.

N 8/04 . . Compositions aqueuses pour le forage des puits

N 8/05 . . . contenant uniquement des composés inorganiques, p. ex. des
mélanges argile-sel

N 8/06 . . . Compositions ne contenant pas d'argile (contenant uniquement des
composés inorganiques 8/05)

- N 8/08 contenant des composés organiques naturels, p.ex. polysaccharides, ou leurs dérivés
- N 8/10 Cellulose ou ses dérivés
- N 8/12 contenant des composés organiques synthétiques macromoléculaires ou leurs précurseurs
- N 8/14 . . . Compositions contenant de l'argile (contenant uniquement des composés inorganiques 8/05)
- N 8/16 caractérisées par les composés inorganiques autre que l'argile
- N 8/18 caractérisées par les composés organiques
- N 8/20 Composés organiques naturels ou leurs dérivés, p.ex. polysaccharides, ou dérivés de la lignine
- N 8/22 Composés organiques synthétiques
- N 8/24 Polymères
- N 8/26 . . . Emulsions huile-dans-l'eau
- N 8/28 contenant des additifs organiques
- N 8/32 . . Compositions non-aqueuses, p.ex. à base d' huile
- N 8/34 . . . Liquides organiques
- N 8/36 . . . Emulsions eau-dans-l'huile
- N 8/38 . . Compositions gazeuses ou en mousse
- N 8/40 . Compositions d'espacement dites "spacers", p.ex. compositions utilisées pour séparer les masses de forage et de cimentation
- N 8/42 . Compositions de cimentation, p.ex. pour la cimentation des tubes dans les trous de forages; Compositions de bouchage, p.ex. pour tuer des puits (compositions pour le plâtrage 8/50)
- N 8/44 . . contenant uniquement des liants organiques
- N 8/46 . . contenant des liants inorganiques, p. ex. ciment Portland
- N 8/467 . . . contenant des additifs pour des utilisations spécifiques
- N 8/473 Additifs pour la diminution de la densité, p.ex. pour obtenir des compositions cimentieuses en mousse
- N 8/48 Additifs pour l' augmentation de la densité; Additifs pour l' augmentation du poids

- N 8/487 . . . Additifs régulant les pertes de fluide; Additifs pour réduire ou empêcher la perte de circulation
- N 8/493 . . . Additifs pour réduire ou empêcher la migration des gaz
- N 8/50 . Compositions pour le plâtrage des parois de trous de forages, c.à d. compositions pour la consolidation temporaire des parois des trous de forage (compositions pour consolider le sable meuble ou similaire autour des puits 8/56)
- N 8/502 . . Compositions à base d'huile
- N 8/504 priorité) . . Compositions à base d'eau ou de solvants polaires (8/502 a
- N 8/506 . . . contenant des composés organiques
- N 8/508 composés macromoléculaires
- N 8/512 d'origine naturelle, p.ex. polysaccharides, cellulose (8/514 a priorité)
- N 8/514 contenant des agents de réticulation
- N 8/516 . . caractérisées par leur forme ou par la forme de leurs composants, p.ex. matériaux encapsulés
- N 8/518 . . . Compositions gazéifiées, p.ex mousses
- N 8/52 . Compositions pour éviter, limiter ou éliminer les dépôts, p.ex. pour le nettoyage
- N 8/524 . . Dépôts organiques, p.ex. paraffines ou asphaltènes
- N 8/528 . . Dépôts inorganiques, p.ex. sulfates ou carbonates
- N 8/532 . . . Souffre
- N 8/536 . . caractérisées par leur forme ou par la forme de leurs composants, p.ex. matériaux encapsulés
- N 8/54 . Compositions pour inhiber sur place la corrosion dans les puits ou les trous de forages
- N Note(s) après 8/54
- Note d'information
Les renvois ci-après indiquent les endroits de la CIB qui peuvent également présenter un intérêt pour une recherche portant sur la matière couverte par le groupe qui précède:
Inhibition de la corrosion de matériaux métalliques en utilisant des inhibiteurs en général C23F11/00
- N 8/56 . Compositions pour consolider le sable meuble ou similaire autour des puits sans diminuer excessivement sa permabilité (compositions pour le plâtrage des parois de trous de forages 8/50)
- N 8/565 . . Compositions à base d'huile

- N 8/57 priorité) . . Compositions à base d'eau ou de solvants polaires (8/565 a
- N 8/58 . Compositions pour les méthodes de récupération assistée pour l'extraction d'hydrocarbures, c.à d. fluides de déplacement pour améliorer la mobilité de l'huile
- N 8/584 . . caractérisées par l'utilisation de tensio-actifs spécifiques
- N 8/588 . . caractérisées par l'utilisation de polymères spécifiques
- N 8/592 . . Compositions contenant des composés organiques utilisées en combinaison avec du gaz injecté
- N 8/60 . Compositions pour activer la production en agissant sur la formation souterraine
- N 8/62 . . Compositions pour la formation de crevasses ou de fractures, p.ex. produits chimiques érosifs, telles que les acides
- N 8/64 . . Compositions pour renforcer les fractures, p.ex. compositions pour agents de soutènement utilisés pour maintenir ouvertes les fractures.
- 17/00 - - - - ou stabiliser les sols (spécialement adapté pour les puits et les trous de forage 8/00; engrais C05; - - - -

III. Sous- classe C23F

- 11/00 - - - - l'agent corrosif (compositions pour inhiber la corrosion sur place dans les puits ou les trous de forages C09K8/54;addition d'inhibiteurs - - -

IV. Sous- classe E21B

Note(s) après
le titre

- N <== traitement ultérieur;
- - - - B, p. ex. B23B;
- les compositions pour le forage des puits ou pour le traitement de puits ou de trous de forage, qui sont couvertes par le groupe C09K8/00, p. ex. compositions pour les méthodes de récupération assistée pour l'extraction d'hydrocarbures 8/58.
- C 33/13 . . - - - - déchargement 27/02; compositions chimiques à cet effet C09K8/00)
- C 37/06 . - - - - substances analogues (compositions chimiques à cet effet C09K8/52)
- C 41/02 . - - - - déchargement 27/02; compositions chimiques à cet effet C09K8/54; moyen - - - -

- C 43/02 . - - - - - a priorité; compositions chimiques pour consolider le sable meuble ou similaire autour des puits C09K8/56)
- C 43/22 . . - - - - - a priorité; compositions chimiques à cet effet C09K8/58; extraction de - - - - -
- C 43/25 . - - - - - de vibration 28/00; compositions chimiques à cet effet C09K8/60)

P. Daeleman



Project: C362

Subclass: C09K

Ref.: Annexes 44 (Decision of WG5) and 45 (early EP comments and proposal) to the project file

1. Introduction

* At its 4th and 5th session, the WG adopted new maingroup C09K8/00 and a number of its subgroups, for compositions relating to the drilling, completion and operation of wells. Compositions which up to IPC7, with the exception of drilling fluids, were classified in subclass E21B. Only a part of the proposed scheme was not adopted yet, as R (EP) was requested to harmonise this part first with the comparable parts already adopted.

* Resulting from the discussions at WG5 (annex 44):

- there was the request to the EPO to submit some statistical data, examples and a modified proposal for the subdivision of new group C09K8/60.
- there was the invitation to comment on these data and proposal submitted by EP as well as on a number of questions relating to adopted or proposed groups.

2. Comments were received from the DE, RO, EP, CA and RU Offices, besides the EP early comments and proposal (annex 45).

3. Discussion of the received comments

3.1a Which one of groups 8/44 and 8/46 (annex 33 to the project file) should be excluded to avoid exhaustion of the superior group, in the light of the data submitted by the EPO?

From these data submitted by EP, it is clear that the potential file size for 8/64 is far more important than for 8/44. Therefore, this Office suggested to create 8/46 only.

The DE and RO Offices agree.

RU think the number of documents relating to cementing compositions containing organic binders only (8/44) will be much higher than expected by EP and is of the opinion that this specific type of subject matter deserves its own entry in IPC.

Rapporteurs opinion:

R feels a lot of sympathy with RU's comments. If 8/44 will not be created for the core level, it will probably be created for the advanced level. In the absence of exact figures on numbers, it might be better to give group 8/44 the "benefit of the doubt", as indeed, compositions for 8/44 are very different from the "normal" cementing compositions based on inorganic binders. For search purposes it is very helpful to have them in a separate group. Concerning the possible exhaustion of the higher group, R thinks RU's remark about C09K17/00 is relevant.

In conclusion, as there are no objections for 8/46, this newly created group should be maintained. Furthermore, R suggests the WG to consider to maintain newly created group 8/44 as well.

3.1b Which one of groups 8/564 and 8/566 (annex 41 to the project file) should be excluded to avoid exhaustion of the superior group, in the light of the data submitted by the EPO?

All commenting Offices agree with EP to **create 8/566 only (8/575 in the joined R proposal)**.

3.2 Correctness of the wording of group 8/518 (annex 44) in the light of its intended scope and the examples submitted by EP?

According to the early EP comments, the potential file size of this group might not be impressive.
RU agree with the adopted wording.
DE suggest to limit the wording to "foams".
RO suggest to use the same wording as for 8/618 (?).
Rapporteurs opinion: To R there seem not to be major objections to change the wording according to the DE suggestion.

3.3 Desirability of the creation of proposed group 8/03 (two dots) and 8/035 (three dots) (see annex 41)?

All commenting Offices agree to **create these groups**.

3.4 Whether the wording of new groups "5/584" and "5/588" (annex 44) correctly reflects the intended scope?

DE correctly point out, this question relate to groups 8/584 and 8/588 and suggest to delete the word "specific".
RO, RU and EP find the wording acceptable.
Rapporteurs opinion: the WG should decide **whether the word "specific" could remain or not** in both groups.

3.5 The appropriate hierarchical position and wording of the group proposed as 8/588 in annex 41?

Commenting Offices agree this should be a two dot group.
RO and EP are in favour of its creation as well as DE if there are enough documents.
RU suggest to delete the word "organic" from this group and from adopted group 8/592.
Rapporteurs opinion: This two dot **group should be created** (group 8/594 in R's proposal).
The WG should discuss RU's **proposal to drop "containing organic compounds"** from this group and group 8/592.

3.6 Desirability of the creation of a group covering "enhanced recovery of oil using bacteria", presently covered by group E21B43/22, and the appropriate place for the group?

DE and RU want to create a subgroup for this subject matter under C09K8/58.

RO notice that an appropriate entry already exist as E21B43/22

EP believe that in IPC, as a general rule, the term "materials" does not include micro-organism and therefore have the impression that C12S seems to be more appropriate unless good reasons are found to keep the documents in E21B43/32.

Rapporteurs opinion: There is not much enthusiasm to classify this subject matter in C12S. Leaving this possibility out, the score is 2-2: two Offices point to C09K, two Offices to E21B.

Taking into account that the goal of this project is to move all "chemical" documents from E21B to C09K and that micro-organisms in general are classified in Section C, it might be more logic to do the same with the bacteria-documents. So R joins the C09K team, making the score 3-2.

In conclusion, R propose to **create a bacteria-group under C09K8/58** as well as references in the appropriate places (see R proposal).

R wonders whether the term "bacteria" or " micro-organisms" should be used and whether a note or an explanation in the "definition layer" should be added to inform the user of the IPC about this somewhat particular entry in C09K.

3.7 Comments on the proposal submitted by EP (annex 45)?

All commenting Offices agree with the proposal, be it with a number of remarks:

DE, in relation to proposed groups 8/619 and 8/63, refer to their comments on the "foam" group 8/518.

RO fear some overlap problems between groups 8/601, etc. on the one hand and groups 8/621, etc. on the other hand.

CA questions the need for group 8/634.

Rapporteurs opinion: in the joined R proposal, R tried to take these comments into account as much as possible. Those comments not dealt with in the proposal can be discussed during the meeting of WG6, in particular the CA comments which were not completely clear to R. As far as the fear for overlap is concerned, it should be clear that only the second series of entries relates to a physical attack of the formation. According to the EPODOC in-file figures, in general all the groups involved will be rather well populated.

Paul Daeleman



EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Proposal
29 October 2001

Project: C362 Subclass: C09K

<Remark: groups between square brackets were already adopted during earlier sessions of the WG.>

I. Subclass C09K

- N 8/03 . . Specific additives for general use in well drilling compositions
- N 8/035 . . . Organic additives
- N 8/518 . . . Foams R
- <Possible informative note
after 8/56:
- N References listed ----- preceding group:
Soil-conditioning materials or soil-stabilising materials C09K17/00 >
- N 8/575 . . . containing organic compounds
- N 8/58 . . Compositions for enhanced recovery methods for obtaining
hydrocarbons, i.e. displacing fluids for improving the mobility of the oil;
Using bacterial activity for enhanced recovery R
- N 8/582 . . characterised by the use of bacteria
- [N 8/592 . . Compositions *containing organic compounds* used in combination
with injected gas
 < already adopted at WG5 >]
- N 8/594 . . Compositions *containing organic compounds* used in combination
with generated heat, e.g. by steam injection
- [N 8/60 . . Compositions for stimulating production by acting on the
underground formation
 < already adopted at WG5 >]
- N 8/601 . . Oil-based compositions
- N 8/602 . . Compositions based on water or polar solvents (8/601 takes
precedence)
- N 8/606 . . . containing organic compounds
- N 8/608 macromolecular compounds
- N 8/612 of natural origin, e.g. polysaccharides, cellulose

- N 8/618 . . characterised by their form or by the form of their components,
e.g. encapsulated material
- N 8/619 . . . Foams
- N 8/62 . . Compositions for forming crevices or fractures, ~~e.g. eroding~~
~~chemicals such as acids~~ R
< change of a group already adopted at WG4, because of possible creation of
group 8/632>
- N 8/621 . . . Oil-based compositions
- N 8/622 . . . Compositions based on water or polar solvents (8/621 takes
precedence)
- N 8/626 containing organic compounds
- N 8/63 . . Foams
- N 8/632 . . . Eroding chemicals, e.g. acids
- N 8/634 in combination with additives added for specific purposes
- N 8/636 Fluid loss control additives
- N 8/638 Anti-sealing additives
- [N 8/64 . . Compositions for reinforcing fractures, e.g. compositions of
proppants used to keep the fractures open
< already adopted at WG4 >]

II. Subclass C12S

- C Subclass title - - - of sludge 11/02; using bacterial activity for enhanced recovery in oil
wells and the like C09K8/58; processes using enzymes - - -

III Subclass E21B

- C 43/22 . . . - - activity (43/247 and C09K8/58 take precedence; chemical
features - - - R

Paul Daeleman



IPC/C 363/96
ORIGINAL: English/French
DATE: November 20, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE
GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: PROPOSITION DE :	GB	REVISION OF IPC AREA: RÉVISION DU DOMAINE DE LA CIB :	C 10 L
KIND OF REVISION: TYPE DE RÉVISION :	Creation of subgroups Création de sous-groupes		

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal	/ Demande de révision avec proposition détaillée	GB	25.01.96
2	Comments with counter-proposal (re Annex 1)	/ Observations avec contre-proposition (réf. annexe 1)	DE	08.08.96
3	Comments (re Annex 1)	/ Observations (réf. annexe 1)	EP	21.10.96
4	Comments (re Annex 1)	/ Observations (réf. annexe 1)	RO	07.10.96
5	Comments (re Annex 1)	/ Observations (réf. annexe 1)	SI	24.10.96
6	Comments (re Annex 1)	/ Observations (réf. annexe 1)	CA	18.10.96
7	Comments (re Annex 1)	/ Observations (réf. annexe 1)	US	28.10.96
8	Comments	/ Observations	JP	30.05.97
9	Rapporteur report	/ Rapport du rapporteur	GB	02.99
10	Decision of the Working Group	/ Décision du groupe de travail	WG	07.99
11	Comments	/ Observations	RU	10.99
12	Comments	/ Observations	EP	10.99
13	Proposal	/ Proposition	EP	10.99
14	Comments	/ Observations	CA	10.99

RAPPORTEUR : GB **TECHNICAL FIELD/DOMAINE TECHNIQUE :** C

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
15	Comments	/ Observations	RO	10.99
16	Comments	/ Observations	GB	11.99
17	Rapporteur report	/ Rapport du rapporteur	GB	11.99
18	Comments	/ Observations	JP	12.99
19	Decision of the Working Group	/ Décision du groupe de travail	WG	12.99
20	Proposal	/ Proposition	EP	03.00
21	Comments	/ Observations	DE	03.00
22	Comments	/ Observations	GB	03.00
23	Comments	/ Observations	RU	03.00
24	Comments	/ Observations	JP	03.00
25	Comments	/ Observations	CA	03.00
26	Comments	/ Observations	SE	03.00
27	Comments	/ Observations	RO	03.00
28	Comments	/ Observations	FR	04.00
29	Comments	/ Observations	EP	04.00
30	French version of approved amendments	/ Version française des modifications approuvées	FR	04.00
31	Rapporteur report	/ Rapport du rapporteur	GB	04.00
32	Comments	/ Observations	EP	05.00
33	Comments	/ Observations	RO	05.00
34	Decision of the Working Group	/ Décision du groupe de travail	WG	06.00
35	Comments	/ Observations	EP	09.00
36	Comments	/ Observations	GB	09.00
37	Comments	/ Observations	JP	09.00
38	Comments	/ Observations	RU	09.00
39	Comments	/ Observations	RO	09.00
40	Comments	/ Observations	FR	10/00
41	Rapporteur report	/ Rapport du rapporteur	GB	10/00
42	French version of approved amendments	/ Version française des modifications approuvées	FR	10/00

ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
43	Comments / Observations	CA	11/00
44	Decision of the Working Group / Décision du groupe de travail	WG	01/01
45	Proposal / Proposition	EP	04.01
46	Comments / Observations	EP	04.01
47	Comments / Observations	RU	04.01
48	Comments / Observations	FR	04.01
49	Rapporteur report / Rapport du rapporteur	GB	06.01
50	Decision of the Working Group / Décision du groupe de travail	WG	08.01
51	Comments / Observations	CA	10.01
52	Comments / Observations	EP	10.01
53	French version of approved amendments / Version française des modifications approuvées	FR	10.01
54	Rapporteur report / Rapport du rapporteur	GB	11.01

EXCERPT FROM DOCUMENT IPC/WG/5/3
EXTRAIT DU DOCUMENT IPC/WG/5/3

Project C 363 (chemical) – The Working Group considered the proposal relating to “additives for special types of fuels,” as represented by groups C 10 L 1/50 to 1/62 in Annex 49 to the project file, and agreed that the proposal was not appropriate for the implementation as a classification scheme but a respective indexing scheme could be created if proved to be useful. In this regard, the Working Group requested the Trilateral Offices to investigate the usefulness of the proposal as an indexing scheme, to carry out its testing and to report to the Working Group of their findings.

The Working Group approved a number of amendments to main group C 10 L 10/00 (see Annex 10 to this report).

Comments were invited on:

- the intended scope of main group 10/00, how its title should correctly reflect the scope and whether any references to other places of the IPC were needed, in view of the possible overlap of main group 10/00 with those places;
- whether a new title of main group 10/00 would necessitate any changes to the existing groups 10/02 to 10/06 and to the new subordinated groups;
- the relationship of main group 10/00 with other main groups of subclass C 10 L in respect of subject matter relating to “additives,” in particular, in view of the existing group C 10 L 9/10, and how that relationship could be clarified;
- whether the creation of the group proposed as C 10 L 10/22 (see Annex 49 to the project file) was desirable and, if that were the case, what wording it should have in order to avoid overlap with other subgroups of group 10/00;
- the desirability of creating subgroups of the new group C 10 L 10/32, in the light of the proposed subgroups C 10 L 10/34 to 10/38 (see the said annex 49), and what wordings they should have.

Projet C 363 (chimie) – Le groupe de travail a examiné la proposition relative aux “additifs pour certains types de combustibles”, correspondant aux groupes C 10 L 1/50 à 1/62 dans l’annexe 49 du dossier de projet, et a convenu qu’elle ne peut être appliquée en tant que schéma de classement mais qu’un schéma d’indexation pourra être créé si cela s’avère utile. À cet égard, le groupe de travail a demandé aux offices de la coopération trilatérale d’étudier la question de savoir s’il serait utile de créer un schéma d’indexation sur la base de cette proposition et, dans l’affirmative, d’effectuer des essais et de faire rapport au groupe de travail.

Le groupe de travail a approuvé un certain nombre de modifications à apporter au groupe principal C 10 L 10/00 (voir l’annexe 10 du présent rapport).

Des observations ont été demandées

- sur la portée envisagée du groupe principal 10/00, sur la façon de libeller son titre afin que celui-ci traduise correctement la portée en question et sur le point de savoir si des renvois à d'autres endroits de la CIB sont nécessaires, compte tenu du risque de chevauchement entre le groupe principal 10/00 et ces endroits;
- sur la question de savoir si un nouveau libellé du titre du groupe principal 10/00 entraînera des modifications pour les groupes existants 10/02 à 10/06 et pour les nouveaux groupes subordonnés;
- sur le lien entre le groupe principal 10/00 et d'autres groupes principaux de la sous-classe C 10 L en ce qui concerne la matière couverte par les "additifs", compte tenu en particulier de l'existence du groupe C 10 L 9/10, et sur la façon de préciser ce lien;
- sur l'opportunité de créer, ainsi qu'il est proposé, le groupe C 10 L 10/22 (voir l'annexe 49 du dossier de projet) et, dans l'affirmative, sur la façon dont il doit être libellé pour éviter tout chevauchement avec d'autres sous-groupes du groupe 10/00;
- sur l'opportunité de créer des sous-groupes du nouveau groupe C 10 L 10/32, compte tenu des sous-groupes C 10 L 10/34 à 10/38 qu'il est proposé de créer (voir l'annexe 49 en question) et sur le libellé que ces sous-groupes devraient avoir.

ANNEX	10	C 10 L	[Project-Rapporteur : 363/GB]	<SC05004E>
N	1/183	• • • • •	<i>at least one hydroxy group bound to an aromatic carbon atom</i>	R
N	1/189	• • • • •	<i>having at least one carboxyl group bound to an aromatic carbon atom</i>	R
N	1/223	• • • • •	<i>having at least one amino group bound to an aromatic carbon atom</i>	R
C	10/00	<i>Use of additives to fuels or fires for particular purposes</i>		
N	10/08	•	<i>for improving lubricity; for reducing wear</i>	
N	10/10	•	<i>for improving the octane number</i>	
N	10/12	•	<i>for improving the cetane number</i>	
N	10/14	•	<i>for improving low temperature properties</i>	

The Canadian Intellectual
Property Office



L'Office de la propriété
intellectuelle du Canada

Project Number: C363

Date: 25 Sept. 2001

Class/Subclass: C10L

Page 1 of 1

In response to the questions posed by IPC/WG/5/3:

re: intended scope of main group 10/00

- CA is in favor of the proposed title in Annex 50.

re: whether new title of 10/00 necessitates changes to 10/02 etc.

- CA foresees no problems in indenting subgroups 10/02 to 10/06 under the proposed 10/00.

re: relationship of 10/00 to the rest of C10L

- Concerning fuels and their additives, CA regards this area mainly to be a secondary classification for the rest of C10L. CA suggests that a precedence note to this effect be inserted in the title of 10/00.

re: creation of C10L-10/22 for detergent additives

- CA is not in favor of creating this group since it overlaps with many of the subgroups indented under 10/00.

re: creation of the subgroups indented under C10L-10/32

- CA is not in favor of creating these groups since it is difficult to define each property separately; indeed, all of these concepts are aspects of low temperature property improvers.

Gerry Guzzo
Section Head



Project: C363 Subclass: C10L

Re.: annex 50 to the project file (Decision of the WG)

I. Comments relating to the questions raised during WG5.

1. The intended scope of main group C10L10/00 and its relationship with other places in the IPC?

No comments for the time being.

2. Need for rewording of existing groups C10L10/02 to 10/06?

The wording of the existing groups seems to fit under the new title of main group 10/00. While groups 10/02 to 10/06 could relate to both fuels and fires, it seems that the newly created subgroups 10/08 to 10/14 relate to fuels only. It could be considered therefor, to amend the wording of the groups accordingly. To someone with a minimum of knowledge it would be obvious however that to increase the octane number an additive will be added to a fuel. So, to EP the wordings as adopted seem acceptable.

3. Relationship between C10L10/00 and other places in subclass C10L, e.g. C10L9/10?

Clarification could be found by adding to the title of C10L10/00 the following limiting references:

C 10/00 - - - - *particular purposes (additives for liquid carbonaceous fuels characterised by their chemical nature C10L1/10; using binders for briquetting solid fuels C10L5/10; using additives to improve the combustion of solid fuels C10L9/10)*

4. Desirability and wording of proposed group C10L10/22?

To avoid overlap with the other subgroups of C10L10/00 the title of 10/22 could read:

N 10/22 . *Detergents or dispersants added for a purpose not mentioned in groups 10/02 to 10/14*

If more subgroups would be created, group 10/22 should move to the end of the scheme and its wording adapted accordingly.

5. Subgroups for C10L10/14?

To EP, the wording of proposed groups 10/34 to 10/38 seems acceptable.

If the WG would consider three subgroups to be too many, probably at least 10/36 should be kept, as from a quick EPODOC and WPI search in documents classified in C10L, it seems that this characteristic is most frequently mentioned.

Projet IPC / C 363
Sous-classe C 10 L

VERSION FRANÇAISE

Ce document a été établi sur la base de notre proposition, après consultation des autres offices et du Bureau international.

(ref : annexe 10 du document IPC/WG/5/3)

C 10 L

ANNEX	10	C 10 L	[Project-Rapporteur : 363/GB]	<SC05004E>
N	1/183	• • • • •	<i>au moins un groupe hydroxyle étant lié à un atome de carbone aromatique</i>	R
N	1/189	• • • • •	<i>comportant au moins un groupe carboxyle lié à un atome de carbone aromatique</i>	R
N	1/223	• • • • •	<i>comportant au moins un groupe amino lié à un atome de carbone aromatique</i>	R
C	10/00	Utilisation d'additifs à des fins particulières dans les combustibles ou les feux		
N	10/08	•	<i>pour améliorer le pouvoir lubrifiant; pour réduire l'usure</i>	
N	10/10	•	<i>pour améliorer l'indice d'octane</i>	
N	10/12	•	<i>pour améliorer l'indice de cétane</i>	
N	10/14	•	<i>pour améliorer les propriétés à basse température</i>	

UK Patent Office**Date: 26 October 2001**

Rapporteur Report on Project C363/96, Subclass C10L

Progress

Comments were received from **CA, EP, RO**.

Versions of adopted work for class C10L in French were presented by **FR**.

A classification definition has been elaborated for sub-class C10L - see definition project D026/01.

Report

The Working Group invited comments on:

B *the intended scope of main group 10/00, how its title should correctly reflect the scope and whether any references to other places of the IPC were needed, in view of the possible overlap of main group 10/00 with those places;*

CA support the title adopted at the latest Working Group and detailed in Annex 50.

EP suggest adding limiting references for clarification to this title and presumably also support the wording of the title itself. RO also suggest the need for references and these would appear to be in the same vein as those outlined by EP. RO express support for the title as proposed in the Rapporteur Report (Annex 49) but refer to this as Annex 50. Thus R seeks clarification as to which of the titles RO truly prefer. If RO also support the title as given in the Working Group report in Annex 50, R would propose that the references suggested by EP be adopted.

B *whether a new title of main group 10/00 would necessitate any changes to the existing groups 10/02 to 10/06 and to the new subordinated groups;*

CA, EP RO all see no need to make changes to existing groups 10/02 to 10/06. R agrees that there is no disagreement between these groups and the amended title for group 10/00, but notes that to be entirely consistent with the newly adopted groups 10/08 to 10/14, groups 10/02 to 10/06 should be amended to read :

- C 10/02 . for reducing smoke development
- C 10/04 . for minimising corrosion or incrustation
- C 10/06 . for facilitating soot removal

R proposes that the next Working Group decide if these admittedly small changes are necessary.

B *the relationship of main group 10/00 with other main groups of subclass C 10 L in respect of subject matter relating to*

Additives, @ in particular, in view of the existing group C 10 L 9/10, and how that relationship could be clarified;

CA see 10/00 as mainly secondary to the remainder of C10L and suggests the insertion of a precedence note to this effect. The addition of references to the title of group 10/00 as discussed above is favoured by EP as a solution and this finds support from RO.

B *whether the creation of the group proposed as C 10 L 10/22 (see Annex 49 to the project file) was desirable and, if that were the case, what wording it should have in order to avoid overlap with other subgroups of group 10/00;*

CA is not in favour of creating this group, pointing out that it would have overlap with several other subgroups in C10L 10/00. EP highlight this overlap and suggest a wording to group 10/22 to avoid this. In the absence of a clear majority from commenting offices, R proposes that the next Working Group discuss the merits of the group given below, which is a slightly re-worded form of the EP proposal. R notes that if there are few detergent uses that do not fall within the scope of sub-groups 10/02 to 10/14, these may reasonably be expected to populate the main group 10/00.

N 10/22 . use of detergents or dispersants for purposes not provided for in groups 10/02 to 10/14.

B *the desirability of creating subgroups of the new group C 10 L 10/32, in the light of the proposed subgroups C 10 L 10/34 to 10/38 (see the said annex 49), and what wordings they should have.*

CA does not favour the creation of these subgroups as they believe the three properties are too closely related to divide. EP find the proposed subgroups acceptable, and suggest that documents relating to pour-point depressants are the most commonly found. RO support the adoption of these sub-groups. In the absence of a clear majority view, R proposes that the next Working Group discuss this matter further and suggests that statistical data for potential populations of these sub-groups would be valuable.

Graham Lynch
UKPO



IPC/C 412/98
ORIGINAL: English/French
DATE: November 20, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE
GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: PROPOSITION DE :	ES	REVISION OF IPC AREA: RÉVISION DU DOMAINE DE LA CIB :	A 61 K
KIND OF REVISION: TYPE DE RÉVISION :	Creation of subgroups Création de sous-groupes		

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal	/ Demande de révision avec proposition détaillée	ES	12.98
2	Revision request with detailed proposal	/ Demande de révision avec proposition détaillée	ES	12.98
3	Comments	/ Observations	EP	05.99
4	Comments	/ Observations	SE	05.99
5	Comments	/ Observations	CA	05.99
6	Comments	/ Observations	RO	05.99
7	Comments	/ Observations	US	05.99
8	Rapporteur report	/ Rapport du rapporteur	ES	07.99
9	Comments	/ Observations	DE	07.99
10	Comments	/ Observations	ES	09.99
11	Comments	/ Observations	CA	10.99
12	Comments	/ Observations	RO	10.99
13	Proposal	/ Proposition	EP	11.99
14	Comments	/ Observations	SE	11.99

RAPPORTEUR : EP **TECHNICAL FIELD/DOMAIN TECHNIQUE :** C

ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
15	Rapporteur report / Rapport du rapporteur	ES	12.99
16	Comments / Observations	JP	12.99
17	Decision of the Working Group / Décision du groupe de travail	WG	12.99
18	Proposal / Proposition	EP	03/00
19	Comments / Observations	DE	03/00
20	Comments / Observations	SE	05.00
21	Comments / Observations	RO	05.00
22	Rapporteur report / Rapport du rapporteur	ES	05.00
23	Decision of the Working Group / Décision du groupe de travail	WG	09.00
24	Comments / Observations	EP	09.00
25	Comments / Observations	ES	09.00
26	Comments / Observations	RO	09.00
27	Comments / Observations	CA	09.00
28	Comments / Observations	DE	09.00
29	Comments / Observations	GB	09.00
30	Comments / Observations	SE	09.00
31	Comments / Observations	JP	11.00
32	Rapporteur report / Rapport du rapporteur	ES	11.00
33	Decision of the Working Group / Décision du groupe de travail	WG	01.01
34	Proposal / Proposition	EP	02.01
35	Comments / Observations	JP	06.01
36	Comments / Observations	EP	06.01
37	Comments / Observations	CA	06.01
38	Comments / Observations	SE	06.01
39	Comments / Observations	FR	06.01
40	Comments / Observations	RO	06.01
41	Comments / Observations	ES	06.01
42	Comments / Observations	DE	06.01
43	Rapporteur report / Rapport du rapporteur	EP	06.01

ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
44	Rapporteur proposal / Proposition du rapporteur	EP	06.01
45	Comments / Observations	ES	06.01
46	Comments / Observations	EP	08.01
47	Decision of the Working Group / Décision du groupe de travail	WG	10.01
48	Comments / Observations	DE	10.01
49	Comments / Observations	JP	10.01
50	Comments / Observations	SE	10.01
51	Comments / Observations	RO	10.01
52	French version of approved amendments / Version française des modifications approuvées	EP	10.01
53	Rapporteur report / Rapport du rapporteur	EP	10.01



Project: C412 Subclass: A61K

Re: IPC/WG/5/3

Preliminary remark:

Following a good deal of discussion about the classification of detergents, the title of new subgroup A 61 K 8/00 was adopted in Annex 33 page 3,
We would like to make sure that the final intention is NOT to have a reference to C 11 D in the title of A 61 K, in spite of the fact that soaps (including shaving soaps) and detergents are classified in C 11 D.

Comments were invited on:

1. The relationship of A 61 Q with other relevant places in the IPC.

As we proposed in the new definition of subclass A 61 Q (project D 023/01), we think there should be a reference from group A 61 P 17/00 to A 61 Q and vice versa.

The relationship with C 11 D should be further clarified (see our remark).

References to groups C 11 B 9/00, A 61 L 9/00 and A 62 D 3/00 already exist.

We think that a Note similar to the one for A 61 P i.e. "Cosmetic activity of compounds is further classified in subclass A 61 Q" should be added to the following subclasses:
C01C, C01D, C01F, C01G, C07C, C07D, C07F, C07G, C07H, C07J, C07K, C08B, C08C, C08F, C08G, C08H, C08K, C08L, C11D.

Note (1) after the title of A 61 Q should be changed accordingly.

Additionally, the reference to A 61 K 7/075 in the title of C 11 D should be changed.

2. Whether subject-matter covered by group A 61 Q 7/00 should be classified in subclass A 61 P or Q.

We think that there is sometimes a fine line between cosmetic and therapeutic application concerning in particular subject-matter covered in A 61 P 17/02 to 17/16.
This is especially the case with A 61 Q 17/00 and A 61 P 17/02, and also with A 61 Q 7/00 and A 61 P 17/14.
We also noticed that classification A 61 P 17/16 has been given to 700 documents, but it appears that they concern mainly solar filters.

This overlap can be remedied if "for cosmetic purposes" is clearly specify in the wording.

3. and 4. How the introduction of A 61 K 8/00 would influence the last place rule in A 61 K and whether Note (1) after the title of 8/00 should be presented in several Notes.

We think that it would be perhaps clearer to specify that there is a local last place rule in group 8/00 in the Note (3) after the title.

However, we have no strong feelings whether the Note should be split or not.

5. Whether the proposed groups A 61 K 8/01 to 8/017 should be created

Proposed groups 8/01 to 8/017, if created, should be placed in A 61 K, because they concern preparations ("Cosmetic or similar toilet preparations..."); they should not be placed in A 61 Q which relates to "the use of cosmetics..."..

Tissues, wipes or patches would be classified under 8/01, since they are examples of (cosmetic) products in a particular form, rather than the use of such products.

We have made two different one-dot groups (8/01 and 8/02), because we saw a difference between "...the form of the product made with the preparations" of 8/01 and the "...physical form" of the preparations of 8/02; the former relates to wipes, patches, etc; the latter refers to emulsions, liposomes, liquid crystal, i.e their internal structure.

However, if the offices prefer a suitable alternative for 8/02 encompassing groups 8/013 and 8/017, we would agree with that.

Anne Glanddier

EXCERPT FROM DOCUMENT IPC/WG/5/3
EXTRAIT DU DOCUMENT IPC/WG/5/3

Project C 412 (chemical) – The Working Group agreed to create the new subclass A 61 Q relating to the use of cosmetics or similar toilet preparations and intended for further classification of subject matter already classified in main group A 61 K 8/00. The Working Group approved subdivisions of the new subclass at main group level (see Annex 30 to this report).

Comments were invited on:

- the relationship of subclass A 61 Q with other relevant places in the IPC, except main group A 61 K 8/00, for example, with subclass C 11 D, and how that relationship should be reflected in Note (1) following the title of subclass A 61 Q;
- whether subject matter covered by main group A 61 Q 7/00 should be properly classified in subclass A 61 P or in subclass A 61 Q, taking into account Note (1) after the title of subclass A 61 K defining subject matter covered by medicinal preparations and by cosmetics in that subclass.

The Working Group agreed on the new structure of main group A 61 K 8/00 and approved its subdivisions at one-dot group level (see Annex 29 to this report).

Comments were invited on:

- how the introduction of main group A 61 K 8/00 would influence the last place rule in subclass A 61 K, bearing in mind the amendment to Note (3) after the subclass title approved at the fourth session of the Working Group (see Annex 33 to the project file);
- whether Note (1) after group A 61 K 8/00 would be better presented in the form of several Notes associated with respective subgroups of the group;
- whether the proposed groups A 61 K 8/01 to 8/017 (see Annex 44 to the project file) should be created and whether they should be placed in subclass A 61 Q or in main group A 61 K 8/00, as proposed, or under group A 61 K 8/02, and, in the latter case, whether any changes to the wording of group A 61 K 8/02 would be needed.

Projet C 412 (chimie) – Le groupe de travail a convenu de créer la sous-classe A 61 Q concernant l'utilisation de cosmétiques ou préparations similaires pour la toilette, qui permettra de classer de la matière déjà classée sous le groupe principal A 61 K 8/00. Il a approuvé les subdivisions de cette nouvelle sous-classe au niveau de groupe principal (voir l'annexe 30 du présent rapport).

Des observations ont été demandées

- sur le lien entre la sous-classe A 61 Q et d'autres endroits pertinents de la CIB, à l'exception du groupe principal A 61 K 8/00 (par exemple la sous-classe C 11 D), et sur la façon dont ce lien devra être mis en évidence dans la note 1) qui suivra le titre de la sous-classe A 61 Q;
- sur la question de savoir si la matière couverte par le groupe principal A 61 Q 7/00 devrait être classée dans la sous-classe A 61 P ou dans la sous-classe A 61 Q, compte tenu de la note 1) qui suit le titre de la sous-classe A 61 K et qui définit la matière couverte par les préparations médicinales et les cosmétiques dans cette sous-classe.

Le groupe de travail a approuvé la nouvelle structure du groupe principal A 61 K 8/00 ainsi que ses subdivisions au niveau du groupe à un point (voir l'annexe 29 du présent rapport).

Des observations ont été demandées

- sur l'incidence qu'aura l'introduction du groupe principal A 61 K 8/00 sur la règle de la dernière place dans la sous-classe A 61 K, compte tenu de la modification de la note 3) qui suit le titre de la sous-classe, telle qu'elle a été approuvée à la quatrième session du groupe de travail (voir l'annexe 33 du dossier de projet);
- sur la question de savoir s'il vaudrait mieux présenter la note 1) qui suit le groupe A 61 K 8/00 sous la forme de plusieurs notes associées aux sous-groupes respectifs du groupe;
- sur la création éventuelle des groupes A 61 K 8/01 à 8/017 proposés (voir l'annexe 44 du dossier de projet) et sur la question de savoir s'ils devraient être incorporés dans la sous-classe A 61 Q ou dans le groupe principal A 61 K 8/00, ainsi qu'il est proposé, ou dans le groupe A 61 K 8/02, auquel cas il serait utile d'avoir des observations sur la nécessité de modifier le libellé du groupe A 61 K 8/02.

ANNEX	29	A 61 K	[Project-Rapporteur : 412/EP]	<SC05005E>
N	Note(s) after 8/00			R
		(1)	<i>In each of groups 8/02 and 8/20, in the absence of an indication of the contrary, classification is made in the last appropriate place.</i>	
		(2)	<i>Use of cosmetics or similar toilet preparations is further classified in subclass A 61 Q.</i>	
	8/001 to 8/671	<Delete new entries>		R
N	8/02	• characterised by special physical form of the preparations		
N	8/20	• characterised by the composition		

ANNEX	30	A 61 Q	[Project-Rapporteur : 412/EP]	<SC05006E>
N	Title	USE OF COSMETICS OR SIMILAR TOILET PREPARATIONS		
N	Note(s) after the title			
		(1)	This subclass covers the use of cosmetics or similar toilet preparations already classified as such in main group A 61 K 8/00 .	
		(2)	When classifying in this subclass, classification is also made in subclass A 61 P if the preparation is stated to have therapeutic activity.	
N	1/00	Make-up preparations; Preparations for removing make-up; Body powders		
N	3/00	Manicure or pedicure preparations		
N	5/00	Preparations for care of the hair		
N	7/00	Preparations for affecting hair growth		
N	9/00	Preparations for removing hair or for aiding hair removal		
N	11/00	Preparations for care of the teeth, of the oral cavity or of dentures; Dentifrices, e.g. toothpastes; Mouth rinses		
N	13/00	Formulations or additives for perfume preparations (essential oils or perfumes C 11 B 9/00)		
N	15/00	Anti-perspirants or body deodorants (deodorisation of air A 61 L 9/00)		
N	17/00	Barrier preparations; Preparations brought into direct contact with the skin for affording protection against external influences, e.g. sunlight, X-rays or other harmful rays, corrosive materials, bacteria or insect stings (chemical means for combating harmful chemical agents A 62 D 3/00)		
N	19/00	Preparations for care of the skin		
N	19/09	• Washing or bathing preparations		

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trademark Office	Class/Subcl.: A61K
	Date : 26.09.2001
DE - Comments — C412	

Re: Comments on IPC/WG5/3

- *the relationship of A61Q with other relevant places in the IPC*

The relationship to C11D should be further clarified. This could be done via the limiting reference proposed by EPO in project D023/01. But the use of detergent compositions, which are already classified as such in C11D, in cosmetic preparations should be further classified in A61Q.

The note (1) after the title of A61Q should be amended therefor and include other classes or subclasses of the IPC, in which compounds or compositions with a cosmetic use are already classified, like C01, C07, C08, C11D, C12N.

We support a reference from A61P 17/00 to A61Q and Notes in several subclasses from section C for the cosmetic use as proposed by EPO in Annex 46.

- *whether subject matter covered by main group A61Q 7/00 should be classified in A61P or A61Q*

It is often difficult to decide if a preparation for affecting hair growth has a therapeutic activity or not. If a therapeutic activity is disclosed clearly than this preparation should be classified in A61P and in the pharmaceutical part of A61K according to Note (1) after the title of A61K. For the other cases A61Q 7/00 is the right place. A reference in A61Q 7/00 pointing to A61P could be helpful.

- *how the introduction of main group A61K 8/00 would influence the last place rule and whether Note (1) after group A61K 8/00 would be better presented in the form of several Notes.*

We are happy with the amended Note (3) after the title of A61K. Note (1) after the title of A61K 8/00 should not be changed.

- *whether the proposed groups A61K 8/01 to 8/017 should be created*

The scheme for the chemical nature of cosmetic preparations should provide entries for preparations characterised by a special form. But the groups A61K 8/01 to 8/017 should not be created. The group 8/013 could be indented under the adopted group A61K 8/02. Face masks do not fit very well in that "form" part of the scheme. They should be classified in the use scheme A61Q.

Japan Patent Office

September 26, 2001

Project:C-412Subclass:A61K

JP Comments on IPC Revision Proposals for Project C 412**1. A61K 8/01-8/017**

In respect of the creation of new groups A61K 8/01-8/017, it is desirable that the proposed groups should be placed in subclass A61Q in view of the system of the classification scheme as a whole.

Besides, JPO would like the Working Group to reconsider the breakdown of A61K 8/00 proposed by EPO in Annex 44 as follows.

1. Notes for A61K 8/20 - 8/627

Concerning the notes applied to A61K 8/20 - 8/627, we would like to propose an additional note representing the polyoxyalkylene adduct compounds (e.g. polyoxypropylene, polyoxyethylene) should not be classified in A61K 8/524, 8/56, and 8/58, but be classified based on the nature of correspondent substances. Otherwise the number of documents to be classified will be large.

For example, "Sodium Laureth-12 Sulfate (the sodium salt of the sulfate ester of the polyethylene glycol ether of lauryl alcohol; $\text{CH}_3(\text{CH}_2)_{10}\text{CH}_2(\text{OCH}_2\text{CH}_2)_{12}\text{OSO}_3\text{Na}$; a typical anionic surface-active compound)" is classified as containing sulfuric acid derivatives (in group A61K 8/303) and not as polyethers (in group A61K 8/524).

2. Breakdown of A61K 8/54 - 8/547 (Polysiloxanes)

With regard to the subdivisions of A61K 8/54 - 8/547, it seems to be necessary to breakdown based on types of silicon compounds.

8/54 Polysiloxanes

8/543 saturated

8/544 silicones modified by alkyl group with more than 8 carbons

8/545 cyclic silicones

8/546 unsaturated

8/547 containing besides the atoms of the backbone atom other than

carbon and hydrogen

8/548 silicones modified by fluorine

8/549 silicones modified by alkoxy group

8/550 silicones modified by polyoxyalkylene group

8/551 silicones modified by nitrogen

3. A61K8/013

We would like to propose that a reference “Body washing or cleaning implements *per se* A47K 7/00” should be added.

4. A61K8/103

We would like to propose that a reference “Microcapsules *per se* B01J13/02” should be added.

Swedish Patent and Registration Office

IPC Revision Project C 412, subclass A61K

September 28, 2001

Comments (in response to IPC/WG/5/3)

Comments were invited on:

- *The relationship of A 61 Q with other relevant places in the IPC.*

We think that the notes of A61Q should as far as possible follow the notes in A61P. Note (1) in A61Q should be amended as stated in appendix 46.

The relationship between A61Q and C11D is uncertain. A shaving composition that has a cosmetic use should be classified in both C11D and A61Q.

- *Whether subject matter covered by main group A61Q 7/00 should be properly classified in subclass A61P or in A61Q.*

If a composition covered by A61Q 7/00 has a therapeutic use that is of interest, then it should be classified in both A61K and A61P, as well as in A61Q.

- *How the introduction of main group A61K 8/00 would influence the last place rule in subclass A61K.*

We think that the amended Note (3) is enough.

- *Whether Note (1) after group A61K 8/00 would be better presented in the form of several Notes.*

Note (1) should be one note after group A61K 8/00.

- *Whether the proposed group A61K 8/01 to 8/017 should be created.*

We support A61K8/01-8/017 and they should be placed in main group A61K 8/00 as proposed.

Carolina Gómez Lagerlöf

STATE OFFICE FOR INVENTIONS
AND TRADEMARKS

Date : October 2001
Page: 1 of 2

RO COMMENTS

PROJECT :C 412

Class/Subclass : A61K

Comments were invited on :

- the relationship of A61Q with other relevant places in the IPC ;

We favour the adding of a Note to the following subclasses : C01B (see cosmetical use of pure silicates), C01C, C01D, C01F, C01G, C07C, C07D, C07F, C07G, C07H, C07J, C07K, C08B, C08C, C08F, C08G, C08H, C08K, C08L, C09K (see cosmetical use of anti-static material classified in C09K 3/16 or of substitute of glycerol e.g. as base in toilet creams or ointments C09K 3/20), C11D having the wording as follows : A cosmetical use of chemical compounds or preparations is further classified in subclass A61Q@

-whether subject matter covered by group A61Q 7/00 should be classified in subclass A61P or Q

We prefer to classify this subject matter in A61Q 7/00 rather than A61P because the use of such preparations is directed to improve esthetical aspects than to treat dermatological disorders.

-whether Note (1) after group A61K 8/00 would be better presented in the form of several Notes associated with respective subgroups of the group

We prefer the Note (1) in the form and place as adopted by the WG4, because we consider that, in such a manner it could be avoided the gap of a particular reference.

-whether the proposed groups A61K 8/01 to 8/017 should be created and whether they should be placed in subclass A61Q or in main group A61K 8/00

We consider that the places for the proposed groups 8/01 to 8/017 are in A61K , because they concern to cosmetic preparations in a particular form and not to cosmetical uses of the preparations determined by their particular forms.

Mirela Georgescu

sssss



EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Traduction
15 October 2001

Projet: 412**Sous-classe: A 61 K**

Note(s)
après le
titre

(3) Dans la présente sous-classe, à l'exception du groupe 8/00 et , sauf indication contraire, ---

N 8/00

Cosmétiques ou préparations similaires pour la toilette (emboîtages ou accessoires pour la conservation ou l'emploi de produits de toilette ou de cosmétiques, solides ou pâteux A 45 D 40/00)

N Notes après
8/00

Note

(1) Dans chacun des groupes 8/02 et 8/20, sauf indication contraire, le classement s'effectue à la dernière place appropriée.

(2) L'utilisation de cosmétiques ou de préparations similaires pour la toilette est en outre classée dans la sous-classe A61Q

N 8/02

. caractérisés par la forme physique particulière de ces préparations

N 8/20

. caractérisés par la composition

II. Sous-classe A61Q

N A61Q

UTILISATION DE COSMÉTIQUES OU DE PRÉPARATIONS SIMILAIRES
POUR LA TOILETTE

N Note après
A61Q

Notes

(1) La présente sous-classe couvre l'utilisation de cosmétiques ou de préparations similaires pour la toilette déjà classés en tant que tels dans le groupe principal A 61 K 8/00.

(2) Lors du classement dans la présente sous-classe, un classement dans la sous-classe A61P est également attribué si la préparation est déclarée présenter une activité thérapeutique.

N 1/00	Préparations pour le maquillage; Préparations pour le démaquillage; Poudres corporelles
N 3/00	Préparations pour les soins des mains ou des pieds
N 5/00	Préparations pour les soins des cheveux
N 7/00	Préparations pour modifier la pousse des cheveux ou des poils
N 9/00	Préparations pour enlever ou aider à enlever les poils ou les cheveux
N 11/00	Préparations pour le nettoyage des dents, de la bouche ou des prothèses dentaires; Dentifrices; Bains de bouche
N 13/00	Formulations ou additifs pour les parfums (huiles essentielles ou parfums C 11 B 9/00)
N 15/00	Préparation contre la transpiration ou déodorants corporels (désodorisation de l'air A 61 L 9/00)
N 17/00	Préparations protectrices; Préparations employées au contact direct avec la peau pour protéger des influences extérieures, p.ex. rayons du soleil, rayons X ou autres rayons nuisibles, matériaux corrosifs, bactéries ou piqûres d'insectes (moyens chimiques pour combattre des agents chimiques nuisibles A 62 D 3/00)
N 19/00	Préparations pour les soins de la peau
N 19/09	. Préparations pour le nettoyage ou le bain

Anne Glanddier

Project: C 412 Subclass: A61K

Comments were received from EP, DE, JP, SE and RO.

Comments were invited on:

1. The relationship of subclass A 61 Q with other relevant places in the IPC and for example, with subclass C 11 D, and how that relationship should be reflected in Note (1) following the title of subclass A 61 Q

All the offices agree that there is a problem with C11D that should be solved. For historical reasons, two different products with the same ingredients will be classified in two different groups: for example a shower gel is classified in A61K and a soap in C11D. However, there seems to be no misclassification. So R thinks that the wording in C11D should be left the way it was in IPC7 and also add a reference in A61Q9/00, as it was proposed in A 44.

There is a general consensus for:

C01 (C, F, G)

C07 (C, D, F, G, H, J, K)

C08 (B, C, F, G, H, K, L)

RO also thinks that other relevant places are C01B and C09K; DE sees other places in C07B, C07M, C12N.

Rapporteur's opinion:

Note (1) after the title of A61Q should be modified accordingly:

- | | |
|---|--|
| N | <p>Note(s) after the title</p> <p>(1) This subclass covers the use of cosmetics or similar toilet preparations already classified as such in main group A 61 K 8/00, or in subclasses C07C, C07D, C07F, C07G, C07H, C07J, C07K and C12N, or in classes C01 and C08.</p> <p>(2) This subclass covers the use of cosmetics or similar toilet preparations already used as detergent compositions or soaps in C11D</p> <p>(3) <Former note (2)></p> |
|---|--|

2. Whether subject-matter covered by group A 61 Q 7/00 should be classified in subclass A 61 P or A 61 Q.

EP thinks that the subject matter classified in A61Q7/00 should stay in A61Q, but to avoid overlap suggests to add the wording " for cosmetic purposes". RO also prefers to keep it in A61Q.

DE suggest a reference in A61Q7/00 pointing to A61P.

SE thinks that if a composition has also a therapeutic activity, it should be classified also in A61P.

Rapporteur's opinion:

Concerning group A01P17/14, it seems that there is a difference between therapeutic and cosmetic activity; after a brief search in EPODOC, we found that 4000 documents are classified with therapeutic activity, 3000 documents with cosmetic activity, and only 1200 documents are in both groups.

So R suggests two solutions:

- either decide that one group or the other should be deleted,
- or put references in both groups A61P17/14 and A61Q7/00.

As for group A61Q17/00 and A61Q17/00, R suggests to change the wording and add a reference to A61P which could read:

A61Q17/00 --- insect stings (drugs for treating burns A 61 P 17/02)

A61P17/16 § Antioxydants, e.g. antiradicals (solar filters A 61 Q 17/00)

3. How the introduction of A 61 K 8/00 would influence the last place rule in A 61 K

The majority thinks that amended Note (3) is sufficient therefore R suggests to keep it as it is.

4. Whether Note (1) after the title of 8/00 should be presented in several Notes.

Note (1) should stay as it is.

5. Whether the proposed groups A 61 K 8/01 to 8/017 should be created

EP, SE and RO think that the groups should be created in A61K but probably not as they are proposed by EP.

DE think that the groups should not be created as such.

JP think the groups belong to A61Q.

Rapporteur's opinion:

R think that masks, as given by DE as an example in A 48, do not define a use but only a way of application; they can be used a make-up removal (A61Q1/00), nails moisturiser (A61Q3/00), hair conditioner (A61Q5/00) or skin moisturiser (A61Q9/00).

Therefore R wonders if these groups should be created at all, considering that not so many documents are concerned.

Additional points:

In its Annex 49, JP gives comments on a number of additional points concerning a finer breakdown of groups, which are yet to be discussed by the Working Group.

Anne Glanddier



IPC/C 413/98
ORIGINAL: English/French
DATE: November 20, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE
GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: PROPOSITION DE :	GB	REVISION OF IPC AREA: RÉVISION DU DOMAINE DE LA CIB :	B 01 D
KIND OF REVISION: TYPE DE RÉVISION :	Creation of subgroups Création de sous-groupes		

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal	/ Demande de révision avec proposition détaillée	GB	12.98
2	Comments	/ Observations	EP	05.99
3	Proposal	/ Proposition	EP	05.99
4	Comments	/ Observations	SE	05.99
5	Comments	/ Observations	CA	05.99
6	Comments	/ Observations	RO	05.99
7	Comments	/ Observations	JP	07.99
8	Comments	/ Observations	DE	07.99
9	Rapporteur report	/ Rapport du rapporteur	GB	09.99
10	Rapporteur proposal	/ Proposition du rapporteur	GB	11.99
11	Decision of the Working Group	/ Décision du groupe de travail	WG	12.99
12	Proposal	/ Proposition	EP	03.00
13	Comments	/ Observations	EP	03.00
14	Comments	/ Observations	GB	03.00

RAPPORTEUR : GB **TECHNICAL FIELD/DOMAINE TECHNIQUE :** C

ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
15	Comments / Observations	DE	03.00
16	Comments / Observations	RO	03.00
17	Comments / Observations	CA	05.00
18	Comments / Observations	CA	05.00
19	Rapporteur report / Rapport du rapporteur	GB	05.00
20	Rapporteur proposal / Proposition du rapporteur	GB	05.00
21	Decision of the Working Group / Décision du groupe de travail	WG	09.00
22	Comments / Observations	EP	09.00
23	Proposal / Proposition	EP	09.00
24	Comments / Observations	JP	09.00
25	Comments / Observations	CA	09.00
26	Comments / Observations	RO	09.00
27	Comments / Observations	DE	11.00
28	Comments / Observations	GB	11.00
29	French version of approved amendments / Version française des modifications approuvées	FR	11.00
30	Comments / Observations	SE	11.00
31	Rapporteur report / Rapport du rapporteur	GB	11.00
32	Rapporteur proposal / Proposition du rapporteur	GB	11.00
33	Decision of the Working Group / Décision du groupe de travail	WG	01/01
34	Comments / Observations	EP	04.01
35	Comments / Observations	US	04.01
36	French version of approved amendments / Version française des modifications approuvées	FR	04.01
37	Comments / Observations	JP	06.01
38	Comments / Observations	EP	06.01
39	Comments / Observations	CA	06.01
40	Comments / Observations	RU	06.01
41	Comments / Observations	FR	06.01
42	Comments / Observations	RO	06.01

ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
43	Comments / Observations	GB	06.01
44	Comments / Observations	DE	06.01
45	Comments / Observations	FR	06.01
46	Rapporteur report / Rapport du rapporteur	GB	06.01
47	Comments / Observations	CA	08.01
48	Comments / Observations	EP	10.01
49	Decision of the Working Group / Décision du groupe de travail	WG	10.01
50	Comments / Observations	JP	10.01
51	Comments / Observations	FR	10.01
52	Comments / Observations	RO	10.01
53	French version of approved amendments / Version française des modifications approuvées	FR	10.01
54	Rapporteur proposal / Proposition du rapporteur	GB	10.01
55	Comments / Observations	DE	10.01
56	Rapporteur report / Rapport du rapporteur	GB	11.01
57	Comments / Observations	RU	11.01

The Canadian Intellectual
Property Office



L'Office de la propriété
intellectuelle du Canada

Project Number: C413

Date: 25 Sept. 2001

Class/Subclass: B01D

Page 1 of 2

CA would like to offer the following comments on the issues raised in Rapporteur Report #46.

Re: line between B01D and B01J on ion-exchange

CA interprets the reference on ion-exchange in B01D-15/00 as referring out all ion-exchange processes. The documents which are intended to fill B01D-15/36 should never have been classified in B01D in the first place. **CA** sees some support for this interpretation of B01D-15/00 in **EP** Annexes 22 and 38 and in **RU** Annex 42. However, **CA** differs from these offices on how to resolve the issue.

CA feels that the proper direction for moving this art is to move the few groups from B01D into the larger, well-divided body of art on ion-exchange which currently exists in B01J. Indeed, ion-exchange chromatography is already well provided for in B01J- 39/06 and 41/06. We feel that moving art out of the large body in B01J would have the effect of scattering this art.

Finally, **CA** hopes that the spirit of reform that began in Wales will inspire the Revision Working Group to establish large, coherent bodies of art (e.g., ion-exchange) with broad, simple references to other bodies of art and to avoid both scatter and proliferation of references.

B01D-15/26, 15/28 and 15/38

On a recent (Feb. 2001) review of our national collection in B01D-15/08, we were surprised to find that all our documents pertained to chromatography and none to selective adsorption - however that term may be defined. We would predict that there will be no documents in 15/26 if the broad term adsorption chromatography remains indented as 15/28. For reasons of style, **CA** objects to the use of the term adsorption chromatography as a residual group (without the n.o.p. wording) as well as to the residual group 15/38. **CA** prefers to use the hierarchically superior group for residual subject matter. In any case, there cannot be 2 indented residual groups.

B01D-15/40

CA apologizes for introducing the topic of supercritical fluid so late in the project, but our concern has centered on the references up to this point rather than on the details of the breakdown. We look forward to the views of other offices on the placement of this art.

Gerry Guzzo,
Section Head



EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
24 September 2001

Project: C413

Subclass: B01D

Re.: - IPC/WG/5/3, par. 13, p. 10 (Decision of the Working Group)
- Annex 46 to the project file

Chromatographic ion-exchange:

We prefer **option iii)** because this option makes the situation clear AND needs the least changes to existing IPC as it seems. Furthermore, if B01J39/06 and 41/06 are deleted there is no possibility to make distinction between chromatographic and non-chromatographic materials !?

Paul Daeleman

EXCERPT FROM DOCUMENT IPC/WG/5/3
EXTRAIT DU DOCUMENT IPC/WG/5/3

Project C 413 (chemical) – The Working Group decided not to create the proposed group B 01 J 20/295 (see Annex 46 to the project file) intended to cover the residual subject matter and agreed that that subject matter could be classified in the hierarchically superior group embracing groups B 01 J 20/282 to 20/292.

The United Kingdom was invited to elaborate classification definitions for the series of the new groups B 01 D 15/10 to 15/42 (see Annex 33 to the project file), with a view to eliminating the risk of overlap among those groups.

Comments were invited on:

- classification definitions to be elaborated;
- the three options indicated by the Rapporteur (see Annex 46 to the project file) for the introduction of amendments relating to groups B 01 J 39/00, 39/06 and 41/06.

Projet C 413 (chimie) – Le groupe de travail a décidé de ne pas créer le groupe proposé B 01 J 20/295 (voir l'annexe 46 du dossier de projet), qui devait couvrir la matière résiduelle, et a convenu que cette matière pourra être classée dans le groupe qui lui est hiérarchiquement supérieur et qui englobe les groupes B 01 J 20/282 à 20/292.

Le Royaume-Uni a été invité à rédiger des définitions relatives au classement pour la série de nouveaux groupes B 01 D 15/10 à 15/42 (voir l'annexe 33 du dossier de projet), en vue d'éliminer tout risque de chevauchement entre ces groupes.

Des observations ont été demandées

- sur les définitions relatives au classement qui doivent être rédigées;
- sur les trois possibilités mentionnées par le rapporteur (voir l'annexe 46 du dossier de projet) en ce qui concerne les modifications à apporter aux groupes B 01 J 39/00, 39/06 et 41/06.

ANNEX	32	G 01 N	[Project-Rapporteur : 413/GB]	<SC05011E>
	30/38	<Reintroduce deleted entry>		R
D	30/48	(transferred to B 01 J 20/281 - 20/292)		

Japan Patent Office

September 26, 2001

Project:C-413

Subclass:B01D

JPO Comments on IPC Revision Proposals for Project C 413

With regard to the report of 5^h Revision Working Group, JPO proposes some remarks as follows.

1. B01D 15/00-15/42

We do not recognize the hierarchical problems of B01D 15/00-15/42 as we already mentioned in the previous comment.

2. B01J 39/00, 39/06, and 41/06

In respect of the choice (ii), we do not think that it is necessary to create new subgroups B01J 39/30 and 41/30. In addition, subgroup B01J 39/30 of the choice (iii) does not take precedence over B01J 39/08, and neither does B01J 41/08 over B01J 41/08. Consequently, we select the choice (i) instead of these two.

Projet IPC / C 413
Sous-classe B 01 D

Annexe 51 du dossier de projet

PROPOSITION DE VERSION FRANÇAISE

Pour faciliter l'adoption de la version française de ce projet, nous présentons une proposition récapitulative qui reprend l'annexe 45 du dossier de projet (non adoptée à la 5^{ème} session) avec quelques modifications (B01D 15/18, 15/34 et G01N 33/48) et qui contient en plus la version française des annexes 31 et 32 du dernier rapport.

(ref : annexes 33 à 47 du document IPC/WG/4/5Annexe 47 et annexes 31 et 32 du document IPC/WG/5/3)

[IPC/WG/4/5]

ANNEX 33 A 23 C [Project-Rapporteur : 413/GB] <SC04057E>

*N Note(s)
après 9/14*

*Lors du classement dans le présent groupe, un classement dans le groupe **B 01 D 15/08** est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.*

[IPC/WG/4/5]

ANNEX 34 A 61 K [Project-Rapporteur : 413/GB] <SC04058E>

*N Note(s)
après 35/00*

*Lors du classement dans le présent groupe, un classement dans le groupe **B 01 D 15/08** est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée .*

[IPC/WG/4/5]

ANNEX 35 A 61 M [Project-Rapporteur : 413/GB] <SC04059E>

Note(s) après
le titre

N (3) *Lors du classement dans la présente sous-classe, un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.*

[IPC/WG/4/5]

ANNEX 36 B 01 D [Project-Rapporteur : 413/GB] <SC04060E>

15/00

— — — **liquides par des adsorbants ou des absorbants solides**
(utilisant des adsorbants ou des absorbants liquides 11/00; procédés ou matériaux pour échange d'ions, matériaux adsorbants ou absorbants en général B 01 J, p.ex. adsorbants ou absorbants pour chromatographie 20/281; pour la recherche ou l'analyse de matériaux G 01 N 30/00);
Appareillages pour ces procédés

N Note(s)
après 15/08

Afin que le groupe 15/08 puisse servir de base pour une recherche complète relative à la chromatographie en général, toute la matière d'intérêt général est classée dans ce groupe même si elle est classée en premier lieu dans les groupes axés vers l'application, par exemple produits laitiers A 23 C 9/148, traitement du sang, p. ex. A 61 M 1/36, composés organiques optiquement actifs C 07 B 57/00 ou peptides C 07 K 1/16.

- N 15/10 • • caractérisée par des caractéristiques de structure ou de fonctionnement
- N 15/12 • • • relatives à la préparation de l'alimentation
- N 15/14 • • • relatives à l'introduction de l'alimentation dans l'appareil
- N 15/16 • • • relatives au conditionnement du fluide vecteur
- N 15/18 • • • relatives aux différents types d'écoulement
- N 15/20 • • • relatives au conditionnement de la matière adsorbante ou absorbante
- N 15/22 • • • relatives à la structure de la colonne
- N 15/24 • • • relatives au traitement des fractions à répartir
- N 15/26 • • caractérisée par le mécanisme de séparation
- N 15/28 • • • Chromatographie d'adsorption
- N 15/30 • • • Chromatographie de partage

N	15/32	• • •	<i>Chromatographie en phase liée, p.ex. avec une phase normale liée, une phase inverse ou une interaction hydrophobe</i>
N	15/34	• • •	<i>Séparation par sélection en fonction de la taille, p.ex. chromatographie d'exclusion de taille; Filtration sur gel; Perméation</i>
N	15/36	• • •	<i>impliquant une interaction ionique, p.ex. échange d'ions, paire d'ions, suppression d'ions ou exclusion d'ions</i>
N	15/38	• • •	<i>impliquant une interaction spécifique non couverte par un ou plusieurs des groupes 15/28 à 15/36, p.ex. chromatographie d'affinité, chromatographie par ligand, chromatographie chirale ou avec formation de complexes</i>
N	15/40	• • •	<i>utilisant un fluide supercritique comme phase mobile ou comme éluant</i>
N	15/42	• •	<i>caractérisée par le mode de développement, p.ex. par déplacement ou par élution</i>

[IPC/WG/5/3]

ANNEX	31	B 01 D	[Project-Rapporteur : 413/GB]	<SC05012E>
	53/02	•	par adsorption, p.ex. chromatographie préparatoire par adsorption	

[IPC/WG/4/5]

ANNEX	38	C 02 F	[Project-Rapporteur : 413/GB]	<SC04062E>
	Note(s) après le titre			
N	(2)		<i>Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.</i>	
	(3)		<Ancienne note (2)>	
	(4)		<Ancienne note (3)>	

[IPC/WG/4/5]

ANNEX	39	C 07 B	[Project-Rapporteur : 413/GB]	<SC04063E>
	Note(s) après le titre			
N	(5)		<i>Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée</i>	

[IPC/WG/4/5]				
ANNEX	40	C 07 C	[Project-Rapporteur : 413/GB]	<SC04064E>
	Note(s) après le titre			
N	(7)	Lors du classement dans la présente sous-classe , un classement dans le groupe B 01D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concerné		
	(8)	<Ancienne note (7)>		
[IPC/WG/4/5]				
ANNEX	41	C 07 K	[Project-Rapporteur : 413/GB]	<SC04065E>
	Note(s) après le titre			
N	(7)	Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée		
	(8)	<Ancienne note (7)>		
[IPC/WG/4/5]				
ANNEX	42	C 10 G	[Project-Rapporteur : 413/GB]	<SC04066E>
N	Note(s) après 25/00			
		Lors du classement dans le présent groupe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée		
[IPC/WG/4/5]				
ANNEX	43	C 11 B	[Project-Rapporteur : 413/GB]	<SC04067E>
N	Note(s) après 3/10			
		Lors du classement dans le présent groupe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée		

[IPC/WG/4/5]				
ANNEX	44	C 12 H	[Project-Rapporteur : 413/GB]	<SC04068E>
	Note(s) après le titre			
		(1)	Dans la présente sous-classe, – – –	
N		(2)	Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/ 08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée	
[IPC/WG/4/5]				
ANNEX	45	C 12 N	[Project-Rapporteur : 413/GB]	<SC04069E>
N	Note(s) après le titre			
			Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée	
[IPC/WG/4/5]				
ANNEX	46	C 13 D	[Project-Rapporteur : 413/GB]	<SC04070E>
N	Note(s) après 3/00			
			Lors du classement dans le présent groupe, un classement dans le groupe B01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée	
[IPC/WG/4/5] et [IPC/WG/5/3]				
ANNEX	32	G 01 N	[Project-Rapporteur : 413/GB]	<SC05011E>
ANNEX	47	G 01 N	[Project-Rapporteur : 413/GB]	<SC04071E>
D	30/48	(transféré en B 01 J 20/281 à 20/292)		
N	30/89	Chromatographie inverse, p.ex. avec l'analyte dans la phase stationnaire		

STATE OFFICE FOR INVENTIONS
AND TRADEMARKS

Date : September 2001

Page: 1 of 1

RO COMMENTS

PROJECT :C 413

Class/Subclass : B01D

Comments were invited on :

- on the three options indicated by the Rapporteur(annex 46 to the project file) for the introduction of amendments relating to groups B01 J 39/00 ,39/06 and 41/06

We prefer option iii) from the Annex 46 to the project file in order to respect the intention of the new created subgroups for chromatography to provide a basis for a complete search with respect to chromatographic processes . It is also very well-known in the field that the adsorption and ion-exchange share many common features in regard to applications in fixed-bed (particular case chromatography) and batch processes that they can be grouped together as sorption processes in a unified treatment.

Mirela Georgescu

Projet IPC / C **413**
Sous-classe **B 01 D**

VERSION FRANÇAISE

Ce document a été établi sur la base de notre proposition, après consultation des autres offices et du Bureau international.

Pour faciliter l'adoption de la version française de ce projet, nous présentons une proposition récapitulative qui reprend l'annexe 45 du dossier de projet (non adoptée à la 5^{ème} session) avec quelques modifications (B01D 15/18, 15/34 et G01N 33/48) et qui contient en plus la version française des annexes 31 et 32 du dernier rapport.

(ref : annexes 33 à 47 du document IPC/WG/4/5 et annexes 31, 32 du document IPC/WG/5/3)

[IPC/WG/4/5]

ANNEX 33 A 23 C [Project-Rapporteur : 413/GB] <SC04057E>

*N Note(s)
après 9/14*

*Lors du classement dans le présent groupe, un classement dans le groupe **B 01 D 15/08** est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.*

[IPC/WG/4/5]

ANNEX 34 A 61 K [Project-Rapporteur : 413/GB] <SC04058E>

*N Note(s)
après 35/00*

*Lors du classement dans le présent groupe, un classement dans le groupe **B 01 D 15/08** est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée .*

[IPC/WG/4/5]

ANNEX 35 A 61 M [Project-Rapporteur : 413/GB] <SC04059E>

Note(s) après
le titre

N (3) *Lors du classement dans la présente sous-classe, un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.*

[IPC/WG/4/5]

ANNEX 36 B 01 D [Project-Rapporteur : 413/GB] <SC04060E>

15/00

— — — **liquides par des adsorbants ou des absorbants solides**
(utilisant des adsorbants ou des absorbants liquides 11/00; procédés ou matériaux pour échange d'ions, matériaux adsorbants ou absorbants en général B 01 J, p.ex. adsorbants ou absorbants pour chromatographie 20/281; pour la recherche ou l'analyse de matériaux G 01 N 30/00);
Appareillages pour ces procédés

N Note(s)
après 15/08

Afin que le groupe 15/08 puisse servir de base pour une recherche complète relative à la chromatographie en général, toute la matière d'intérêt général est classée dans ce groupe même si elle est classée en premier lieu dans les groupes axés vers l'application, par exemple produits laitiers A 23 C 9/148, traitement du sang, p. ex. A 61 M 1/36, composés organiques optiquement actifs C 07 B 57/00 ou peptides C 07 K 1/16.

- N 15/10 • • caractérisée par des caractéristiques de structure ou de fonctionnement
- N 15/12 • • • relatives à la préparation de l'alimentation
- N 15/14 • • • relatives à l'introduction de l'alimentation dans l'appareil
- N 15/16 • • • relatives au conditionnement du fluide vecteur
- N 15/18 • • • relatives aux différents types d'écoulement
- N 15/20 • • • relatives au conditionnement de la matière adsorbante ou absorbante
- N 15/22 • • • relatives à la structure de la colonne
- N 15/24 • • • relatives au traitement des fractions à répartir
- N 15/26 • • caractérisée par le mécanisme de séparation
- N 15/28 • • • Chromatographie d'adsorption
- N 15/30 • • • Chromatographie de partage

N	15/32	• • •	<i>Chromatographie en phase liée, p.ex. avec une phase normale liée, une phase inverse ou une interaction hydrophobe</i>
N	15/34	• • •	<i>Séparation par sélection en fonction de la taille, p.ex. chromatographie d'exclusion de taille; Filtration sur gel; Perméation</i>
N	15/36	• • •	<i>impliquant une interaction ionique, p.ex. échange d'ions, paire d'ions, suppression d'ions ou exclusion d'ions</i>
N	15/38	• • •	<i>impliquant une interaction spécifique non couverte par un ou plusieurs des groupes 15/28 à 15/36, p.ex. chromatographie d'affinité, chromatographie par ligand, chromatographie chirale ou avec formation de complexes</i>
N	15/40	• • •	<i>utilisant un fluide supercritique comme phase mobile ou comme éluant</i>
N	15/42	• •	<i>caractérisée par le mode de développement, p.ex. par déplacement ou par élution</i>

[IPC/WG/5/3]

ANNEX	31	B 01 D	[Project-Rapporteur : 413/GB]	<SC05012E>
	53/02	•	par adsorption, p.ex. chromatographie préparatoire en phase gazeuse	

[IPC/WG/4/5]

ANNEX	38	C 02 F	[Project-Rapporteur : 413/GB]	<SC04062E>
	Note(s) après le titre			
N	(2)		<i>Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée.</i>	
	(3)		<Ancienne note (2)>	
	(4)		<Ancienne note (3)>	

[IPC/WG/4/5]

ANNEX	39	C 07 B	[Project-Rapporteur : 413/GB]	<SC04063E>
	Note(s) après le titre			
N	(5)		<i>Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée</i>	

[IPC/WG/4/5]				
ANNEX	40	C 07 C	[Project-Rapporteur : 413/GB]	<SC04064E>
	Note(s) après le titre			
N	(7)	Lors du classement dans la présente sous-classe , un classement dans le groupe B 01D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concerné		
	(8)	<Ancienne note (7)>		
[IPC/WG/4/5]				
ANNEX	41	C 07 K	[Project-Rapporteur : 413/GB]	<SC04065E>
	Note(s) après le titre			
N	(7)	Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée		
	(8)	<Ancienne note (7)>		
[IPC/WG/4/5]				
ANNEX	42	C 10 G	[Project-Rapporteur : 413/GB]	<SC04066E>
N	Note(s) après 25/00			
		Lors du classement dans le présent groupe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée		
[IPC/WG/4/5]				
ANNEX	43	C 11 B	[Project-Rapporteur : 413/GB]	<SC04067E>
N	Note(s) après 3/10			
		Lors du classement dans le présent groupe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée		

[IPC/WG/4/5]				
ANNEX	44	C 12 H	[Project-Rapporteur : 413/GB]	<SC04068E>
	Note(s) après le titre			
		(1)	Dans la présente sous-classe, – – –	
N		(2)	<i>Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/ 08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée</i>	
[IPC/WG/4/5]				
ANNEX	45	C 12 N	[Project-Rapporteur : 413/GB]	<SC04069E>
N	Note(s) après le titre			
			<i>Lors du classement dans la présente sous-classe , un classement dans le groupe B 01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée</i>	
[IPC/WG/4/5]				
ANNEX	46	C 13 D	[Project-Rapporteur : 413/GB]	<SC04070E>
N	Note(s) après 3/00			
			<i>Lors du classement dans le présent groupe, un classement dans le groupe B01 D 15/08 est également attribué si de la matière d'intérêt général relative à la chromatographie est concernée</i>	
[IPC/WG/4/5] et [IPC/WG/5/3]				
ANNEX	32	G 01 N	[Project-Rapporteur : 413/GB]	<SC05011E>
ANNEX	47	G 01 N	[Project-Rapporteur : 413/GB]	<SC04071E>
D	30/48	(transféré en B 01 J 20/281 à 20/292)		
N	30/89	Chromatographie inverse, p.ex. avec l'analyte dans la phase stationnaire		

UK Patent Office**Date: 23rd October 2001**

Rapporteur Report on Project C413/98, Subclass B01D

As requested by the Working Groups, definition statements clarifying the boundaries between the newly introduced groups B01D 15/10, 15/26, 15/42 have been formulated. These can be found within the definition project D024/01 for sub-class B01D, and form part of the definition statement for subject matter residing in B01D 15/00. It did not seem appropriate at this stage to formulate a complete definition for groups at the hierarchical level of B01D 15/10 to 15/42.

I apologise if placing the requested definitions in the definition projects forum rather than the revision projects forum has caused any confusion.

Graham Lynch
UKPO

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trademark Office	Class/Subcl.: B01D
	Date : 22..10.2001
DE - Comments — C413	

Re: Comments on IPC/WG5/3 Project C413 Annex 49 to the project file

- *the three options indicated by the Rapporteur for the introduction of amendments relating to groups B01J 39/00 , 39/06 and 41/06*

We prefer option iii) from Annex 46. This change from chromatographic ion-exchange processes to ion-exchangers for chromatographic processes provides a place for the materials in B01J after creating the new group B01D 15/36 taking into account this new entry and the existing use groups B01J 39/08 and 41/08.

H. P. Gerster

UK Patent Office
Date:

Rapporteur Report on Project C413/98, Subclass B01D

Progress

Comments were received from **CA, EP, JP, RO, DE** - Annexes 47, 48, 50, 52, 55.

Versions of adopted work for class B01D in French were presented by **FR** - Annexes 51, 53.

The United Kingdom was invited to elaborate classification definitions for the series of the new groups B 01 D 15/10 to 15/42 (see Annex 33 to the project file), with a view to eliminating the risk of overlap among those groups.

A classification definition has been elaborated for sub-class B01D - see definition project D024/00.

Comments were invited on:

B *classification definitions to be elaborated;*

Comments on the classification definitions will be dealt with in the Rapporteur Report for definition project D024.

B *the three options indicated by the Rapporteur (see below) for the introduction of amendments relating to groups B 01 J 39/00, 39/06 and 41/06.*

i)

C Guide heading before B01J 39/00

---- separation by liquid ion-exchangers B01D , e.g. B01D 11/00; ion exchange chromatography B01D 15/36 **C**

D B01J 39/06

D B01J 41/06

ii)

C Guide heading before B01J 39/00

---- separation by liquid ion-exchangers B01D , e.g. B01D 11/00; ion exchange chromatography B01D 15/36 **C**

D Note (3) before B01J 39/00

D B01J 39/06

- N B01J 39/30 . Cation exchangers for chromatographic processes (processes B01D 15/36)
- D B01J 41/06
- N B01J 41/30 . Anion exchangers for chromatographic processes (processes B01D 15/36)
- iii)
C Guide heading before B01J 39/00
 ---- separation by liquid ion-exchangers B01D , e.g. B01D 11/00; ion exchange chromatography
B01D 15/36 **C**
- C B01J 39/06 . Cation exchangers for chromatographic processes (processes B01D 15/36)
- C B01J 39/08 . Use of material as cation exchangers (B01J 39/06 takes precedence);
Treatment of material for improving the cation exchange properties
- C B01J 41/06 . Anion exchangers for chromatographic processes (processes B01D 15/36)
- C B01J 41/08 . Use of material as anion exchangers (B01J 41/06 takes precedence);
Treatment of material for improving the anion exchange properties

JP supports option (i). **EP**, **RO**, **DE** support option (iii). **CA** suggest removing matter relating to ion-exchange from B01D to B01J to establish a coherent body of art. There appears much merit in this aim, but **R** raises the question of whether this prevents the equally useful aim of establishing a coherent body of art relating to chromatography. **R** notes that the references under Ion Exchange above B01J 39/00 suggest that this subject matter is already fragmented in the IPC. To continue this theme, one result of well-supported option (iii) would be to split the current collections of ion-exchange materials (currently in B01J 39/08 and sub-groups and B01J 41/08 and sub-groups). This split would be into groups 39/06 / 39/08 and 41/06 / 41/08 and be on the basis of whether the materials are used for chromatographic purposes. **R** questions whether there are generally differences between ion-exchange materials used in chromatography and those used for other purposes and whether such a distinction is artificial. **R** notes that **EP** suggest that such a division is desirable, though it does not exist presently.

R proposes that the next Working Group discuss the options for dealing with the area of ion-exchange chromatography in the light of comments made by **CA** and **EP**, noting that groups B01D 15/04, 15/36 and B01J 39/B, 41/-- are relevant to this discussion.

CA again raise the question of how populated groups B01D 15/26, 15/28 and 15/38 will be, and whether these groups are desirable.

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project : C 413	Date: 03.10.2001
Class/Subclass : B01D	

Re: IPC/WG/5/3, par. 13

1. IPC Definition for subclass B01D.

- a) We think it would be useful to clarify the term "separation" in Glossary.
- b) The precedence reference concerning B01D 59/00 relates rather to section "Special Rules of Classification" than to "Limiting References" because it does not limit the scope of subclass B01D.

2. Three options suggested by EPO.

As we understand, groups B01D 15/08 – 15/42 are provided for secondary classification as "...they may provide a basis for a complete search..." (Annex 33 to the project file). In this respect we find it useful to transfer the ion-exchange chromatography subject matter to group B01D 15/08 (the adopted reference "ion-exchange processes or materials..." in B01D 15/00 seems to be no problem, because it does not refer out the ion-exchange chromatographic methods subject matter since it relates to ion-exchange processes "in general" and ion-exchange chromatography is something special). Otherwise, i.e. if this subject matter relates to B01J, taking into account the wording of the notes ("When classifying in this group, classification is also made in group B01D 15/08...") there is no possibility to mark ion-exchange separation mechanism by using group B01D 15/08 as secondary classification. For this purpose an additional reference in entries A23C, A61K, A61M, C02F etc. to B01J would be needed.

Options ii) and iii) suggested by R in Annex 46 to the project file seem to us similar and we regard the note "ion-exchange chromatography B01D 15/36" as referring out cation (anion) exchangers for chromatography subject matter as well, i.e. subgroups B01J39/06 and B01J 41/06 can not be placed under groups B01J 39/00 and B01J 41/00 correspondingly. Besides, we consider the reference "processes B01D 15/36" in subgroups B01J 39/30, 41/30 (ii) or B01J 39/06, 41/06 (iii) as that clarifying the note "ion-exchange chromatography B01D 15/36". That complicates the use of the IPC.

So we suggest to transfer subgroups B01J 39/06 and 41/06 to B01D 15/08, i.e. we are in favour of option i) suggested by R in Annex 46 to the project file.

M.Sobolev.



IPC/C 422/00

ORIGINAL: English/French

DATE: November 20, 2001

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ORGANISATION MONDIALE DE LA PROPRIÉTÉ INTELLECTUELLE
GENEVA/GENÈVE

COMMITTEE OF EXPERTS OF THE IPC UNION
COMITÉ D'EXPERTS DE L'UNION DE L'IPC

IPC REVISION PROJECT FILE/DOSSIER DE PROJET DE RÉVISION DE LA CIB

PROPOSAL BY: PROPOSITION DE :	GB, US	REVISION OF IPC AREA: RÉVISION DU DOMAINE DE LA CIB :	C 40 B
KIND OF REVISION: TYPE DE RÉVISION :	Creation of class, subclass Création de classe, sous-classe		

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal	/ Demande de révision avec proposition détaillée	GB	12.99
2	Proposal	/ Proposition	US	03.00
3	Comments	/ Observations	RU	05.00
4	Comments	/ Observations	GB	05.00
5	Comments	/ Observations	DE	05.00
6	Comments	/ Observations	JP	05.00
7	Comments	/ Observations	EP	05.00
8	Comments	/ Observations	SE	05.00
9	Comments	/ Observations	US	06.00
10	Decision of the Working Group	/ Décision du groupe de travail	WG	09.00
11	Rapporteur report	/ Rapport du rapporteur	GB	09.00
12	Rapporteur proposal	/ Proposition du rapporteur	GB	09.00
13	Comments	/ Observations	EP	09.00
14	Comments	/ Observations	JP	09.00

RAPPORTEUR : GB

TECHNICAL FIELD/DOMAINE TECHNIQUE :

C

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
15	Comments	/ Observations	RU	09.00
16	Comments	/ Observations	DE	11.00
17	Comments	/ Observations	SE	11.00
18	Comments	/ Observations	US	11.00
19	Rapporteur report	/ Rapport du rapporteur	GB	11.00
20	Decision of the Working Group	/ Décision du groupe de travail	WG	01/01
21	Comments	/ Observations	CA	03.01
22	Comments	/ Observations	SE	03.01
23	Comments	/ Observations	RU	03.01
24	Comments	/ Observations	EP	03.01
25	Comments	/ Observations	JP	03.01
26	Comments	/ Observations	DE	03.01
27	Rapporteur report	/ Rapport du rapporteur	GB	04.01
28	Decision of the Working Group	/ Décision du groupe de travail	WG	06.01
29	Comments	/ Observations	EP	06.01
30	Comments	/ Observations	RU	06.01
31	Comments	/ Observations	EP	06.01
32	Comments	/ Observations	RO	06.01
33	Comments	/ Observations	EP	08.01
34	Rapporteur proposal	/ Proposition du rapporteur	GB	11.01
35	Decision of the Working Group	/ Décision du groupe de travail	WG	11.01
36	Comments	/ Observations	DE	11.01
37	Comments	/ Observations	EP	11.01
38	Comments	/ Observations	SE	11.01
39	Comments	/ Observations	FR	11.01
40	Comments	/ Observations	RO	11.01
41	French version of approved amendments	/ Version française des modifications approuvées	FR	11.01
42	Rapporteur report	/ Rapport du rapporteur	GB	11.01

ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
43	Comments / Observations	JP	11.01
44	Comments / Observations	RU	11.01

Project: C422 Subclass: C40B

RE: IPC/WG/5/3

The EPO was invited to provide the potential file size of the main groups.

For the most relevant groups where documents pertaining to combinatorial chemistry and libraries, the number of documents are given below. There will, of course be documents with multiple classification in two or more of the groups, leading to a total number lower than the sum of the numbers in the groups.

There will also be a significant number of documents not yet having ECLA classification(s) and documents that can not be easily retrieved, being placed in groups all over the IPC and ECLA.

The numbers below do not contain non patent literature which will not get IPC classifications, but are very useful for searching.

We have tried to retrieve documents from various ECLA or ICO classifications, namely
M07B61/00L (code for combinatorial libraries),
C07K1/04C (peptide libraries),
C07H21/00C4 (polynucleotide units obtained by chemical engineering),
C12Q1/68B10A (measuring or testing processes involving enzymes, characterised by the use of probe arrays)
G01N33/543 (Investigating or analysing materials) and
L01J219/00C (Apparatus and devices for combinatorial chemistry).

These are in-file documents only, so the numbers are greatly underestimated.

1/00	2000 documents
3/00	2000 documents
5/00	650 documents
7/00	200 documents

For the group 11/00, unfortunately, no numbers are available.

Anne Glanddier.

UK Patent Office**Date: 10 September 2001**

Rapporteur Proposal on Project C422, Subclass C40B

During the 5th session of the IPC revision working group it was decided to clarify the distinction between identification and screening (groups 5/00 and 7/00). A definition note for ›identifying‹ was elaborated by EP (Annex 29 of project file) following subgroup D and a corresponding definition of ›screening‹ was called for. Below is a proposed note on which comments are invited:

Note after C40B5/00 (Screening)

N ***Note after C40B5/00***

Note ***In this group, the following term is used with the meaning indicated:***
 - "screening" means determining whether a library contains a member
 or members which have a particular property or activity of interest.

Graham Lynch

EXCERPT FROM DOCUMENT IPC/WG/5/3
EXTRAIT DU DOCUMENT IPC/WG/5/3

Project C 422 (chemical) – The Working Group considered the amendments to the IPC proposed by Subgroup D and approved them, with minor changes (see Annexes 37 and 38 to this report).

The Working Group considered, in particular, main groups of the new subclass C 40 B and noted the difficulties which Subgroup D had experienced in the application of the standardized sequence of main groups in IPC subclasses elaborated by the ad hoc IPC Reform Working Group. The Working Group agreed with the conclusion of Subgroup D that the standardized sequence of main groups was not beneficial in the field of combinatorial chemistry and approved the sequence of main groups in subclass C 40 B, corresponding to basic successive stages of combinatorial technology. In this regard, the Working Group agreed to request the ad hoc IPC Reform Working Group to reconsider the standardized sequence of main groups, with a view to its detailing and providing more examples so as to facilitate its application in the elaboration of new subclasses.

The Working Group discussed Notes, proposed by the EPO (see Annexes 29 and 31 to the project file), defining the scope of main group 7/00 relating to subject matter of “identifying library members.” In order to further clarify the borderline between that main group and main group 5/00 covering “screening libraries,” the Working Group agreed that it was also necessary to elaborate a Note defining the term “screening.”

The United Kingdom was invited to submit the definition of the term “screening.”

Comments were invited on:

- the Notes proposed by the EPO and the definition to be submitted by the United Kingdom;
- whether there was any overlap between subgroups of main group 9/00 and, if that were the case, how it could be eliminated, for example, by introducing a top-to-bottom precedence rule.

The Working Group discussed the need for introducing one-dot subgroups in main groups of subclass C 40 B, other than main group 9/00, and invited the EPO to submit the data on the potential file size of those main groups.

Comments were invited on the desirability of subdividing main groups, in particular in respect of “directed molecular evolution,” “virtual libraries” and non-combinatorial versus combinatorial processes, in the light of the data to be submitted by the EPO.

The Working Group considered the list of most relevant areas of the IPC which should be used in association with subclass C 40 B, prepared by the EPO (see Annex 29 to the project file), and approved the list with the addition of subclass G 06 T. The Working Group requested the EPO

to submit the list with the titles of the areas included, with a view to incorporating it in the Note following the title of subclass C 40 B.

Projet C 422 (chimie) – Le groupe de travail a examiné les modifications que le sous-groupe D a proposé d’apporter à la CIB et les a approuvées, après avoir apporté des modifications mineures (voir les annexes 37 et 38 du présent rapport).

Le groupe de travail s’est intéressé en particulier aux groupes principaux de la nouvelle sous-classe C 40 B et a noté les difficultés rencontrées par le sous-groupe D pour suivre l’ordre normalisé des groupes principaux dans les sous-classes de la CIB élaboré par le Groupe de travail ad hoc sur la réforme de la CIB. Le groupe de travail a fait sienne la conclusion du sous-groupe D, selon laquelle l’ordre normalisé des groupes principaux ne convient pas dans le domaine de la chimie combinatoire, et a approuvé l’ordre des groupes principaux dans la sous-classe C 40 B, qui correspond aux étapes successives fondamentales de la technique combinatoire. À cet égard, le groupe de travail a convenu de demander au Groupe de travail ad hoc sur la réforme de la CIB de réexaminer l’ordre normalisé des groupes principaux, en vue d’en détailler les éléments et de fournir davantage d’exemples de façon à en faciliter l’application lors de l’élaboration de nouvelles sous-classes.

Le groupe de travail a débattu des notes proposées par l’OEB (voir les annexes 29 et 31 du dossier de projet), définissant la portée du groupe principal 7/00 relatif à la question d’ “identifying library members”. Afin de préciser encore la démarcation entre ce groupe principal et le groupe principal 5/00 relatif à “screening libraries”, le groupe de travail a convenu qu’il est aussi nécessaire d’élaborer une note définissant le mot “screening”.

Le Royaume-Uni a été invité à proposer une définition du mot “screening”.

Des observations ont été demandées

- sur les notes proposées par l’OEB et la définition qui doit être soumise par le Royaume-Uni;
- sur la question de savoir s’il y a chevauchement entre les sous-groupes du groupe principal 9/00 et, dans l’affirmative, comment éliminer ce chevauchement (par exemple, en introduisant une règle de priorité descendante).

Le groupe de travail a débattu de la nécessité d’introduire des sous-groupes à un point dans les groupes principaux de la sous-classe C 40 B, à l’exclusion du groupe principal 9/00, et a invité l’OEB à présenter les données relatives à la taille potentielle du dossier de recherche de ces groupes principaux.

Des observations ont été demandées sur l’opportunité de subdiviser les groupes principaux, en particulier en ce qui concerne l’ “évolution moléculaire dirigée” (“directed molecular evolution”), les “bibliothèques virtuelles” (“virtual libraries”) et les procédés non combinatoires par opposition aux procédés combinatoires, compte tenu des données qui seront soumises par l’OEB.

Le groupe de travail a étudié la liste des secteurs les plus appropriés de la CIB à utiliser en association avec la sous-classe C 40 B, établie par l'OEB (voir l'annexe 29 du dossier de projet), et a approuvé la liste après avoir ajouté la sous-classe G 06 T. Le groupe de travail a demandé à l'OEB de présenter la liste comportant les titres des secteurs, en vue de la faire figurer dans la note suivant le titre de la sous-classe C 40 B.

ANNEX	37	C 40	[Project-Rapporteur : 422/GB]	<SC05008E>
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<i>N</i>	<i>Subsection title before C 40</i>	COMBINATORIAL TECHNOLOGY
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<i>N</i>	Title	COMBINATORIAL CHEMISTRY; LIBRARIES
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ANNEX	38	C 40 B	[Project-Rapporteur : 422/GB]	<SC05009E>
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<i>N</i>	Title	COMBINATORIAL CHEMISTRY; LIBRARIES, e.g. CHEMICAL LIBRARIES
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<i>N</i>	<i>Note(s) after the title</i>	
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When classifying in this subclass, subject matter of interest is also classified in other appropriate places:

- (a) library members are also classified in the appropriate places elsewhere in the IPC (e.g. in section C) according to established procedure relating to "Markush"-type formulae (see paragraph 71 of the Guide);*
- (b) methods or apparatus covered by this subclass are also classified for their biological, chemical, physical or other features in the appropriate places in the IPC, if such features are of interest, e.g.*

<i>N</i>	1/00	Libraries
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<i>N</i>	3/00	Methods of creating libraries, e.g. combinatorial synthesis
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<i>N</i>	5/00	Methods of screening libraries
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<i>N</i>	7/00	Methods specially adapted for identifying library members
----------	-------------	--

<i>N</i>	9/00	Apparatus specially adapted for use in combinatorial chemistry or with libraries
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<i>N</i>	9/02	• <i>Integrated apparatus specially adapted for creating libraries, screening libraries and for identifying library members</i>
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<i>N</i>	<i>9/04</i>	• <i>Integrated apparatus specially adapted for both creating and screening libraries</i>
<i>N</i>	<i>9/06</i>	• <i>Integrated apparatus specially adapted for both creating libraries and identifying library members</i>
<i>N</i>	<i>9/08</i>	• <i>Integrated apparatus specially adapted for both screening libraries and identifying library members</i>
<i>N</i>	<i>9/10</i>	• <i>for creating libraries</i>
<i>N</i>	<i>9/12</i>	• <i>for screening libraries</i>
<i>N</i>	<i>9/14</i>	• <i>for identifying library members</i>
<i>N</i>	11/00	<i>Subject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries</i>

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trademark Office	Class/Subcl.: C15B
	Date : 26.09.2001
DE - Comments — C422	

Re: Comments on IPC/WG/5/3

- *the notes proposed by the EPO and the definition to be submitted by UK*

We agree to the notes proposed by EPO and UK.

- *whether there was any overlap between subgroups of main group 9/00*

We do not expect overlap between the subgroups of 9/00. We support the adopted order of the subgroups which could work like a top-to bottom precedence rule.

- *the desirability of subdividing main groups*

It is necessary to subdivide main groups 1/00, 3/00 and 5/00 according to the statistical data submitted by EPO, but the subdivision should go to the one dot level only (see our comments from Annex 26). We are in favour of subgroups for non-combinatorial libraries and processes under 1/00 and 3/00. Groups for "directed molecular evolution" and "virtual libraries" should not be created. Disclosures mentioning these subjects should be classified in the respective main groups.

H. P. Gerster

Project: C422 Subclass: C40B**Re: IPC/WG/5/3**

Comments were invited on:

1. The definition of the term "screening"

We agree with the definition as proposed by UK.

2. Whether there will be an overlap between subgroups of main group 9/00

We do not think there will be an overlap between the subgroups of group 9/00, because all combinations have been thought of. If, of course, one document relates to two different apparatuses, then the two classes will be given.

3. The desirability of subdividing main groups

In spite of the statistical figures, we do not think that it is desirable to subdivide 1/00, 3/00, and 5/00.

Concerning the other main groups, we suggest the following one-dot groups:

under 7/00

Identification

- § Determination of position in space of library members, e.g. using grids of phials
- § Tags, labels specially adapted for combinatorial chemistry or libraries
- § Decoding or encoding processes

under 11/00

- § Linkers or spacers specially adapted for combinatorial chemistry or libraries
- § Virtual or mathematical libraries, conception thereof or related subject-matter, e.g. software
- § Deconvolution techniques
- § Directed molecular evolution

Titles of the areas to be included in Annex 28 page 3

A01N	Biocides
A61K	Preparations for medical, dental or toilet purposes
A61P	Therapeutic activity of compounds
B01D	Separation
B01J	Chemical or physical processes, e.g. catalysts; Their relevant apparatuses
B01L	Chemical or physical laboratory apparatuses
Section C	Inorganic, organic, biological or microbiological compounds per se; Associated methods
G01N	Chemical or physical analysis
G01R, G01T	Physical measurements methods; Their relevant apparatuses
G03F	Photomechanical methods
G06K	Data processing
G06T	Image data processing
G09K	Displaying; Advertising

Anne Glanddier

Swedish Patent and Registration Office

IPC Revision Project C422, subclass C40B

September 28, 2001

Comments (in response to IPC/WG/5/3)

Comments were invited on:

- *the Notes proposed by EPO and the definition proposed by United Kingdom*

We support the proposed Notes from EPO and United Kingdom

- *Whether there was any overlap between subgroups of main 9/00*

The principle of "inclusiveness", if that will be part of the classification rules if the reformed IPC, means that what is stated in a title is the minimum requirement for what can be classified in a place. The invention A+B is always classifiable in group A, no matter how "big" B is in relation to A.

This means there is considerable overlap between the groups. As an example, apparatus classifiable in 9/06 is also classifiable in 9/10 and 9/14. Apparatus classifiable in group 9/02 is also classifiable in all the other subgroups. Therefore precedence rules are necessary.

It should be noted that the amount of overlap is increased by the arrangement of all groups on the same dot level without any hierarchy. This is not the usual IPC way of drafting schemes. If the groups had been arranged in a traditional way the overlap would have been limited and only four precedence rules would have been needed - see below:

```

9/00
9/02  . A
9/04  . . A+B
9/06  . . . A+B+C
9/08  . . A+C
9/10  . B (9/04 takes precedence)
9/12  . . B+C
9/14  . C (9/06, 9/08, 9/12 take precedence)
  
```

The layout of subgroups of 9/00 might have been chosen for a good technical reason in this case. However, if a similar way of drafting schemes is intended to replace the normal practice we think this should be called to the attention of the Committee of Experts and/or the Reform Working Group.

- *Subdividing main groups*

We suggest the following one-dot groups:

```

1/00      Libraries
          . organic chemical libraries
          . biological libraries
  
```

- 3/00 Methods of creating libraries
 . by organic synthesis
 . by biochemical or biological synthesis

We do not think that the other groups need further subdivision. It is possible that the term “biological” should be defined in the definitions of the group.

We do not agree to the to the proposed subdivision of 11/00 as proposed in Annex 37. The group 11/00 is a residual place and it is our opinion that such groups should not be further subdivided.

However, if a subgroup concerning virtual or mathematical libraries is needed, it should be placed as a one-dot group under 1/00.

Carolina Gómez Lagerlöf

Projet IPC / C 422
Sous-classe C 40 B

Annexe 39 du dossier de projet

PROPOSITION DE VERSION FRANÇAISE

(ref : annexes 37 et 38 du document IPC/WG/5/3)

C 40

ANNEX	37	C 40	[Project-Rapporteur : 422/GB]	<SC05008E>
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N *Titre de
sous-section
avant C 40*

TECHNOLOGIE COMBINATOIRE

N *Titre*

CHIMIE COMBINATOIRE; BIBLIOTHÈQUES

C 40 B

ANNEX	38	C 40 B	[Project-Rapporteur : 422/GB]	<SC05009E>
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N *Titre*

**CHIMIE COMBINATOIRE; BIBLIOTHÈQUES, p.ex.
BIBLIOTHÈQUES CHIMIQUES**

N *Note(s)
après le titre*

Lors du classement dans la présente sous-classe, un classement est également attribué dans les endroits appropriés :

- (a) *les éléments de bibliothèques sont également classés dans les autres entrées appropriées de la CIB (p.ex. dans la section C) selon la procédure établie pour les formules de type "Markush" (voir le paragraphe 71 du Guide d'utilisation);*
- (b) *les procédés et les appareils couverts par la présente sous-classe sont également classés pour leurs caractéristiques biologiques, chimiques, physiques ou autres dans les endroits appropriés de la CIB si de telles caractéristiques présentent un intérêt, p.ex.*

N *1/00*

Bibliothèques

N *3/00*

Procédés de création de bibliothèques, p.ex. synthèse combinatoire

<i>N</i>	<i>5/00</i>	<i>Procédés de criblage des bibliothèques</i>
<i>N</i>	<i>7/00</i>	<i>Procédés spécialement adaptés à l'identification des éléments des bibliothèques</i>
<i>N</i>	<i>9/00</i>	<i>Appareils spécialement adaptés à une utilisation en chimie combinatoire ou avec des bibliothèques</i>
<i>N</i>	<i>9/02</i>	• <i>Appareils intégrés spécialement adaptés à la création, au criblage de bibliothèques et à l'identification des éléments de bibliothèques</i>
<i>N</i>	<i>9/04</i>	• <i>Appareils intégrés spécialement adaptés à la fois à la création et au criblage de bibliothèques</i>
<i>N</i>	<i>9/06</i>	• <i>Appareils intégrés spécialement adaptés à la fois à la création de bibliothèques et à l'identification des éléments des bibliothèques</i>
<i>N</i>	<i>9/08</i>	• <i>Appareils intégrés spécialement adaptés à la fois au criblage de bibliothèques et à l'identification des éléments des bibliothèques</i>
<i>N</i>	<i>9/10</i>	• <i>pour créer des bibliothèques</i>
<i>N</i>	<i>9/12</i>	• <i>pour cribler des bibliothèques</i>
<i>N</i>	<i>9/14</i>	• <i>pour identifier des éléments des bibliothèques</i>
<i>N</i>	<i>11/00</i>	<i>Matière relative à la chimie combinatoire ou aux bibliothèques et non couverte par les groupes 1/00 à 9/00</i>

STATE OFFICE FOR INVENTIONS
AND TRADEMARKS

Date: Sept. 2001
Page: 1

RO COMMENTS

PROJECT : C 422

Class/Subclass : C40B

Comments were invited on :

- whether there was any overlap between subgroups of main group 9/00 and, if that were the case how it could be eliminated, for example by introducing a top to bottom precedence rule.

The main group 9/00 created by the Subgroup D was especially structured to avoid any overlap between the subgroups. It was established that there are patent applications having as subject matter the most complete apparatus, especially adapted for either creating libraries, screening or identifying library members. It was considered that the term *Integrated apparatus A* is the most appropriate term to define the fact that the apparatus especially adapted for two or three purposes functions as a unit. It is not necessary to have three distinctive parts to perform the three operations, but to be especially adapted to perform them.

- desirability of dividing the main groups of the subclass C40B

We do see the need for introducing one-dot subgroups in the main groups, taking into consideration the file size of the main groups.

Mirela Georgescu

Projet IPC / C 422
Sous-classe C 40

Annexe 41 du dossier de projet

VERSION FRANÇAISE

Ce document a été établi sur la base de notre proposition, après consultation des autres offices et du Bureau international.

(ref : annexes 37 & 38 du document IPC/WG/3/3)

C 40

ANNEX	37	C 40	[Project-Rapporteur : 422/GB]	<SC05008E>
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<i>N</i>	<i>Titre de sous-section avant C 40</i>	TECHNOLOGIE COMBINATOIRE
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<i>N</i>	<i>Titre</i>	CHIMIE COMBINATOIRE; BIBLIOTHÈQUES
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C 40

ANNEX	38	C 40 B	[Project-Rapporteur : 422/GB]	<SC05009E>
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<i>N</i>	<i>Titre</i>	CHIMIE COMBINATOIRE; BIBLIOTHÈQUES, p.ex. BIBLIOTHÈQUES CHIMIQUES
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N *Note(s)*
après le titre

Lors du classement dans la présente sous-classe, un classement est également attribué dans les endroits appropriés :

- (a) les éléments de bibliothèques sont également classés dans les autres entrées appropriées de la CIB (p.ex. dans la section C) selon la procédure établie pour les formules de type "Markush" (voir le paragraphe 71 du Guide d'utilisation);*
- (b) les procédés et les appareils couverts par la présente sous-classe sont également classés pour leurs caractéristiques biologiques, chimiques, physiques ou autres dans les endroits appropriés de la CIB si de telles caractéristiques présentent un intérêt, p.ex.*

<i>N</i>	1/00	<i>Bibliothèques</i>
<i>N</i>	3/00	<i>Procédés de création de bibliothèques, p.ex. synthèse combinatoire</i>
<i>N</i>	5/00	<i>Procédés de criblage des bibliothèques</i>
<i>N</i>	7/00	<i>Procédés spécialement adaptés à l'identification des éléments des bibliothèques</i>
<i>N</i>	9/00	<i>Appareils spécialement adaptés à une utilisation en chimie combinatoire ou avec des bibliothèques</i>
<i>N</i>	9/02	• <i>Appareils intégrés spécialement adaptés à la création, au criblage de bibliothèques et à l'identification des éléments de bibliothèques</i>
<i>N</i>	9/04	• <i>Appareils intégrés spécialement adaptés à la fois à la création et au criblage de bibliothèques</i>
<i>N</i>	9/06	• <i>Appareils intégrés spécialement adaptés à la fois à la création de bibliothèques et à l'identification des éléments des bibliothèques</i>
<i>N</i>	9/08	• <i>Appareils intégrés spécialement adaptés à la fois au criblage de bibliothèques et à l'identification des éléments des bibliothèques</i>
<i>N</i>	9/10	• <i>pour créer des bibliothèques</i>
<i>N</i>	9/12	• <i>pour cribler des bibliothèques</i>
<i>N</i>	9/14	• <i>pour identifier des éléments des bibliothèques</i>
<i>N</i>	11/00	<i>Matière relative à la chimie combinatoire ou aux bibliothèques et non couverte par les groupes 1/00 à 9/00</i>

UK Patent Office**Date: 26 October 2001**

Rapporteur Report on Project C422/00, Subclass C40B

Progress

Analysis of potential file sizes of main groups was provided by **EP** - Annex 33.

A proposed Note defining 'screening' was provided by **R** - Annex 34.

Comments were received from **DE**, **EP**, **SE**, **RO** - Annexes 36, 37, 38, 40.

EP has provided titles for the areas to be included in Annex 28, page 3 and in the classification definition if required - Annex 37.

Versions of adopted work for class C40 in French were presented by **FR** - Annexes 39, 41.

A classification definition has been elaborated for sub-class C40B - see definition project D005/00.

Report**Notes**

- The Working Group invited comments on the wordings of Notes suggested by EP (see Annexes 29 and 31) in relation to identification and group C40B 7/00 and to be provided by GB (see Annex 34) in relation to screening and group C40B 5/00.

Support for the notes was indicated by **DE**, **EP**, **SE**. **R** has incorporated these notes into the definition statement for C40B.

Group C40B 9/00

- The Working Group invited comments on whether there was any overlap between subgroups of main group 9/00 and, if that were the case, how could it be eliminated, for example, by introducing a top-to-bottom precedence rule.

DE, **EP**, **RO** see no possibility for overlap within the subgroups of C40B 9/00 and support the existing arrangement. **RO** point out that this sub-division was created during sub-group D to avoid such an overlap. **SE** sees the possibility for considerable overlap and suggests an alternative hierarchical arrangement of the sub-groups.

R notes that for groups 9/02 to 9/08 it is the integrated nature of the apparatus that is of interest. **R** proposes to retain the subgroups of C40B 9/00 as adopted. **R** proposes to add notes to the 'special rules of classification' section of the classification definition, these notes emphasising the importance of the integrated aspect for groups 9/02 to 9/08 and that where apparatus has non-integrated functions relating to more than one of groups 9/10 to 9/14, it is classified in each relevant one of these groups.

Size of Main Groups and Need for Sub-division

- The Working Group discussed the need for introducing one-dot subgroups in main groups of subclass C 40 B, other than main group 9/00, and invited the EPO to submit the data on the potential file size of those main groups.

Comments were invited on the desirability of subdividing main groups, in particular in respect of A directed molecular evolution, @ A virtual libraries@ and non-combinatorial versus combinatorial processes, in the light of the data to be submitted by the EPO.

From the data supplied by **EP**; **DE** support sub-division of groups 1/00, 3/00, 5/00 to one-dot level, **EP** do not support sub-division of groups 1/00, 3/00, 5/00 despite the data, and support the sub-division of groups 7/00, 11/00 to one-dot level, **SE** propose one-dot sub-divisions for groups 1/00, 3/00, **RO** support the sub-division of groups to one-dot level.

Given this split in opinion **R** does not propose detailed one-dot sub-divisions in this report, but makes the following observations:

From the file size data provided by **EP**, some form of sub-division appears desirable.

Regarding the proposed sub-division of 11/00 by **EP**, deconvolution techniques properly belong in group 7/00 (identification), directed molecular evolution embraces aspects of creating and screening libraries (and possibly identification) and is thus appropriate for groups 3/00, 5/00 (7/00), virtual libraries would appear to belong under 1/00 (libraries).

Proposals for sub-dividing group 1/00 Libraries may be found in Annexes 2, 7, 14, 25, 38. These fall into general categories of sub-division by >chemical nature< found in Annexes 2, 38 and by division into arrays and mixtures - see Annexes 7, 14, 25. **R** suggests that the physical form of a library, e.g. array, mixture or other form, is of interest mainly for how this influences the creation, screening of a library or the identification of its members and this subject matter would thus be classified in groups 3/00, 5/00, 7/00. For libraries per se, the interest is more likely to be in the chemical nature of the library members and **R** thus proposes that a sub-division on broad categories of chemical structure is most appropriate. Regarding the **SE** proposal, there would appear to be much overlap between organic and biological libraries.

Proposals for sub-dividing group 3/00 Creating libraries may be found in Annexes 7, 8, 12, 13, 14, 38. There is broad consensus for sub-divisions of this group to be into categories such as organic/inorganic/biochemical/solid phase/solution phase synthesis.

Proposals for sub-dividing group 5/00 Screening libraries may be found in Annexes 2, 8, 14, 25, 30. These proposals cover division by chemical nature, into biochemical methods and by the properties being screened for.

Proposals for sub-dividing group 7/00 Identifying library members may be found in Annexes 7, 12, 37. The proposals have broadly similar forms.

Proposals for sub-dividing residual group 11/00 may be found in Annexes 7, 14, 25, 37.

Graham Lynch
UKPO

Japan Patent Office

November 5, 2001

Project:C-422

Subclass:C40B

JPO Comments on IPC Revision Proposals for Project C 422**1. Definitions of Screening and Identification**

JPO supports to describe definitions of screening and identification as those of subclasses proposed by UK in Annex 34 and EP in Annex 29 respectively such as:

“Screening’ means determining whether a library contains a member or members which have a particular property or activity of interest;”

“ ‘Identifying’ means determining the exact nature, e.g. chemical structure or sequence listing, of a particular library member or of a particular subset of library members.”

However, in many cases it is difficult to clarify the purposes of inventions whether screening or identification when their characteristics are **apparatus and detecting method itself** (e.g. a method using optical sensor), and is also hard to classify them. Otherwise, we think that it is important to assign the C40B classification to indicate the document, which is classified in G section at first, is deeply related to the combinatorial chemistry.

As subdivisions of created main groups for screening or identification, we repropose to create classifications for “methods of screening libraries” and “methods specially adapted for identifying library member” so that those items are able to be classified with ease.

Regard to the said unclassifiable items, they should be classified in related main groups.

5/00 Screening or Identification

5/02 . methods of screening libraries

5/04 . methods specially adapted for identifying library members

2. Duplication of 9/00 (apparatus) Subdivisions?

JPO agrees with EPO comments of Annex 37. Though it is not considered that an adoption of conventional classification rule (Best Fit Rule) would cause definitional duplications among subdivisions under 9/00, we propose to modify suggested definitions to avoid further duplications as below (Underlined terms are added).

- 9/00 Apparatus specially adapted for use in combinatorial chemistry or with libraries
- 9/02 . Integrated apparatus specially adapted for creating libraries, screening libraries and for identifying library members
- 9/04 . Integrated apparatus specially adapted only for both creating and screening libraries
- 9/06 . Integrated apparatus specially adapted only for both creating libraries and identifying library members
- 9/08 . Integrated apparatus specially adapted only for both screening libraries and identifying library members
- 9/10 . only for creating libraries
- 9/12 . only for screening libraries
- 9/14 . only for identifying library members

3. Subdivisions of Subgroups

3-1. EPO Comments in Annex 37

We agree with a creation of classification “(d)etermination of position in space of library members” as a subdivision of “(m)ethods specially adapted for identifying library members.”

However, we do not support to place “(t)ags, labels specially adapted for combinatorial chemistry or libraries” and “(d)ecoding or encoding processes” under “(m)ethods specially adapted for identifying library members” because providing tags or labels and decoding or encoding processes per se are not covered by identifying though they are factors to prepare the identifying. Instead, we agree to place them under 11/00 “(s)ubject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries.”

In view of the future technical development of independent labeling from tag or label, we propose to treat chemical identifiers specially adapted for combinatorial chemistry or libraries (e.g. tags or labels), etc. as a broad concept of “(t)ags, labels specially adapted for combinatorial chemistry or libraries.”

Moreover, we support EPO proposal to create a subdivision “(l)inkers or spacers specially adapted for combinatorial chemistry or libraries” under 11/00 “(s)ubject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries.”

However, general characteristics of “(d)econvolution techniques” and “(d)irected molecular evolution” are manufacture, screening, identification,

or its combination, and it is considered that they are usually classified in main groups “(m)ethod of creating libraries,” “(m)ethods specially adapted for identifying library members,” or “(m)ethods of screening libraries.”

Consequently, it is unclear how many documents would be classified in those subdivisions “(d)ecomposition techniques” and “(d)irected molecular evolution” even though they are created under 11/00. If necessary, it is appropriated for them to be created under 3/00 “(m)ethods of creating libraries, e.g. combinatorial synthesis” since most of their characteristics would be the creation of intended libraries.

3-2. 1/00

Ordinary, subclass C40B is assigned with additional existing classifications, and when general libraries are claimed, their chemical compounds would be classified in existing classifications in Section C. Combination searches of classifications such as C40B, C07, etc. could select each libraries by the compounds sorts. Thus, classification items providing subject matters which is already provided in existing classification in Section C should not be created under 1/00.

Therefore, those subdivision providing subject matters characterized by combinatorial chemistry alone should be created under this main group.

JPO proposes subdivisions of 1/00 as follows:

- 1/00 Libraries (e.g. inorganic compounds, low molecular organic compounds, polymers, polynucleotides, polypeptides, enzymes, and inventions using them)
(In case that the libraries could be classified in the present classification, such as “library” shown by general chemical (Markush-type) formulae, it should be given the current IPC (e.g. C01, C07, C08, C22))
- 1/02 . ordered arrays
- 1/04 . a plurality of members present on a support and affixed thereto by chemical bonding, by physical attractive forces, or by coating
- 1/06 . mixtures

Classification items in 1/02-1/06 are considered to be valuable to be broken down because they provide information that is not provided in other classification in Section C.

We have not reached to a conclusion about the inclusion of virtual library in C40B yet, but it would be appropriate to be created under 1/00 rather than 11/00 if necessary.

3-3. 3/00

Regarding to main group 3/00 “(m)ethods of creating libraries, e.g. combinatorial synthesis,” we propose the following subdivisions according to synthetic methods which are characteristics of combinatorial chemistry technique (See 3-1.for brackets). We also think those subdivisions are necessary especially in the light of the number of documents covered by pertinent main groups as EPO mentioned in Annex 33.

- 3/00 Methods of creating libraries, e.g. combinatorial synthesis
- 3/02 . Characterized by the chemical nature of the library members produced
 (libraries per se 1/00)
- 3/04 . characterized by the method used
- 3/06 . . deconvolution
- 3/08 . . directed molecular evolution
- 3/10 . . organic chemistry synthesis
- 3/12 . . . solution phase synthesis
- 3/14 . . . solid phase synthesis
- 3/16 . . biochemical synthesis
- 3/18 . . inorganic chemistry synthesis
- 3/20 . characterized by the use of particular apparatus or devices of processes specially adapted for use in the synthesis of chemical libraries

3-4. 11/00

We propose the following subdivisions which would be placed under 11/00 “(s)ubject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries.” We have no trouble with the adoption of SE proposal in Annex 38 that these subdivisions should be placed as an independent main group.

- 11/00 Subject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries
- 11/02 . linkers or spacers specially adapted for combinatorial chemistry or libraries
- 11/04 . carriers or (solid) supports specially adapted for combinatorial chemistry or libraries
- 11/06 . tags or labels specially adapted for combinatorial chemistry or libraries
- 11/08 . decoding process

4. Necessary Subclasses to Notes

With regard to the subclasses which should be described in Notes, we consider that the following subclasses would be cited as we have also proposed in D-Project:

(a) Library members are also classified in the appropriate places elsewhere in the IPC (e.g. in Section C) according to established procedure relating to 'Markush'-type formulae.

(b) Methods, apparatus or subject matters covered by this subclass are also classified for their biological, chemical, physical or other features in the appropriate places in the IPC, if such features are of interest, e.g. section C, B29, B01D, B01J, B01L, G01N, G01R, G01T, G03F, G06F.

It is more appropriate to add G06F instead of G06K, G06T and G09F since G06K covers bar codes, characters, and readers (e.g. magnetic card), G06T covers image data processing and computer graphics, and G09F covers displaying and labels. We are hardly able to understand why these three subclasses are inserted to the proposal. Subclass G06F covers CAD, database, and application specific calculator, which are all related to the techniques of virtual libraries or simulations.

5. Conventional Classification Rule (Best Fit Rule) and Top-Down Precedence

In view of the search effectiveness, it is considered that the conventional best fit rule, which have been adopted in other fields and classifies technically characterized items, would be the most appropriate rule rather than top-down precedence for this technical field.

6. Conclusion

As a conclusion, JPO proposes the following classification at present:

C40B

Title COMBINATORIAL CHEMISTRY; LIBRARIES, e.g. CHEMICAL LIBRARIES

Note(s) after the title

When classifying in this subclass, subject matter of interest is also classified in other appropriate places:

(a) library members are also classified in the appropriate places elsewhere in the IPC (e.g. in section C) according to established procedure relating to 'Markush'-type formulae.

(b) methods, apparatus or subject matters covered by this subclass are also classified for their biological, chemical, physical or other features in the appropriate places in the IPC, if such features are of interest, e.g. section C, B29, B01D, B01J, B01L, G01N, G01R, G01T, G03F, G06F, G09F.

- 1/00 Libraries (e.g. inorganic compounds, low molecular organic compounds, polymers, polynucleotides, polypeptides, enzymes, and inventions using them)
(In case that the libraries could be classified in the present classification, such as “library” shown by general chemical (Markush-type) formulae, it should be given the current IPC (e.g. C01, C07, C08, C22))
- 1/02 . ordered arrays
- 1/04 . a plurality of members present on a support and affixed thereto by chemical bonding, by physical attractive forces, or by coating
- 1/06 . mixtures
- 3/00 Methods of creating libraries, e.g. combinatorial synthesis
- 3/02 . Characterized by the chemical nature of the library members produced
(libraries per se 1/00)
- 3/04 . characterized by the method used
- 3/06 . . deconvolution
- 3/08 . . directed molecular evolution
- 3/10 . . organic chemistry synthesis
- 3/12 . . . solution phase synthesis
- 3/14 . . . solid phase synthesis
- 3/16 . . biochemical synthesis
- 3/18 . . inorganic chemistry synthesis
- 3/20 . characterized by the use of particular apparatus or devices of processes specially adapted for use in the synthesis of chemical libraries
- 5/00 Screening or Identification
- 5/02 . methods of screening libraries
- 5/04 . methods specially adapted for identifying library members
- 5/06 . . determination of position in space of library members
- 9/00 Apparatus specially adapted for use in combinatorial chemistry or with libraries
- 9/02 . Integrated apparatus specially adapted for creating libraries, screening libraries and for identifying library members
- 9/04 . Integrated apparatus specially adapted only for both creating and screening libraries
- 9/06 . Integrated apparatus specially adapted only for both creating libraries and identifying library members

- 9/08 . Integrated apparatus specially adapted only for both screening libraries and identifying library members
- 9/10 . only for creating libraries
- 9/12 . only for screening libraries
- 9/14 . only for identifying library members

- 11/00 Subject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries
- 11/02 . linkers or spacers specially adapted for combinatorial chemistry or libraries
- 11/04 . carriers or (solid) supports specially adapted for combinatorial chemistry or libraries
- 11/06 . chemical identifiers specially adapted for combinatorial chemistry or libraries(e.g. tags or labels)
- 11/08 . decoding process

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project : C 422	Date: 03.10.2001
Class/Subclass : C 40 B	

Re: IPC/WG/5/3, par.13

Comments invited on:

- v the Notes proposed by the EPO and the definition to be submitted by the United Kingdom.

We agree with the definitions, proposed by EP and GB.

- v whether there was any overlap between subgroups of main group 9/00 and, if that were the case, how it could be eliminated, for example, by introduction a top-to-bottom precedence rule.

We do not see any overlap between subgroups of main group 9/00.

- v the desirability of subdividing main groups, in particular in respect of "directed molecular evolution", "virtual libraries" and non-combinatorial versus combinatorial processes, in the light of the data to be submitted by the EPO.

Taking into account the potential file size of group 1/00 and 3/00 submitted by the EPO, we believe that subdividing these groups is desirable. We supports the subdivision of groups 1/00 and 3/00, proposed by SE. At least separation of organic chemical libraries from biological libraries is necessary. As to subdividing group 3/00 we are in favour of following subgroups:

- . Chemical synthesis
- . . Solution phase
- . . Solid phase
- . Biochemical synthesis

We do not see the need to create any subgroup for virtual libraries now.

As before we think that it is desirable to create a separate subgroup for directed molecular evolution, e.g. under main group 7/00.

We support subdividing group 7/00, proposed by GB (An 12, to the project file, page 4, groups 3/10 – 3/20).

In our opinion, it is desirable to create the subgroups for tags or labels and solid supports, because in the IPC there is no appropriate place for them.

E.Loubiako.

