IPC REVISION PROJECTS/
PROJETS DE RÉVISION DE LA CIB

CHEMICAL FIELD/
DOMAINE DE LA CHIMIE

IPC/C 362/96
ORIGINAL: English/French
DATE: May 9, 2002

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: **GB** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 09 K** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **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
54	Decision of the Working Group	/ Décision du groupe de travail	WG	01.02
55	Comments	/ Observations	JP	03.02
56	Comments	/ Observations	DE	04.02
57	Comments	/ Observations	RU	04.02
58	Comments	/ Observations	RO	04.02
59	Comments	/ Observations	EP	04.02
60	Comments	/ Observations	US	04.02
61	French version of approved amendments	/ Version française des modifications approuvées	EP	05.02
62	Rapporteur report	/ Rapport du rapporteur	EP	05.02
63	Rapporteur proposal	/ Proposition du rapporteur	EP	05.02

ANNEX 54

EXCERPT FROM DOCUMENT IPC/WG/6/5
EXTRAIT DU DOCUMENT IPC/WG/6/5

Project C 362 (chemical) – A number of amendments to subclass C 09 K were approved (see Annex 6E to this report). The Working Group confirmed its decision to create groups 8/44 and 8/46, taken at the fourth session (see Annex 14 to document IPC/WG/4/5).

Comments were invited on:

– whether the wordings of the new groups 8/76 and 8/78 correctly reflected their indented scope;

– the relationship and possible overlap between the new subgroups of group 8/60 created at the fifth session of the Working Group (see Annex 8 to document IPC/WG/5/3) and whether this relationship could be clarified by precedence references or introduction of a general rule, for example, the last place rule, would be desirable;

– whether subclass E 21 B should be included in the list of classification places used in association with subclass C 12 S, provided in Note (1) following the title of subclass C 12 S;

– the correctness of the modified reference in group E 21 B 43/22 (see Annex 8E to this report), in respect to the expression “bacterial composition.”

Projet C 362 (chimie) – Plusieurs modifications relatives à la sous-classe C 09 K ont été approuvées (voir l’annexe 6E du présent rapport). Le groupe de travail a confirmé sa décision de créer les groupes 8/44 et 8/46 prise à sa quatrième session (voir l’annexe 14 du document IPC/WG/4/5).

Des observations ont été demandées

– sur le point de savoir si le libellé des nouveaux groupes 8/76 et 8/78 correspond bien à la portée prévue pour ces groupes;

– sur le lien et le chevauchement éventuel entre les nouveaux sous-groupes du groupe 8/60 créé pendant la cinquième session du groupe de travail (voir l’annexe 8 du document IPC/WG/5/3) et sur le point de savoir si ce lien peut être précisé par des renvois de priorité ou s’il serait souhaitable d’incorporer une règle générale telle que la règle de la dernière place;

– sur le point de savoir si la sous-classe E 21 B doit faire partie de la liste des endroits de classement utilisés en association avec la sous-classe C 12 S, figurant dans la note 1) qui suit le titre de la sous-classe C 12 S;

– sur le bien-fondé du renvoi modifié dans le groupe E 21 B 43/22 (voir l'annexe 8E du présent rapport), en ce qui concerne l'expression "composition bactérienne".

ANNEX 6E C 09 K [Project-Rapporteur : 362/EP] <SC06001E>

N	*8/03*	• • *Specific additives for general use in well-drilling compositions*	
N	*8/035*	• • • *Organic additives*	
N	*8/512*	• • • • • *containing cross-linking agents*	R
N	*8/514*	• • • • • *of natural origin, e.g. polysaccharides, cellulose (8/512 takes precedence)*	R
N	*8/518*	• • • *Foams*	R
N	*Note(s) after 8/56*		
		Informative note *References listed below indicate IPC places which could also be of interest when carrying out a search in respect of the subject matter covered by the preceding group:* *Soil-conditioning materials or soil-stabilising materials 17/00.*	
N	*8/575*	• • • *containing organic compounds*	
N	*8/58*	• *Compositions for enhanced recovery methods for obtaining hydrocarbons, i.e. for improving the mobility of the oil, e.g. displacing fluids*	R
N	*8/582*	• • *characterised by the use of bacteria*	
N	*8/592*	• • *Compositions used in combination with generated heat, e.g. by steam injection*	R
N	*8/594*	• • *Compositions used in combination with injected gas (8/592 takes precedence)*	
N	*8/62*	• • *Compositions for forming crevices or fractures*	R
N	*8/64*	• • • *Oil-based compositions*	R
N	*8/66*	• • • *Compositions based on water or polar solvents (8/64 takes precedence)*	
N	*8/68*	• • • • *containing organic compounds*	
N	*8/70*	• • • *characterised by their form or by the form of their components, e.g. foams*	
N	*8/72*	• • • *Eroding chemicals, e.g. acids*	
N	*8/74*	• • • • *in combination with additives added for specific purposes*	
N	*8/76*	• • • • • *for preventing or reducing fluid loss*	
N	*8/78*	• • • • • *for preventing sealing*	
N	*8/80*	• • *Compositions for reinforcing fractures, e.g. compositions of proppants used to keep the fractures open*	
N	*8/82*	• • *Oil-based compositions (8/64 takes precedence)*	

N	*8/84*	• • *Compositions based on water or polar solvents (8/66, 8/82 take precedence)*
N	*8/86*	• • • *containing organic compounds*
N	*8/88*	• • • • *macromolecular compounds*
N	*8/90*	• • • • • *of natural origin, e.g. polysaccharides, cellulose*
N	*8/92*	• • *characterised by their form or by the form of their components, e.g. encapsulated material (8/70 takes precedence)*
N	*8/94*	• • • *Foams*

ANNEXE 6F **C 09 K** **[Project-Rapporteur : 362/EP]** **<SC06005F>**
(T:EP) - SC/05/3 **<SC05003E>**

D	*7/00*	*(transféré en 8/02)*
D	*Note(s) après 7/00*	*<Supprimé(e)>*
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 ou des trous de forage; 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 le présent groupe, sans 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. des 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 autres 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*	• • • *Émulsions huile-dans-l'eau*
N	*8/28*	• • • • *contenant des additifs organiques*
N	*8/32*	• • *Compositions de forage non aqueuses, p.ex. à base d'huile*
N	*8/34*	• • • *Liquides organiques*
N	*8/36*	• • • *Émulsions eau-dans-l'huile*
N	*8/38*	• • *Compositions de forage 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 forage; 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 cimenteuses en mousse*
N	*8/48*	• • • • *Additifs pour l'augmentation de la densité ou 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 forage, 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*	• • *Compositions à base d'eau ou de solvants polaires (8/502 a priorité)*
N	*8/506*	• • • *contenant des composés organiques*
N	*8/508*	• • • • *Composés macromoléculaires*
N	*8/512*	• • • • • *contenant des agents de réticulation*
N	*8/514*	• • • • • *d'origine naturelle, p.ex. polysaccharides, cellulose (8/512 a priorité)*
N	*8/516*	• • *caractérisées par leur forme ou par la forme de leurs composants, p.ex. matériaux encapsulés*
N	*8/518*	• • • *Mousses*
N	*8/52*	• *Compositions pour éviter, limiter ou éliminer les dépôts, p.ex. pour le nettoyage*

N	*8/524*	• • *les dépôts organiques, p.ex. paraffines ou asphaltènes*
N	*8/528*	• • *les dépôts inorganiques, p.ex. sulfates ou carbonates*
N	*8/532*	• • • *Soufre*
N	*8/536*	• • *caractérisées par leur forme ou par la forme de leurs composants, p.ex. matériaux encapsulés*
N	*8/54*	• *Compositions pour inhiber in situ la corrosion dans les puits ou les trous de forage*
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 C 23 F 11/00.*
N	*8/56*	• *Compositions pour consolider le sable meuble ou similaire autour des puits sans diminuer excessivement sa perméabilité (compositions pour le plâtrage des parois de trous de forage 8/50)*
N	*8/565*	• • *Compositions à base d'huile*
N	*8/57*	• • *Compositions à base d'eau ou de solvants polaires (8/565 a priorité)*
N	*8/58*	• *Compositions pour les méthodes de récupération assistée pour l'extraction d'hydrocarbures, c. à d. pour améliorer la mobilité de l'huile, p.ex. fluides de déplacement*
N	*8/584*	• • *caractérisées par l'utilisation de tensio-actifs spécifiques*
N	*8/588*	• • *caractérisées par l'utilisation de polymères spécifiques*
N	*8/594*	• • *Compositions utilisées en combinaison avec du gaz injecté (8/592 a priorité)*
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*
N	*8/80*	• • *Compositions pour renforcer les fractures, p.ex. compositions pour agents de soutènement utilisés pour maintenir les fractures ouvertes*
	17/00	– – – **les sols** (spécialement adaptées pour les puits et les trous de forage 8/00; engrais C 05; consolidation – – –

ANNEXE 7 **C 23 F** **[Project-Rapporteur : 362/EP]** **<SC06006F>**
(T:EP) - SC/05/3 **<SC05002E>**

11/00	– – – **l'agent corrosif** (compositions pour inhiber la corrosion in situ dans les puits ou les trous de forage C 09 K 8/54; addition d'inhibiteurs de – – –

ANNEX 8E **E 21 B** **[Project-Rapporteur : 362/EP]** **<SC06002E>**

C *43/22* • • *– – – precedence; chemical or bacterial compositions therefor C 09 K 8/58; chemical features in – – –* R

ANNEXE 8F **E 21 B** **[Project-Rapporteur : 362/EP] (T:EP) - SC/04/5** **<SC06007F> <SC04051E>**

Note(s) après le titre

<== un traitement ultérieur;

– – – B, p.ex. B 23 B;

N – *les compositions pour le forage des puits ou pour le traitement de puits ou de trous de forage, qui sont couvertes par le groupe C 09 K 8/00, 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 C 09 K 8/00)*

C *37/06* • *– – – substances analogues (compositions chimiques à cet effet C 09 K 8/52)*

C *41/02* • *– – – déchargement 27/02; compositions chimiques à cet effet C 09 K 8/54; moyens pour – – –*

C *43/02* • *Filtration souterraine (43/11 a priorité; compositions chimiques pour consolider le sable meuble ou similaire autour des puits C 09 K 8/56)*

C *43/22* • • *– – – a priorité; compositions chimiques ou bactériennes à cet effet C 09 K 8/58; extraction de – – –*

C *43/25* • *– – – de vibrations 28/00; compositions chimiques à cet effet C 09 K 8/60)*

Japan Patent Office

Project:C-362 Subclass:C09K March 28, 2002

JP Comments on IPC Revision Proposals for Project C362

It would be appropriate that the indentations accompanied by 8/82, 8/84, 8/86, 8/88, and 8/90 should be corresponding to those of 8/64-8/68 such as;

8/82•••3 dots
8/84•••3 dots
8/86••••4 dots
8/88•••••5 dots
8/90••••••6 dots.

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trade Mark Office	Class/Subcl.: **C 09 K** Date : 10. April 2002
DE - Comments — C 362	

Re: Comments on IPC/WG/6/5

- Whether the wordings of the new groups 8/76 and 8/78 correctly reflected their indented scope

We approve the wordings of these two groups.

- The relationship and possible overlap between the new subgroups of group 8/60 and whether this relationship could be clarified by precedence references or introduction of a general rule, for example, the last place rule, would be desirable

In our opinion the last place rule would be sufficiently to avoid overlap between the new subgroups of group 8/60.

- Whether subclass E 21 B should be included in the list of classification places used in association with subclass C 12 S, provided in Note (1) following the title of subclass C 12 S

This seems to be useful only in the case that there will be a reference to E 21 B as well as to C 12 S under subclass C 09 K, with regard to electronic search.

- The correctness of the modified reference in group E 21 B 43/22 in respect to the expression ”bacterial composition”

The expression ”bacterial composition” is useful in this reference, but the other way round there should be a reference under C 09 K 8/58 to E 21 B 43/22.

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project : C 362 (C 368)	**Date: 10.04.2002**
Class/Subclass : C 09 K	

Re: IPC/WG/6/5

Comments were invited on:

- whether the wordings of the new groups 8/76 and 8/78 correctly reflected their indented scope

We support the wordings of 8/76 and 8/78. As we understand group 8/78 is provided for such agents, as antiprecipants, "antiabsorbants". But on the other hand, such agents are used in hydraulic fracturing, in combination fracture-acidizying processes. So group 8/78 might be three-dot group.

In our opinion group 8/94 should be three-dot group because proppants are used in hydraulic fracturing.

- the relationship and possible overlap between the new subgroups of group 8/60 created at the fifth session of the Working Group (see Annex 8 to document IPC/WG/5/3) and whether this relationship could be clarified by precedence references or introduction of a general rule, for example, the last place rule, would be desirable

We would prefer clarifying relationship between these groups by introduction of the last place rule after appropriate rearrangements of subgroups under 8/60.

- whether subclass E 21 B should be included in the list of classification places used in association with subclass C 12 S, provided in Note (1) following the title of subclass C 12 S

We think subclass E 21 B should be included in this list. Method of oil or gas recovery by using bacterial activity could be considered as liberation of them.

- the correctness of the modified reference in group E 21 B 43/22 (see Annex 8E to the report), in respect to the expression "bacterial composition"

The wording of modified reference does not contradict with wordings of subclass C 12 N title and groups titles.

E. Bril.

STATE OFFICE FOR INVENTIONS
AND TRADEMARKS

Date : 15 April 2002

RO COMMENTS

PROJECT : C 362+368
Class/Subclass : C09K

Comments were invited on :

-whether the wordings of the new groups 8/76 and 8/78 correctly reflected their indented scope;

We support the wordings of 8/76 and 8/78 considering that the new groups correctly reflected their intended scope;

-the relationship and possible overlap between the new subgroups of group 8/60 created at the fifth session of the Working Group and whether this relationship could be clarified by precedence references or introduction of a general rule, for example the last place rule , would be desirable;

As they are proposed in Annex 8 to the document IPC/WG/5/3 we see possible overlaps between 8/601, 8/602, 8/606, 8/619 and the related ones 8/621, 8/622, 8/626 and 8/63. We are in favor to introduce the last place rule, after appropriate rearrangement of subgroups under 8/60.

-whether subclass E21 B should be included in the list of classification places used in association with subclass C12S , provided in Note (1) following the title of subclass C12S

We are in favor to introduce the subclass E21B in the list of classification places used in association with subclass C12S, considering that the subgroup E21B 43/22 covers processes for enhanced oil

recovery which involve the bacterial activity of the mud used in the process in order to change some characteristics of the oil.

- *the correctness of the modified reference in group E21B43/22* (*Annex 8E to the report), in respect to the expression Abacterial composition@*

We would prefer the expression Abacterial activity@ instead of Abacterial composition@ because the method for enhanced recovery of oil is based on the bacterial activity of the mud containing micro-organisms which act for the intended scope and not to a bacterial composition per se used in the method for the intended scope.

Mirela Georgescu

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
9 April 2002

Project: C362 **Subclass: C09K**

Re.: Annex 54 to the project file (Decision of WG6)

Comments were invited on:

1) Wording of new groups 8/76 and 8/78:
To EP the wording of these groups seems correct. Group 8/74, however might reed better as:
8/74 . . . combined with - - - -

2) Relationship/overlap new subgroups of 8/60:
2-1 In the original proposal (see annex 41), the "general" groups came first. In such a situation a last place rule could be considered. Because of the new reformed IPC principles, the WG agreed to take the more specific groups 8/62 and 8/80 first in the scheme. Having done so, a last place rule does not make sense anymore. The only alternative is introducing precedence notes as decided by WG6. So to EP no further changes are needed.
2-2 As far as the JP comments are concerned (annex 55 to the project file): group 8/80 mainly concerns proppants, thus it can never be the intention to make groups 8/82 to 8/90 subgroups of 8/80.

3) Relationship with C12S:
It seems logic to add E21B (methods) to the list in note (1) after C12S.

4) The expression "bacterial composition" (modified reference in E21B43/22):
Referring to the title of C12N1/00 this expression seems to be acceptable.

Paul Daeleman

362ep17c

United States Patent and Trademark Office

Project: C362 Subclass – C09K Date: April 18, 2002

Comments were invited on:

-whether the wording of the new groups 8/76 and 8/78 correctly reflected their intended scope:
The present wording appears to reflect the scope. The use of examples in the titles could further clarify the scope.

-the relationship and possible overlap between the new subgroups of group 8/60 and whether this relationship can be clarified with precedence references or introduction of a general rule:
We agree with the EP 2-1 statement found in Annex 59 of the project file. We recommend the use of precedence references when needed rather than a last place rule.

-whether subclass E21B should be included in the list of classification places used in association with subclass C12S, provided in Note (1) following the title of subclass C12S:
Yes is should be included since E21B 43/22 exists.

-the correctness of the modified reference in group E21B 43/22 in respect to the expression "bacterial composition":
This wording is acceptable.

-the proposed change to the wording of group A61P 17/16 (Annex 53):
This new title will narrow the scope of this subgroup and may require the movement of documents from this area, but US can support it.

OFFICE EUROPEEN DES BREVETS
Direction Principale Documentation

Version Française finale
4 Avril 2002

Projet: C362 **Sous-Classe: C09K**

Réf.: - Annex 54 to the project file (technical annexes 6E and 8E of IPC/WG/6/5)

I. Sous- classe C09K

N 8/03 **. .** Additifs spécifiques ~~pour utilisation~~ *ä usage* générale dans les compositions pour le forage des puits

N 8/035 **. . .** Additifs organiques

N 8/512 <inchangé par rapport à IPC/WG/6/5, annexe technique 6F>

N 8/514 <inchangé par rapport à IPC/WG/6/5, annexe technique 6F>

N 8/518 <inchangé par rapport à IPC/WG/6/5, annexe technique 6F>

N Note(s) après 8/56

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:

Substances pour conditionner ou stabiliser les sols 17/00

N 8/575 **. . .** contenant des composés organiques

N 8/58 <inchangé par rapport à IPC/WG/6/5, annexe technique 6F>

N 8/582 **. .** caractérisées par l'utilisation de bactéries

N 8/592 **. .** Compositions utilisées en combinaison avec de la chaleur générée, p.ex. par injection de vapeur

N 8/594 <inchangé par rapport à IPC/WG/6/5,annexe technique 6F>

N 8/62 <inchangé par rapport à IPC/WG/6/5,annexe technique 6F>

N 8/64 **. . .** Compositions à base d' huile

N 8/66 **. . .** Compositions à base d'eau ou de solvants polaires (8/64 a priorité)

N 8/68 **. . . .** contenant des composés organiques

N 8/70 **. . .** caractérisées par leur forme ou par la forme de leurs composants, p.ex. mousses

N 8/72 **. . .** Produits chimiques érosifs, p.ex. acides

N 8/74 **. . . .** en combinaison avec des additifs ajoutés ~~pour des utilisations~~ à des fins spécifiques

N 8/76 **. . . . .** pour empêcher ou réduire les pertes de fluides

N 8/78 **. . . . .** pour empêcher le bouchage

N 8/80 <inchangé par rapport à IPC/WG/6/5,annexe technique 6F>

N 8/82 **. .** Compositions à base d' huile (8/64 a priorité)

N 8/84 **. .** Compositions à base d'eau ou de solvants polaires (8/66, 8/82 ont priorité)

N 8/86 **. . .** contenant des composés organiques

N 8/88 **. . . .** Composés macromoléculaires

<Proposition FR: *des composés macromoléculaires*.
Le libellé n' est pas changé, voir groupe 8/508 déjà adopté [annexe technique F6 de l'annexe 54 du projet]>

N 8/90 **. . . . .** d'origine naturelle, p.ex. polysaccharides, cellulose

N 8/92 **. .** caractérisées par leur forme ou par la forme de leurs composants, p.ex. matériaux encapsulés (8/70 a priorité)

N 8/94 **. . .** Mousses

II. Sous- classe E21B

C 43/22 <inchangé par rapport à IPC/WG/6/5,annexe technique 8F>

P. Daeleman

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Report
7 May 2002

Project: C362 **Subclass: C09K**

Ref.: Annexes 54 (Decision of WG6) and 55-60 (comments of Offices) to the project file.

1. Introduction

* At its 6th session, the WG adopted the remaining part of the proposed amendments to IPC7, be it that some questions were formulated.

.*To the invitation to send comments on these questions, 6 Offices responded: JP, DE, RU, RO, EP and US.

2. Discussion of the received comments

2.1 Do the wording of new groups 8/76 and 8/78 correctly reflect their indented scope?

The wordings as adopted are supported by DE, RU, RO and EP.
Furthermore:
- according to RU 8/78 might and 8/94 should be a three dot group
- according to US, examples in these groups might further clarify the scope
- EP propose a slightly (formal) modified wording of the hierarchically higher group 8/74.

2.2 Do the relationship and possible overlap between the new subgroups of group 8/60 need to be clarified by precedence references or by the introduction of a general rule, e.g. the last place rule (LPR)?

To DE, the LPR would be sufficient, to RU and RO the LPR would be sufficient but after rearrangement of the subgroups only
EP explained that the groups were adopted in a sequence, taking into account the new reformed IPC principles. With this sequence the LPR does not make sense. If the sequence is kept, no further references are considered necessary.
US agree with EP's explanation and prefer to keep the sequence as adopted.

2.3 Should subclass E21B be included in the list of classification places used in association with subclass C12S, provided in Note (1) following the title of C12S?

All commenting Offices give an affirmative answer.
To DE however, this seems only to be useful if there would be a reference to E21B as well as to C12S under subclass C09K, with regard to electronic search.

2.4 Correctness of the modified reference in group E21B43/22, in respect to the expression "bacterial composition"?

To RU, US and EP the expression is acceptable, also to DE but this Office suggest also to introduce a reference under C09K8/58 to E21B43/22.
RO would prefer "bacterial activity" rather than "bacterial composition".

2.5 Other matters
JP suggest to make groups 8/82 to 8/90 subgroups of 8/80. In their comments EP explain that this was never the intention.

3. Rapporteurs opinion

(1) Group 8/78 was meant to be a subgroup of 8/72, and thus in the opinion of R should not be made a three dot group. RU's suggestion about making 8/94 a three dot group is not clear. Maybe this Office had an other group in mind.
(2) In the context of the IPC reform, R proposes to keep the sequence (and references) of the subgroups of 8/60 unchanged, as adopted earlier.
(3) Concerning the use of bacteria: the reference-note in E21B to C12S will be the standard complementary one to the note in C12S.
As far as a reference in C09K8/58 pointing to E21B43/22 is concerned, the situation is somewhat more difficult. Indeed the relationship between these groups is not different from the one between the other C09K8 and E21B groups. The groups in C09K relates to the materials/compositions, those in E21B to methods/apparatus using these materials/compositions. Because "bacterial compositions" are something particular compared with chemical compositions, R feels sympathy with the idea of the DE Office that a reference in C09K8/58 to E21B43/22 might be useful but hesitates to propose such a reference in the joined R proposal.
Both C12S and E21B relate to methods while C09K does not. So R does not think a reference in C09K to C12S is appropriate.
(4) Concerning RO's remark: it is indeed the activity of the bacteria which is of importance. However this activity is defined by the choice of the species. Furthermore C09K and thus C09K8 relate to materials/compositions. Therefore R suggest not to use the term "bacterial activity".
(5) Concerning point 2.5 above: R agrees with EP (of course), as there would never be enough documents to populate these groups if they were made subgroups of 8/80.

Conclusion:
R proposes to discuss at WG7 the annexed R proposal, reflecting a number of suggestion made by the commenting Offices.
Possibly the other items of point 3 above could be discussed too, but R would like to remind the members of the WG that this project virtually has come to an end. It would be a pity if, during the coming session, this project could not be finalised because of long discussions, only on minor details.

Paul Daeleman

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Proposal
7 May 2002

Project: C362 **Subclass: C09K**

I. Subclass C09K

N 8/74 **. . . .***combined* with additives added for specific purposes R

II. Subclass C12S

C Note (2)
after Subclass title

----------D21C, H
E21B
F24F, J ----------

III Subclass E21B

N New note (3)
after subclass title

(3) Processes using enzymes or micro-organisms in order to:
(i) liberate, separate or purify a pre-existing compound or composition, or to
(ii) treat textiles or clean solid surfaces of materials
are further classified in subclass C12S

IPC/C 363/96
ORIGINAL: English/French
DATE: April 26, 2002

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: **GB** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 10 L** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **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
55	Decision of the Working Group	/ Décision du groupe de travail	WG	01.02
56	French version of approved amendments	/ Version française des modifications approuvées	FR	04.02

EXCERPT FROM DOCUMENT IPC/WG/6/5
EXTRAIT DU DOCUMENT IPC/WG/6/5

Project C 363 (chemical) – The Working Group approved a number of amendments to main group C 10 L 10/00 (see Annex 9E to this report). The Working Group agreed with the conclusion made by the Trilateral Offices, following the request of the Working Group (see document IPC/WG/5/3, paragraph 13, Project C 363), that the creation of an indexing scheme relating to "additives for the special types of fuels" was not desirable.

Projet C 363 (chimie) – Le groupe de travail a approuvé un certain nombre de modifications à apporter au groupe principal C 10 L 10/00 (voir l'annexe 9E du présent rapport). Il a approuvé la conclusion formulée par les offices de la coopération trilatérale, à la suite de la demande du groupe de travail (voir le paragraphe 13 relatif au projet C 363 dans le document IPC/WG/5/3), selon laquelle il n'est pas souhaitable de créer un schéma d'indexation relatif aux "additifs pour certains types de combustibles".

ANNEX 9E		**C 10 L**	**[Project-Rapporteur : 363/GB]**	**<SC06003E>**
C	***10/00***	***Use of additives to fuels or fires for particular purposes*** *(additives for liquid carbonaceous fuels characterised by their chemical nature 1/10; using binders for briquetting solid fuels 5/10; using additives to improve the combustion of solid fuels 9/10)*		R
	10/02	• for reducing smoke development		
	10/04	• for minimising corrosion or incrustation		
	10/06	• for facilitating soot removal		
N	*10/16*	• • *Pour-point depressants*		
N	*10/18*	• *use of detergents or dispersants for purposes not provided for in groups 10/02 to 10/16*		

ANNEXE 9F		**C 10 L**	**[Project-Rapporteur : 363/GB] (T:FR) - SC/05/3**	**<SC06004F> <SC05004E>**
N	*1/183*	• • • • •	*au moins un groupe hydroxyle étant lié à un atome de carbone aromatique*	R
N	*1/189*	• • • • •	*comportant au moins un groupe carboxyle lié à un atome de carbone aromatique*	R
N	*1/223*	• • • • •	*comportant au moins un groupe amino lié à un atome de carbone aromatique*	R

C	***10/00***	***Utilisation d'additifs à des fins particulières dans les combustibles ou les feux*** *(additifs pour combustibles carbonés liquides caractérisés par leur nature chimique 1/10; utilisation de liants dans la fabrication de briquettes de combustible solide 5/10; utilisation d'additifs pour améliorer la combustion des combustibles solides 9/10)*
	10/02	<Inchangé(e)>
	10/04	<Inchangé(e)>
	10/06	<Inchangé(e)>
N	*10/08*	• *pour améliorer le pouvoir lubrifiant; pour réduire l'usure*
N	*10/10*	• *pour améliorer l'indice d'octane*
N	*10/12*	• *pour améliorer l'indice de cétane*
N	*10/14*	• *pour améliorer les propriétés à basse température*

INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE **FR - avr. 2002**

Projet IPC / C **363** Annexe 56
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 9E du document IPC/WG/6/5)

C 10 L

ANNEX 9E C 10 L [Project-Rapporteur : 363/GB] <SC06003E>

N	*10/16*	• • *Abaisseurs de point d'écoulement*
N	*10/18*	• *Utilisation de détergents ou de dispersants à des fins non prévues dans les groupes 10/02 à 10/16*

Nota : la version française des groupes C10L 10/00, 10/02, 10/04 et 10/06 de l'annexe 9E figure à l'annexe 9F de IPC/WG/6/5.

IPC/C 412/98
ORIGINAL: English/French
DATE: May 9, 2002

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: **ES** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **A 61 K** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **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/DOMAINE 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
54	Decision of the Working Group	/ Décision du groupe de travail	WG	01.02
55	Rapporteur proposal	/ Proposition du rapporteur	EP	01.02
56	Comments	/ Observations	JP	03.02
57	Comments	/ Observations	RU	04.02
58	Comments	/ Observations	CA	04.02
59	Comments	/ Observations	DE	04.02
60	Comments	/ Observations	RO	04.02
61	Comments	/ Observations	RO	04.02
62	Comments	/ Observations	EP	04.02
63	Comments	/ Observations	SE	04.02
64	Comments	/ Observations	US	04.02
65	French version of approved amendments	/ Version française des modifications approuvées	EP	05.02
66	Rapporteur report	/ Rapport du rapporteur	EP	05.02

ANNEX 54

EXCERPT FROM DOCUMENT IPC/WG/6/5
EXTRAIT DU DOCUMENT IPC/WG/6/5

Project C 412 (chemical) – The Working Group approved a number of amendments to main group A 61 K 8/00 (see Annex 22E to this report).

Comments were invited on:

– whether the last place rule was needed in the area covered by one-dot group 8/02;

– whether the new group 8/14 should become a subgroup of group 8/04 or group 8/11;

– a correct order of subgroups under one-dot group 8/18, in view of the last place rule applied therein;

– whether it was desirable to collect all preparations containing quinones, substituted or non-substituted, in one place of the classification scheme, and if that were the case, whether this place should be provided at the end of the classification scheme or preparations containing quinones should be classified under group 8/35 and precedence references should be introduced in other relevant groups;

– the desirability of creating other groups indicated in the Rapporteur's proposal (to appear as Annex 54 to the project file) but not yet approved by the Working Group, in particular groups 8/523 to 8/527, and also in the proposal submitted by Japan (see Annex 49 to the project file).

With regard to the new subclass A 61 Q approved at its fifth session (see Annex 30 to document IPC/WG/5/3), the Working Group agreed that groups relating to "hair growth" could be present in both subclasses A 61 P and A 61 Q. For completely informing the user of this situation, informative references would be introduced in groups A 61 P 17/14 and A 61 Q 7/00.

The EPO was invited to submit a revised proposal on the detailed scheme of the new subclass A 61 Q.

Comments were invited on:

– the proposal to be submitted by the EPO;

– the proposed change to the wording of group A 61 P 17/16 (see Annex 53 to the project file).

Projet C 412 (chimie) – Le groupe de travail a approuvé plusieurs modifications en ce qui concerne le groupe principal A 61 K 8/00 (voir l'annexe 22E du présent rapport).

Les observations ont été demandées

– sur la question de savoir s'il est nécessaire de recourir à la règle de la dernière place dans le secteur couvert par le groupe à un point 8/02;

– sur la question de savoir si le nouveau groupe 8/14 doit devenir un sous-groupe du groupe 8/04 ou du groupe 8/11;

– sur l'ordre à retenir pour les sous-groupes correspondant au groupe à un point 8/18, compte tenu de la règle de la dernière place appliquée en l'occurrence;

– sur la question de savoir s'il est opportun de rassembler toutes les préparations contenant des quinones, substituées ou non substituées, dans un endroit du schéma de classement et, dans l'affirmative, si cet endroit devrait figurer à la fin du schéma de classement ou si les préparations contenant des quinones devraient être classées dans le groupe 8/35 et si des renvois de priorité devraient être incorporés dans d'autres groupes pertinents;

– sur l'opportunité de créer d'autres groupes indiqués dans la proposition du rapporteur (qui constituera l'annexe 54 du dossier de projet) mais non encore approuvés par le groupe de travail, en particulier les groupes 8/523 à 8/527, ainsi que dans la proposition présentée par le Japon (voir l'annexe 49 du dossier de projet).

En ce qui concerne la nouvelle sous-classe A 61 Q approuvée pendant sa cinquième session (voir l'annexe 30 du document IPC/WG/5/3), le groupe de travail a convenu que les groupes relatifs à la "croissance des cheveux" pourraient figurer dans les deux sous-classes A 61 P et A 61 Q. Afin que l'utilisateur soit totalement informé de cette situation, des renvois indicatifs seront placés dans les groupes A 61 P 17/14 et A 61 Q 7/00.

L'OEB a été invité à présenter une proposition révisée sur le schéma détaillé de la nouvelle sous-classe A 61 Q.

Des observations ont été demandées

– sur la proposition que doit présenter l'OEB;

– la modification qu'il est proposé d'apporter au libellé du groupe A 61 P 17/16 (voir l'annexe 53 du dossier de projet).

ANNEX 22E A 61 K [Project-Rapporteur : 412/EP] <SC06009E>

N	*Note(s) after 8/00*			
		(1)	*In each of groups 8/02 and 8/18, in the absence of an indication of the contrary, classification is made in the last appropriate place.*	
		(2)	*Use of cosmetics or similar toilet preparations is further classified in subclass A 61 Q.*	
		(3)	*Attention is drawn to the Notes in class C 07, for example the Notes following the title of subclass C 07 D, setting forth the rules for classifying organic compounds in that class, which rules are also applicable, if not otherwise indicated, to the classification of organic compounds in group 8/00.*	
		(4)	*Salts or complexes of organic compounds are classified according to the base compounds. If a complex is formed between two or more compounds, classification is made in the last appropriate place.*	
N	*8/02*	• *characterised by special physical form*		R
N	*8/03*	• • *Liquid compositions with two or more distinct layers*		
N	*8/04*	• • *Dispersions; Emulsions*		
N	*8/06*	• • • *Emulsions*		
N	*8/11*	• • *Encapsulated compositions*		
N	*8/14*	• • *Vesicles, e.g. liposomes*		
N	*8/18*	• *characterised by the composition*		
N	*8/19*	• • *containing inorganic ingredients*		
N	*8/20*	• • • *Halogens; Compounds thereof*		R
N	*8/21*	• • • • *Fluorides; Derivatives thereof*		
N	*8/22*	• • • *Peroxides; Oxygen; Ozone*		
N	*8/23*	• • • *Sulfur; Selenium; Tellurium; Compounds thereof*		
N	*8/24*	• • • *Phosphorus; Compounds thereof*		
N	*8/25*	• • • *Silicon; Compounds thereof*		
N	*8/26*	• • • *Aluminium; Compounds thereof*		
N	*8/27*	• • • *Zinc; Compounds thereof*		
N	*8/28*	• • • *Zirconium; Compounds thereof*		
N	*8/29*	• • • *Titanium; Compounds thereof*		
N	*8/30*	• • *containing organic compounds*		
N	*8/31*	• • • *Hydrocarbons*		
N	*8/33*	• • • *containing oxygen*		
N	*8/34*	• • • • *Alcohols*		

N	*8/35*	• • • • *Ketones, e.g. benzophenone*
N	*8/36*	• • • • *Carboxylic acids; Salts or anhydrides thereof*
N	*8/362*	• • • • • *Polycarboxylic acids*
N	*8/365*	• • • • • *Hydroxycarboxylic acids; Ketocarboxylic acids*
N	*8/368*	• • • • • *with carboxyl groups directly bound to carbon atoms of aromatic rings*
N	*8/37*	• • • • *Esters of carboxylic acids*
N	*8/38*	• • • • *Percompounds, e.g. peracids*
N	*8/39*	• • • • *Alkoxylated derivatives*
N	*8/40*	• • • *containing nitrogen (quinones containing nitrogen 8/35)*
N	*8/41*	• • • • *Amines*
N	*8/42*	• • • • *Amides*
N	*8/43*	• • • • *Guanidines*
N	*8/44*	• • • • *Aminocarboxylic acids or derivatives thereof, e.g. aminocarboxylic acids containing sulfur; Salts, esters or N-acylated derivatives thereof*
N	*8/45*	• • • • *Alkoxylated derivatives*
N	*8/46*	• • • *containing sulfur (8/44 takes precedence)*
N	*8/49*	• • • *containing heterocyclic compounds*
N	*8/55*	• • • *containing phosphorus*
N	*8/58*	• • • *containing atoms other than carbon, hydrogen, halogen, oxygen, nitrogen, sulfur or phosphorus*
N	*8/60*	• • • *Sugars; Derivatives thereof*
N	*8/63*	• • • *Steroids; Derivatives thereof*
N	*Note(s) after 8/63*	*This group covers steroids, as defined in Note (1) after the title of subclass C 07 J.*
N	*8/64*	• • • *Proteins; Peptides; Derivatives or degradation products thereof*
N	*8/65*	• • • • *Collagen; Gelatin; Keratin; Derivatives or degradation products thereof*
N	*8/66*	• • • • *Enzymes*
N	*8/67*	• • • *Vitamins*
N	*8/68*	• • • *Sphingolipids, e.g. ceramides, cerebrosides, gangliosides*
N	*8/69*	• • • *Compounds having a perfluoro group, e.g. perfluoroethers*
N	*8/70*	• • • *Organic fluorides*
N	*8/72*	• • *containing organic macromolecular compounds*
N	*8/73*	• • • *Polysaccharides*

N	*8/81*	• • • *obtained by reactions involving only carbon-to-carbon unsaturated bonds*
N	*8/84*	• • • *obtained by reactions other than those involving only carbon-to-carbon unsaturated bonds*
N	*8/89*	• • • • *Polysiloxanes*
N	*8/90*	• • • *Block polymers*
N	*8/91*	• • • *Graft polymers*
N	*8/92*	• • • *Oils, fats or waxes; Derivatives thereof, e.g. hydrogenation products*
N	*8/96*	• • *containing materials, or derivatives thereof, of undetermined constitution*
N	*8/97*	• • • *of vegetable origin, e.g. plant extracts*
N	*8/98*	• • • *of animal origin*
N	*8/99*	• • • *from micro-organisms*

ANNEXE 22F **A 61 K** **[Project-Rapporteur : 412/EP]** **<SC06010F>**
(T:EP) - SC/05/3 **<SC05005E>**

Note(s) après le titre

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

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 *Note(s) après 8/00*

(1) *Dans chacun des groupes 8/02 à 8/18, 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 A 61 Q.*

N	*8/02*	• *caractérisés par une forme physique particulière*
N	*8/18*	• *caractérisés par la composition*

ANNEX 23E **A 61 Q** **[Project-Rapporteur : 412/EP]** **<SC06008E>**

N	*Note(s) after the title*			R
		(1)	*This subclass covers the use of cosmetics or similar toilet preparations already classified as such in main group A 61 K 8/00, in subclasses C 07 C, D, F, G, H, J, K, C 11 D and C 12 N, or in classes C 01 and C 08.*	
		(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	***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*** *(drugs for treating burns A 61 P 17/02; chemical means for combating harmful chemical agents A 62 D 3/00)*		R

ANNEXE 23F **A 61 Q** **[Project-Rapporteur : 412/EP]** **<SC06011F>**
(T:EP) - SC/05/3 **<SC05006E>**

N	***Titre***	***UTILISATION DE COSMÉTIQUES OU DE PRÉPARATIONS SIMILAIRES POUR LA TOILETTE***	
N	*Note(s) après le titre*		
		(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, dans les sous-classes C 07 C, D, F, G, H, J, K, C 11 D et C 12 N, ou dans les classes C 01 et C 08.*
		(2)	*Lors du classement dans la présente sous-classe, un classement dans la sous-classe A 61 P 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***	***Préparations 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*

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Counterproposal
20 December 2001

Project: C412 **Subclass: A61Q**

Proposal on the detailed scheme of the new A61Q, taking into account the groups already adopted (in **bold**) in Annex 47 page 3 of the project file, and the dicussion at the last meeting of the WG.

II. Subclass A61Q

N	**A61Q**	**USE OF COSMETICS OR SIMILAR TOILET PREPARATIONS**
N	**Note after A61Q**	**Notes** **(1) This subclass covers the use of cosmetics or similar toilet preparations already classified as such in main group A61K8/00**, or in subclasses C07C, C07D, C07F, C07G, C07H, C07J, C07K, C11D and C12N, or in classes C01 and C08. **(2) When classifying in this subclass, classification is also made in subclass A61P if the preparation is stated to have therapeutic activity**
N	**1/00**	**Make-up preparations; Preparations for removing make-up; Body powders**
N	1/02	**.** Preparations containing skin colorant, e.g., pigments
N	1/04	**. .** for lips
N	1/06	**. . .** Lipsticks
N	1/08	**. .** for cheeks, e.g. rouge
N	1/10	**. .** for eyes, e.g. eyeliner, mascara
N	1/12	**.** Face or body powders for grooming, adorning or absorbing
N	1/14	**.** Make-up removing compositions
N	**3/00**	**Manicure or pedicure preparations**
N	3/02	**.** Nail coatings

N 3/04 . Nail coating removers

N 5/00 Preparations for care of the hair

N 5/02 . Preparations containing hair conditioning substances

N 5/04 . Preparations for cleaning the hair

N 5/06 . Preparations for permanent waving or straightening the hair

N 5/08 . Preparations for styling the hair

N 5/10 . Preparations for bleaching the hair

N 5/12 . Preparations for dyeing the hair

N 7/00 Preparations for affecting hair growth (preparations with therapeutic activity A 61 P 17/14)

N 7/02 . Preparations for inhibiting or slowing hair growth

N 9/00 Preparations for removing hair or for aiding hair removal

N 9/02 . Shaving preparations (shaving soaps C11D)

N 9/04 . Depilatories

N 11/00 Preparations for care of the teeth, of the oral cavity or of dentures; Dentifrices, e.g. toothpastes; Mouth rinses

N 11/02 . Preparations for deodorizing, bleaching or disinfecting dentures

N 13/00 Formulations or additives for perfume preparations (essential oils or perfumes C11B9/00)

N 15/00 Anti-perspirants or body deodorants (deodorisation of air A61L9/00)

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 (drugs for treating burns A 61 P 17/02, **chemical means for combatting harmful chemical agents A 62 D 3/00)**

N 17/02 . Containing insect repellants (pest repellants A01N)

N 17/04 . Topical sun or radiation screening or tanning preparations

N 19/00	**Preparations for care of the skin**
N 19/02	. for chemically bleaching or whitening the skin
N 19/04	. for chemically tanning the skin (topical sun or radiation screening or tanning preparations 17/04)
N 19/06	. Anticellulitis preparations
N 19/08	. Antiageing preparations
N 19/09	**. Washing or bathing preparations**

Anne Glanddier.

Japan Patent Office

Project: C-412 Subclass: A61K March 18, 2002

JP Comments on IPC Revision Proposals for Project C412

1. A61K8/02

On subgroup A61K8/02, we do not think it would be necessary to apply the last place rule to this area covered by 8/02.

2. A61K8/14

It would be considered that the new group 8/14 should become a subgroup of group 8/04 since vesicles, e.g. liposomes, would exist in the form of dispersion or emulsions.

3. Quinones

It is noted that as an exception to the last place rule all derivatives of quinones should not be classified into subgroup 8/35 or this exception should not apply to quinones alone.

4. Breakdown of 8/84

Concerning the subdivision created under group 8/84, it is preferable to retain polyesters, polyethers, polyurethanes and polyamides as well as subgroup 8/89 (polysiloxanes).

ANNEX 57

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project : C 412	**Date: 11.04.20022**
Class/Subclass : A61K	

Re: IPC/WG/6/5, par. 34.

Comments were invited on:

- whether the last place rule was needed in the area covered by on-dot group 8/02

We feel that there is no need to include group 8/02 in the area with the last place rule. Multiple classification will give more benefits when searching.

- whether the new group 8/14 should become a subgroup of 8/04 or 8/11.

In our opinion group 8/14 should become a subgroup of 8/11, as vesicles are encapsulated compositions. Encapsulating could be considered as creation of a semi-permeable capsule around molecule, e.g. by including an enzyme in the liposome. In relation to it and for a conformity in A 61 K we think that existing group 9/127 for liposomes should become one-dot group, i.e. it should not be under group 9/10 for dispersions.

- a correct order of subgroups under one-dot group 8/18, in view of the last place rule applied therein.

In our opinion 8/69 should become a subgroup 8/70 as perfluorcompounds are also organic fluorides. But it would be better to change the wording of 8/70, e.g. on "fluorine-containing organic compounds ", because, as a rule, the term "fluorides" is used for inorganic compounds.

Group 8/92 for "Oils, fats..." should be two-dot group (see original EP proposal). Compounds covered by this group could be non-macromolecular compounds.

- whether it was desirable to collect all preparations containing quinones, substituted or non-substituted, in one place of the classification scheme

In so far as there is no one place for substituted and non-substituted quinones in current A 61 K 31/00 we think there is no need to collect them in one place in group A 61 K 8/35.

- the desirability of creating other groups indicated in the Rapporteur's proposal (Annex 54? to the project file) but not yet approved by the Working Group, in particular group 8/523 to 8/527, and also in the proposal submitted by Japan (see Annex 49 to the project file)

We support groups proposed by the EPO and groups for silicon compounds proposed by Japan. But we think that the creation of these groups should be regulated by the number of documents.

We are in favour of the EPO proposal on the detailed scheme of the new A 61 Q.

As to proposed change to the wording of group A 61 P 17/16 (proposed by the EPO in An. 53 to the project file) we have some doubts because antioxidants are covered by group A 61 P 39/06, i.e. we see an overlap between group A 61 P 17/16 with proposed wording and existing group A 61 P 39/06.

E. Bril.

The Canadian Intellectua
Property Office

L'Office de la propriété
intellectuelle du Canada

Project Number: C412	Date: 03 April, 2002
Class/Subclass: A61K	Page 1 of 1

We are pleased to provide the comments below:

1) We believe that the last place rule should also be used for one-dot group 8/02, since it is commonly used in A61K and elsewhere.

2) Concerning new group 8/14, we consider that it should be moved under group 8/04 to be consistent with the approach taken in A61K 9/10.

3) In view of the order of subgroups under one-dot group 8/18, we believe that we should as much as possible try to keep an approach similar to the one used elsewhere such as in A61K 31/.

4) We would support classifying all quinones together under group 8/35.

5) As for the wording of A61P 17/16, (in Annex 53), we consider it to be accurate.

Nancy Beauchemin
A/Section Head

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trade Mark Office	Class/Subcl.: **A61K** Date : 12.04.2002
DE - Comments — C 412	

1. In our opinion the last place rule was needed in the area covered by one-dot group 8/02.

2. The new goup 8/14 should become a subgroup of group 8/11.

3. We agree to the order of subgroups under one-dot group 8/18.

4. Concerning the classification of quinones we think that all quinones should be classified under group 8/35.

5. We are in agreement with the propasal to breakdown the groups 8/523 to 8/527 and 8/54 to 8/547.

6. We are in favour with the proposal by EP both regarding the new subclass A61Q and the wording of A61P17/16 (Annex 53).

Martina Fritzsche

STATE OFFICE FOR INVENTIONS
AND TRADEMARKS

Date:

:16 April 2002

RO COMMENTS

PROJECT :C 412
Class/Subclass : A61K

Comments were invited on :

-*whether the last place rule was needed in the area covered by one-dots group 8/02*;

We consider that the last place rule was needed in the area covered by one-dot group 8/02.

-*whether the new group 8/14 should become a subgroup of group 8/04 or group 8/11*

In our opinion group 8/14 should become a subgroup of 8/04 taking in consideration that liposome the example given for vesicles is : a vesicle composed of one or more concentric phospholipid bilayers and used to deliver a drug into the body. From the definition liposome is not exactly an encapsulated material such as a material (substance) intoduced in a capsule.

-*a corect order of subgroups under one-dot group 8/18 in view of the last place rule applied therein*

We suggest to keep an approach similar to the one used in A61K 31/, A61K 33/ , A61K 38/ because of the related fields and subject-matters and in view of the last place rule applied in this groups.

-*whether it was desirable to collect all preparation containing quinone, substituted or non-substituted, in one*

place of classification scheme, and if there where the case , whether this case should be provided at the end of the classification scheme or preparations containing quinones should be classified under group 8/35 and precedence references should be introduced in other relevant group

We consider that there is no need to collect all the quinones under the 8/35 in respect with the similar approach of the substituited and non-substituited quinones in A61K31/00.

-the desirability of creating other groups indicated in the Rapporteur=s proposal (Annex 54), but not yet approved by the Working Group, in particular 8/52 to 8/527, and also in the proposal submitted by Japan
We are in favour of the EPO proposal on the detailed scheme of the new A61Q and of the wording for A61P 17/16.

Mirela Georgescu

STATE OFFICE FOR INVENTIONS
AND TRADEMARKS

Date

:16 April 2002

RO COMMENTS

PROJECT :C 412
Class/Subclass : A61K

Comments were invited on :

-*whether the last place rule was needed in the area covered by one-dots group 8/02*;

We consider that the last place rule was needed in the area covered by one-dot group 8/02.

-*whether the new group 8/14 should become a subgroup of group 8/04 or group 8/11*

In our opinion group 8/14 should become a subgroup of 8/04 taking in consideration that liposome the example given for vesicles is : a vesicle composed of one or more concentric phospholipid bilayers and used to deliver a drug into the body. From the definition liposome is not exactly an encapsulated material such as a material (substance) intoduced in a capsule.

-*a corect order of subgroups under one-dot group 8/18 in view of the last place rule applied therein*

We suggest to keep an approach similar to the one used in A61K 31/, A61K 33/ , A61K 38/ because of the related fields and subject-matters and in view of the last place rule applied in this groups.

-*whether it was desirable to collect all preparation containing quinone, substituted or non-substituted, in one*

place of classification scheme, and if there where the case , whether this case should be provided at the end of the classification scheme or preparations containing quinones should be classified under group 8/35 and precedence references should be introduced in other relevant group

We consider that there is no need to collect all the quinones under the 8/35 in respect with the similar approach of the substituited and non-substituited quinones in A61K31/00.

-the desirability of creating other groups indicated in the Rapporteur's proposal (Annex 54), but not yet approved by the Working Group, in particular 8/52 to 8/527, and also in the proposal submitted by Japan
We are in favour of the EPO proposal on the detailed scheme of the new A61Q and of the wording for A61P 17/16.

Mirela Georgescu

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
17 April 2002

Project: C412 Subclass: A61K

Comments were asked in Annex 54 on:

1.- Whether the last place rule was needed in the area covered by one-dot group 8/02

We believe it is needed.

If the last place rule was not used, then multiple classification would be necessary in some cases: a vesicle containing an agent is always an encapsulated composition, so such a document would have to be classified in both groups 8/11 and 8/14.
We doubt that this could have any benefit while searching. On the contrary, we believe that a well-defined specific terminology is a better search tool than too many half-defined terms. We risk to have too much noise in the search results.
A second reason is that the (local) last place rule is commonly used in A61K7. It would be more consistent to apply the same philosophy to whole classification scheme.

2.- Whether the group 8/14 (vesicles, e.g. liposomes) should become a subgroup of 8/04 (dispersions; emulsions) or 8/11 (encapsulated compositions)

We agree with JP in A.56 that liposomes would exist in the form of dispersion or emulsion. However, we think that there is no common agreement when considering liposomes as encapsulated compositions (RU and RO. Annexes 57 an 60).
That is the reason why we decided to create a two-dot group (8/14) specific for liposomes, at the same level than emulsions/dispersions and encapsulated compositions.

3.- a correct order of subgroups under one-dot 8/18 (characterized by the composition), in view of the last place rule applied therein.

We think that the subgroups are in the correct order.

Answer to the RU comments:

- We agree that group 8/92 should be a two-dot group, as it was in our original proposal.

- Concerning the organic fluorides, it is true that perfluoro compounds are organic fluorides. They could be together under a "fluorine containing organic compounds" group; however, they do refer to quite different kind of compounds: perfluro compounds are commonly used in skin compositions as emulsifiers, stabilizers... and organic fluorides are typically used in toothpastes. The necessity of a further subdivision would depend on the number of existing documents. Nowadays, each of the groups in the ECLA classification contain around 300 documents.

4.- whether quinones should be collected at the end of the classification scheme or under 8/35 (ketones)

There are about 400 documents disclosing quinones in hair dye compositions. Without having necessarily to define a specific group for them, we believe that the correct place for them would be under ketones (8/35).
The problem is that some documents disclose some quinones which contain a nitro group, and according to the last place rule, they would be classified under "...containing nitrogen (8/40)". It makes more sense to collect them all together (from the point of view of the search as well) than to have them in (mainly) two places. That the reason we decided to add the reference "quinones containing nitrogen 8/35).

We would prefer to keep the quinones in 8/35, and if later necessary, create a subgroup for them.

5.- The desirability of creating other groups, in particular 8/523 to 8/527 and subdivision of polysiloxanes proposed by JP (Annex 49).

We are in favour of creating 8/523-8/527.

We are also in favour of creating subdivisions of polysiloxanes, but we are not sure yet whether it should follow the JP scheme or our original proposal. We will try to present a modified scheme in the Rapporteur Report.

Anne Glanddier.

Swedish Patent and Registration Office

IPC Revision Project C412, subclass A61K 19 April 2002

Comments
(in response to IPC/WG/6/5)

Whether the last place rule is needed in the area covered by one-dot 8/02
It is our opinion that a last place rule is not needed in the area covered by one-dot 8/02. It is better for searching in the subgroup if the documents are classified in different subgroups in this area.

Whether the new group 8/14 should become a subgroup of 8/04 or 8/11
We prefer that 8/14 should become a subgroup of 8/04 to be consistent with A61K 9/10.

A correct order of subgroups under the one-dot 8/18, in view of the last place ruler applied therein.
It is our opinion that the order in 8/18 should as much as possible follow the order in A61K 31. We think it is user-friendlier if the order is similar in the different subgroups.

Whether it is desirable to collect all preparations containing quinones in one place.
In general we prefer to follow the last place rule as far as possible. In this case, however, we think in light of what EP has written in Annex 62, that it is better to collect all quinones in one place.

The desirability of creating 8/523-8/527 and the subgroups proposed by JP
We are in favour of creating 8/523-8/527.
We are also in favour of further subdivision of 8/54. However, we are not sure if the subdivision proposed by JP is the best and we are looking forward to a modified scheme in the next Rapporteur Report.

The proposal submitted by EPO
We are in favour of the proposal.

The proposed change to the wordingof group A61P 17/16
We think that it can be an overlap between 17/16 and 39/06. The proposed formulation of 17/16 has also a different scope compared with the original formulation. The new 17/16 should either have a different subgroup number as a signal to the user that the scope has been changed or become a subgroup under the original 17/16.

Carolina Gómez Lagerlöf

United States Patent and Trademark Office

Project: C412 Subclass – A61K Date: April 15, 2002

Comments were invited on:

-whether the last place rule was needed in the area covered by one-dot group 8/02:
Since the last place rule is being used elsewhere in A61K, US would recommend its use in 8/02 to be consistent.

-whether the new group 8/14 should become a subgroup of group 8/04 or group 8/11:
US believes it depends on what the patent documents in this area are directed to. If most are directed to dispersions of vesicles (e.g., liposomes), then 8/14 should be a subgroup of 8/04. If the documents are directed to vesicles containing pharmaceutical compositions, then 8/14 should be a subgroup of 8/11. If it is the concept of the liposome, which is the important subject matter, perhaps the title of 8/14 can be changed to "Liposomes" in which case any pharmaceutical characterized by the presence of a liposome whether as a dispersion or as an encapsulated composition will be classified into 8/14, providing the last place rule is followed.

-a correct order of subgroups under one-dot group 8/18, in view of the last place rule applied therein:
US believes the only way to really tell if the order of subgroups under one-dot 8/18 is correct is to place a sampling of patents into the scheme to be certain subgroups are collecting patent documents as equally as possible (no empty subgroups and no oversized subgroups). We are not certain what subject matter is left to go into 8/18 after all of the subgroups are considered.

-whether it was desirable to collect all preparations containing quinones in one place of the classification scheme:
US has no strong opinion on this, except that if the desire is collect all quinones in one place, i.e., 8/35, precedence notes will be required in all the lower 3-dot subgroups. If the quinone concept is what is important, perhaps 8/33 and its subgroups should be moved under 8/70.

-the desirability of creating other groups indicated in the Rapporteur's proposal, but not yet approved by the Working Group, in particular groups 8/523 to 8/527, and also the proposal submitted by Japan (see Annex 49):
US believes 8/523-8/527 have been changed in Annex 54 to the 8/84 area. US agrees with the suggested subdivisions. As for the JP proposal in Annex 49, **if the patent documents warrant these further subdivisions**, we will support them except for 8/543 and 8/546. If both of these are included in the scheme, it would appear that 8/54 would have no documents. Further, it would seem that 8/547 is missing a dot and its wording is unclear. Would this convey the same meaning, "containing atoms in addition to carbon and hydrogen"?

-the EPO proposal on A61Q (Annex 55):
US can support this scheme.

-the proposed change to the wording of group A61P 17/16 (Annex 53):
This new title will narrow the scope of this subgroup and may require the movement of documents from this area, but US can support it.

OFFICE EUROPEEN DES BREVETS
Direction Principale Documentation
2002

Traduction
22 Mars

Projet: T412 **Sous-classe: A 61 K**

Ceci est la traduction modifiée, tenant compte des amendements proposés par les offices français et suisse.
Nous sommes d'accord avec les modifications proposées, sauf en ce qui concerne la Note (1) qui suit le titre A61Q: cette note a été modifiée, et donc doit être présente avec **R** dans la colonne de droite.

N	Notes après 8/00	(3) Il est important de tenir compte des notes de la classe C07, par exemple des notes qui suivent le titre de la sous-classe C07D, qui indiquent les règles pour le classement des composés organiques dans cette classe, ces règles s'appliquant aussi au classement des composés organiques dans le groupe 8/00, sauf indication contraire. (4) Les sels ou les complexes des composés organiques sont classés selon les composés actifs de base. Si un complexe est formé entre plusieurs composés actifs, le classement s'effectue à la dernière place appropriée.
N	8/03	$ $ Compositions liquides avec au moins deux couches distinctes
N	8/04	$ $ Dispersions; Émulsions
N	8/06	$ $ $ Émulsions
N	8/11	$ $ Compositions encapsulées
N	8/14	$ $ Vésicules, p.ex. liposomes
N	8/19	$ $ contenant des composés inorganiques
N	8/20	$ $ $ Halogènes; Leurs composés
N	8/21	$ $ $ $ Fluorures; Leur dérivés
N	8/22	$ $ $ Peroxydes; Oxygène; Ozone
N	8/23	$ $ $ Soufre; Sélénium; Tellure; Leurs composés
N	8/24	$ $ $ Phosphore; Ses composés
N	8/25	$ $ $ Silicium; Ses composés

N 8/26 $ $ $ Aluminium; Ses composés

N 8/27 $ $ $ Zinc; Ses composés

N 8/28 $ $ $ Zirconium; Ses composés

N 8/29 $ $ $ Titane; Ses composés

N 8/30 $ $ contenant des composés organiques

N 8/31 $ $ $ Hydrocarbures

N 8/33 $ $ $ contenant de l'oxygène

N 8/34 $ $ $ $ Alcools

N 8/35 $ $ $ $ Cétones, p.ex. benzophénone

N 8/36 $ $ $ $ Acides carboxyliques; Leurs sels ou anhydrides

N 8/362 $ $ $ $ $ Acides polycarboxyliques

N 8/365 $ $ $ $ $ Acides hydroxycarboxyliques; Acides cétocarboxyliques

N 8/368 $ $ $ $ $ dans lesquels le groupe carboxyle est directement lié aux atomes de carbone du cycle aromatique

N 8/37 $ $ $ $ Esters d'acides carboxyliques

N 8/38 $ $ $ $ Percomposés per, p. ex. peracides

N 8/39 $ $ $ $ Dérivés alkoxylés

N 8/40 $ $ $ contenant de l'azote (quinones contenant de l'azote 8/35)

N 8/41 $ $ $ $ Amines

N 8/42 $ $ $ $ Amides

N 8/43 $ $ $ $ Guanidines

N 8/44 $ $ $ $ Acides aminocarboxyliques ou leurs dérivés, p. ex. acides aminocarboxyliques contenant du soufre; Leurs sels, esters ou dérivés N-acylés

N 8/45 $ $ $ $ Dérivés alkoxylés

N 8/46 $ $ $ contenant du soufre (8/44 a priorité)

N 8/49 $ $ $ contenant des composés hétérocycliques

N 8/55 $ $ $ contenant du phosphore

N 8/58 $ $ $ contenant des atomes autres que des atomes de carbone, hydrogène, halogène, oxygène, azote, soufre ou phosphore

N 8/60 $ $ $ Sucres; Leurs dérivés

N 8/63 $ $ $ Stéroïdes; Leurs dérivés

N Note(s) après 8/63

Le présent groupe couvre les stéroïdes tels qu'ils sont définis dans la Note (1) après le titre de la sous-classe C07J.

N 8/64 $ $ $ Protéines; Peptides; Leurs dérivés ou produits de dégradation

N 8/65 $ $ $ $ Collagène; Gélatine; Kératine; Leurs dérivés ou produits de dégradation

N 8/66 $ $ $ $ Enzymes

N 8/67 $ $ $ Vitamines

N 8/68 $ $ $ Sphingolipides, e.g. céramides, cérébrosides, gangliosides

N 8/69 $ $ $ Composés ayant un groupe perfluoré, p.ex. perfluoroéthers

N 8/70 $ $ $ Fluorures organiques

N 8/72 $ $ contenant des composés organiques macromoléculaires

N 8/73 $ $ $ Polysaccharides

N 8/81 $ $ $ obtenus par des réactions faisant intervenir uniquement des liaisons insaturées carbone-carbone

N 8/84 $ $ $ obtenus par des réactions autres que celles faisant intervenir uniquement des liaisons insaturées carbone-carbone

N 8/89 $ $ $ $ Polysiloxanes

N 8/90 $ $ $ Polymères séquencés

N 8/91 $ $ $ Polymères greffés

N 8/92 $ $ $ Huiles, graisses ou cires; Leurs dérivés, p.ex. produits d'hydrogénation

N 8/96 $ $ contenant des produits de constitution indéterminée ou leurs dérivés

N 8/97 $ $ $ d'origine végétale, p.ex. extraits de plantes

N 8/98 $ $ $ d'origine animale

N 8/99 $ $ $ de micro-organismes

A61Q

*<Il faut mettre un **R** dans la colonne de droite pour la note et le groupe 17/00>*

N	Note(s) après le titre	(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 A61K8/00, dans les sous-classes C07C, D, F, G, H, J, K, C11D et C12N, ou dans les classes C01 et C08.
N	17/00	Préparations protectrices; Préparations employées en contact direct avec la peau pour protéger des influences extérieures, p.ex. des rayons du soleil, des rayons X ou d'autres rayons nuisibles, des matériaux corrosifs, des bactéries ou des piqûres d'insectes (médicaments pour traiter les brûlures A61P17/02; moyens chimiques pour combattre des agents chimiques nuisibles A62D3/00)

Anne Glanddier

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Rapporteur Report
8 May 2002

Project: C412 Subclass: A61K

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

Comments were asked in Annex 54 on:

1.- Whether the last place rule was needed in the area covered by one-dot group 8/02

The majority thinks that the last place rule is needed so Rapporteur recommends to use the last place rule in 8/02.

2.- Whether the group 8/14 (vesicles, e.g. liposomes) should become a subgroup of 8/04 (dispersions; emulsions) or 8/11 (encapsulated compositions)

The answers for the question are mixed.
R proposes to either leave the group as it is, or follow the last recommendation from US and reword the group: "Liposomes".

3.- A correct order of subgroups under one-dot 8/18 (characterized by the composition), in view of the last place rule applied therein.

Rapporteur suggest to leave the order as it is, as it has been used in ECLA and has proven its efficiency.
Some offices (RO or SE) suggest to follow the order of A61K31. However, R thinks that should not be the case, as the revision for the IPC7 had taken the old editions into account, and the order of the groups were not always logical.

RU suggests that 8/92 should be a two dots group, and R agrees.

4.- Whether quinones should be collected at the end of the classification scheme or under 8/35 (ketones)

The majority thinks that quinones should be kept in one place, and R suggest to keep them in 8/35 for the time being.

5.- The desirability of creating other groups, in particular 8/523 to 8/527 and subdivision of polysiloxanes proposed by JP (Annex 49).

R proposes to consider the following subgroups:

N 8/85 $ $ $ $ Polyesters

N 8/86 $ $ $ $ Polyethers

N 8/87 $ $ $ $ Polyurethanes

N 8/88 $ $ $ $ Polyamides

As for the subdivision for 8/89 (polysiloxanes), R proposes the following:

8/89 $ $ $ $ Polysiloxanes

N 8/891 $ $ $ $ $ saturated*, e.g. dimethicone, phenyl trimethicone*

N 8/892 $ $ $ $ $ containing silicon bound to unsaturated aliphatic groups*, e.g. vinyl dimethicone*

N 8/893 $ $ $ $ $ containing other atoms than carbon and hydrogen besides the atoms of the backbone

N 8/894 $ $ $ $ $ $ containing halogen*, e.g. fluorosilicone rubber of US6280749*

N 8/895 $ $ $ $ $ $ containing nitrogen*, e.g. amodimethicone*

N 8/896 $ $ $ $ $ $ containing oxygen*, e.g. dimethiconol*

N 8/897 $ $ $ $ $ $ $ modified by an alkoxy group*, e.g. behenoxy dimethicone*

N 8/898 $ $ $ $ $ $ $ modified by a polyoxyalkylene group*, e.g. cetyl dimethicone copoyol*

N 8/899 $ $ $ $ $ $ containing other elements, e.g. sulfur *(dimethicone/disodium pg-propyldimethicone thiosulfate copoyol)* (8/898 takes precedence)

C 8/90 $ $ $ Block copolymers (8/89 takes precedence)

C 8/91 $ $ $ Graft copolymers (8/89 takes precedence)

Some examples have been incorporated in italics to make the scope of the groups clearer. They may be kept or not.
For reference to such compounds, please see the "Encyclopaedia of Polymers and Thickeners for Cosmetics", compiled and edited by Robert Y. Lochhead, PhD and William R. of the Department of Polymer Science, University of Southern Mississippi:
Cosmetic & Toiletries, vol 108, May 1993, pages 114, 116, 117, 118, 123, 133
Allured Publishing Corp.

A few explanations:

1) The groups "silicones modified by alkyl group with more than 8 carbons" (8/544) and "cyclic silicones" (8/545) proposed by the Japan Patent Office (Annex 49) have not been incorporated into this proposition by the following reasons:

- Even if the proposed 8/544 group was a four-dot group, we understood that it was meant for saturated polysiloxanes (as well a four-dot group) modified by an alkyl group with more than 8 carbon atoms. In this case, we think that the group will not contain many documents and it is probably not worth creating it.

- The cyclic silicones used in the cosmetic field are usually limited to volatile silicones (hexamethylcyclotrisiloxane, octamethylcyclotetrasiloxane, decamethylcyclopentasiloxane) which are not normally considered as polymers (less than 7 monomers). According to the proposed classification, they will be classified in 8/36 "containing atoms other than carbon, hydrogen, halogen, oxygen, nitrogen, sulfur or phosphorus".

2) The title of the group 8/892
" containing silicon bound to unsaturated aliphatic groups" has been used instead of "unsaturated polysiloxanes" because we believe that there are some ambiguities in the latter one.
The idea is to classify in this group only the polysiloxanes containing polymerisable unsaturated groups. In this case and with the proposed title, the vinyldimethicone would be classified in the 8/892 while the phenyltrimethicone would not (it would be then classified under saturated polysiloxanes). If "unsaturated polysiloxanes" is used, a phenyltrimethicone compound would be considered as "unsaturated".

3) "containing halogen" has been preferred instead of "containing fluorine" from annex 49.

4) A group "containing oxygen" (8/896) has been introduced to cover both 8/897 ("polysiloxanes modified by an alkoxy group") and 8/898 ("polysiloxanes modified by a polyoxyalkylene group") in order to keep a consistency in the subdivision, which is made according to "atoms" not functional groups.

5) The order in which the subgroups concerning the different atoms in the backbone are situated in the scheme has been chosen following the usual order in the IPC (Hal, N, O and others).

6) The group 8/898 polysiloxanes "modified by a polyoxyalkylene group" concerns mainly the dimethicone copolyol compounds. However, these compounds can be considered as graft copolymers where the backbone is made of a polycondensate. We would prefer to have all polysiloxanes classified under "polysiloxanes" including the dimethicone copolyol compounds and we then proposed to make a note in both a block or graft copolymers groups in order for the polysiloxanes to take precedence.

6.-The EP proposal in Annex 55.

The majority agrees with the EP proposal, and R suggest that the WG should consider it for adoption.

7.- The proposed changed to the wording of group 17/16

The majority agrees with the proposed change of wording.

Anne Glanddier.

IPC/C 413/98
ORIGINAL: English/French
DATE: May 29, 2002

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: **GB** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **B 01 D** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of subgroups** **TYPE DE RÉVISION :** **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
58	Decision of the Working Group	/ Décision du groupe de travail	WG	01.02
59	Comments	/ Observations	JP	04.02
60	Comments	/ Observations	RU	04.02
61	Comments	/ Observations	RO	04.02
62	Comments	/ Observations	EP	04.02
63	Comments	/ Observations	DE	04.02
64	French version of approved amendments	/ Version française des modifications approuvées	FR	04.02
65	Proposal	/ Proposition	EP	05.02
66	Rapporteur report	/ Rapport du rapporteur	GB	05.02

ANNEX 58

EXCERPT FROM DOCUMENT IPC/WG/6/5
EXTRAIT DU DOCUMENT IPC/WG/6/5

Project C 413 (chemical) – Comments were invited on:

– whether ion-exchangers for chromatography should be classified in new groups B 01 J 39/26 and 41/20 (see Annex 28 to this report) or they should be combined with sorbents for chromatography under main group B 01 J 20/00 (see Annex 54 to document IPC/WG/3/3);

– whether Note (3) before main group B 01 J 39/00 should be deleted or modified, in view of the changes made to the area of ion-exchange;

– in view of the creation of group B 01 D 15/36 (see Annex 36 to document IPC/WG/4/5), how the relationship of this group with the existing group B 01 D 15/04 could be clarified.

Projet C 413 (chimie) – Des observations ont été demandées

– sur le point de savoir si les échangeurs d'ions pour la chromatographie doivent être classés dans les nouveaux groupes B 01 J 39/26 et 41/20 (voir l'annexe 28 du présent rapport) ou s'ils doivent être combinés aux adsorbants et absorbants pour la chromatographie dans le groupe principal B 01 J 20/00 (voir l'annexe 54 du document IPC/WG/3/3);

– sur le point de savoir si la note 3) devant le groupe principal B 01 J 39/00 doit être effacée ou modifiée, compte tenu des changements intervenus dans le domaine de l'échange d'ions;

– compte tenu de la création du groupe B 01 D 15/36 (voir l'annexe 36 du document IPC/WG/4/5), sur la manière dont les liens entre ce groupe et le groupe existant B 01 D 15/04 peuvent être précisés.

ANNEXE 24 **A 23 C** **[Project-Rapporteur : 413/GB]** **<SC06013F>**
(T:FR) - SC/04/5 **<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.

ANNEXE 25 **A 61 K** **[Project-Rapporteur : 413/GB]** **<SC06014F>**
(T:FR) - SC/04/5 **<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.

ANNEXE 26 **A 61 M** **[Project-Rapporteur : 413/GB]** **<SC06015F>**
(T:FR) - SC/04/5 **<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.*

ANNEXE 27 **B 01 D** **[Project-Rapporteur : 413/GB]** **<SC06016F>**
(T:FR) - SC/04/5 **<SC04060E>**

15/00 **– – – 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, p.ex 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*	• • • *Chromatographie en phase liée, p.ex. avec une phase normale liée, une phase inverse ou une interaction hydrophobe*
N	*15/34*	• • • *Séparation par sélection en fonction de la taille, p.ex. chromatographie d'exclusion de taille; Filtration sur gel; Perméation*
N	*15/36*	• • • *impliquant une interaction ionique, p.ex. échange d'ions, paire d'ions, suppression d'ions ou exclusion d'ions*
N	*15/38*	• • • *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*
N	*15/40*	• • • *utilisant un fluide supercritique comme phase mobile ou comme éluant*
N	*15/42*	• • *caractérisée par le mode de développement, p.ex. par déplacement ou par élution*
	53/02	• par adsorption, p.ex. chromatographie préparatoire en phase gazeuse

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ANNEX 28 B 01 J [Project-Rapporteur : 413/GB] <SC06012E>

C	***39/00***	*– – – **exchange properties** (ion-exchange chromatography processes B 01 D 15/36)*
D	*39/06*	*(transferred to 39/26)*
N	*39/26*	• *Cation exchangers for chromatographic processes*
C	***41/00***	*– – – **exchange properties** (ion-exchange chromatography processes B 01 D 15/36)*
D	*41/06*	*(transferred to 41/20)*
N	*41/20*	• *Anion exchangers for chromatographic processes*
C	***43/00***	*– – – **ion-exchange properties** (ion-exchange chromatography processes B 01 D 15/36)*
C	***45/00***	*– – – **ion-exchange properties** (ion-exchange chromatography processes B 01 D 15/36)*
C	***47/00***	*– – – **Apparatus therefor** (ion-exchange chromatography processes or apparatus B 01 D 15/08)*

C ***49/00*** ***– – – Apparatus therefor*** *(ion-exchange chromatography processes or apparatus B 01 D 15/08)*

ANNEXE 29 **C 02 F** **[Project-Rapporteur : 413/GB]** **<SC06017F>**
(T:FR) - SC/04/5 **<SC04062E>**

Note(s) après le titre

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.*

(3) <Ancienne note (2)>

(4) <Ancienne note (3)>

ANNEXE 30 **C 07 B** **[Project-Rapporteur : 413/GB]** **<SC06018F>**
(T:FR) - SC/04/5 **<SC04063E>**

Note(s) après le titre

N *(5)* *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.*

ANNEXE 31 **C 07 C** **[Project-Rapporteur : 413/GB]** **<SC06019F>**
(T:FR) - SC/04/5 **<SC04064E>**

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)>

ANNEXE 32 **C 07 K** **[Project-Rapporteur : 413/GB]** **<SC06020F>**
(T:FR) - SC/04/5 **<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)>

ANNEXE 33 **C 10 G** **[Project-Rapporteur : 413/GB]** **<SC06021F>**
(T:FR) - SC/04/5 **<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.

ANNEXE 34 **C 11 B** **[Project-Rapporteur : 413/GB]** **<SC06022F>**
(T:FR) - SC/04/5 **<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.

ANNEXE 35 **C 12 H** **[Project-Rapporteur : 413/GB]** **<SC06023F>**
(T:FR) - SC/04/5 **<SC04068E>**

Note(s) après le titre

(1) Dans la présente – – –

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.*

ANNEXE 36 **C 12 N** **[Project-Rapporteur : 413/GB]** **<SC06024F>**
(T:FR) - SC/04/5 **<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.

ANNEXE 37 **C 13 D** **[Project-Rapporteur : 413/GB]** **<SC06025F>**
(T:FR) - SC/04/5 **<SC04070E>**

N *Note(s) après 3/00*

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.

ANNEXE 38 **G 01 N** **[Project-Rapporteur : 413/GB]** **<SC06026F>**
(T:FR) - SC/05/3 **<SC05011E>**

D *30/48* *(transféré en B 01 J 20/281 - 20/292)*

N *30/89*

- *Chromatographie inverse, p.ex. avec l'analyte dans la phase stationnaire*

Japan Patent Office

Project:C-413 Subclass:B01D April 1, 2002

On Annex 58, JP would like to make some comments as below.

1. "- whether ion-exchangers for chromatography -"

It is noted that "ion exchangers for chromatography" should be classified in B01J 39/26 and 41/20 rather than B01J 20/00 since the wording " ion exchangers for chromatographic processes" is defined in B01J 39/26 and 41/20.

2. "- whether Note (3) before main group B01J 39/00 -"

We think deletion of the Note (3) before main group B01J 39/00 will not cause any problems.

3. "- in view of the creation of group B01D 15/36 -"

It is noted that subgroup B01D 15/36 should take precedence over B01D 15/04, that is, "ion exchangers for chromatography" should be classified in B01D 15/36 rather than B01D 15/04.

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project : C 413	**Date: 10. 04. 2002**
Class/Subclass : B01D	

Re: IPC WG/6/5

Comments were invited on:

- whether ion-exchangers for chromatography should be classified in new groups B01J 39/26 and 41/20 (see Annex ? to this report) or they should be combined with sorbents for chromatography under main group B01J 20/00 (see Annex 54 to document IPC/WG/3/3);

Since "breaking" of the current scheme (B01J 20/00 – 20/28) in relation to chromatographic sorbents has been considered not dangerous, there seem to be no sense in "keeping" ion-exchange sorbents for chromatography in the scope of the current schemes for ion-exchangers (B01J 39/08 – 39/24 and B01J 41/08 – 41/18). And as it has been decided to create a number of entries specially provided for chromatographic sorbents (B01J 20/281 – 20/292), we believe ion-exchange sorbents for chromatography to be involved in these entries as well.

- whether Note (3) before main group B01J 39/00 should be deleted or modified, in view of the changes made to the area of ion-exchange;

We see no reason for deleting of modifying this note.

- in view of creation of group B01D 15/36 (see Annex 36 to document IPC/WG/4/5), how the relationship of this group with the existing group B01D 15/04 could be clarified.

We suggest introducing a precedence note:

C 15/04 ▪ - - - adsorbents *(15/36 takes precedence)*

<u>Other points</u>

1. We would like to have the following references after the heading "ion-exchange":

"separation by ion-exchangers B01D, e.g. by liquid ion-exchangers B01D 11/00, separation of liquids by ion-exchange adsorbents B01D 15/04"

instead of the existing reference *"separation by liquid ion-exchangers B01D, e.g. 11/00"*, since the presence of subgroup B01D 15/04 means that it is not separation only by liquid ion-exchangers that is classified in B01D, but separation by ion-exchange adsorbents is covered by B01D too.

2. If it was decided to transfer ion-exchange sorbents for chromatography to B01J 20/281, to our mind, the following references would be useful:

C B01J 39/08 ▪ - - - cation-exchange properties *(solid sorbent compositions B01J 20/00; for chromatography B01J 20/281)*

C B01J 41/08 ▪ - - - anion-exchange properties *(solid sorbent compositions B01J 20/00; for chromatography B01J 20/281)*

3. We have some doubts as to whether subgroup B01D 15/28 is necessary. The point is that "adsorption" is a general term and it is known that there are many different mechanism of adsorption. Moreover, the word "adsorbents" in group B01D 15/00 title says there can be no documents except those dealing with adsorption in this group.

M.Sobolev

STATE OFFICE FOR INVENTIONS
AND TRADEMARKS

Date

: 16 April 2002

RO COMMENTS

PROJECT :C 413
Class/Subclass : B01D

Comments were invited on :

-whether ion exchanger for chromatography should be classified in new groups B01J 39/26 and 41/20 (Annex 28 to this report) or they should be combined with sorbents for chromatography under main group B01J 20/00 (Annex 54 to document IPC/WG/3/3)

We consider as preferable to classify "ion exchanger for chromatography" in B01J39/26 and 41/20 because this is the area where the ion exchanger for chromatography are classified at the moment and this solution would bring to the existing IPC the minimal changes. Furthermore, the title of B01J 20/00 suggests that we could classify here only the solid sorbent compositions, in case the ion exchanger for chromatography in solid form. We have to take in consideration also the ion exchanger in liquid form.

-whether Note (3) before main group B01J 39/00 should be deleted or modified, in view of the changes made to the area of ion-exchange

We see no reason fo deleting this note, considering that it is better to establish what exactly the subclass covers and where the subject is classified . The note could suffer some modification correlated with the final configuration of the groups which will be settle down by the W.G.

-in view of the creation of group B01D 15/36 (Annex 36 to document IPC/WG/4/5, how the

relationship of this group with the existing group B01D 15/04 could be clarified.

We agree with the introduction of a precedence reference in 15/04 to 15/36.

Mirela Georgescu

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
9 April 2002

Project: C413 **Subclasses: B01D/B01J**

Re.: Annex 58 to the project file (Decision of WG6)

Comments were invited on a number of questions, all relating to ion-exchange:

1) *Ion-exchangers for chromatography to be classified in specific new groups B01J39/26 and 41/20 or under the general entry for sorbents for chromatography* (B01J20/00).

Whether ion-exchangers are used in the context of chromatography or not, in both cases the same mechanism (ion-exchange) is of importance. Therefore, to EP it seems preferable to keep groups B01J39/06 and 41/20 as adpted at WG6. In this way dispersion of documents relating to the same mechanism, between B01J20/00 on the one hand and B01J39/00 and 41/00 on the other hand, is avoided.

2) *IPC7 note (3) before B01J39/00*:

With the adoption of new groups B01J39/26 and 41/20, which replace the IPC7 groups B01J39/06 and 41/06, note (3) before group B01J39/00 does not make sense anymore as the IPC7 groups were method groups from which materials were referred out by this note (3), while the new groups are only material groups.
Thus this new situation requires de deletion of the note. (See also existing note (2).)

3) *Relationship between IPC7 group B01D15/04 and new group B01D15/36*:

The reference out in main group B01D15/00 for ion exchange processes in general and the wording of group 15/04 (separating processes involving ion-exchange materials) seems rather confusing. Therefore, the only type of documents we can think of with a proper place in 15/04 relate to the use of these materials as sorbents, not involving the ion exchange mechanism. As far as we can see, only few documents are in this case candidate to be classified here.
Because of the ambiguity of the present situation and the very low number of documents involved, we suggest:
- to reword the title of 15/04 as indicated - if our interpretation is considered to be correct -, or
- preferably (to avoid confusion) to delete this entry.

Paul Daeleman

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trade Mark Office	Class/Subcl.: **B 01 D**
	Date : 18. April 2002
DE - Comments — C 413	

Re: Comments on IPC/WG/6/5

Comments were invited on:

- **whether ion-exchangers for chromatography should be classified in new groups B 01 J 39/26 and 41/20** (see Annex 28 to document IPC/WG/6/5) **or they should be combined with sorbents for chromatography under main group B 01 J 20/00** (see Annex 54 to document IPC/WG/3/3 in Annex 21, page 2 of the project file):

We think, when the subject of the invention concerns a sorbent for chromatography in gerneral, it is classified under B 01 J 20/00 according to its intrinsic nature. When it also concerns a specific field of use, e.g. ion-exchange, it is also classified in the place provided for that field of use, i.e. in B 01 J 39/26 or 41/20. However, when the subject of the invention concerns only the application of ion-exchangers for chromatographic processes, it is classified only in the place covering the field of use, i.e. in B 01 J 39/26 or 41/20.

- **whether Note (3) before main group B 01 J 39/00 should be deleted or modified, in view of the changes made to the area of ion-exchange;**

The wording of note (3) directs the classifier rather to B 01 J 39/08 or 41/08 than to the new groups 39/26 or 41/20. Therefore we think that note (3) in the existing wording should be modified by specially referring to the groups covered or it should be deleted.

A suitable wording might be:

(3) ion-exchange materials or compositions are classified in groups 39/08 to 39/26 or 41/08 to 41/20.

- **in view of the creation of group B 01 D 15/36** (see Annex 36 to document IPC/WG/4/5 in Annex 33, pp 3 and 4 of the project file), **how the relationship of this group with the existing group B 01 D 15/04 could be clarified.**

We support the JP and RU proposals (see Annex 59 and 60) for introducing a precedence reference in 15/04 to 15/36.

We agree with the Russian Office in Annex 60 under ”Other points” that further cross-references might be helpful and support the amendments taken.

Angelika Eva Zettler

INSTITUT NATIONAL DE LA PROPRIÉTÉ INDUSTRIELLE **FR - avr. 2002**

Projet IPC / C **413** Annexe 64
Sous-classe **B 01 J**

VERSION FRANÇAISE

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

(ref : annexe 28 du document IPC/WG/6/5)

B 01 J

ANNEX 28 B 01 J [Project-Rapporteur : 413/GB] <SC06012E>

C	***39/00***	*– – – **d'échange de cations** (procédés de chromatographie par échange d'ions B 01 D 15/36)*
D	*39/06*	*(transféré en 39/26)*
N	*39/26*	• *Échangeurs de cations pour procédés chromatographiques*
C	***41/00***	*– – – **d'échange d'anions** (procédés de chromatographie par échange d'ions B 01 D 15/36)*
D	*41/06*	*(transféré en 41/20)*
N	*41/20*	• *Échangeurs d'anions pour procédés chromatographiques*
C	***43/00***	*– – – **d'échange d'ions** (procédés de chromatographie par échange d'ions B 01 D 15/36)*
C	***45/00***	*– – – **d'échange d'ions formant des complexes ou des chélates** (procédés de chromatographie par échange d'ions B 01 D 15/36)*
C	***47/00***	*– – – **Appareillage à cet effet** (procédés ou appareils de chromatographie par échange d'ions B 01 D 15/08)*
C	***49/00***	*– – – **Appareillage à cet effet** (procédés ou appareils de chromatographie par échange d'ions B 01 D 15/08)*

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

New catchwords
27 May 2002

Project: C413 **Subclass: B01D / B01J**

Re.:IPC/WG/7/1, agenda point 14

It might be useful to add the following new entries in the Catchword Index to the IPC:

I. English Version

1) **CHROMATOGRAPHY**:

- processes and apparatus B01D15/08
preparative gas - *B01D53/02*
sorbents for - *B01J20/281*

- for investigating or analysing materials *G01N30/00*

2) ***SORBENTS***

- for chromatography *B01J20/281*

II. Version Française

1) **CHROMATOGRAPHIE**:

Analyse des -------- G01N30/00

procédés et appareillages pour la séparation des liquides par - B01D15/08
- préparatoire en phase gazeuse *B01D53/02*
Matériaux adsorbants ou absorbants pour - *B01J20/281*

2) **ADSORBANTS**

- pour la chromatographie *B01J20/281*

liquides ----------

Paul Daeleman

UK Patent Office **Date: 27 May 2002**

Rapporteur Report on Project C413, Subclass B01D

Background

Following the WG decision in Annex 58, comments were received from **DE, EP, RO, RU** and **JP** (Annexes 59-63). **RU** (Annex 60) makes further suggestions, which **DE** support.

Comments

Question (i) *Are ion-exchangers for chromatography to be classified in new groups B01J 39/26 and 41/20, or under the general entry for sorbents for chromatography (B01J 20/00)?*

All Offices, and **R**, agree that this should be so. According to **RO**, ion exchange sorbents in solid form may well also end up in 20/00, while those in liquid form should also be taken into consideration, presumably in 39/26 and 41/20. It seems that no changes are required here.

Question (ii) *Should Note (3) before B01J 39/00 be deleted or modified?*

There is little agreement between Offices on this question. **EP** and **JP** want it deleted, **RO** and **RU** don=t, and **DE** suggest a modification, pointing to groups 39/08 to 39/26 and 41/08 to 41/20.

R=s feeling is that the original Note (3), and **DE**=s proposed modification, do little more than pointing the classifier towards sub-groups that are rather easy to find lower down on the same page (although the printed version of IPC8 may be different!). A reasonably skilled reader reading any of the notes above B01J 39/00, should easily find 39/26 and 41/20, and decide on the appropriateness of these sub-groups to the case in hand, without help from Note (3). **R** proposes that, unless a more informative wording of this Note can be found, the note should be deleted.

Question (iii) *What should be the relationship between IPC7 group B01D 15/04 and new group B01D 15/36?*

EP suggest rewording the title of 15/04 or deleting it, but mention that there is a very low number of documents involved. All other Offices favour a precedence reference from B01D 15/04 to 15/36. Bearing in mind the low number of documents involved, **R** feels that rewording of the title is unnecessary, and also favours the precedence reference.

RU=s suggestions

Point 1. **RU** suggests a change to the bracketed reference immediately after the title AIon-exchange@ (before B01J 39/00); **R** agrees with it.

Point 2. **RU** suggests two references, in the case that ion-exchange sorbents for chromatography were to have been transferred to B01J 20/281. This has not happened and therefore these suggestions are unlikely to be adopted. However there may well be a case for referring to B01J 20/00, either somewhere in the references after the title AIon-exchange@ or after the new sub-groups 39/26 and 41/20. **R** would like some comments on this point.

Point 3. **RU** has doubts as to whether the new subgroup B01D 15/28 (Aadsorption chromatography@, created in Annex 33 to the project) is necessary. This is because the term Aadsorption@ is a general term, covering many different mechanisms; further since the superior group B01D 15/00 mentions Aadsorbents@ , there should be nothing else in any of the sub-groups under 15/00. **R**, being new at this stage of this project, sees merit in **RU**=s assertion, and would like comments on this point.

Rapporteur=s questions to the WG, and proposal

R would like to put two questions to the next session of the Working Group:

(i) Should a reference to B01J 20/00 be inserted in either of (a) the references after the title AIon exchange@ before B01J 39/00, or (b) after the new sub-groups B01J 39/26 and 41/20?

(ii) Is the new subgroup B01D 15/28 necessary in view of RU=s comments?

R also proposes the following entries:

C	B01D 15/04	. - - - adsorbents *(15/36 takes precedence)*
C	Title before B01J 39/00	Ion-exchange (treatment of milk A32C 9/14*; separation by ion-exchangers B01D, eg by liquid ion-exchangers B01D 11/00, separation of liquids by ion-exchange adsorbents B01D 15/04*; separation of isotopes B01D 59/00; - - -
D	Note (3) before B01J 39/00.	<Delete Note>

Martin Price
UKPO

IPC/C 415/98
ORIGINAL: English/French
DATE: May 29, 2002

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: **GB** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 08 J** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Clarification of wordings** **TYPE DE RÉVISION :** **Clarification de libellés**	

ANNEX/ ANNEXE	CONTENT/CONTENU		ORIGIN/ ORIGINE	DATE
1	Revision request with detailed proposal	/ Demande de révision avec proposition détaillée	GB	01.98
2	Comments	/ Observations	EP	04.99
3	Comments	/ Observations	SE	04.99
4	Comments	/ Observations	CA	04.99
5	Comments	/ Observations	RO	04.99
6	Comments	/ Observations	US	04.99
7	Comments	/ Observations	DE	05.99
8	Rapporteur report	/ Rapport du rapporteur	GB	09.99
9	Rapporteur proposal	/ Proposition du rapporteur	GB	09.99
10	Comments	/ Observations	RO	04.01
11	Decision of the Working Group	/ Décision du groupe de travail	WG	01.02
12	Comments	/ Observations	DE	04.02
13	Comments	/ Observations	RO	04.02
14	Comments	/ Observations	EP	04.02

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

ANNEX/ ANNEXE	CONTENT/CONTENU	ORIGIN/ ORIGINE	DATE
15	Rapporteur report / Rapport du rapporteur	GB	05.02

ANNEX 11

EXCERPT FROM DOCUMENT IPC/WG/6/5
EXTRAIT DU DOCUMENT IPC/WG/6/5

Project C 415 (chemical) – Comments were invited on the Rapporteur's proposal (see Annex 9 to the project file) and on whether this project could be combined with the definition Project D 003 relating to subclass C 08 J.

Projet C 415 (chimie) – Des observations ont été demandées sur la proposition du rapporteur (voir l'annexe 9 du dossier de projet) et sur le point de savoir si ce projet peut être combiné au projet de définition D 003 relatif à la sous-classe C 08 J.

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trade Mark Office	Class/Subcl.: **C08J** Date : 12.04.2002
DE - Comments — C 415	

We appreciate the wording of the reference to B29 following the title of C08J proposed by UK, but we suggest not to delete the reference to B29 in C08J 5/00.

Martina Fritzsche

OFICIUL DE STAT PENTRU INVENÞII 0I MÃRCI

Date :16 April 2002

RO COMMENTS

PROJECT : 415
Class/Subclass : C08J

Comments were invited on :

-the Rapporteur=s proposal (see Annex 9 to the project file)

As we already expressed in our last comment (Annex 10) we are in favor of the wording of the reference to B29 following the title of C08J proposed by the Rapporteur in Annex 9 of the file and we suggest not to delete the reference to B29 in C08J 5/00, taking into consideration that, the subject-matters of this subgroups are very related.

Mirela Georgescu

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
2 April 2002

Project: C415 Subclass: C08J

Comments were asked on Rapporteur Report and on whether this project could be combined with definition project D003.

We agree with the proposal of the RR.

The reference in C08J5/00 was vague and is replaced by the information in paragraph 3 of D003, but if all offices agree to keep it in 5/00, we have no objection..
We agree about keeping the reference in C08J11/00.
If D003 is accepted as it is, then the definition proposed by the RR will become redundant.

Anne Glanddier.

UK Patent Office **Date: 28 May 2002**

Rapporteur Report on Project C415, Subclass C08J

This is an amended Rapporteur report, since I forgot to save it under the correct template!

Background

Comments were invited (see Annex 11) on the Rapporteur=s proposal on Annex 9, and on whether this project could be combined with definition project D003 relating to the same sub-class.

Comments

Comments were received from **RO, DE and EP** (Annexes 10 and 12-14). All were favourable to the proposal regarding the reference in the title of C08J, and regarding the reference in C08J 11/00.

As to as the reference in C08J 5/00, which **R** deleted in Annex 9, **RO** and **DE** wish it reinstated (presumably in the form in which it was originally proposed in Annex 2). **EP** have no objection to keeping it if all other offices agree.

As to the relationship of this project with definition project D003, only one comment was made by **EP,** stating that if D003 was accepted as it is, then the definition proposed by the **RR** here will become redundant.

Rapporteur=s opinion

As to the references in the title of C08J and in 5/00 and 11/00, complete agreement seems to have been reached, and this is reflected in the proposal below. **R** feels that the reference in 11/00 should not be wider than in the sub-class title, and the proposal below reflects this. This should now lead to completion of this project.

Regarding definition project D003, this Rapporteur is new to the concept of definition projects, but feels that the main part of the IPC should perhaps take precedence over definitions, in other words a definition project could be shaped to fit the IPC rather than the other way around. *Perhaps this question should be decided when the Working Group next meets*.

Proposal

C08J WORKING-UP; GENERAL PROCESSES OF COMPOUNDING; AFTER-TREATMENT NOT COVERED BY SUBCLASSES C08 B, C, F, G (working of plastics B29; layered products - - - -)

C08J 5/00 - - - membranes B01D 67/00 to 71/00; working of plastics B29)

C08J 11/00	- - - of waste materials (recovery of plastics B29B 17/00; polymerisation processes involving - - -)

Martin Price
UKPO

IPC/C 422/00
ORIGINAL: English/French
DATE: April 24, 2002

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: **GB, US** **PROPOSITION DE :**	**REVISION OF IPC AREA:** **C 40 B** **RÉVISION DU DOMAINE DE LA CIB :**
KIND OF REVISION: **Creation of class, subclass** **TYPE DE RÉVISION :** **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
45	Decision of the Working Group	/ Décision du groupe de travail	WG	01.02
46	Citation of examples	/ Enumération d'exemples	EP	01.02
47	Comments	/ Observations	US	01.02
48	Proposal	/ Proposition	US	01.02
49	Proposal	/ Proposition	GB	02.02
50	Comments	/ Observations	DE	04.02
51	Comments	/ Observations	RU	04.02
52	Comments	/ Observations	JP	04.02
53	Comments	/ Observations	RO	04.02
54	Comments	/ Observations	EP	04.02
55	Comments	/ Observations	US	04.02
56	Comments	/ Observations	SE	04.02

ANNEX 45

EXCERPT FROM DOCUMENT IPC/WG/6/5
EXTRAIT DU DOCUMENT IPC/WG/6/5

Project C 422 (chemical) –The Working Group reviewed the classification scheme of the new subclass C 40 B approved at its fifth session (see Annex 38 to document IPC/WG/5/3) and agreed that no overlap existed between subdivisions of main group 9/00.

In light of the potential file size of main groups of subclass C 40 B, the Working Group agreed that certain subdivision of main groups was needed. The Working Group recommended the following approach for their subdivision:

– re main group 1/00: chemical nature of library members in broad categories;

– re main group 3/00: biochemical, solid phase, liquid phase synthesis;

– re main group 5/00: properties screened for;

– re main group 7/00: identification by position in space, by tagging, by iterative deconvolution.

The United Kingdom was invited to submit a proposal on subdivision of main groups of subclass C 40 B on the basis of the above recommendations.

The EPO was invited to cite examples of patent documents illustrating subject matter relating to “virtual libraries.”

Comments were invited on:

– the proposal to be submitted by the United Kingdom;

– whether “virtual libraries” should be included in main group 1/00 or in main group 3/00, in light of the examples to be cited by the EPO;

– subdivisions of main group 11/00 proposed by Japan (see Annex 43 to the project file) or whether subject matter covered by these subdivisions should be included in a new main group;

– the list of places for the example in Note (b) after the title of subclass C 40 B proposed by the EPO (see Annex 47 to the project file).

The Working Group noted a paper distributed at the session by the Delegation of the United States of America, proposing to use a new sequence of main groups in subclass C 40 B based on the standardized sequence, and invited the United States of America to submit a proposal on this matter including an explanation of benefits of using this sequence of main groups.

Comments were invited on the proposal to be submitted.

Projet C 422 (chimie) – Le groupe de travail a examiné le schéma de classement de la nouvelle sous-classe C 40 B approuvé à sa cinquième session (voir l'annexe 38 du document IPC/WG/5/3) et a convenu qu'il n'y a aucun chevauchement entre les subdivisions du groupe principal 9/00.

Compte tenu de la taille potentielle du dossier de recherche des groupes principaux de la sous-classe C 40 B, le groupe de travail a convenu de la nécessité de subdiviser les groupes principaux. Il a recommandé la méthode de subdivision suivante :

– en ce qui concerne le groupe principal 1/00 : nature chimique des éléments de bibliothèques dans les grandes catégories;
– en ce qui concerne le groupe principal 3/00 : synthèse biochimique, en phase solide, en phase liquide;

– en ce qui concerne le groupe principal 5/00 : propriétés recherchées par criblage;

– en ce qui concerne le groupe principal 7/00 : identification par la position dans l'espace, par marquage, par déconvolution itérative.

Le Royaume-Uni a été invité à proposer une subdivision des groupes principaux de la sous-classe C 40 B sur la base des recommandations susmentionnées.

L'OEB a été invité à donner des exemples de documents de brevet illustrant la matière relative aux "bibliothèques virtuelles" ("virtual libraries").

Des observations ont été demandées

– sur la proposition qui doit être présentée par le Royaume-Uni;

– sur le point de savoir si les "bibliothèques virtuelles" doivent être intégrées dans le groupe principal 1/00 ou dans le groupe principal 3/00, compte tenu des exemples qui doivent être cités par l'OEB;

– sur les subdivisions du groupe principal 11/00 proposées par le Japon (voir l'annexe 43 du dossier de projet) ou sur le point de savoir si la matière couverte par ces subdivisions doit être intégrée dans un nouveau groupe principal;

– sur la liste des endroits concernant l'exemple de la note b) suivant l'intitulé de la sous-classe C 40 B proposé par l'OEB (voir l'annexe 47 du dossier de projet).

Le groupe de travail a pris note d'un document distribué lors de la réunion par la délégation des États-Unis d'Amérique, relatif à une proposition visant à utiliser une nouvelle séquence de groupes principaux dans la sous-classe C 40 B sur la base de la séquence normalisée, et il a invité les États-Unis d'Amérique à faire une proposition sur ce sujet, en indiquant notamment les avantages qui découlent de l'utilisation de cette séquence de groupes principaux.

Des observations ont été demandées sur la proposition qui doit être présentée.

ANNEXE 42 **C 40** **[Project-Rapporteur : 422/GB]** **<SC06027F>**
(T:FR) - SC/05/3 **<SC05008E>**

N ***Titre de la sous-section avant C 40*** ***TECHNOLOGIE COMBINATOIRE***

N ***Titre*** ***CHIMIE COMBINATOIRE; BIBLIOTHÈQUES***

ANNEXE 43 **C 40 B** **[Project-Rapporteur : 422/GB]** **<SC06028F>**
(T:FR) - SC/05/3 **<SC05009E>**

N ***Titre*** ***CHIMIE COMBINATOIRE; BIBLIOTHÈQUES, p.ex. CHIMIOTHÈQUES***

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***

N ***5/00*** ***Procédés de criblage des bibliothèques***

N ***7/00*** ***Procédés spécialement adaptés à l'identification des éléments des bibliothèques***

N ***9/00*** ***Appareils spécialement adaptés à une utilisation en chimie combinatoire ou avec des bibliothèques***

N *9/02* • *Appareils intégrés spécialement adaptés à la création, au criblage de bibliothèques et à l'identification des éléments des bibliothèques*

N *9/04* • *Appareils intégrés spécialement adaptés à la fois à la création et au criblage de bibliothèques*

N *9/06* • *Appareils intégrés spécialement adaptés à la fois à la création de bibliothèques et à l'identification des éléments des bibliothèques*

N	*9/08*	• *Appareils intégrés spécialement adaptés à la fois au criblage de bibliothèques et à l'identification des éléments des bibliothèques*
N	*9/10*	• *pour créer des bibliothèques*
N	*9/12*	• *pour cribler des bibliothèques*
N	*9/14*	• *pour identifier des éléments des bibliothèques*
N	***11/00***	***Matière relative à la chimie combinatoire ou aux bibliothèques et non couverte par les groupes 1/00 à 9/00***

EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Examples
20 December 2001

Project: C422 Subclass: C40B

We were invited by the WG to present examples of patent documents illustrating subject matter relating to virtual libraries:

EP-1130009
US-6295514
WO-0150124
US-6240374
US-6185506
US-6148265
US-6038514
WO-9958474
EP-0918296
WO-9727559
US-5434796
WO-9621859**.**

Anne Glandddier.

USPTO COMMENTS	
REVISION PROJECT: C422 **Class/subclass: C40B**	**Date: 17 January 2001**

1. The USPTO was invited by the IPC Revision Working Group, Sixth Session, to submit comments as to why the C422 main group sequence order should be changed, as proposed by US, to follow the Standardized Sequence. The US was also invited to submit example patent documents supporting the US comments with respect to its proposal. The proposed revised scheme is submitted along with these comments.

The Standardized Sequence

2. As we have stated before, a standardized sequence is part of the set of rules proposed by the US, which also includes a top-to-bottom priority rule and inclusive classifications. The set of rules operates to reduce the subjectivity inherent in a best-fit system. The basis of subject matter arrangement parallels the rules by which the subject matter documents are placed and searched.

3. The role of a standardized sequence is primarily to serve as a guideline to be followed when new classifications are being developed. The exact sequence followed will depend on the patent documents themselves, because adjustments are made to improve search efficiency (i.e., art will normally be collected together by its most important inventive aspect). Nevertheless, in most situations the adjustments in the sequence of groups are minor and the overall uniformity is preserved. This uniformity has a secondary benefit to all users, because they can anticipate where in a scheme a certain type of subject matter is likely to be found.

4. The Standardized Sequence can be expressed as:
   The top-to-bottom arrangement of subject matter in a subclass is from generally more complex to less complex to simple;
   In other words, greater combinations of subject matter will appear in a scheme before lesser combinations, and lesser combinations will appear before elements.

5. In addition to the general statement above, the Standardized Sequence also provides for subject matter considered *uniquely important* to be placed at the top of a classification scheme irrespective of the relative complexity of the subject matter.

6. An example of this is found in USPC Class 264, PLASTIC AND NONMETALLIC ARTICLE SHAPING OR TREATING PROCESSES, wherein the first subject matter grouping is the shaping and treating of radioactive material. In this situation, the radioactive nature of the material being acted upon is considered to be more important than the process considerations forming the basis of most of the remainder of the class.

Categories of Subject Matter

7. The Standardized Sequence is also associated with the "categories of subject matter." There are five USPC categories of subject matter for utility patents:
   Method of Use (of a Product)
   The Product (of Manufacture)
   Method of Making The Product

Apparatus (to make the Product or to perform the Method of Making)
Material used to make the Product

8. The priority of the "categories of subject matter" roughly parallels the Standardized Sequence. Using the example of a method of administration of a medicinal compound, the combination of steps necessary to progress from securing a starting material from which to make the compound, through its preparation, to its incorporation in a composition, to its administration is a sequence of increasing steps and complexity.

9. US has developed this methodology by trial and error over many years, for the sole purpose of creating a system that lends itself to consistent classification into (and thus predictable retrieval of documents from) the USPC. Classification schemes based on the above principles, combined with placement of documents therein based on Inclusiveness and Top-To-Bottom Priority, results in a classification system in which anyone who is reasonably well versed in a given technology can attempt to retrieve pertinent documents secure in the knowledge that he is, in fact, searching the most appropriate place.

10. While the principles set forth above are time-tested and sound, there arise many situations where art develops, and is disclosed and claimed, in an unusual manner. When this occurs, adjustments are made to ensure that the scheme facilitates placement and retrieval of the inventive concepts found in the patent documents.

C422 Scheme

11. US agreed to test the C422 scheme approved by the IPC Revision Working Group Session of Subgroup D. The US process is to test a scheme by reclassifying a large sample of patents into the scheme **before** it is finalized. All patent documents are reclassified into the scheme before it becomes "official".

12. Upon placing several hundred patent documents, we found the scheme was not working as well as we would like, especially concerning identification and screening. We were getting many patents in the screening area which would better go under identification. By moving the identification group before screening we can be certain to collect the methods specially adapted for identifying library members since this seems to be specialized and important subject matter in addition to being the greatest possible combination compared with the other groups proposed. Significant identification methods in the combinatorial area will now not be lost under screening.

13. After identification, we then placed screening, libraries, creating, apparatus, and miscellaneous groups, which is based on more complex to least complex subject matter. Our suggested scheme order change has moved Identification and Screening higher in the scheme than Creating so that now iterative deconvolution will be classified in Identification rather than in Methods of Creating Libraries.

14. Since we changed the main group order we decided to be consistent and propose a change in the subgroup order, under Apparatus, in order to follow the same "more complex to least complex" sequence. In hindsight, we should have followed this order from the beginning. However, the process of reclassifying patent documents into a revised scheme tests the scheme and its definitions. The goal of every scheme is to collect similar concepts in the same place, to enable search and retrieval of those concepts. The reclassification process validates a proposed scheme, or indicates areas which need to be restructured or rearranged.

15. This change in the order of groups will not solve every problem we might come across, but it helps with those which we have encountered so far, described above. We feel certain that the change will result in a net reduction of problems.

Examples of U.S. Patents Affected by Scheme Change:

16. **5,565,324:** in the present scheme this would be classified under "screening" based on the step of determining whether a compound has a characteristic of interest prior to identifying the compound having the characteristic of interest, since screening is hierarchically superior to identifying. With the new proposed scheme order, this will go in the "specially adapted identification" group since this group is now highest in the scheme.

17. **5,565,325:** in the present scheme since creating is higher in the scheme than screening or identification, this would be classified under "creating" based on the synthesizing steps which take place throughout the process. With the new proposed scheme order, this will now go in the hierarchically superior identification group since the process includes determining the sequence of the epitope having binding activity.

18. **5,736,332:** in the present scheme this would be classified under the higher appearing group, "screening," based on the step of screening to determine if target nucleic acid has bound to the probes. With the new proposed scheme order, this will now go in the hierarchically superior "specially adapted identification" group based on the decoding of the transponder to determine the identity of the probe sequence which leads to the determination of the DNA target sequence.

19. **5,981,166:** in the present scheme this would be classified under the higher appearing group, "screening," based on the step of screening for a chemical compound with a pharmaceutically useful property. With the new proposed scheme order, this will now go in the hierarchically superior "specially adapted identification" group based on the decoding of a tag to determine the actual identity of the chemical compound.

20. **5,989,814:** in the present scheme this would be classified under the higher appearing group, "creating," based on the steps of transforming the library into cells, culturing, and transferring again. With the new proposed scheme order, this will now go in the hierarchically superior "screening" group based on the step of screening the nucleic acids or cells for a desired property (e.g., binding activity, etc.).

21. **6,023,540:** in the present scheme this would be classified under the higher appearing group, "creating," based on the step of preparing subpopulations of beads and encoding optical signatures of the beads in each subpopulation with a description of the chemical functionalities carried by that subpopulation. With the new proposed scheme, this will now go in the hierarchically superior "specially adapted identification" group based on the step of decoding the optical signature of the beads to identify the chemical functionalities on the beads.

22. The patent examples above may also go in other groups in the combinatorial scheme, but the discussions above are only concerning situations where the placement of a patent has changed due to the proposed scheme order change.

USPTO PROPOSAL	
REVISION PROJECT: C422 **Class/subclass: C40B**	**Date: 17 January 2001**

Page No.:
Number of pages:
Project: C422 **Class title - C40 – COMBINATORIAL CHEMISTRY; LIBRARIES**
Office: US
Class/Subclass: C40B

Type of amendment: C = Change of scope D = Deletion of the entry N = Creation of the entry

Type	Place	Wording	Remarks/Examples
N	**C40B**	COMBINATORIAL CHEMISTRY; LIBRARIES, e.g., CHEMICAL LIBRARIES	Old place symbols
N	1/00	**Methods specially adapted for identifying library members**	7/00
N	3/00	**Methods of screening libraries**	5/00
N	5/00	**Libraries**	1/00
N	7/00	**Methods of creating libraries, e.g., combinatorial synthesis**	3/00
N	9/00	**Apparatus specially adapted for use in combinatorial chemistry or with libraries**	
N	9/02	· Integrated apparatus specially adapted for creating libraries, screening libraries, and for identifying library members	
N	9/04	· Integrated apparatus specially adapted for both screening libraries and identifying library members	9/08
N	9/06	· Integrated apparatus specially adapted for both creating libraries and identifying library members	
N	9/08	· Integrated apparatus specially adapted for both creating and screening libraries	9/04
N	9/10	· for identifying library members	9/14
N	9/12	· for screening libraries	
N	9/14	· for creating libraries	9/10
N	11/00	**Subject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries**	

UK Patent Office **Date: 18th February 2002**

Rapporteur Report on Project C422/00, Subclass C40B

As requested by the Revision Working Group, there follows a proposed classifications scheme with further sub-divisions under main groups 1/00, 3/00, 5/00, 7/00. We apologise for the delay in finalising this scheme and presenting it to our colleagues.

C40B

	1/00	**Libraries**
N	1/02	℃ Inorganic libraries
N	1/04	℃ Organic libraries
N	1/06	℃ ℃ Oligomeric or polymeric libraries of nucleic acids or their derivatives
N	1/08	℃ ℃ Oligomeric or polymeric libraries of peptides or their derivatives
N	1/10	℃ ℃ Other oligomeric or polymeric libraries
	3/00	**Methods of creating libraries, e.g. combinatorial synthesis**
N	3/02	℃ Biochemical methods
N	3/04	℃ By *in vitro* organic synthesis
N	3/06	℃ ℃ using liquid-phase synthesis
N	3/08	℃ ℃ using mixed-phase synthesis
N	3/10	℃ ℃ using solid-phase synthesis
	5/00	**Methods of screening libraries**
N	5/02	℃ Screening for catalytic activity
N	5/04	℃ Screening for ability to bind a target molecule
N	5/06	℃ Screening for a physical property
	7/00	**Methods specially adapted for identifying library members**

N 7/02 C Identifying library members by their fixed physical location on a support or substrate

N 7/04 C Identifying library members by means of an associated tag, label or other readable entity

N 7/06 C Iterative deconvolution

N 7/08 C Direct analysis of library members, e.g. spectroscopy

9/00 Apparatus specially adapted for use in combinatorial chemistry or with libraries

9/02 C Integrated apparatus specially adapted for creating libraries, screening libraries and for identifying library members

9/04 C Integrated apparatus specially adapted for both creating and screening libraries

9/06 C Integrated apparatus specially adapted for both creating libraries and identifying library members

9/08 C Integrated apparatus specially adapted for both screening libraries and identifying library members

9/10 C for creating libraries

9/12 C for screening libraries

9/14 C 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

Notes

This scheme is placed in the order previously agreed by the Working Group and does not yet take into account the proposed re-ordering of the main group according to the standardized sequence as suggested by US.

It is interesting to note that the examples of ›virtual‹ libraries provided by EP highlight a distinction between two sorts of such libraries. There are virtual libraries which consist of computer generated simulations. The question arises as to whether patents in this area should be classified in appropriate ›computer‹ type classification areas or whether it is more desirable to bring all disclosures relating to combinatorial techniques together. The second type (see EP 1130009) relate to dynamic combinatorial libraries where actual molecules combine and re-combine to form transient species which form the library being screened. These techniques should certainly be classified in C40B. There is a question of whether main group 1/00 is exhausted by sub-groups relating to organic and inorganic libraries which may encompass all possibilities. It may be that the main group 1/00 is thus

the correct home for such virtual/dynamic libraries and that no further sub-division is necessary to accommodate this subject matter.

It seems unlikely that many linkers will exist that are only suitable for use in combinatorial chemistry so it is not proposed to elaborate a separate sub-group for these, and they should, in the main, go in existing classification locations for linkers. Main group 11/00 would form a home for any such linkers if necessary.

The proposed sub-group 3/02 biochemical methods raises the question of whether this should include only those techniques where whole, viable organisms are used to produce libraries or should also include those in vitro techniques which utilise the machinery of cells in a cell-free environment. Comments on this are invited.

Directed molecular evolution has not been proposed as a sub-group, but it would appear to sit best as a sub-group of 3/00 for creating libraries. Again, comments are invited and this could easily be included in the proposal.

For identification we have proposed a distinction between ›direct‹ techniques such as spectroscopy which are familiar in chemistry and the ›indirect‹ techniques developed for combinatorial uses which utilise some means of associating identification information with the molecules of interest.

Graham Lynch
UKPO

DEUTSCHES PATENT- UND MARKENAMT German Patent and Trade Mark Office	Class/Subcl.: **C 40 B** Date : 10. April 2002
DE - Comments — C 422	

Re: Comments on IPC/WG/6/5

- The proposal to be submitted by the UK (see Annex 49)

In general we agree to the well defined classification scheme of UK, but nevertheless we propose the following modifications:

o Main group 1/00

We would like to add the new subgroup 1/03 ”Organic monomere libraries” with regard to libraries consisting of e.g. monosaccharides, amides etc..

o Main groups 3/00, 5/00 and 7/00

New developed methods for creating libraries, screening libraries or identifying library members are up to now extremely rare. Therefore we think that subdivisions of these main groups are actually not necessary.

Methods only adapted for creating or screening libraries or identifying library members should be furthermore classified under the existing subclasses of the ”parent” methods.

Methods for screening libraries and identifying library members should not be divided into two separate groups, because both procedures depend on each other. Therefore we propose to rename main group 5/00 in :

”Methods of screening libraries and methods for identifying library members” and use only the following subdivisions:

5/01 Methods of screening libraries

5/02 Methods for identifying library members

o Main group 9/00

Traditionally there are only a few special main groups for apparatus in chemistry. Therefore claimed apparatus were classified so far under the additionally claimed substances or methods and this will be useful as well for apparatus adapted for their use in combinatorial chemistry or with libraries. In case that new apparatus will be developed

specially for libraries there should be a group for apparatus under the main group 1/00 or 3/00.

- Wether ”virtual libraries” should be included in main group 1/00 or in main group 3/00

The expression ”virtual” is not sufficiently defined in this area.

We believe that as well in a virtual library the library members have to be defined and therefore also a virtual library should be classified under main group 1/00, without respect to the word ”virtual”.

If ”virtual libraries” should be included by name in the IPC, we propose to include them in main group 11/00, because of their material indefinite status. Generally we would prefer to exclude the word ”virtual” from of the IPC.

- Subdivision of main group 11/00 proposed by Japan (see Annex 43) or wether subject matter covered by these subdivisions should be included in a new main group

In our opinion the proposed subdivisions by Japan (see Annex 43) are not necessary, because linkers, tags, or carriers relating to combinatorial chemistry or libraries are coming originally from other sections of chemistry (see e.g. peptides as tags) and should be classified under their corresponding substance classes. If there will be linkers, carriers or tags specially for library members, we would welcome an additional group for these substances under the existing substance classes. In this way doubling of information in the IPC will be avoided.

- The list of places for the example in Note (b) after the title of subclass C 40 B proposed by the EPO (seen Annex 37)

The list proposed by the EPO seems to be in great detail and therefore there are no further proposals on this list from our site.

FEDERAL INSTITUTE OF INDUSTRIAL PROPERTY

RU comments	
Project : C 422	**Date: 11.04.20022**
Class/Subclass : C 40 B	

Re: Rapporteur Report (18.02.2002)

In general we agree with the subdivisions of groups 1/00 – 11/00 proposed by UK, but have some remarks.

- *3/02*

We believe that biochemical methods should include not only those where whole viable organisms are used, but also include in vitro techniques in which enzymes or parts of microorganisms (e.g. plasmids, ribosomes or other machinery of cells, etc.) are used. Maybe it would be useful to add an explanation to the wording of this subgroup e.g.: "Biochemical methods, i.e. those, where enzymes, microorganisms or their parts are used".

- *3/04*

The purpose of expression "in vitro" in the wording of this group is unclear. Does it mean that this subgroup doesn't cover "in silico" methods?

- *3/08*

We are not sure which methods should be considered as "using mixed-phase synthesis" and we would ask R to provide an appropriate example of such synthesis.

We believe that a subgroup for directed molecular evolution should be created either in 3/00 or in 7/00.

- *11/00*

We agree with R that there are not so many documents concerning linkers *per se* or tags *per se* and to facilitate searching it is necessary to create a separate subgroup for this subject-matter under 11/00.

Concerning virtual libraries.

Most examples of patent documents presented by the EPO relate to <u>methods</u> of creating libraries or analyzing data "in silico". Such methods are similar to computer programs or mathematical methods (in Russia they are not patentable inventions now). Therefore, if they are to be included in this subclass in order to combine all possible

subject-matter relating to combinatorial technology, they should be classified in main group 3/00 or in a special subgroup for "in silico" methods under 3/00.

Those methods, which are not fully "virtual" and include synthetic steps (e.g. WO 99/58474) should be classified in appropriate entry under 3/00.

Now we have no strong opinion as to sequence of main groups proposed by the USPTO.

E. Loubiako.

Japan Patent Office		April 16, 2002
Project:C-422	Subclass:C40B	

Comments on IPC Revision Proposals for Project C422

1. Notes After Subclass

We would like to add the following (*italics*) parts:

(a) Library members are also classified in the appropriate places elsewhere in the IPC (e.g. *C01, C07, C08, C22*) 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.*

2. 1/00 Libraries

2.1 We agree with the GB proposal of Annex49 on subdivisions under 1/00 and suggest defining the inclusion of arrays in libraries:

1/00 Libraries (*including a mixture of compounds, array, etc.*)
N 1/02 X Inorganic libraries
N 1/04 X Organic libraries
N 1/06 XX Oligomeric or polymeric libraries of nucleic acids or their derivatives
N 1/08 XX Oligomeric or polymeric libraries of peptides or their derivatives
N 1/10 XX Other oligomeric or polymeric libraries.

2.2 We support to classify virtual library per se under maingroup 1/00.

3. 3/00

3.1 Since the multiple-aspect classification is adopted, relevant subgroups covering a synthetic method with both liquid-phase and solid-phase could serve enough to classify them respectively. Consequently, the proposed 3/08 by GB in Annex 49 would be unnecessary.

3.2 In light of the classification of methods of creating libraries characterized by apparatuses, synthetic methods of binding compounds with tags, linkers or carriers, we think it would be required to create certain subgroups for these subject matters and propose to create subgroups 3/20, 3/22 and 3/24.

3.3 It seems less necessary to emphasis the organic synthesis within subgroup 3/04 since they are generally “in vitro” in the combinatorial chemistry field.

3.4 We propose the creation of a place covering encoding processes under 3/00 since it is one of modes of chemical compounds.

3/00 Methods of creating libraries, e.g. combinatorial synthesis
N 3/02 X Biochemical methods
N 3/04 X By organic synthesis
N 3/06 XX using liquid-phase synthesis
(3/08 was deleted.)
N 3/10 XX using solid-phase synthesis
N 3/20 X characterized by the use of particular apparatus or devices of processes especially

adapted for use in the synthesis of chemical libraries (apparatus per se 9/00)
N 3/22 X characterized by encoding techniques (tags per se should be classified in the corresponding C class and in C40B11/06)
N 3/24 X characterized by particular attachment method to the liquid/solid support (linkers per se should be classified in the corresponding C class and in C40B11/02)

3.5 With regard to the GB proposal of Annex 49 inviting comments on "(t)he proposed sub-group 3/02 biochemical methods raises the question of whether this should include only those techniques where whole, viable organisms are used to produce libraries or should also include those in vitro techniques which utilise the machinery of cells in a cell-free environment," it is considered that biochemical methods should be acknowledged in wide means and 3/02 should also include those in vitro techniques which utilise the machinery of cells in a cell-free environment, e.g. enzyme reaction.

3.6 Regarding the same proposal saying "(d)irected molecular evolution has not been proposed as a sub-group, but it would appear to sit best as a sub-group of 3/00 for creating libraries," we think that the number of filing documents concerning "Directed molecular evolution" is not large and thus it would be unnecessary to create subgroups for this art in C40B.

Because, "(d)irected molecular evolution" is generally characterized by its methods of creations, screenings, identifications, or combinations of them and the subject matter would be classified in any maingroups of 3/00, 5/00 or 7/00.

4. 5/00 Methods of Screening Libraries

D 5/04 · Screening for ability to bind a target molecule

We think this aspect could be searched in the existing scheme, such as G01N33/56, etc. , and thus a creation of this subgroup herein seems unnecessary.

D 5/06 · Screening for a physical property

We also think this aspect could be searched in G01N3/ -29/ of the existing scheme and thus a creation of this subgroup herein seems unnecessary.

N 5/08 · Screening for the effects on living organisms, tissues, and cells

We propose to create a subgroup to include new aspect of a screening of medical agents by biological reactions because of the absence of the proper place in the existing scheme.

5. 7/00 Methods Specially Adapted for Identifying Library Members

5.1 We agree with the creation of a place covering decoding processes under 7/00 since it is one of modes of identifications.

5.2 With regard to the GB proposal of Annex 49 saying "(f)or identification we have proposed a distinction between 'direct' techniques such as spectroscopy which are familiar in chemistry and the 'indirect' techniques developed for combinatorial uses which utilise some means of associating identification information with the molecules of interest," we support proposed subgroups 7/02-7/06 for indirect identifications.

However, we think the subgroup C40B 7/08 for direct identifications is not needed since the multiple-aspect classification being adopted in this field enables us to classify the art into both C40B and G01N and to search the direct identifications.

6. 11/00

Regarding the GB proposal of Annex 49 saying "(i)t seems unlikely that many linkers will exist that are only suitable for use in combinatorial chemistry so it is not proposed to elaborate a separate sub-

group for these, and they should, in the main, go in existing classification locations for linkers. Main group 11/00 would form a home for any such linkers if necessary," we think that there is no proper classification place for tags per se in the existing IPC. Thus, it would be preferable to create certain classification place for the tag being suitable for combinatorial chemistry. On linkers and carriers, we also propose to create relevant subdivisions under 11/00 for the same reasons.

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)

STATE OFFICE FOR INVENTIONS AND TRADEMARKS

Date: 16 April 2002
Page: 1of 1

RO COMMENTS

PROJECT : C 422
Class/Subclass : C40B

Comments were invited on *:*

-the proposal submitted by the United Kingdom

We generally agree with the proposal submitted by U.K. and we are not in the position of having specialized remarks in this particular field.

-whether Avirtual libraries@ should be included in main group 1/00 or in main group 3/00, in light of the examples cited by the EPO

We consider as preferable to classify this particular subject-matter in main group 3/00, considering that they are in fact methods for creating virtual libraries . We consider that in the cases illustrated by the examples presented by EPO, invention information is represented by a method , neither by a library as such, nor by a computer program as such.

-the list of places for the example in Note (b) after the title of subclass C40B proposed by the EPO (see Annex 37)

We appreciate the list to be in detail and complete.

-the proposal submitted by U.S.P.T.O. regarding the use of a new sequence of main groups in subclass C40B based on the standardized sequence

We would like to remind to the W.G. that , subgroup D, after the disscutions between specialist in the field, came to the conclusion that, in the field of combinatorial chemistry the application of the standardized sequence is difficult, namely to decide which subject-matter, methods or

apparatus is the most complex. Therefore, subgroup D agreed, accordingly, to recommend to the IPC Revision Working Group to retain the sequence of main groups aproved in subclass C40B, corresponding to basic successive stages of combinatorial technology. (IPC/WG/D/2 ,REPORT, pg.3, par.13).

Mirela Georgescu

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EUROPEAN PATENT OFFICE
Principal Directorate Documentation

Comments
10 April 2002

Project: C422 Subclass: C40B

Comments were asked on Rapporteur Report and US new proposal of sequence of main groups.

Comments on Annex 49:

- Virtual libraries
As mentioned in the Rapporteur Report, the wording "virtual libraries" both encompasses computer generated simulations ("*in silico* libraries")[1] as well as dynamic combinatorial libraries (DCL) which, in the absence of the target, contain all the "potentially possible combinations of the components undergoing dynamic random connection"[2].

We think that both types of libraries should be classified in C40B according to the following principle:

< Both types of libraries should be classified in the sub-groups of 1/00 according to their chemical nature. No sub-group of 1/00 should be specifically devoted to *in silico* libraries, since it may be difficult and quite subjective to decide on the borderline with "real" libraries as far as disclosure of invention is concerned. Otherwise we may risk to get a huge number of documents in such a sub-group, just because the libraries present therein were not disclosed "enough". This sub-group would then have to be used in any search query directed to a library, should it be virtual or not. As for dynamic combinatorial libraries, which are usually only defined by the reactants present in solution, we have no strong opinion against the creation of a specific sub-group. 1/00 could thus be subdivided as follows:
  - Libraries containing biological materials (or any improved wording)
  - Libraries consisting only of organic compounds
    - of metal-containing organic compounds
  - Libraries containing only inorganic compounds
    - of metal-containing inorganic compounds

< But sub-groups should definitely be created under the 3/00 heading (creating libraries), preferably as two one-dot entries, such as:

  - preparation of dynamic combinatorial libraries (i.e. directed molecular evolution)

[1]Van Drie J. H. and M. S. Lajiness, *Drug Discovery Today* (1998) **3** (6) 274-283

[2]Lehn J.-M. *Chem. Eur. J.* (1999) **5** (9) 2455-2463

- *in silico* or mathematical conception of libraries

< We would also like to see a specific sub-group for virtual screening under heading 5/00

- Linkers
Although we agree that linkers *per se* should be classified in the compound areas of the IPC according to their chemical nature, we still think that providing a specific sub-group under 11/00 would be beneficial to search activities since it would make it possible to "tag" documents specifically directed to a particular linker (and not only to its use in a synthetic process). This would even make it possible to distinguish linkers according to functional aspects, for example:

11/02 - linkers or spacers specially adapted for combinatorial chemistry or libraries
(11/04 -- safety-catch linkers)
(11/06 -- traceless linkers)
(11/08 -- photocleavable linkers) *if needed*

An entry could also be introduced under the 3/00 heading, e.g.

- using a particular attachement method to the liquid/solid support
Note: linkers *per se* should be classified in the corresponding compound areas (e.g. C07) and in C40B11/02 or sub-groups thereof

- Tags:
As we do with the linkers, we are wondering whether it would not be confusing to only have an entry related to tags in 7/04 (decoding processes). Would then preparation methods using particular tags (e.g. encoding strategies) be classified in 7/04 as well ?
We think that a separated sub-group should be created under heading 3/00, such as:

- using encoding techniques (e.g. incorporation of tags or labels)
Note: tags *per se* should be classified in the corresponding compound areas (e.g. C07) and in C40B11/10

We still think that a specific entry under 11/00 (e.g. 11/10) should be created for documents where the emphasis is put on the tag itself. This sub-group could eventually be subdivided according to the characteristics of the tag (e.g. fluorescent tag, bar code). Of course, such tags should also be classified in the compound areas to account for their chemical nature.

- Biological methods 3/02:
We would rather either:
- make no distinction between biochemical/organic/inorganic methods, since this information can be provided by group 1/00 and its subgroups. Furthermore, making the distinction would oblige us to subdivide each subgroup with respect to the phase systems present (liquid/mixed/solid phase); or,
- alternatively, if there is no precedence rule *within* 3/00, create six one-dot subgroups (biochemical/organic/inorganic methods and liquid phase/mixed phase/solid phase synthesis).
Of course, both options require that the libraries obtained must additionally be classified in 1/00 (or sub-groups) and probably also in the compound areas of the IPC.

- Directed molecular evolution:
We support creating the group as a one-dot entry under 3/00 (see above).

- 7/00
We support the proposal.
We think that the entry devoted to direct techniques is useful since some techniques specially adapted to combinatorial technology exist already (e.g. colormetric assays on solid support, Fmoc quantitation, solid-state NMR). We would prefer a more explicit wording, such as:

- by physical methods (e.g. IR, NMR, MS)

Note: The techniques *per se* should be classified as such in the corresponding subclasses of the G section (e.g. G01N, G01R)

Comments on US proposal:

We could agree with the new order proposed by US, as long as additional classifications are allocated when relevant; we really want to avoid having all documents always classified in the identification group and sub-groups.

Anne Glanddier.

United States Patent and Trademark Office

Project: C422 Subclass – C40B Date: April 22, 2002

This paper includes US comments on questions raised in IPC/WG/6/5 under IPC Revision Projects (paragraph 34), Annex 46, EP's virtual library patent examples, and Annex 49, GB's Rapporteur Report and Proposal on C422.

Comments

Comments on Annex 45:

-the proposal to be submitted by the United Kingdom
See "Comments on Rapporteur's Report and Proposal in Annex 49" below.

-whether virtual libraries should be included in main group 1/00 or in main group 3/00, in light of the examples to be cited by the EPO
US believes virtual libraries, per se should definitely be included in the main group 1/00 area.

If it is decided to put virtual methods in C40B, virtual methods of creating libraries should be included in main group 3/00 and virtual screening of libraries should be included in main group 5/00, both as separate subgroups since computer or mathematical methods are so different from chemical methods.

-subdivisions of main group 11/00 proposed by Japan to the project or whether subject matter covered by these subdivisions should be included in a new main group
US does not support the subdivisions proposed by JP for 11/00. Linkers, spacers, carriers, supports, tags, and labels, even when specially adapted for combinatorial chemistry or libraries, are most always chemical compounds, per se and are therefore proper for the compound areas of the IPC. If the tag happens to be a semiconductor or barcode, there are other places in the IPC which are classification areas for these concepts. If the invention is a library of members which are attached to a linker, spacer, carrier, support, tag, or label this would be classified in the group 1/00 (Libraries) area. If the invention is a method of using a linker, spacer, carrier, support, tag, or label to create or screen a library or identify a library member, a classification in 3/00, 5/00, or 7/00 would be made. As for decoding processes, this would appear to be appropriate for 7/00 (Identification).

-the list of places for example in Note (b) after the title of subclass C40B proposed by the EPO
The note for Section C may need more details, such as "C01, C07, and C08 for inorganic, organic and organic macromolecular compounds and methods of preparation, separation, etc.; C12 for biochemistry, microbiology, enzymology including microorganisms or enzymes, preparing them, using them to synthesize compounds or compositions, measuring or testing processes involving microorganisms or enzymes, mutation and genetic engineering".

-the US proposal of a new sequence order for the main groups of C40B

US again wishes to state that we need to have the C422 scheme rearranged as shown in Annex 48 in order for it to work efficiently for us in our classification efforts. We believe that we have shown with our example patents, that this change allows us to classify documents in a way which is beneficial to searching. As we stated in Annex 48, this change doesn't appear to cause problems for other users of this scheme.

Comments on EP's Annex 46:

US agrees that most of the patent documents included in EP's list are what we would also consider virtual library related. However, US doesn't believe EP 1130009 or WO9621859 truly fit the standard for virtual library subject matter. We do, however, agree that these documents do belong in C40B as being combinatorial library related. Below we have included the IUPAC definitions for virtual library and virtual screening.

Virtual Library**:** *A library which has no physical existence, being constructed solely in electronic form or on paper. The building blocks required for such a library may not exist, and the chemical steps for such a library may not have been tested. These libraries are used in the design and evaluation of possible libraries.*

Virtual Screening**:** *Selection of compounds by evaluating their desirability in a computational model. Also termed in silico screening.*

EP 1130009 includes claims to a method for establishing a dynamic combinatorial library and the dynamic combinatorial library itself. Both the method and the library appear to physically exist in the patent description. The method is not done in silico and the library exists physically.

WO9621859 claims a method of chemically producing a chemical library of reaction products which exists physically. Though the inventors do use electronic databases to collect important information discovered during the making of this library, this doesn't appear to be what is meant by the definitions above. The library exists physically and no *in silico* processes appear to be occurring.

Comments on Rapporteur's Report and Proposal in Annex 49:

R questions whether computer generated simulations of libraries and techniques therefore should be classified in the computer area or in C40B. US, as previously stated, believes the computer generated (virtual) libraries are best collected in C40B. Since it is sometimes difficult to distinguish a virtual or *in silico* library from a physically existing library, it would further appear that both types of libraries should be classified based on their chemical nature rather than providing a separate subgroup for virtual libraries. As for the techniques, US is aware of the dilemma. At times the documents covering the techniques for creating or screening virtual libraries are very "mathematical" or "computer" oriented and are difficult for a chemical examiner or classifier to deal with. We have no strong opinion on where this art should go. However, if it is decided to create subgroups in C40B for these techniques, we would support creating subgroups for the virtual (mathematical or *in silico*) processes separate from the chemical processes.

US agrees with R that dynamic libraries as illustrated in EP 1130009 should be classified in C40B, but we don't agree that these libraries should automatically go in the library main group (1/00). These dynamic libraries consist of disclosed compounds and should be classified based on the chemical structure of the compound, e.g., if it is an organic compound, it goes with the organic compounds of 1/04 or one of the indented subgroups. We also believe that virtual libraries should

not automatically be classified in 1/00 for the same reason. There is nothing in the existing groups titles which would lead someone to automatically classify the dynamic or virtual libraries in 1/00.

1/00 Libraries

If patent documents are properly classified, US believes that 1/00 has the potential of having no documents. If libraries exist which are mixtures of inorganic and organic compounds these could populate the main group, providing the wordings of the titles of 1/02 and 1/04 are modified. However, our expert has not seen such a mixed library. We are therefore recommending a change in the scheme unless examples of documents which would be classified into 1/00 can be presented.

As mentioned above, we believe virtual libraries should be included in C40B according to their chemical nature.

US has also added a subgroup for subject matter such as plasmid libraries, phage display protein libraries, etc.

In 1/06-1/10, US finds the use of the terminology "oligomeric or polymeric" to be indefinite. How many nucleotides, peptides, or structural units are needed to be oligomeric or polymeric? We would prefer to change the language to read so that there is no doubt what compounds are to be classified into these groups. Because of this indefinite language subgroup 1/10 requires either deletion or a title change.

We also suggest removing the term "derivatives" since this is also indefinite and open-ended. (Is a single amino acid a derivative of a polypeptide? In our eyes, no, but some may interpret it as yes). We don't see that it will effect placement of documents by leaving "derivatives" out of the title.

3/00 Methods of creating libraries, e.g. combinatorial synthesis

R raised the issue of what "biochemical methods" (3/02) should include. US believes that in order to avoid confusion, the title should be made more specific even if the scope of subject matter contained is narrowed. Our recommendation can be seen in the scheme which follows.

R is suggesting a subgroup for directed molecular evolution. Since screening is involved, US would put this art in the screening area if our proposed scheme rearrangement is accepted. We believe the combination of screening and creating is an invention in itself. However, we have not found enough patent documents to warrant a separate subgroup for directed molecular evolution under either screening or creating.

US believes subgroup 3/04 title is indefinite. Is this group intended to take only synthesis of "organic libraries" leaving the syntheses of inorganic libraries to be classified into 3/00? We are recommending the deletion of 3/04. It would appear more helpful to subdivide "creating" according to the method used rather than what chemical is being created. Once 3/04 is deleted, groups 3/06 through 3/10 will become one-dot subgroups. US would appreciate it if Rapporteur would provide definitions for the three methods of organic synthesis (i.e., liquid-phase, mixed-phase, and solid-phase). With this information, we can more clearly evaluate the need for all three in the scheme. In the meantime, we are suggesting changes in our following scheme proposal in an effort to make the meaning of the subgroups less open to interpretation.

5/00 Methods of screening libraries

We can agree with R's suggested subgroups 5/02 through 5/06, but with some wording changes. 5/04 could include anything which binds with something else (protein to glass) which we do not want. US suggests including the wording "specifically" before binding in the hopes that this will eliminate subject matter not meant for this area.

7/00 Methods specially adapted for identifying library members
US agrees with subgroups 7/02 and 7/04. We agree to 7/06 only if the scheme is reordered as requested by US. Since 7/00 is for "specially adapted methods", US believes subgroup 7/08 might be best omitted. Most of the documents we have seen appear to use these methods only after library members have been separated from each other. This would no longer appear to fall under "specially adapted for identifying library members", but in one of the already existing testing areas.

9/00 Apparatus specially adapted for use in combinatorial chemistry or with libraries
As suggested in US proposal for reordering the C40B scheme, we would also like to reorder the subgroups in 9/00 and rearrange the wording of the titles of each subgroup to mirror the standardized sequence. As a side comment, US believes all of these subgroups under 9/00 may not be necessary or useful. This can only be determined when a large number of patent documents have been placed.

11/00 Subject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries
We agree with R that 11/00 should not have a linker subgroup. US has stated before that a linker per se is usually a "chemical compound" and is classified in the compound area. If the linker is attached to library members, it most probably would be classified in the library main group or indented subgroups and if linkers are involved in a method of making a library this subject matter will be found in the "creating" main group or indented subgroups. Therefore a linker closely associated with the combinatorial art can still be found in C40B. US is also against creating subgroups for supports, tags, or labels for the reasons stated above.

Proposed Scheme With Changes:

(The italicized groups are tentative)

C40 - COMBINATORIAL CHEMISTRY; LIBRARIES

C40B - COMBINATORIAL CHEMISTRY; LIBRARIES, e.g., CHEMICAL LIBRARIES

1/00 Methods specially adapted for identifying library members

N 1/02 . Identifying library members by their fixed physical location on a support or substrate

N 1/04 . Identifying library members by means of an associated tag, label, or other readable or detectable entity

N 1/06 . Utilizing iterative deconvolution

N [1/08 . Utilizing a physical method (e.g., solid phase NMR)]

3/00 Methods of screening libraries

N [3/02 . Virtual or in silico screening]

N 3/04 . by measuring catalytic activity
N 3/06 . by measuring for ability to specifically bind a target molecule (e.g., antibody-antigen binding, receptor-ligand binding)
N 3/08 . by measuring a physical property (e.g., mass)

5/00 Libraries

N 5/02 . Libraries contained in or presented or displayed by a micro-organism (e.g., bacteria, animal cell) or vector (e.g., plasmid) or libraries consisting only of micro-organisms or vectors
N 5/04 . Libraries consisting only of organic compounds
N 5/06 .. Libraries contain nucleotides or polynucleotides
N 5/08 .. Libraries contain peptides or polypeptides
N 5/10 .. Libraries contain polymers of 3 or more repeating structural units (e.g., polysaccharides)
N 5/12 . Libraries consisting only of metal-containing inorganic compounds or materials
N 5/14 .. as an alloy
N 5/16 .. as a metal oxide

7/00 Methods of creating libraries, e.g., combinatorial synthesis

N [7/02 . In silico or mathematical conception of libraries]
N 7/04 . Utilizing enzymes or whole viable microorganisms
N 7/06 . Utilizing a method in which library members are attached to a soluble support during the creation process
N 7/08 . Utilizing a method in which library members are attached to a solid support during the creation process

9/00 Apparatus specially adapted for use in combinatorial chemistry or with libraries

9/02 . Integrated apparatus specially adapted for identifying library members, screening libraries, and creating libraries
9/04 . Integrated apparatus specially adapted for both identifying library members and screening libraries
9/06 . Integrated apparatus specially adapted for both identifying library members and creating libraries
9/08 . Integrated apparatus specially adapted for both screening libraries and creating libraries
9/10 . for identifying library members
9/12 . for screening libraries
9/14 . for creating libraries

11/00 Subject matter not provided for in groups 1/00 to 9/00 and relating to combinatorial chemistry or libraries

Swedish Patent and Registration Office

IPC Revision Project C422, subclass C40B 23 April, 2002

Comments
(in response to IPC/WG/6/5)

The proposal submitted by the United Kingdom (Annex 49)

C40B 1/00
We agree with the subdivision of C40B 1/00 proposed by UK.

C40B 3/00
We think that the term "in vitro" in 3/04 is not clear. It is also our opinion that it not necessary with a further subdivision of 3/04.

We propose the following division of C40B 3/00:

3/00 Methods of creating libraries, e.g. combinatorial synthesis
3/02 • Biochemical methods
3/04 • By organic synthesis

C40B 5/00 and 7/00
We believe as DE that these subgroups do not need any further subdivision. However, we prefer to keep the two main groups 5/00 and 7/00.

Whether "virtual libraries" should be included in main group 1/00 or in main group 3/00
We suggest that virtual libraries should be included in main group 3/00, since it is the method how to create such library that is the most important feature at least in the examples cited by EPO

Subdivision of main group 11/00
Since 11/00 is a residual place, it is still our opinion that it should not be further divided. If subgroups concerning linkers are needed, it is be better to create a completely new main group.

The list of places for the example in Note(b).
We agree to the list of places proposed by EPO in Annex 37.

New sequence of main groups in the subclass C40B
If the subclass C40B is going to have a top-to-bottom rule, we are in favour of the sequence order proposed by US.

Carolina Gómez Lagerlöf