# PROJECT BRIEF on IP data exchange framework and platform

*Document prepared by the Delegations of Japan and Saudi Arabia*

## Background

In recent years, government agencies in many WIPO Member States have been embracing the open data global trend by making their data available online. However, many still do not make bulk Intellectual Property (IP) data available publicly and, with an increasing interest in IP data, there is a need to streamline and make more accessible this type of data.

If WIPO Member States can improve how to exchange IP data such as data contained within patent gazettes, ideally in a machine-readable format, it will enable:

1. better quality IP office administration services such as examination
2. more focused technical research by users in each country, thereby stimulating innovation.

## Problems to be addressed

Listed below are just some of the problems experienced by Offices in exchanging and processing IP data, including:

1. Bilateral negotiations to establish terms and conditions regarding data usage and redistribution rights requires a significant amount of time and resources;
2. Lack of interoperability between data distribution platforms and different functionalities offered;
3. Data either not accessible or not in a machine-readable text format;
4. Data provided in non-standardized formats or unfamiliar data formats;
5. Data quality, e.g., XML tags for gazette data provided by partner Offices were being provided incorrectly or data gaps exist;
6. Lack of communication regarding changes to data provision, e.g., data format being changed without notification or with a short notice, discontinuation of data provision without notice and skipped data provision without notice; and
7. Different data commercialization policy, e.g., some IP offices sell their data while others make their data available free.

## Proposed Solutions

The following four solutions are proposed by the two Delegations as potential means in order to address the above-mentioned problems:

* Develop a new WIPO standard which prescribes recommended criteria, similar level to the "[IP5 INFORMATION DISSEMINATION POLICY 2011](https://link.epo.org/ip5/IP5_patent_information_policy_june2013.pdf)”, for providing IP data including data exchange by IP offices to the public and other IP offices;
* Provide a portal to enhance communications between IP offices, including data correction or cleaning processes, with appropriate access restrictions and authentication processes;
* Build a global data platform to be used as a hub for data exchange; or develop common interoperable tools to bridge different data dissemination platforms of IP offices; and
* To collect and share best practices for data exchange, especially the digitization and textualization of IP data.

These solutions would be investigated for viability by the Task Force once it is established by the CWS.

## Objectives of the proposal

Although the need for the proposed solutions list above may not be clear or agreeable, the two Delegations believe that there is merit in assessing their usefulness. In this regard, it is important that the WIPO Member States are involved in these discussions to maximize their applicability for use through this proposal. Therefore, it is proposed that the CWS consider and approve the creation of a new Task and a corresponding Task Force to facilitate discussions on potential challenges for the exchange of IP data and the investigation for viability and further concretization of the proposed solutions described above. It is also proposed that this project be considered a priority for the CWS work program.

## Expected benefits

In performing the Task Force conducting the new Task indicated above, the following benefits are expected:

* With advanced globalization, the benefits brought by IP rights system will be maximized by making IP data as accessible as possible by people all over the world. Accordingly, securing global access to IP data by improving data exchange between IP offices will inspire further global innovation and bring future development not only in each country and region but also in the entire world. Provision of IP data by data exchange also streamlines access since data-receiving IP offices may need to provide translation and analytical functions similar to the private sector in the countries or regions to which data-receiving IP offices belong. In addition, negotiation process will be more efficient among those IP offices which comply with the proposed WIPO standard, since there has already been implicit agreement regarding the recommendations amongst WIPO Member States.
* The provision of a portal for communications between participating Offices can allow Offices to share experiences and can pave the way for streamlining the duplication of liaison works done among those Offices and more effective data cleaning processes.
* Through the global data platform as a centralized hub for data exchange would streamline the data exchange.
* Through collecting and sharing of best practices, the digitization and textualization of IP data will be made more efficient and accelerated, giving countries in the “digital divide” a chance to reap the benefits of data exchange sooner.
* Expanding and promoting the use of IP data to stimulate technology transfer from data-receiving countries to data-providing countries and to improve the quality of examination and processing in both countries.

## Cost estimates

Not available at this stage.

## Resource requirements

Experts from policy, legal, IT and IP data areas; and required financial resources, in particular the development of the portal and the common platform or common tools mentioned above should be evaluated in due course.

## Risks

There are several risks in creating this new Task Force, including the fact that many Task Force struggle to have significant feedback from Task Force members.

In terms of the proposed solutions, it may be difficult to agree terms and conditions regarding third party use of IP data including its commercial use outside of the country which provided the data. The development of the portal and the common data platform is a large-scale project and will take many years before it will become effective.

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