



الهيئة السعودية
للملكية الفكرية
Saudi Authority for
Intellectual Property



PROPOSAL FOR RECOMMENDATIONS ON 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:

(a) better quality IP office administration services such as examination
more focused technical research by users in each country, thereby stimulating innovation

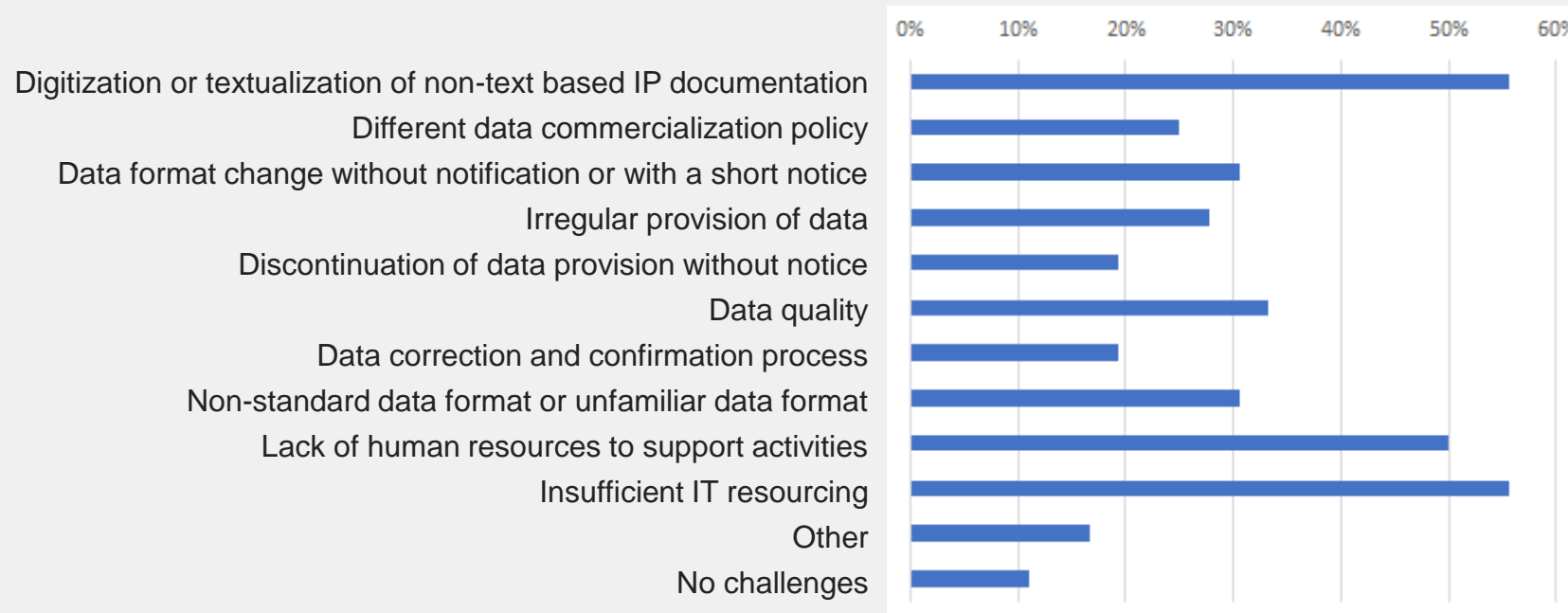
Problems to be addressed

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

- (a) Bilateral negotiations to establish terms and conditions regarding data usage and redistribution rights requires a significant amount of time and resources;
- (b) Lack of interoperability between data distribution platforms and different functionalities offered;
- (c) Data either not accessible or not in a machine-readable text format;
- (d) Data provided in non-standardized formats or unfamiliar data formats;
- (e) Data quality, e.g., XML tags for gazette data provided by partner Offices were being provided incorrectly or data gaps exist;
- (f) 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
- (g) Different data commercialization policy, e.g., some IP offices sell their data while others make their data available free.

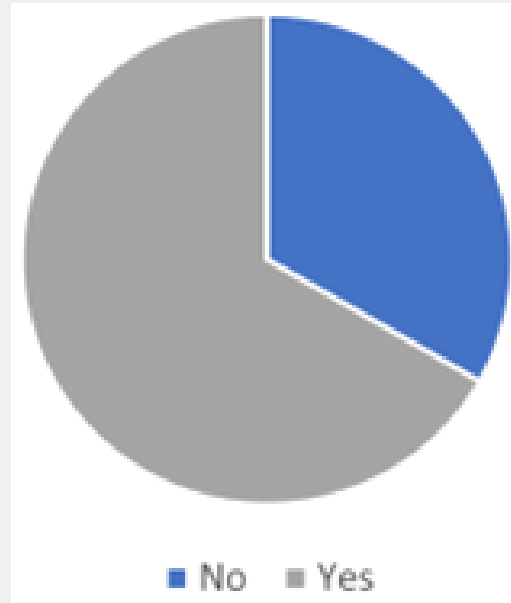
Results of CWS survey (Annex I)

9. What kind of challenges does your Office currently face when exchanging data?



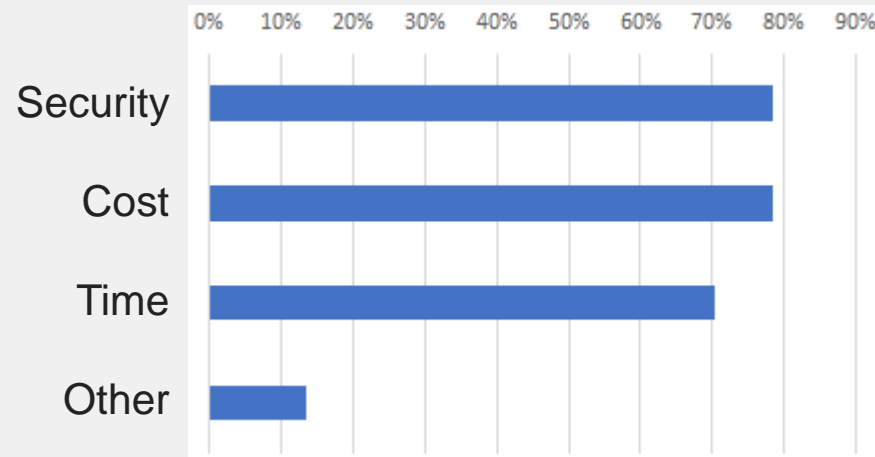
Results of CWS survey (Annex I)

10. Does your Office have any national laws or regulations that regulate the transfer of IP data out of your jurisdiction?



Results of CWS survey (Annex I)

16. What is your Office's concern on the platform?



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](#)", 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.

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

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

1. Securing global access to IP data will inspire further global innovation and bring future development not only in each country and region but also in the entire world.
2. Negotiation process will be more efficient among IP Offices which comply with the proposed WIPO standard.
3. 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.
4. Through the global data platform as a centralized hub for data exchange would streamline the data exchange.
5. 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.
6. Stimulate technology transfer from data-receiving countries to data-providing countries and to improve the quality of examination and processing in both countries.

Answers for Member States' Concerns (1)

- ✓ The new standard doesn't rewrite any existing standards.
- ✓ It is not mandatory for Member States to adopt the new standard.
- ✓ As it is clear also from survey results, many Member States are highly interested in relation to security, cost and regulations of each Member State. The Task Force will discuss this topic as one of the important points. However, the Task we propose this time is merely “Analyze existing practices and challenges”. Therefore, it is not necessary to concern that this proposal may cause issues regarding security, cost and regulations of each Member State at this moment.
- ✓ We consider that IP Offices which do not upload data will also be able to download data from the platform.

Answers for Member States' Concerns (2)

- ✓ It is a role of IP Offices to provide Industrial Property Information (e.g. patent gazettes) as the foundation of the Industrial Property Rights System. IP5 formalized and stipulated the role as “IP5 Information Dissemination Policy 2011”. This proposal suggests expanding this policy to all WIPO member states.
- ✓ Consolidated proposal may not be clearly defined. However, further definition of the proposal may impair the benefits of all Member States which may be enjoyed with this proposal because proposing states are not representatives of all Member States.
Therefore, the embodiment of the proposal should be realized by creating a Task Force and combining expertise and knowledge of Member States.

Thank you!