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STANDARDS AND DOCUMENTATION WORKING GROUP

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CITATION PRACTICES BY PATENT OFFICES (TASK NO. 36)

Document prepared by the Secretariat

Introduction

1. The Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT), at its fourth session, held in January 2004, created Task No. 36 concerning the preparation of a questionnaire on citation practices in industrial property offices.

2. At its fifth session, held in November 2004, the SDWG approved the questionnaire on citation practices, established the Citation Practices Task Force to handle Task No. 36, and also amended the title of the Task, which reads as follows:

> "Task No. 36 Prepare a questionnaire and carry out a survey in order to clarify the different practices by industrial property offices regarding the difficulties in citing specific parts of the description of the invention text in a patent document. Prepare a proposal regarding this matter for consideration by the SDWG."

(See document SCIT/SDWG/4/14, paragraphs 76 to 79 and document SCIT/SDWG/5/13, paragraphs 72 to 82.)

3. On December 14, 2004, the International Bureau (IB) issued Circular C. SCIT 2605 which invited industrial property offices (IPOs) to complete the questionnaire referred to in paragraph 2, above.

Background Information

4. To keep in mind the form and objective of a citation reference the following definition from paragraph nine of International Standard ISO 690:1987 should be noted. "A citation is a brief form of reference inserted parenthetically within the running text or appended as a note at the foot of the page, at the end of a chapter, or at the end of the complete text. The citation serves to identify the publication from which quoted matter within the text, an idea paraphrased, etc. was taken, and to specify its precise location within the source publication."

Citation Practices Task Force Activities and Results

5. The results of the survey WIPO Circular C. SCIT 2605, reproduced in this document as Annex I, presents the practices by industrial property offices regarding the difficulties in citing precise locations in a patent document. An introduction collating the results of the survey concerning Citation Practices in Patent Offices is included in Part 1 of Annex I followed by Part 2. The Task Force recommends that the content of Annex I be published in Part 7 of the WIPO *Handbook on Industrial Property Information and Documentation* (WIPO Handbook) pertaining to Examples and Industrial Property Offices Practices as part "7.9 Citation Practices relating to Patent Information".

6. The Task Force, during the analysis of the results of the survey, has observed concerns, issues, and problems that are described in "Annex II – Observations, Comments, and Conclusions relating to Citation Practices by Patent Offices" which is attached to this document. Issues discussed relate to the changing nature of filing and publication procedures at IPOs. New publication procedures have resulted in multiple formats (renderings) of a single document, differing availability of documents and parts of a patent document to cite, as well as the improved capacity to automate the provision of cited and citing documents over the Internet. The said Annex II is provided as background analysis.

7. The discussion has uncovered a need to discover further information relating to citation reference creation and retrieval. The Task Force proposes to carry out a new extended survey to further understand the Citation Practices of Patent Offices. Having a new extended survey could achieve a more standardized way of making citations available. Such a new survey would include questions about:

7.1 the progress and changes made since the previous survey questionnaire Circular C. CIT 2605 (conducted more than three years ago);

7.2 to what extent WIPO Standad ST.36 tags are currently used by applicants and Offices to code citation reference information within XML applications, search reports, publications and elsewhere;

7.3 the experience of IPOs (particularly those who have already implemented electronic publication) with regard to the costs and implications of paragraph numbering during the filing and publication process;

7.4 how each jurisdiction handles publicly available citation references (see paragraphs 7 to 11 of WIPO Standard ST.14), citing references, as well as any legal or technical constraints relating to the publication of citation references including:

7.4(a) where (or if) one can find citations relating to documents published by an IPO; if the citation is found in the patent specification body, a search report, bibliographic details, or other supporting information;

7.4(b) legal or technical constraints affecting the publication of citation references;

7.4(c) how (or if) reference to citing documents are made;

7.4(d) nature and volumes of different types of citations (patent, non-patent literature) and sources of citations (inventor/applicant, examiner, third party observers, opposition based);

7.4(e) how background art references are treated;

7.4(f) practices relating to citing page-based and machine-readable documents;

7.4(g) value of using document structure headings such as *Best Mode* or *Technical Solution* (and how they are used) in citation references;

7.4(h) preferences for citing amended documents, particularly where multiple paragraphs have replaced one paragraph; and

7.4(i) preferences regarding citation references providing accessibility information such as Document Object Identifier (DOI), URL's, or publisher unique ID's.

8. Documentation provided by the Patent Documentation Group (PDG) and the European Patent Office (EPO) during Task Force discussions, could be useful for providing content and examples during the formulation of a new survey, should a new survey be approved. The documentation is available at *http://www.wipo.int/scit/en/taskfrce/citation_practices/background.htm*.

9. In connection with this task, it is proposed to redefine "Citation" in the WIPO Glossary of Terms in Part 8 of the WIPO Handbook (see *http://www.wipo.int/standards/en/part_08.html*) to take into account the possible electronic nature of a citation reference. The proposed wording for the redefinition of "Citation" can be found in Annex III to this document.

10. Based on the discussions presented in Annex II to this document, it is proposed to review and update WIPO Standard ST.14 to make citation reference creation and retrieval more up-to-date, to improve consistency, and reduce ambiguity. The changes proposed addressing the following issues are highlighted in Annex IV to this document.

10.1 Where multiple renderings of the same document are published, and if confusion is likely to occur, extra information such as a specific URL, an indication of the file format of the document (e.g. PDF), and the location of the cited document should be included in the citation reference.

10.2 Further guidelines and exemplary detail are included to precisely and uniquely identify the location of material within the cited patent document[1]:

10.2(a) to use paragraph numbers (or other electronic filing identifiers) available in the cited document, or

10.2(b) if there are no paragraph numbers, to use page and line numbers (or other page-based identifiers) if available, or

10.2(c) if material within a long paragraph is being cited and only paragraph numbers are available then to use paragraph numbers and quoted text from within the paragraph(s), or

10.2(d) if no page-based or paragraph identifiers are available, then to use headings within the document structure and quoted text from the paragraph(s).

10.3 Include further guidelines and exemplary detail for including a stable unique reference number within cited non-patent literature.

11. The availability of patent application text in XML format should lead to a more standardized way of managing citation practices, an example of which is referred to in paragraph 8 above. Citations are becoming more and more popular for example as starting points for searches. Commercial providers are using new sources of citations to produce value-added information products which help information professionals as well as end users cope with the growing amount of patent information. It is of great value for the whole community (offices, providers, and users) to have citations presented in an easily accessible standardized way.

12. To assist in the provision of uniform and reliable methods of referring to parts of patent documents, the Task Force recommends the following should be brought to the attention of the ST.36 Task Force for their consideration:

[1] Refer to the section *Descriptive Elements in Patent Document* in *Annex II: Observations, Comments, and Conclusions* for more detail.

12.1 the ST.36 Task Force should note the importance of consistency of numbering (identifying) parts of a patent document filed in fully electronic form so that such numbers can be referred to easily during the creation of citation references at a later stage;

12.2 the ST.36 Task Force should note the importance of minimizing long paragraphs when creating or amending patent documents to avoid problems (later) when material contained in long paragraphs is being cited;

12.3 referring to Annex I, and noting the intention of some IPOs to count various parts of the document such as gene sequences and computer programs the ST.36 Task Force could review the following:

12.3(a) the elements “maths” and “chemistry” could be reviewed and if appropriate marked as current, instead of being reserved for future use, within the International Common Elements (ICEs) to WIPO Standard ST.36, and

12.3(b) consider if further clarification is required to identify gene sequence lists, particularly when image content is defined as “dna” or the data is tagged as the element “bio-deposit” or “sequence-list”;

12.4 review and suggest further document structure elements or attributes that could be included as further tags associated with WIPO Standard ST.36 that would aid the creation of citation references, such as the addition an attribute *example* (found predominantly in chemical patent applications) to the *heading* element; and

12.5 note the use and examples of XML tagging of citation references (for example as provided by the EPO and available as Task Force background reference material at *http://www.wipo.int/scit/en/taskfrce/citation_practices/background.htm*.).

13. The leader of the Citation Practices Task Force presented to the XML Task Forces’ Informal Meeting on October 20, 2007, the objective and background of the ongoing discussions on the revision of WIPO Standard ST.14. The presentation paid particular emphasis to those issues which have an impact on, or from, WIPO Standard ST.36. The ST.36 Task Force was asked to note WIPO Standard ST.36-related draft proposals presented in paragraph 12, above.

14. The SDWG is invited:

(a) to consider and approve the publication, in the WIPO Handbook, of “Citation Practices by Offices” reproduced from the survey questionnaire Circular C.SCIT 2605 in Annex I to this document;

(b) to note the "Observations, Comments, and Conclusions relating to Citation Practices by Patent Offices" discussed in Annex II to this document;

(c) to consider and requisition a further extended survey questionnaire to determine the Citation Practices of Industrial Property Offices as discussed in paragraph 7, above;

(d) to consider and approve, according to wording of Annex III, the redefinition of the term "Citation" in the Glossary of Part 8 of the WIPO Handbook;

(e) to consider and approve, according to that highlighted in Annex IV, changes to WIPO Standard ST.14,as discussed in paragraph 10, above;

(f) to consider and request the ST.36 Task Force review the points elaborated in paragraph 12, and then take any necessary action.

[Annexes follow]

ANNEX I

CITATION PRACTICES BY PATENT OFFICES

Editorial note by the International Bureau

1. The Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT), at its fourth session, held in January 2004, approved a questionnaire on citation practices in industrial property offices. The survey prepared by the SDWG Citation Practices Task Force was issued as WIPO Circular C. SCIT 2605 on December 14, 2004.

2. The survey reproduced in this document presents the practices by industrial property offices regarding the difficulties in citing specific parts of the description of the invention text in a patent document.

3. An introduction in Part 1 states the objectives, background, definitions, related standards, and relevant practices from other domains, as well as a summary of the current practices of respondents. Part 2 collates the results of the survey concerning Citation Practices in Patent Offices.

SURVEY CONCERNING CITATION PRACTICES BY PATENT OFFICES

Survey for presentation to the SCIT Standards and Documentation Working Group at its ninth session in February 2008

PART 1 – SUMMARY OF RESULTS OF THE SURVEY OF CITATION PRACTICES BY PATENT OFFICES

Background

1. Users of patent information encounter difficulties when referring to citations and to locate specific parts of a patent document (e.g., when a patent document is available in electronic media, the identification of specific parts of the description text may become difficult if the document layout depends on the software settings of the users). This problem is related to the diverse and multiple forms of media on which patent documents are available.

2. Circular C.SCIT 2605 and a questionnaire on citation practices in patent offices were sent by email to patent offices in December 2004. Responses were received from the following 16 Offices:

Austria (AT)	Lithuania (LT)	Slovakia (SK)
European Patent Office (EP)	Republic of Moldova (MD)	Sweden (SE)
Germany (DE)	Netherlands (NL)	Ukraine (UA)
Ireland (IE)	Russian Federation (RU)	United Kingdom (GB)
Japan (JP)	Spain (ES)	United States of America (US)
Republic of Korea (KR)		

3. The circular, the questionnaire and the individual responses received are available on WIPO's website (*http://www.wipo.int/scit/en/mailbox/circ04.htm*).

Definitions

4. To keep in mind the form and objective of a citation reference the following definition from paragraph nine of International Standard ISO 690:1987 is noted. "A citation is a brief form of reference inserted parenthetically within the running text or appended as a note at the foot of the page, at the end of a chapter, or at the end of the complete text. The citation serves to identify the publication from which quoted matter within the text, an idea paraphrased, etc. was taken, and to specify its precise location within the source publication."

5. Three points from this definition appear to be relevant to citation practices, namely, a citation:

- is brief,
- can be expected to appear within one or more of several parts of a document, and
- serves to unambiguously identify the publication, as well as the precise location therein, of the cited material.

6. Another definition of Citation (relating particularly to patent documents) occurs in the WIPO Glossary of Terms in Part 8 of the WIPO Handbook (*http://www.wipo.int/standards/en/pdf/08-01-01.pdf*).

Existing standards and other related material

7. WIPO Standard ST.1 (*http://www.wipo.int/standards/en/pdf/03-01-01.pdf*) provides recommendations concerning the minimum data elements required to uniquely identify a patent document.

8. WIPO Standard ST.9 (*http://www.wipo.int/standards/en/pdf/03-09-01.pdf*) provides technical information INID code (56) to describe a "List of prior art documents", if separate from descriptive text. Attention is drawn to WIPO Standard T.14 in connection with the citation of references on the first page of patent documents and in search reports attached to patent documents.

9. WIPO Standard ST.14 (*http://www.wipo.int/standards/en/pdf/03-14-01.pdf*) provides for the inclusion of references cited in patent documents. WIPO Standard ST.14 gives recommendations for the location, order, format, and nature of making citation references to patent and non-patent literature occurring in electronic or paper-based media. Paragraph 13 refers to the identification of cited material within electronic media modeled on the ISO 690-2 standard.

10. WIPO Standard ST.36 (*http://www.wipo.int/scit/en/standards/st36-xml-dtd.htm*) allows for the identification of parts of the description of a patent specification in electronic format in one of two ways. The first way is as a list of pages (in TIFF or another accepted page-based format). The second means of identification is as XML-coded text, in which case paragraphs (and other parts) can be identified (refer to the DTDs). XML tags and elements found in WIPO Standard ST.36 with regard to citation practices rely heavily on the examples given in WIPO Standard ST.14. Many tags in WIPO Standard ST.36 are available for use when citing references.

Relevant practices from other domains

11. Paragraph 5.1.2 of ISO Standard 690-2 includes guidelines for the citation of parts of electronic documents, but gives no specific guidance on how those parts should be identified. Examples of the standard are reproduced at the following address *http://www.collectionscanada.ca/iso/tc46sc9/standard/690-2e.htm#5.1.2*.

12. In the academic domain, the Chicago Manual of Style is a well-recognized guide for documentation. It includes guidelines for citing electronic documents but there is no explicit guideline for identifying parts of those documents. An example is reproduced at the following address *http://library.osu.edu/sites/guides/chicagogd.html*.

Current practices and future plans as determined from circular C. SCIT 2605 responses

13. In early 2005, nine Offices (DE, EP, ES, IE, JP, KR, NL, UA, US) were using media-independent citation practices and seven did not (AT, GB, LT, MD, RU, SE, SK). Five were planning modifications to their procedures in the future (AT, LT, MD, RU, UA), typically linked to the implementation of electronic filing and/or processing systems.

14. Paragraph numbering was the preferred method for identifying parts of electronic documents, and several offices' publication systems already supported paragraph numbering, either by automatically adding paragraph numbers to the published documents, or by relying on applicants and/or examiners to number paragraphs. However, there is a preference for sentence numbering from some Offices (NL suggests sentences as the primary numbering system and DE suggests numbering sentences within paragraphs). There was no clear consensus on numbering of figures, tables, and other non-text elements.

15. It is observed that it is typically only in patent applications filed electronically (e.g., in full XML format) where paragraphs are numbered (automatically) by the applicant. However, in the majority of cases, numbering appears to be added later by the office as part of the publication process.

16. Text editors used when creating patent application text typically create new paragraphs for each line break (when the applicant presses 'Enter' on the keyboard). There is no restriction on length of paragraphs, although some offices will give guidance on how long a paragraph ideally will be.

17. In the case of claims: existing practices of numbering and citing claims were the preferred method.

18. There was no consistent approach on current or intended practice with respect to numbering non textual parts of a document. Eight Offices count embedded images (DE, EP, IE, KR, LT, RU, UA, US). Five Offices count chemical and mathematical formulae (JP, KR, LT, RU, US). Seven Offices count tables (IE, JP, KR, LT, RU, UA, US). Four Offices count gene sequences (DE, EP, LT, RU). And, three Offices count computer programs (DE, LT, RU).

19. The majority of respondents did not plan to suppress the display of numbers allotted to paragraphs, sentences, etc.

20. There were no specific additional plans to implement or change the citing of specific parts of patent documents with regard to e-filing other than those already mentioned (paragraph numbering).

21. The main problems were seen to be long paragraphs (nine Offices – AT, DE, EP, ES, GB, LT, MD, UA, US), numbering of non-textual elements (three Offices- AT, ES, US), and one office experiences technical difficulties (NL). Four Offices (IE, JP, KR, RU) did not experience any particular problems. Two Offices (DE, US) had developed solutions for the problem of long paragraphs which involved number of sentences within paragraphs and creating sub-paragraphs.

PART 2 – RESULTS OF THE SURVEY CONCERNING CITATION PRACTICES IN PATENT OFFICES

Start date: December 14, 2004
Completed responses: 16

1. Does your Office use any practices to make citing of specific parts of patent documents possible independent of the media and formats on which the document is stored or published?

Option	Count	Percent
1. Yes: DE, EP, ES, IE, JP, KR, NL, UA, US	9	56%
2. No: AT, GB, LT, MD, RU, SE, SK	7	44%

Total responses: 16

2. In the light of new developments in media and formats, is your Office planning to introduce new practices regarding citing of specific parts of patent documents?

Option	Count	Percent
Yes: AT, LT, MD, RU, UA	5	31%
No: DE, EP, ES, GB, IE, JP, KR, NL, SE, SK, US	11	69%

Total responses: 16

3. If your Office is planning to introduce those practices, when will they be introduced?

Country	Count
AT:	No fixed time schedule at the moment. But we plan a redesign of all our publications in view of a new Corporate Identity / Design and evaluate whether with this we could also introduce a numbering of the paragraphs like EP, US and DE do.
GB:	We have no immediate plans, we currently use EPOLINE for our electronic filing means and are developing an electronic case management system based on the EPO's Phoenix system, we will therefore be guided by the XML developments of EPOLINE, PatXML and Phoenix.
IE:	There are currently no plans to introduce new measures for citing specific parts of patent documents.
LT:	2007.

Country	Count
MD:	From January 1, 2006.
RU:	Our Office is planning to introduce such practice but the date of its implementation is not settled yet.
UA:	This can be done after creation in Ukraine of the legislative basis concerning digital signature without which introduction of the e-filing system is impossible.

Total responses: 7

4. In WIPO Standard ST.36 paragraph numbering in patent document is foreseen. If your Office is using or planning to use practices for unambiguous citing of the text, which practices are or will be used?

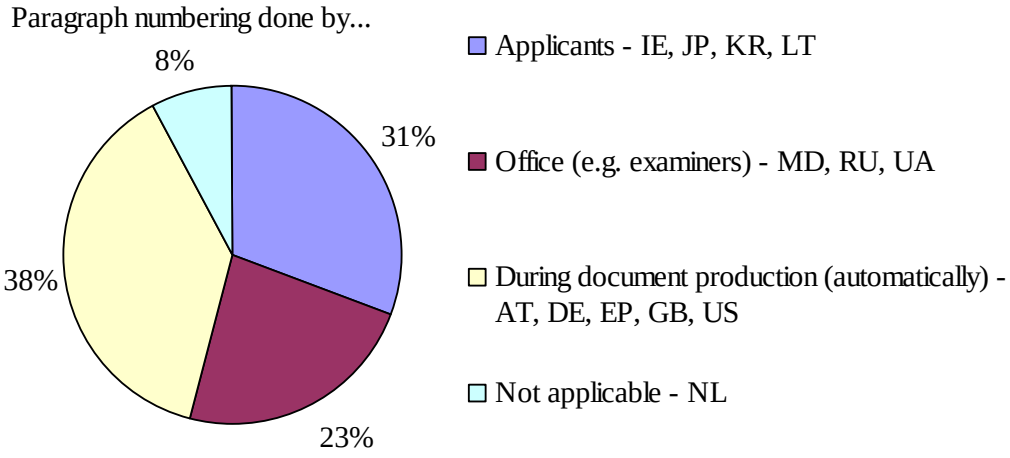
Option		Count
Paragraph numbering	AT, DE, EP, GB, JP, KR, LT, MD, RU, UA, US	11
Sentence counting	NL	1
Word Counting		0
Other – Please specify:	AT, IE, RU, US	4

Total responses: 13

Other remarks:

AT:	Probably keep line numbers for paper documents.
IE:	Page and line numbering, e.g. Pg 16, lines 22-30.
RU:	According to the internal regulations the only document with citations of specific parts of patent documents is a search report made by the examiner to be sent to the applicant and saved in the application file. According to current practice, search reports are not published. For the purpose of citation in search reports every 5th line of a patent document published on paper is marked with its corresponding number: 5, 10, 15 etc. Found patent documents of prior art are cited on a published patent document without indicating their parts.
US:	For patent application publications, paragraph numbering is used for both images (Yellow Book 2 based on ST.33) and full text (Red Book ICE based on ST.36). For patent grants, columns and line numbers are used in the image data only.

5. If paragraph numbering is done or foreseen by your Office, who defines or will define the paragraphs to be numbered?



Option		Count
(a) Basically the applicants	EP, IE, JP, KR, LT	5
(b) The Office, e.g. the examiners	MD, RU, UA	3
(c) Other –Please specify:	AT, DE, EP, GB, NL, US	6

Total responses: 13

Other remarks:

AT:	Scanning + OCR is done by XEROX, and the paragraph numbering will be done at this occasion.
DE:	Automatically during the production of the document.
EP:	The paragraph numbering is generated during the preparation of the patent document in case of classic filing (paper) and by the applicant in case of on-line filing using PATXML.
GB:	It is foreseen that it would be a combination of (a) and/or (b) and driven by the XML developments of E Filing and Electronic case management.
NL:	Paragraph numbering is not foreseen.
US:	For patent application publications, the publication contractor numbers paragraphs in their logical order at the time of publication for most applications (paper or electronic), ignoring any paragraph numbers applied by the applicant (since they might no longer be in ascending numerical order by time of publication). For patent grants, the publication contractor ignores paragraph numbers applied by the applicant and provides paragraph numbers for Grant Red Book ICE (based on WIPO Standard ST.36) and numbers and columns in Grant Yellow Book 2 (based on WIPO Standard ST.33).

6. If according to 5 (a) the applicants define or will define the paragraphs, does or will your Office give guidance as to, e.g., how long a paragraph should ideally be?

Option	Count
Yes: EP, IE, LT	3
No : DE, GB, JP, KR, NL, US	6
Comments, if necessary: EP, IE, KR	3
Not answered: AT, ES, MD, RU, SE, SK, UA	7

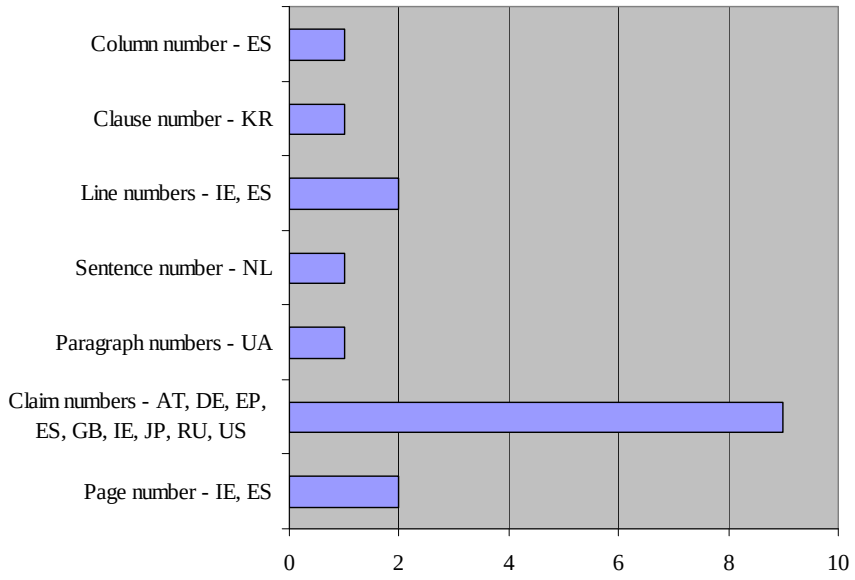
Other remarks:

EP:	The PATXML software used for on-line filing in XML, is generating the paragraph numbering automatically after a line break.
IE:	The description should be clear and intelligible, therefore the paragraph length used should anticipate this.
KR:	If an applicant presses an enter key when preparing an application, a paragraph is automatically made with a paragraph number assigned to each paragraph respectively. We don't have a rule or guideline to limit a paragraph length or size.

Total responses: 9

7. If your Office is using or planning to use practices for unambiguous citing of the text, how are the claims treated (or how will they be treated)?

Citation references to claims indicate...



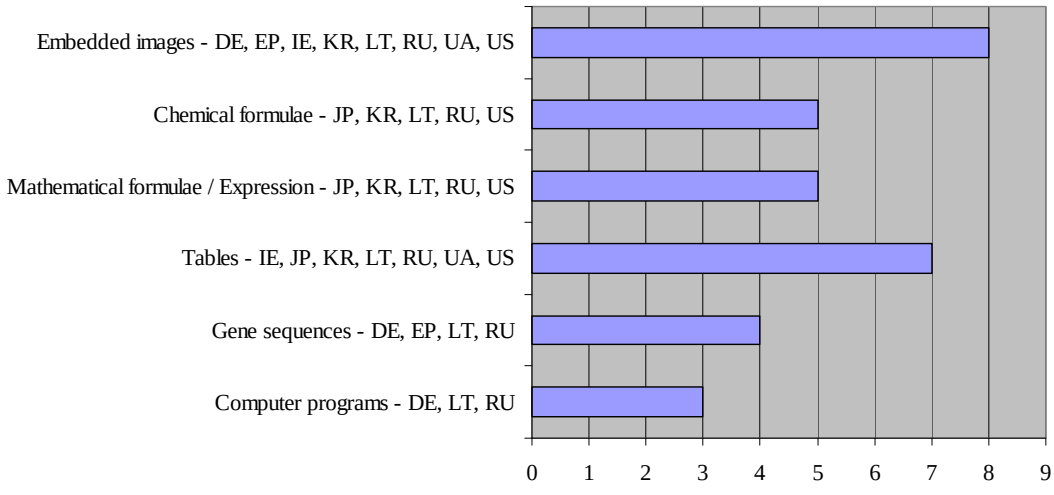
Country	Comment
AT:	Each claim will have a number, no paragraph numbers for claims.
DE:	According to the existing numbering of the claims.
EP:	The numbering of claims is the basis for citation of claims.

Country	Comment
ES:	Numbering pages, columns, lines and claims.
GB:	No change to current UK Legislation is foreseen, the claims will be identified and start on a separate page to the description and abstract. Claims are numbered consecutively.
IE:	The claim text is cited using page, claim and line numbering, e.g.,Pg 18, claim 4, lines 34-36.
JP:	JPO accepts application in XML format. Under this format, claims as a whole must be tagged with <claims>, and each claim must be tagged with <claim> (e.g., claim 1 is represented as "<claim num=""1>text</claim>").
KR:	Claim number should be assigned to each claim clause respectively. (e.g., [Clause 1], [Clause 2], etc.).
LT:	Claims will be treated also as a separate document.
MD:	At the moment, the office does not use unambiguous citing for claims.
NL:	Sentence counting.
RU:	In future for citing claims our Office plans to indicate only the respective claim number as it is made now for citations in search reports.
UA:	Paragraph numbering is planned.
US:	Claims for patent application publications are numbered by the applicant. Claims for patent grants are numbered using consecutive Arabic numerals starting with the number 1. Claim step numbering within a claim normally reproduces whatever the applicant submitted in terms of outline style.

Total responses: 14

8. Does your Office count or intend to count other parts of the specification apart from textual parts, e.g., embedded images, tables, etc.? Please specify:

The Office identifies the following parts…



Country	Comment
AT:	No, but we did not evaluate this deeply until yet.
DE:	The office itself does not count embedded images, tables, etc. During the capturing of the documents the following elements are marked up: embedded images (chemical formula, mathematic formula, tables), gene sequences, computer programs.
EP:	The EPO is capturing the patent document in SGML (WIPO ST.32) and in the future in XML (WIPO ST.36 standard). The embedded images, gene sequences are marked individually with sequencing numbers in the SGML/XML data flow.
GB:	No.
IE:	Tables are allowed amidst the descriptive text to aid understanding of the inventive concept. These are dealt with using page, table and line numbering, e.g., Pg 25, table 1, line 28. Each image/drawing is allocated a reference number, e.g., Figure 1, which allows easy citing of a particular image.
JP:	Yes. JPO employs tags to identify chemical formulae, mathematical formulae, or tables. These tags have numbers as their attributes (e.g., <chemistry num= "1">NaCl</chemistry>) in order to identify one part from other parts of the same kind.
KR:	Yes, we have already count such parts using image, table, expression, and formula numbering scheme, e.g., [Image 1], [Table 1], [Expression 1], [Formula 1].
LT:	Other parts of the specification (apart from textual parts) will be numbered.
MD:	The office plans to use citing for all parts of the description of the invention text in patents documents.
NL:	No.
RU:	Our Office plans to count other parts of the specification apart from textual parts.
SE:	No.
UA:	Tables and images are counted separately.
US:	Some embedded images are already counted; for example, chemical structures and mathematical equations. Applicants may provide numbering for tables, formulas, etc. that will appear in the image of the document and may be cited by a user. For published patent applications, the paragraph number near an imbedded image or table may be included in a citation, necessary or desired. For granted patents, the column and line number near the imbedded image or table may be cited.

Total responses: 14

9. Do you plan to create within the user interface of your electronic patent information products or services an option to suppress the display of the numbers allotted to paragraphs, sentences, etc.? Please specify the products or services and the methods used:

Interpretation of Remarks	Count	Percent
Yes: MD	1	7%
No: AT, DE, EP, GB, IE, JP, KR, LT, NL, RU, SE, UA, US	13	93%

Remarks:

Country	Comment
AT:	Our patent documents (patent + utility models) are accessible via EspaceNet.
DE:	At the moment no plan.
EP:	No plans at the EPO on that respect and no request from users are known.
GB:	This will be dependant on the electronic product development as identified in question 3 above.
IE:	No. All electronic patent information products display a PDF version of the original patent document, therefore removal of numbers allotted to lines, etc., is not possible.
JP:	No.
KR:	Currently, our system only shows paragraph numbers of an application. However, we don't have any plan to add the function to optionally suppress the display of a paragraph number.
LT:	The display of the numbers alloted to paragraphs etc., within the user interface of electronic patent information products are planned.
MD:	It will be used products developed within the office.
NL:	No.
RU:	No, this option would not be provided.
SE:	No.
UA:	No.
US:	No.

Total responses: 14

10. If your Office has introduced or is planning to introduce e-filing, does it intend to implement or change its practices concerning the citing of specific parts of patent documents with regard to e-filing?

Option	Count	Percent
Yes: EP, GB, LT, MD, RU, UA	6	43%
No: DE, ES, IE, JP, KR, NL, SE, US	8	57%

Please elaborate:

AT:	We don't have e-filing now. We plan to introduce the EPO-Tool-Box.
EP:	The paragraph numbering is generated during the preparation of the patent document in case of classic filing (paper) and by the applicant in case of on-line filing using PATXML. The PATXML software used for on-line filing in XML, is generating the paragraph numbering automatically after a line break.
ES:	At present we think that it’s enough.

GB:	Developments in the epoline (RTM) system and also the development of a UK version of PatXML will allow this Office to reassess the format of the patent applications it receives, however, there are no changes in practice planned at present.
IE:	There are currently no plans to introduce e-filing in the short or medium term, therefore no changes shall be made to the current practices for citing specific parts of patent documents.
JP:	JPO introduced e-filing as early as in 1990 and has developed practices as described above as to the citing of specific parts of patent documents. We at this time do not have any plan to further change these practices.
KR:	We had already launched e-filing system in 1999 and we keep our current practices relating the citing of patent documents for a while.
NL:	We make use of WIPO/EPO systems/software. An applicant can file in Patxml. We are not yet planning to introduce a full text database.
RU:	At present e-filing procedure is under development in our Office. The principles of citation would be the same as planned in relation to the published documents.
SE:	We will introduce e-filing in the near future, but the plans are not advanced far enough to decide on details like paragraph numbering.
UA:	In detailed elaboration of the plans of e-filing introduction it is planned to introduce paragraph numbering.
US:	When citing published US patent application publications, the examiner will continue to cite the relevant paragraph numbers. When citing granted US patents the examiner will continue to cite the relevant column and line number.

Total responses: 14

11. What are, according to the position of your Office, aspects which seem to be difficult?

Option	Count
Long paragraphs: AT, DE, EP, ES, GB, LT, MD, UA, US	9
No particular problems: IE, JP, KR, RU	4
Technical difficulties: NL	1
Numbering of non textual elements: AT, ES, US	3

Comments on long paragraphs and other difficulties**:**

Country	Comments on long paragraphs
DE:	To improve the possibility of citing particular parts of the document we propose the numbering of the sentences within a paragraph, i.e, to start with a new numbering in each paragraph.
EP:	The long paragraphs were mentioned as a problem by users. Nevertheless, some internal studies show that the size of the paragraph has decreased in the past years.
US:	Paragraphs that extend over more than one page are most often broken into multiple "sub" paragraphs that read very much like a claim with a large number of claim steps. We now treat these as unordered lists (list without bullets) and give them paragraph numbers as if they were separate paragraphs.

Country	Comments about difficulties other than paragraph numbering
AT:	See question 8 [relating to the counting of elements other than textual elements].
ES:	Chemistry patents with chemical formulae.
IE:	The current system is sufficient at the moment, but any change in the format of citing specific parts of patent text will require revision of Irish patent legislation.
JP:	JPO has no difficulties.
KR:	We have no problems.
NL:	There are sometimes technical difficulties, like the firewall.
RU:	No particular difficulties have been revealed yet.
US:	We currently do not include tables, equations, formulas, in the sequence of paragraph numbering. It is not clear whether we should we have only one sequence for numbering all objects throughout the document, or if we should maintain separate numbering for different object types. Examiners and other users will need to be consulted about their experiences.

Total responses: 14

12. Do you intend to introduce additional measures to solve the problem of unambiguous citing?

Option	Count
Instructions to the applicant: ES, IE, KR, LT, UA	5
Instructions within the office (from Other comments below): MD	1
No (from Other comments below): GB, JP, NL, US	4
Possible website announcements (from other comments below): RU	1

Other – Please specify:

GB:	No
JP:	JPO does not have any plan to introduce additional measures as current JPO practices fully guarantee clear identification of specific parts of patent documents.
MD:	Internal instructions it is foreseen to be elaborated.
NL:	Not at this moment.
RU:	Nothing particular is planned now. Some public announcements could be issued by means of official and special publications including those on official Web-site.
US:	Not at this time.

Total responses: 11

[Annex II follows]

ANNEX II

OBSERVATIONS, COMMENTS, AND CONCLUSIONS RELATING TO CITATION PRACTICES BY PATENT OFFICES

1. This document addresses concerns, issues, and problems observed during analysis of the results of the survey. This document also provides support and further details relating to the proposals made to the SDWG to clarify Citation Practices by Patent Offices.

Multiple Document Formats

2. The survey results and review of WIPO Standards[1] indicate that citation practices depend somewhat on the publication standards used when creating (or recreating) the cited documents for publication.

3. There are multiple ways a patent application (that later becomes a cited document) is filed at industrial patent offices (IPOs), for example, an application may be filed:

3.1 on paper (then scanned later) or

3.2 electronically; an electronic filing may be in machine readable (full text) tagged file format such as:

3.2(a) XML format or

3.2(b) SGML; or an electronic filing may be in page-based file format such as:

3.2(c) PDF or

3.2(d) Microsoft Word file format.

[1] Refer to Annex I: Citation Practices by Patent Offices.

3.3 Options 3.1, 3.2.c, and 3.2.d above produce page-based renderings and hence page-based numbering practices are used. Options 3.2.a and 3.2.b typically use paragraph numbering.

3.4 From filing to grant there can be amendments to a filing which can affect the number of pages, paragraphs, and other types of numbering. This re-numbering may be done by either the applicant or the IPO. Further it is noted that IPO procedures may change over time.

3.5 In addition, many IPOs convert paper applications into electronic form (or reshape electronically filed applications) for publication: reformatting and adding numbering information in the process. Therefore the publication output file format and rendering may be independent of the file format and rendering of the document originally submitted by the applicant.

4. There may be multiple published (and unpublished) file formats and renderings of the same version of a patent document. For example, many IPOs provide the descriptions and claims of patent documents in machine-readable full text (HTML, XML) as well as page-based image formats (PDF, TIFF).

4.1 Machine readable full text can be either the text filed originally as XML, or, more often, the machine readable text is the output of an Optical Character Recognition (OCR) process. It is not always evident from looking at an IPO's website whether the machine readable text from any given patent document originates from OCR or from XML. It is likely that in future there will be higher numbers of XML-based filings and thus less need for OCR.

4.2 OCR text is provided for searchability purposes (to provide full text search indexes). OCR output typically includes minor errors (such as unrecognizable chemical formulae or words) affecting the content. Such errors do not exist in the authentic "legal" page-based document filed by the applicant. It is not always evident to the user which is the "legal" document file format or rendering.

4.3 On the other hand, content errors are less likely to be introduced when publication processes turn an XML file format into an image file format. Thus, it is observed that the machine readable formats are less consistent overall, with respect to rendering, than their imaged page-based counterparts. Rendering XML requires a style sheet, whether rendering it directly or converting it to PDF or images, and the same XML file can be rendered using quite different style sheets. For some purposes, this is desirable, but it can complicate the task of consistent citation practice if the different style sheets result in different paragraph numbers, different page breaks, and different column breaks.

4.4 Care needs to be taken, particularly with automatic OCR practices, that additional [automatic] paragraph numbering is not added during the publication process: resulting in paragraph numbers provided originally by the applicant in addition to the publication paragraph numbers. If the search report has referred to a paragraph number that differs between renderings, the reader of a citation may be confused and need further information to be clear which rendering was referred to by the citation creator.

5. If there are multiple renderings, which is the “legal version”? Should the “legal version” be cited? If all versions, for example (on the European Patent Office (EPO) publication server) a PDF, XML, and an HTML rendition of the XML file have the same content and the same location indicators there is no confusion, but if there are differences such as page numbers, then a potential problem arises as the reader of the citation does not necessarily know which rendering was originally cited by the examiner.

6. Where there are multiple file formats of the same document, one observes more citable location indicators such as paragraph and page numbers in the page-based image documents (such as the PDF document for EP1790234) than in the machine readable version where the page and line numbers are often suppressed (e.g. CH694983).

6.1 Most publication methods provide at least a page-based file format (typically PDF) of a patent publication.

6.2 It is observed that multiple renderings of a patent document in multiple locations can potentially cause confusion for the reader of the citation reference if each rendition of a version has different page numbers or paragraph numbers from another rendition, depending on the type of file format or the site providing the patent document.

6.3 A page-based image rendering (for example, from a file format such as PDF) can have more than one set of conflicting page numbers. There can be the author-assigned page number typed on the sheet (the user sees these in the rendering), as well as the page number assigned by the application reader (such as Adobe Reader). In this context, “page numbers” in a citation can have an ambiguous meaning.

Components of a Citation Reference

7. There are several components (who, what, how, when, where) of a citation reference mentioned in WIPO Standard ST.14. Only the first component, that is 7.1.a, listed below is required for every citation. The other components apply when the citation appears in a search report. The first two major components identify cited material. Many of these components have sets of elements defined in ST.36.

7.1 The citation reference components are to:

7.1(a) identify the document being cited,

7.1(b) locate precisely where in the document the cited material can be found,

7.1(c) state the relevance of a citation (X, Y, A…), and

7.1(d) indicate which claims the citation refers to.

7.2 Other search report components relating to citation references are:

7.2(a) to indicate which documents have cited this one[2],

7.2(b) who thought the citation was relevant (e.g. * cited by the US examiner as can be seen on the front page of a US patent document), and

7.2(c) define the terms of the creation of the search report (e.g. fields and classes searched, who made the report, and when, and under what authority).

8. One school of thought might be that all is needed for a citation reference is sufficient information to locate the document. The document as a whole should be reviewed when cited as a document. This is the approach taken by the applicant when discussing prior art in the description of the patent document.

8.1 However, today's busy search professionals benefit from being directed (within a search report) to the precise location(s) of the cited materials within a document.

8.2 It is noted that WIPO Standard ST.14 requires in some sub-paragraphs of paragraphs 12 and 13 that the name of the applicant/patentee, the page, column, line and paragraph numbers, the location of relevant passages and figures, and publisher details (according to the first footnote) should be indicated only when the citation occurs within a search report.

9. Within ST.36 there are many elements available to markup citation reference material. Refer to Reference material for the SDWG ninth session, *International Common Elements to ST.36* at http://www.wipo.int/scit/en/taskfrce/citation_practices/background.htm. At present, it appears that the EPO is the only IPO using XML to markup citations in the body of the patent application. The EPO anticipates the use of XML for coding citations within search reports, being more complex, will be implemented for the European and International Search Reports in the first half of 2008.

Identifying Specific Patent Documents

10. References to patent document are created by different types of people, for different reasons, are placed in different locations, and have varying importance. For example an applicant may be legally required to list all the prior art that precedes the invention, in which case the cited references containing basic information identifying the document can be found as part of the description. Or, an examiner may make an "X" (novelty destroying) citation in a formal search report in which case there are more details available to the reader of the cited reference to not only identify the document but also to describe the location within the document of the cited material and the nature and scope of the citation and the search report.

11. When a citation relates to a patent document it is always necessary to unambiguously identify the patent document.

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[2] discussed later under the heading *Citing document references*

11.1 The traditional (and typical) way to identify a patent document[3] is:
Country Code + unique number + kind code (+ author) + publication date
= WO 2004/091307 A2 (ADVANCED BIONUTRITON CORP) 2004-10-28.

11.2 The above reference method is stable through the passage of time. For example a patent document, when referenced this way, is likely to still be retrievable in ten years time. But such a method requires the reader to have certain experience in the search and retrieval of patent documents.

11.3 Another alternative (or complementary) way to identify a document is to provide a unique electronic reference such as a URL. Or in the case of non-patent literature, the use of a Digital Object Identifier (DOI) is becoming more common[4]. This method, on the other hand, makes retrieval of the document quicker, provided the document is still available, but may be more time consuming to include when creating a citation reference.

Descriptive Elements in Patent Documents

12. A citation contained in a search report also requires the specification of the location of the cited material within a document[5].

13. Guidance for tagging elements within a document and subsequent citation reference creation is given in WIPO Standards ST.36 and ST.14, respectively. These standards provide essentially for two options for the structure of electronic patent documents: either page-based or paragraph-based.

14. It is not practical to enforce a consistent method of numbering (or otherwise) to identify parts of a patent document (particularly in descriptions) across all countries (and regions) for all patent documents (past, present, and future) regardless of filing and publication methods. But guidelines (in WIPO Standard ST.14) can help illustrate how existing location indicators within patent documents in the public domain can be used during the creation of a citation reference.

15. WIPO Standard ST.14 currently does not explicitly specify how parts of cited documents are to be identified, except by "…the pages, columns, lines or paragraph numbers where the relevant passages appear…" (paragraph 12(a)(iv)).

16. Other location identifiers are available to indicate specific parts of patent documents. For example there are textual parts (headings) of the document structure such as "best-mode", "background-art", "technical-field", etc. Document structure headings[6] already exist as International Common Elements associated with ST.36.

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[3] Refer to WIPO Standard ST.1
[4] Refer to the DOI (www.doi.org) website for more information.
[5] Refer to paragraph 12(a), 13, and Footnote (1) of WIPO Standard ST.14 in Annex IV.
[6] A list of existing document structures International Common Elements can be found at http://www.wipo.int/scit/en/taskfrce/citation_practices/background.htm.

17. It is possible to mark up parts of the document such as “Example” (found predominantly in chemical applications) using the heading element, for example in the following way: <heading id= “h0015”>Examples</heading>.

18. There are many ways to identify precise locations within a document depending on the location indicators available in the published document being cited.

18.1 One or more combinations of the following can be used to identify precise locations of cited material:

18.1(a) identifiers associated with machine-readable electronic filings (such as XML): paragraph numbers, sentence numbers, claim numbers, … or

18.1(b) page-based identifiers: page numbers, column numbers, line numbers, … or

18.1(c) document structure headings: background art, best mode, description of the drawings…. , and

18.1(d) quoting the relevant text or the beginning and end of the relevant text: “Figure 2 shows a side view …. to cover all landing legs.”

Amended paragraphs

19. There is, currently, no consistently agreed practice among IPOs in relation to how to handle paragraph numbering when amendments are filed. This is problematic when a single paragraph is replaced by multiple paragraphs. Some prefer to use a “branch numbering system” where for example [0545] would become [0545.1] and [0545.2]. Others prefer complete renumbering of all paragraphs. The outcome of this discussion will have an impact on creating citation references.

20. XML annotation which functions like a table of contents existing outside the document is used by OHIM for trademark applications. Pointers to particular parts of the trademark application are included in this tabular information resource. If a parameter within the application changes, the tabular information resource records the change and points one to the change. Such a system has merits in a stable and fully electronic world. The patent world, however, does not yet have a fully electronic life cycle, for example, court decisions and amendments can be handled offline. Therefore XML annotation does not yet appear suitable as a solution to control changing paragraph numbers for patents.[7]

[7] Refer to the extract of the Informal meeting of the XML Task Forces at http://www.wipo.int/scit/en/taskfrce/citation_practices/background.htm

21. More importantly, however, for the purpose of creating and reading citation references, it is important that where there are amendments (and documents have been re-published) that citation references are clear[8] as to which version (and which file format and rendering) of the document is being cited.

21.1 Citation reference creators can do this by continuing (in accordance with ST.1) to include the Kind Code (A1, A2…) as well as the publication date and if necessary an indication to remove any ambiguity relating to corrected or amended paragraphs. For example, to cite material within the corrected document of WO97/28071 a clear concise citation reference would be:

21.2 WO97/28071 A1 corrected version (GENERAL SIGNAL CORP) available 1998-05-07, page 3 lines 20-28 which would distinguish the corrected document from the original A1 version published on August 7, 1997.

Long Paragraphs

22. Long paragraphs are recognized as being a problem area because they can make citations potentially less precise when citing paragraph numbers than when citing page numbers because pages have a fixed length, whereas paragraphs do not. What constitutes a long paragraph? Typically a printed page of text in a patent document contains 35 lines of text. Although there is no prescribed limit to the number of characters which can be included in one paragraph, a paragraph can be considered long if it contains more than 30 lines of text when printed on an A4 size piece of paper. Or put another way 30 lines of text equates roughly to 250 words or 1700 characters.

23. There are several ways to approach the problem of citing material that is contained in long paragraphs.

23.1 The first approach is to minimize long paragraphs when the patent document is being created. This could be done by:

23.1(a) allowing for sub-paragraphs within text editors, while noting that sub-paragraphs are not easy to define or encourage applicants to use,

23.1.(b) allowing for sentence numbering within paragraphs within text editors, while noting that this could be hard to control, and

23.1.(c) including a recommendation in WIPO standard ST.36 to allow sentence numbering, sub-paragraph numbering as an option for those countries who wish to use them; and if possible recommending a maximum paragraph size, while noting these options could be difficult to automate.

23.2 Other techniques such as enforcing a maximum paragraph size within XML text editors are not possible because the rules do not allow such restrictions.

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[8] Refer to *Annex IV: Draft Standard ST.14* paragraph 12(a)(vi) and example 6 of paragraph 12(a) as well as *WIPO Standard ST.1*.

23.3 A second (immediately realizable) approach is to include additional information in a citation such as quoting the beginning and end text within a paragraph number[9]. For example either of the following provides an unambiguous reference to part of a long paragraph:

23.3(a) WO 2007/077970 A1 (MEIJI DAIRIES CORP) 2007.07.12, paragraph [0019] page 7 lines 19-22 [PDF online][retrieved on 2007-07-31]. Retrieved from the Internet <URL: http://www.wipo.int/pctdb/en/>.

23.3(b) WO 2007/077970 A1 (MEIJI DAIRIES CORP) 2007.07.12, paragraph [0019] from "[14] Another aspect … assumes 30%-60%".

23.4 It is noted that typically IPOs, such as the United States Patent and Trademark Office (USPTO) and the EPO, accept paragraph numbering provided by an applicant, but in the publication process the paragraphs are renumbered by the publisher. In this context, text editors are not relevant. Furthermore, it is not possible to impose maximum paragraph sizes on applicants for US patents. Furthermore the applicant often repeats the text of a long claim within the body of the application, to provide a basis for the claim. Indentations found in the US claim are repeated in the corresponding portion in the body of the patent document. The US patent document publisher numbers the indented components as sequentially numbered lists during the publication process.

Citing document references

24. Citations references have a dual aspect. There is a cited document (sometimes called a backwards citation). And, there is the citing document, the so-called forwards citation. For example, an International Search Report for EP1736504 cites three "X" citations, one of which is WO00/040404. EP1736504 makes a backwards citation to the earlier document WO00/040404. Conversely WO00/040404 has a forwards citation link to the later citing document of EP1736504.

25. It is noted that some jurisdictions such the USPTO and the EPO are already including lists of citing documents on their publicly available patent search websites. Many commercial providers allow one to perform Citation Searching. For example, Citation Bridge™ is a free search utility that allows the look up of forward and backward U.S. Patent Citations. This appears useful to the searcher and relatively easily included within the Internet database search environment.

26. It is important to note the legal necessity to publish an application as originally filed by some IPOs such as the EPO. Citation references must be presented as they are presented by the applicant, in the application. The value added list of applicant's citations (for example at the end of an EPO document) is additional, not replacement, information and comes with the corresponding disclaimer. Refer to Cited References in European Patent document at *http://www.wipo.int/scit/en/taskfree/citation_practices/background.htm*.

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[9] Refer to *Annex IV: Draft Standard ST.14* paragraph 12(a)(xi), paragraph 13(x), and paragraph 12 example 7 for more information.

27. If WIPO Standard ST.14 were to include forwards citations, a plethora of questions spring to mind.

27.1 How should such a list be identified? A “List of citing documents” is also known as “Forward citations” and “Referenced by”. Is there a preferred name for such as list?

27.2 Should the “List of citing documents” be identified by the INID code (56)? Or should another code be created? Or given that codes are often applied at the paper or image based publication stage, at which time the citing documents are not known, perhaps INID codes are not appropriate.

27.3 Should a consistent location (first page, last page, electronic bibliographic data tab) be recommended to define where a list of citing documents should be put?

Types, Formats, Use, and Applicability of Citation References

28. Citation references are very commonplace, For example for 2854 published European patents representing two weeks worth of publication data in weeks 4/2007 and 26/2007 there were an average of 5.3 patent and 3.2 non-patent literature citations for each patent application published.

29. WIPO Standard ST.14, in paragraphs 7 to 11, recommends the inclusion, tagging, placement, indication, and organization of references cited. It appears from a brief analysis of publicly available online patent documentation, that the treatment of citation references is wildly different from one IPO to another. Some IPOs:

- include backwards and forwards citations,
- include hyperlinks to cited documents on the publication’s bibliographic data tab,
- include summaries of the prior art mentioned in the description,
- include a list prefixed by the INID code (56) of cited documents on the bibliographic page,
- include an indication of who made a citation,
- include search reports,
- do not include citation references,
- are not legally allowed to include citation references,
- provide URLs to allow easy access to citation references, and
- make use of unique identifiers such as Digital Object Identifier (DOI).

30. A survey of IPOs could provide valuable information about the volume, nature, and constraints relating to citation reference data.

Tagging non-textual parts of a Patent Document (e.g. Images)

31. Many IPOs (intend to) identify various parts of the document such as gene sequences and computer programs.

32. Currently ST.36 at http://www.wipo.int/pct-safe/epct/schemaDocs/1.5/search-report-v1-1_dtd/index.html recommends the "img"element be used for any kind of image: art work, figures, complex work units (math, tables, chemistry), etc. On the other hand the International Common Elements (ICE) to ST.36 also provides for the use of other elements "maths", "tables", "table-external-doc" "bio-deposit" and for the future use of "chemistry". Provision is made in ST.36 for computer programs as an external-type attribute "program-listing" for the "table-external-doc" and in the preservation of white space element "pre".

33. Some non-text elements such as <math> are already in use by, for example, the USPTO and the EPO. There seems, however, to be a reluctance to use the non-text element <chem> because there is no consensus about which standard to use. Open standards, such as CML (Chemical Markup Language), are preferred by the EPO even though CML is not a popular or agreed international XML standard. It is expensive to markup chemical structures using CML.

34. Other parts of the specification that are available as identifiers are "flowchart", "graph" and "photograph". These are listed as image content attributes for the ST.36 element "img".

35. With regard to gene sequences, it is noted that "dna" is also listed as image (and diagram) content in at least the wo-published-application-v1-5.dtd. The elements "bio-deposit" and "sequence-list" are also available. The EPO, for example in EP05737308, using WIPO Standard ST.25, treat gene sequence IDs as images because of possible mistakes in data entry as well as the difficulty in preserving the format of the data.

[Annex III follows]

ANNEX III

DRAFT DEFINITION[1] OF CITATION IN THE WIPO GLOSSARY OF TERMS IN PART 8 OF THE WIPO HANDBOOK

‘A “citation” in a patent document, search report, or in another document is a reference to another document, which may affect the patentability of a (claimed) invention.

If the citation refers to a patent document, it ~~*consists at least*~~ is recommended that it should consist of the code of the industrial property office or organization publishing the document, the publication number, the kind-of-document code, and the date of publication of that document. Relevant parts of the patent document such as page number, column number, paragraph number, line number, claim number, and figure number should be included to show the precise location of the cited material in the document.

If the citation refers to an ~~*scientific*~~ article or a book, it should consist~~s~~ of the author (if available), the title of the periodical or book, the title of the article, the volume and page number and, usually, the publication date. ~~*(See also WIPO Standard ST.14.)*~~

If the citation refers to an electronic document, it should consist of, in addition to the elements above, the media type e.g. [online], the URL and date of retrieval from the Internet or database (where applicable), and any unique reference numbers sufficient to retrieve and identify the electronic document at a later date.

A citation may also make reference to an oral disclosure, use, exhibition, or other means of disclosure. (See also WIPO Standard ST. 1 and ST.14.)’

[Annex IV follows]

[1] Changes are illustrated with colored underlined or crossed out text:

ANNEX IV

DRAFT STANDARD ST.14

RECOMMENDATION FOR THE INCLUSION OF REFERENCES CITED IN PATENT DOCUMENTS

Editorial Note prepared by the International Bureau

Articles published in scientific and technical journals often contain a certain number of references to earlier publications. Patent applications also very often contain (e.g., in the descriptions of the inventions) references to earlier patents or patent applications, or other industrial property rights. In the course of the procedure for obtaining a patent, patent examiners cite one or several patent documents or other documents which describe similar or closely related technical solutions to the one described in a patent application being examined, in order to illustrate the prior art.

Some industrial property offices, but not all of them, bring these cited references to the attention of the general public, by including them in a published patent document. The present Recommendation is intended to generalize the ~~use~~ inclusion in ~~of printing on the~~ patent documents ~~the~~ of "reference(s) cited" during the patent examination procedure, to standardize the way in which the said references should be presented in the patent document and to recommend a preferred place, where the "references cited" should appear ~~in a patent document~~.

DRAFT STANDARD ST.14

RECOMMENDATION FOR THE INCLUSION OF REFERENCES CITED IN PATENT DOCUMENTS

Draft proposal for revision prepared by the SDWG Citation Practices Task Force
~~Revision adopted by the SCIT Standards and Documentation Working Group at its first session on May 30, 2001~~

DEFINITIONS

1. For the purposes of this Recommendation, the term "patents" includes such industrial property rights as patents for inventions, plant patents, design patents, inventors' certificates, utility certificates, utility models, patents of addition, inventors' certificates of addition, and utility certificates of addition.

2. For the purposes of this Recommendation, the expression "patent applications" or "applications for patents" includes applications for patents for inventions, plant patents, design patents, inventors' certificates, utility certificates, utility models, patents of addition, inventors' certificates of addition, and utility certificates of addition.

3. For the purposes of this Recommendation, the expression "patent documents" includes patents for inventions, plant patents, design patents, inventors' certificates, utility certificates, utility models, patents of addition, inventors' certificates of addition, utility certificates of addition, and published applications therefor.

BACKGROUND

4. Applications for patents are examined by a governmental authority or intergovernmental authority which, as a rule, is an industrial property office. A patent for invention is granted if the application complies with the formal requirements and, depending on whether and to what extent an "examination as to substance" is carried out, if the invention fulfills the substantive requirements of the respective patent law.

5. When patent applications are examined or search reports are established therefor, a certain number of patent documents and other documents might be cited as references to illustrate the prior art by the industrial property office (including a regional Office, and an International Searching Authority under the PCT).

REFERENCES

6. References to the following Standards are of relevance to this Recommendation:

WIPO Standard ST.1	Recommendation Concerning the Minimum Data Elements Required to Uniquely Identify a Patent Document;
WIPO Standard ST.2	Standard Manner for Designating Calendar Dates by Using the Gregorian Calendar;
WIPO Standard ST.3	Recommended Standard on Two-Letter Codes for the Representation of States, Other Entities and Intergovernmental Organizations;
WIPO Standard ST.9	Recommendation Concerning Bibliographic Data on and Relating to Patents and SPCs;
WIPO Standard ST.13	Recommendation for the Numbering of Applications for Patents, SPCs, manufacturing Designs and Layout-Designs of Integrated Circuits;
WIPO Standard ST.16	Recommended Standard Code for the Identification of Different Kinds of Patent Documents;
WIPO Standard ST.20	Recommendations for the Preparation of Name Indexes to Patent Documents;
International Standard ISO 4:1997	"Information and Documentation – Rules for the abbreviation of title words and titles of publications";
International Standard ISO 690:1987	"Documentation – Bibliographic references – Content, form and structure";
International Standard ISO 690-2:1997	"Information and documentation – Bibliographic references – Part 2: Electronic documents or parts thereof".
International Standard ISO 999:1996	"Information and documentation – Guidelines for the content, organization and presentation of indexes".

RECOMMENDATION

7. It is recommended that industrial property offices should include in their granted patents and in their published patent applications all relevant references cited in the course of a search or examination procedure.

8. It is recommended that the “List of references cited” be identified by INID code (56).

9. It is recommended that the “List of references cited” appear either

(a) on the first page of the patent document or

(b) in a search report attached to the patent document.

10. It is recommended that if the “List of references cited” appears in a search report attached to the patent document, (e.g., under the PCT procedure) this should be indicated on the first page of the patent document.

11. It is recommended that the documents in the “List of references cited” be organized in a sequence suitable to the users’ needs, this sequence being clearly illustrated in the presentation of the said list. The following is an example of a sequence of documents cited:

(a) domestic patent documents;

(b) foreign patent documents;

(c) ~~other~~ non-patent literature.

In search reports, however, the documents may be cited in the order of their pertinence.

12. **Identification of any document or announcement cited, and available in paper form or in a page-oriented presentation mode** (e.g., facsimile, microform, etc.) shall be made by indicating the following elements in the order in which they are listed:

(a) ***In the case of a patent document:***

(i) the industrial property office that issued the document, by the two-letter code (WIPO Standard ST.3);

(ii) the number of the document as given to it by the industrial property office that issued it (for Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document);

(iii) the kind of document, by the appropriate symbols as indicated on the document under WIPO Standard ST.16 or, if not indicated on that document, as provided in that Standard, if possible;

(iv) [(1)]the name of the patentee or applicant (in capital letters and, where appropriate, abbreviated)[(3)];

(v) [(2)]the date of publication of the cited patent document (using four digits for a year designation according to the Gregorian Calendar) or, in case of a corrected patent document, the date of issuance of the corrected patent document as referred to under INID code (48) of WIPO Standard ST.9 and, if provided on the document, the supplementary correction code as referred to under INID code (15);

(vi) [(1)] ~~*where applicable, the pages, columns, lines or paragraph numbers where the relevant passages appear, or the relevant figures of the drawings*~~ where multiple renderings of the same document are published (e.g. PDF and HTML), an indication of the location and format (e.g. PDF) of the cited document;

(vii) [(1)]paragraph numbers, sentence numbers and line numbers to describe the specific location of the cited material within a document if they are available;

(viii) [(1)]claim numbers, figure numbers, chemical formula numbers, mathematical formula numbers, table heading numbers, gene sequence numbers, and computer program listing numbers if available;

(ix) [(1)]if no paragraph numbers exist, or if the paragraph is long, use page numbers, column numbers, and line numbers (if available) to describe the specific location of the cited material within a document;

(x) [(1)]specific headings within the document structure such as *Best Mode of Performing the Invention* or *Industrial Applicability* can be indicated if page, paragraph, and line numbers are not available;

(xi) [(1)]specific passages of the text can be indicated if the format of the document includes pagination or an equivalent internal referencing system, or by the first and last words.

The following examples illustrate the citation of a patent document according to paragraph (a), above:

Example 1: JP 10-105775 A (NCR INTERNATIONAL INC.) 24 April 1998, paragraphs [0026] to [0030].

Example 2: DE 3744403 A1 (JOSEK, A.) 1991.08.29, page 1, abstract.

Example 3: SE 504901 C2 (SWEP INTERNATIONAL AB) 1997-05-26, claim 1.

Example 4: US 5635683 A (MCDERMOTT, R. M. et al.) June 3, 1997, column 7, lines 21 to 40.

Example 5: ES 2156718 A1 (AGQ S L) 1 July 2001, the whole document.

Example 6: WO97/28071 A1 corrected version (GENERAL SIGNAL CORP) available 1998-05-07, page 3 lines 20-28.

Example 7: WO 2007/077970 A1 (MEIJI DAIRIES CORP) 2007.07.12, paragraph [0019] from "[14] Another aspect … assumes 30%-60%".

(b) ***In the case of a published intellectual property office document or announcement****, e.g., registered industrial design, registered trademark, published pending trademark and registered copyright documents, not specifically provided for elsewhere under paragraph 12:*

(i) the intellectual property office that issued the document or announcement, by the two-letter code (WIPO Standard ST.3);

(ii) the serial number of the application or registration or the number of the document or announcement as given to it by the intellectual property office that issued it (if possible, together with the letter code designating the type of industrial property right according to WIPO Standard ST.13);

(iii) the type of intellectual property office document or announcement (e.g., registered industrial design, trademark registration, trademark application, copyright registration, etc.);

(iv) [(1)]the name of the applicant or owner (in capital letters and, where appropriate, abbreviated);[(3)]

(v) where applicable, the title of the gazette in which the application or registration was announced and the issue designation of the gazette;

(vi) the date of publication using four digits for the year designation (where year, month and day are available, the provisions of WIPO Standard ST.2 should be applied);

(vii) [(1)]where applicable, the location of relevant passages or figures within the document or announcement;

(viii) if considered necessary, the standard identifier and the number assigned to the item, e.g., ISSN 0250-7730.

The following examples illustrate the citation of a document or announcement according to paragraph (b), above:

Example 1: WO DM/032099, Industrial Design (POWER-PACKER EUROPA B.V.) 1995-04-28, International Designs Bulletin February 1995, No. 2, pages 752 and 753, figures 1.1 and 1.3, ISSN 0250-7730.

Example 2: DE M 94 01 995, Geschmacksmuster, Geschmacksmusterblatt, Heft 15, 1994.08.10, S. 3810.

Example 3: US TXu-499-733, copyright registration, William J ELSTON, 1991.12.16.

Example 4: ES M 0279288, trademark registration (SUDNIF SA) 2001-05-16.

(c) ***In the case of a monograph or parts thereof,*** *e.g., contributions to conference proceedings, etc.:*

(i) the name of the author (in capital letters)[(3)]; in the case of a contribution, the name of the author of the contribution;

(ii) in the case of a contribution, the title of the contribution followed by "In:";

(iii) the title of the monograph; in the case of a contribution, the designation of the editorship;

(iv) in the case of conference proceedings, the conference title, date, number, place (if available);

(v) the number of the edition;

(vi) [1]the place of publication and the name of the publisher (where only the location of the publisher appears on the monograph, then that location shall be indicated as the place of publication; in the case of company publications, the name and postal address of the company);

(vii) the year of publication, by four digits[4];

(viii) ~~where~~ if applicable, the standard identifier and number assigned to the item, e.g., ISBN 2-7654-0537-9, ISSN 1045-1064. It should be noted that these numbers may differ for the same title in the print and electronic versions;

(ix) [1]the location within the monograph by indicating the pages, columns, lines or paragraph numbers where the relevant passages appear, or the relevant figures of the drawings (~~where~~ if applicable).

The following examples illustrate the citation of a monograph (Example 1), as well as of published conference proceedings (Example 2), according to paragraph (c), above:

Example 1: WALTON, Herrmann. Microwave Quantum Theory. London: Sweet and Maxwell, 1973, Vol.2, ISBN 5-1234-5678-9, pages 138 to 192, especially pages 146 to 148.

Example 2: SMITH et al. 'Digital demodulator for electrical impedance imaging.' In: IEEE Engineering in Medicine & Biology Society, 11th Annual Conference. Edited by Y. Kim et al. New York: IEEE, 1989, Vol.6, p. 1744-5.

(d) ***In the case of an article published in a periodical or other serial publication:***

(i) the name of the author (in capital letters)[3];

(ii) the title of the article (where appropriate, abbreviated or truncated) in the periodical or other serial publication;

(iii) the title of the periodical or other serial publication (abbreviations conforming to generally recognized international practice may be used; see "PCT Minimum Documentation - List of Periodicals", Part 4);

(iv) the location within the periodical or other serial publication by indicating date of issue by four digits for the year designation, issue designation, pagination of the article (where year, month and day are available, the provisions of WIPO Standard ST.2 should be applied);

(v) where applicable, the standard identifier and number assigned to the item, e.g., ISBN 2-7654-0537-9, ISSN 1045-1064. It should be noted that these numbers may differ for the same title in the printed and electronic versions;

(vi) [1]where applicable, the relevant passages of the article and/or the relevant figures of the drawings.

The following example illustrates the citation of an article published in a periodical or other serial publication according to paragraph (d), above:

Example: DROP, J.G. Integrated Circuit Personalization at the Module Level. IBM tech. dis. bull. October 1974, Vol.17, No.5, pages 1344 and 1345, ISSN 2345-6789.

(e) ***In the case of an abstract*** *not published together with the full text document which serves as its basis:*

the identification of the document containing the abstract, the abstract and the full text document shall be made on the basis of the bibliographic data available in respect thereof.

The following examples illustrate the citation of an abstract according to paragraph (e), above:

Example 1: ~~Shetulov~~ SHETULOV, D.I. Surface Effects During Metal Fatigue. Fiz.-Him. Meh. Mater. 1971, 7(29), 7-11 (Russ.). Columbus, OH, USA: Chemical abstracts, Vol. 75, No. 20, 15 November 1971, page 163, column 1, ~~the~~ abstract No. 120718k.

Example 2: JP 3-2404 A (FUDO). Patent abstracts of Japan, Vol. 15, No. 105 (M-1092), 1991.03.13 (abstract).

Example 3: SU 1374109 A (KARELIN, V.I.) 1988.02.15. (abstract), Soviet Patent Abstracts, Section E1, Week 8836, London: Derwent Publications Ltd., Class S, AN 88-255351.

13. **Identification of an electronic document**, e. g., retrieved from a CD-ROM, the Internet or from an online database accessible outside the Internet, shall be made in the manner indicated in subparagraphs 12(a), (b), (c), (d) and (e), above, as far as possible and completed, as suggested in the items below.

Attention is drawn to the following items which are modeled after guidelines provided by the International Organization for Standardization's established Standard ISO 690-2 "Information and documentation – Bibliographic references – Part 2: Electronic documents or parts thereof". These items should be provided in the locations indicated:

(i) type of medium in square brackets [ ] after the title of the publication or the designation of the host document, e.g., [online] [CD-ROM] [disk] [magnetic tape]. If desired, the type of publication (e.g. monograph, serial, database, electronic mail, computer program, bulletin board) may also be specified in the type of medium designator;

(ii) date when the document was retrieved from the electronic media in square brackets, following the date of publication [retrieved on 1998-03-04];

(iii) identification of the source of the document using the words "Retrieved from" and its address where applicable; this item will precede the citation of the relevant passages;

(iv) [(6)]reference to the unique Digital Object Identifier (DOI) number, or other unique identification number, if known;

(v) if considered necessary, the standard identifier and number assigned to the item, e.g., ISBN 2-7654-0537-9, ISSN 1045-1064. It should be noted that these numbers may differ for the same title in the printed and electronic versions;

(vi) [(1)]where multiple renderings of the same document are published (e.g. PDF and HTML), an indication of the format (e.g. paper, PDF) and the location of the cited document;

(vii) [(1)]use paragraph numbers, sentence numbers and line numbers (if available) to describe the specific location of the cited material within an electronic document;

(viii) [(1)]claim numbers, figure numbers, chemical formula numbers, mathematical formula numbers, table heading numbers, gene sequence numbers, and computer program listing numbers if available;

(ix) [(1)]specific headings within the document structure such as *Best Mode of Performing the Invention* or *Industrial Applicability* can be indicated if page, paragraph, and line numbers are not available in a cited patent document in electronic format;

(x) specific passages of the text can be indicated if the format of the document includes pagination or an equivalent internal referencing system, or by their first and last words.

Office copies of an electronic document should be retained if the same document may not be available for retrieval in the future. This is especially important for sources such as the Internet and online databases.[(5)]

If an electronic document is also available in paper form or in a page-oriented presentation mode (see paragraph 12, above) it does not need to be identified as an electronic document, unless it is considered desirable or useful to do so.

The following examples illustrate citations of electronic documents:

Examples 1-4: ***Documents retrieved from online databases outside the Internet***

Example 1: SU 1511467 A (BRYAN MECH) 1989-09-30 (abstract) *World Patents Index* [database online]. ~~*London, U.K.:*~~ Derwent Publications, Ltd. [retrieved on 1998-02-24]. Retrieved from: Questel~~*/Orbit, Paris, France*~~. DW9016, Accession No. 90-121923.

Example 2: ~~*Dong*~~ DONG, X~~,~~ R. 'Analysis of patients of multiple injuries with AIS-ISS and its clinical significance in the evaluation of the emergency managements', *Chung Hua Wai Ko Tsa Chih*, May 1993, Vol. 31, No. 5, pages 301-302, (abstract) Medline [online]~~*, Bethesda, MD, USA*~~: United States National Library of Medicine [retrieved on 24 February 1998]. Retrieved from: Dialog ~~*Information Services, Palo Alto, CA, USA*~~. Medline Accession no. 94155687, Dialog Accession No. 07736604.

Example 3: ~~*Jensen*~~ JENSEN, B~~,~~ P. 'Multilayer printed circuits: production and application II'. *Electronik*, June-July 1976, No. 6-7, pages 8, 10,12,14,16. (abstract) INSPEC [online]. London, U.K.: Institute of Electrical Engineers [retrieved on 1998-02-24]. Retrieved from: STN International, ~~*Columbus, Ohio,*~~ USA. Accession No. 76:956632.

Example 4: JP 3002404 A ~~*(TAMURA TORU)*~~(Tamura Toru) 1991-03-13 (abstract). [online] [retrieved on 1998-09-02]. Retrieved from: EPOQUE PAJ Database.

Examples 5-15: ***Documents retrieved from the Internet***

Example 5: **(Electronic patent document – not page based)**

WO 2004/091307 A2 (ADVANCED BIONUTRITON CORP) 2004-10-28, paragraphs [0068], [0069]; examples 2,6.

GB 2,432,062 A (GE INSPECTION TECHNOLOGY LP) 2007.05.09, Detailed Description, third paragraph beginning 'Referring to Figure 2'.

Example 6: **(Electronically registered Intellectual Property – other than patent documents)**

HU D9900111 Industrial Design Application, (HADJDÚTEJ TEJIPARI RT, DEBRECEN) 2007-07-19, [database online], [retrieved on 1999-10-26] Retrieved from the Industrial Design Database of the Hungarian Patent Office using Internet <URL: http://elajstrom.hpo.hu/?lang=EN >.

Example ~~5~~ 7: **(Entire Work – Book or Report)**

WALLACE, S~~.~~, and BAGHERZADEH, N. Multiple Branch and Block Prediction. *Third International Symposium on High-Performance Computer Architecture* [online], February 1997 [retrieved on *~~1998-05-20~~* 2007-07-18]. Retrieved from the Internet:<URL: http://ieeexplore.ieee.org/xpl/freeabs_all.jsp?tp=&arnumber=569645&isnumber=12370 ~~*http://www.eng.uci.edu/comp.arch/papers-wallace/hpca3-block.ps*~~> <DOI: 10.1109/HPCA.1997.569645>.

Example ~~6~~ 8: **(Part of Work – chapter or equivalent designation)**

National Research Council, Board on Agriculture, Committee on Animal Nutrition, Subcommittee on Beef Cattle Nutrition. Nutrient Requirements of Beef Cattle [online]. 7th revised edition. Washington, DC: National Academy Press, 1996 [retrieved on ~~*1998-06-10*~~ 2007-07-19]. Retrieved from the Internet: < URL: ~~*http://www2.nap.edu/htbin/docpage/title=Nutrient+Requirements+of+Beef+Cattle%3A+Seventh+Revised+Edition%2C+1996&dload=0&path=/ext5/extra&name=054265%2Erdo&docid=00805F50FE7b%3A840052612&colid=4%7C6%7C41&start=38*~~ http://books.nap.edu/openbook.php?record_id=9791&page=24 > Chapter 3, page 24, table 3-1, ISBN-10: 0-309-06934-3.

Example ~~7~~ 9: **(Electronic Serial – articles or other contributions)**

~~*Ajtai*~~ AJTAI, Miklos. Generating Hard Instances of Lattice Problems. *Electronic Colloquium on Computational Complexity, Report TR96-007* [serial online], [retrieved on 1996-01-30]. Retrieved from the Internet < URL: ~~*ftp://ftp.eccc.uni-trier.de/pub/eccc/reports/1996/TR96-007/index.html*~~ http://eccc.hpi-web.de/pub/eccc/reports/1996/TR96-007/index.html>.

Example 10: OWEN RW et al. Olive-oil consumption and health: the possible role of antioxidants. *Lancet Oncology*, Vol 1, No. 2, 1 October 2000 , pp. 107-112 [online], [retrieved on 2007-07-18]. Retrieved from the Internet <URL: http://www.ingentaconnect.com/content/els/14702045/2000/00000001/00000002/art0001> <DOI: 10.1016/S1470-2045(00)00015-2>

Example ~~8~~ 11: **(Electronic bulletin boards, message systems, and discussion lists – Entire System)**

BIOMET-L (A forum for the Bureau of Biometrics of New York) [bulletin board online]. Albany (NY): Bureau of Biometrics, New York State Health Department, July, 1990 [retrieved 1998-02-24]. Retrieved from the Internet: <listserv@health.state.ny.us>, message: subscribe BIOMET-L your real name.

Example ~~9~~ 12: **(Electronic bulletin boards, message systems, and discussion lists – Contributions)**

PARKER, Elliott. 'Re: citing electronic journals'. In PACS-L (Public Access Computer Systems Forum) [online]. Houston (TX): University of Houston Libraries, November 24, 1989; 13:29:35 CST [retrieved on 1998-02-24]. Retrieved from the Internet: <URL: telnet://bruser@a.cni.org>.

Example ~~10~~ 13: **(Electronic mail)**

'Plumb design of a visual thesaurus'. *The Scout Report* [online]. 1998, vol. 5 no. 3 [retrieved on 1998 05 18]. Retrieved from Internet electronic mail: <listserv@cs.wisc.edu>, subscribe message: info scout-report. Retrieved from the Internet: <URL: http://scout.wisc.edu/Reports/ScoutReport/1998/scout-980515.html#13> ISSN: 1092-3861.

Example ~~11~~14: **(Product Manual/Catalogue or other information obtained from a Web-site)**

Corebuilder 3500 Layer 3 High-function Switch. Datasheet [online]. 3Com Corporation, 1997 [retrieved on 1998-02-24]. Retrieved from the Internet: <URL: http://www.3com.com/products/dsheets/400347.html>.

~~*Example 12: HU D9900111 Industrial Design Application, (HADJDÚTEJ TEJIPARI RT, DEBRECEN) 1999-09-28, [online], [retrieved on 1999-10-26] Retrieved from the Industrial Design Database of the Hungarian Patent Office using Internet <URL: http://www.hpo.hu/English/db/indigo/>*~~

Examples ~~13~~ 15 and ~~14~~ 16: ***Documents retrieved from CD-ROM products***

Example ~~13~~ 15: JP 08000085 A (TORAY IND INC), (abstract), 1996-05-31. In: Patent Abstracts of Japan [CD-ROM].

Example ~~14~~16: ~~*Hayashida*~~ HAYASHIDA, O~~.~~ et. al.: Specific molecular recognition by chiral cage-type cyclophanes having leucine, valine, and alanine residues. ~~In:~~ *Tetrahedron* 1955, Vol. 51 (31), p. 8423-36. In: Chemical Abstracts ~~*on CD*~~ [CD-ROM]~~.~~ ~~Columbus, OH, :~~ CAS~~,~~ Abstract 124:9350.

14. It is recommended that any document (reference) referred to in paragraph 7, above, and cited in the search report should be indicated by the following letters or a sign to be placed next to the citation of the said document (reference):

(a) *Categories indicating cited documents (references) of particular relevance:*

Category "X": The claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone;

Category "Y": The claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

(b) *Categories indicating cited documents (references) of other relevant prior art:*

Category "A": Document defining the general state of the art which is not considered to be of particular relevance;

Category "D": Document cited by the applicant in the application and which document (reference) was referred to in the course of the search procedure. Code "D" should always be accompanied by one of the categories indicating the relevance of the cited document;

Category "E": Earlier patent document as defined in Rule 33.1(c) of the Regulations under the PCT, but published on or after the international filing date;

Category "L": Document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (the reason for citing the document shall be given);

Category "O": Document referring to an oral disclosure, use, exhibition or other means;

Category "P": Document published prior to the filing date (in the case of the PCT, the international filing date) but later than the priority date claimed in the application. Code "P" should always be accompanied by one of the categories "X," "Y" or "A;"

Category "T": Later document published after the filing date (in the case of the PCT, the international filing date) or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention;

Category "&": Document being a member of the same patent family or document whose contents have not been verified by the search examiner but are believed to be substantially identical to those of another document which the search examiner has inspected.

15. The list of cited documents (references) given in the search report should indicate, conforming to the generally recognized practice of the International Searching Authorities under the Patent Cooperation Treaty, the respective claim(s) of the patent application to which the citation is considered to be relevant.

16. The category codes referred to in paragraph 14, above, are intended primarily for use in the context of search reports accompanying published patent applications. However, if industrial property offices wish to indicate the relevance of cited documents (references) listed on the first page of a published patent application, they should print the category codes in parentheses, immediately after each citation.

Note: Further detailed information on definitions of terms used in this Standard or on the inclusion of references cited can be found in International Standard ISO 690:1987, "Documentation – Bibliographic References – Content, Form and Structure". Guidance for the abbreviation of titles of articles can be obtained through International Standard ISO 4:1997, "Information and Documentation – Rules for the Abbreviation of Title Words and Titles of Publications".

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(1) These elements are to be indicated only in a search report.

(2) The elements of item (v), having relevance to a corrected patent document, should be indicated together with the other data referred to under subparagraph 13(a)(i) to (iii).

(3) Where a surname can be identified, forenames or initials should follow the surname. Such surnames and initials should be given in capital letters.

(4) When the year of publication coincides with the year of the application or of the priority claim, the month and, if necessary, the day of publication of a monograph or parts thereof should be indicated in accordance with the provisions set out in WIPO Standard ST.2.

(5) It should be noted that while an Internet address citation resulting from a search by a search engine may no longer be an active (i.e., usable) Internet address (e.g., Example 8), it may contain information which could be of use in locating the cited document or web page. For example, the home page where the document was found or the contents of the search statement may be located within the Internet address and can provide valuable information especially when considered along with the other information contained in the citation (e.g., title, author, publication date, standard identifier, etc.). Queries to the Webmaster or other staff of the relevant Internet home page may also be helpful.

(6) The Digital Object Identifier (DOI) is a system for identifying content objects in the digital environment. DOIs are names assigned to any entity, such as a scientific article, for use on digital networks. DOIs are used to provide current information, including where they can be found on the Internet. Information about a digital object may change over time, including where to find it, but the DOI number will not change. Refer to http://www.doi.org/index.html.

[End of Annex IV and of document]