

# WIPO IP Information Roundtable 2018 - Minutes

**Geneva 30.10.2018**

The meeting was attended in person by five delegates, including Emmanuelle Bourbon (CFIB), David Borel and Raphaël Imer (CHPIUG) and via Webex by eight persons, including Muriel Bourgeois, Klaus Gundertoft and Guido Moradei of the CEPIUG Board, Hannah Sophia (BPIP) and Simona Venturini (AIDB).

## **Topic 1: WIPO Updates (Yo Takagi)**

Mr. Takagi welcomed all to this regular meeting. He expected intensive discussions and interactive sessions. He emphasized that for WIPO it is important to receive feedback in order to improve the services and programme activities.

He thought the participants would be interested to know how the IP landscape on a global scale looks. In bilateral meetings WIPO confirmed that IP continues to become the interest of major policy makers, i.e. of those countries that are very innovative. There is a growing interest in many countries for protection of IP rights. One of the highlights of this year's Assembly meeting was that a growing number of countries is joining the various agreements. PCT is celebrating 40 years of history this year. Currently 225 countries are members. The Madrid protocol is catching up with 102 countries. Canada will join next year and probably also Brazil. The The Hague Agreement has 69 member states at the moment, but it is expected that more countries will join next year, in particular China.

The continuing growth in filing applications indicates the continuing growth in amount of data we have to deal with. In 2017 PCT increased significantly by 6.2% (55K applications approximately). This year an increase of 3.4% is expected. Mr Takagi concluded that overall there is a comfortable, steady growth. US, CN, JP, DE, KR accounted for 77% of the total number of PCT filings. Madrid grew by 5% (56K registrations) in 2017 and will continue to grow by 5% in 2018 (mainly from China). The Hague grew by 3.5% (around 20K designs) in 2017. In 2018 a growth of 7.4% is expected.

WIPO has continued to make a lot of effort in digitizing data in a many countries. Mr. Takagi mentioned as an example the ARIPO website where already front page information can be found and they are working on full text. WIPO is also involved in digitization of full text of the LATIPAT countries. WIPO will start projects with Vietnam and Egypt but it will take some time because they have to work on the backlog. Philippines will also work on digitizing their backlog data.

Projects to enhance quality of data at the source focus on setting out a strategy to make all data readable in a standardized form. WIPO had presented 40 recommendations of which most were endorsed by the member states, which showed their support for standardizing data, databases etc.

PatInfoMed was launched during the WIPO Assembly. It is related to medicinal patent information. The need to be able to access drugs is high. The information is particularly important for the member states and the public health related organisations and hospitals which are about to procure those medicines. Many drugs are protected by patents or available as generic drugs. Nationally there are some initiatives to make these data publicly available (for instance the Orange Books in the US). However, there was not global source for this. That was the reason for this initiative. The most up-to-date data should be available regarding the legal status of the patents. It was built into PatentScope.

In general WIPO is looking into standardization of data. Mr. Takagi acknowledged PDG for initiating the standardization of legal status data. He had the impression that the community is shifting more to enforcement related data. WIPO received increasing support for WIPO CASE which provides dossier data. He expected that in future Artificial Intelligence may be used to further analyse these data to assess the lifecycles of patents.

He expressed the hope that 20 years of discussions on a new treaty may be finally finalized at the Assembly of September 2019.

Mr. Takagi concluded by stating that WIPO will continue to provide IP services and IP data in cooperation with the users.

With regard to the LATIPAT offices, Peter Kallas offered to tell the offices what information industry needs and what the advantages are for making this data available, when this would be useful.

Alejandro Roca-Campaña responded that 11 countries will provide full text searchable data and PDF copy (including BR, MX and AR) in 2019, for Espacenet and PatentScope.

In answering a question of Guido Moradei regarding ARABPAT, he said that they are still looking for a tool that can effectively and economically OCR the Arabic documents.

## **Topic 2: Standards (Woody Yun)**

Mr. Yun shared the outcome of the [6th Session of the Committee on WIPO Standards \(CWS\)](#).

The CWS approved ST.37 and 60 and created 5 new tasks. The questionnaire prepared by the PAPI (Public Access to Patent Information) task force was referred back to the TF. A new task was established for ICT for WIPO standards, especially regarding disruptive technologies like block chain. The RU and AU delegation suggested block chain could be used in the area of licensing. Also two pilot projects were started regarding the new standard for Web Application Programming Interface (API), one on patent legal status data exchange and the other on sharing search and examination results among IPOs.

The first step of implementation of ST.27 (standardization of legal status data) is to create a mapping table to map the legal events. So far mapping tables have been received from 11 offices. The table will be published on the WIPO website.

A new WIPO standard on exchange of industrial design legal status data by intellectual property offices will be developed. ST 26 on standardization of sequence data was revised. The International Bureau is developing a common tool to register sequence data.

The Name standardization TF presented a proposal for a questionnaire, which was approved with a slight modification. The TF will prepare the agenda for the next meeting where they will also look at the algorithms currently used to standardize and harmonize applicant names. Industry and providers will be invited for this meeting.

The Secretary considered that it was no longer necessary to publish the report legal status on entry into the national phase but it was decided that it will be made one more time, in 2 years time.

Peter Kallas commented that there are still discrepancies between the EPO and WIPO data. The next two years could be used to come to a nearly full coverage in both systems.

Regarding assignee name standardization Peter recommended to also involve some representatives of patent attorneys, since they have in some aspects a different view than patent information professionals.

Stephen Adams indicated that it seems that some (smaller) countries meeting ST.37 can provide authority files only in flat text format and that it is regarded acceptable for the users. He said that the authority files turn out to have more users than just patent offices, for instance also providers are using these data. He asked whether when countries deliver a yearly update, they should deliver an entirely new file, or only an update file. Mr. Yun responded that the offices may deliver data in several (specified) formats including txt and XML. The International Bureau publishes the authority files as they receive them. He proposed to first see in the first year what the offices provide and maybe ask for different way of delivering data thereafter. Peter Kallas supported Stephen Adams in that any format from the offices is acceptable and that we are already happy with any data they provide.

A questionnaire about the designs representation was approved, to understand what kind of images are acceptable by the IPOs.

### **Topic 3: [Classifications](#) (IPC-Locarno –Nice-Vienna) (Kunihiko Fushimi)**

IPC 2019.01 will entry into force in January 2019. There have been 2 sessions of the Regional Working Group, which resulted in 1458 amendments. The evaluation this year clearly indicated among other things strong technological developments in ICT (section G).

The IPC Committee of Experts (IPC/CE) held its 50th session in February 2018. They shared the understanding that the coherency with other classifications is critically important. They established an Experts Group to consider the need for a new universal indexing/tagging scheme in the IPC covering cross-cutting technologies in general. There is also an Expert Group looking at the overly complex area of semiconductors (existing H01L or a new one?).

The IP5/WG1 (Working Group on Classification) held two meetings in 2018. In total 23 new projects were promoted to the IPC phase. The working group is also looking at new emerging technologies like IoT, AI, Big Data, Intelligent Robots, How to make IPC schemes for NET etc. However none of them were promoted to the IPC phase up till now.

IPCCAT-neural 2018 is performing automatic categorization of documents in the IPC at subgroup level. Currently the top three guess precision is > 80%. The training collection consists of 27.7 million English documents and 4.4 million in French.

A new version of the Nice Classification (NCL) is published every 5 years. The current edition is the 11th edition from January 2017. The new version will enter into force in January 2019. There will be 676 modifications including 389 new entries in e.g. Class 9, 10, 36, 42, and 6, 7, 9. Because of the increased number of proposals for revisions from the offices, to increase the efficiency of work WIPO is developing an IT solution called Nice Classification Revision Management System (NCLRMS) which will allow preliminary electronic voting and proposals.

The new version of Locarno classification will entry into force in January 2019 and will comprise 823 modifications and 19 new subclasses. This will be the first version on the new publication platform.

Guido Moradei asked if there are any news about Canada entrance the Nice and Locarno agreements. Mr. Fushimi answered that there are plans to adopt both classification systems.

Guido also asked if there is any discussion about the possibility to divide classes with a tremendous number of designs (e.g. class 06 or 02) and group minor classes. Mr. Fushimi answered that there are no plans in this direction.

No plans to improve substantially the Locarno classification (e.g. by introducing a third level code) is reported.

The Vienna classification entered into force in January 2018. There will be no new version in 2019. A questionnaire has gone out on the future development of the Vienna classification.

#### **Topic 4: [PATENTSCOPE](#) Latest Developments/plans**

**Christophe Mazenc** kicked off this session. He told that in the last 16 months WIPO and EPO joined forces in order to achieve faster results in the Quality at Source project. The goal is to get fully searchable text from the offices. WIPO had organized three training sessions for in total 17 European offices. DK, IT, RO and GR managed to already go into production. The next step is to train 12 Latin-American countries.

The coverage of PATENTSCOPE is now 52 patent collections. Last added was India (480K records). The interface now looks more modern but also in the background things have changed. It also comprises Italian full text data now.

The biggest addition was a search functionality for chemical compounds. This covers all IP5 collections and languages. There are 5.7 million documents for which at least one chemical compound was identified in the full text. To use this functionality, you need to have an account (which is free). Within the results, the name of the compounds is highlighted in blue showing the chemical structure when hovering over. For PCT applications images are also converted, for other publications only written out names are used.

The PATENTSCOPE team consists of 6 persons. They consider it useful to be able to see the documents in family level and plan to implement this in future. Indexing CPC will be worked on in the future, currently CPC is only displayed in some collections is possible.

Peter Kallas asked what they aim for with PATENTSCOPE. Mr. Mazenc responded that they want to push the providers to continue to provide more advanced functionalities.

Guido Moradei asked the following questions:

- what about the situation of countries and organizations whose data are not updated, like ARIPO (limited to 2008)?

Answer: no progresses can be reported, even if the ARIPO is currently doing reorganization of its register and they hope to get more data soon.

- what about the possibility to provide the patent data in families in addition to the individual publication?

Answer: this project has been to the attention of the WIPO for years, but it would require special resources to work on that, even if simple families would be considered, therefore developments are not expected in the near future.

- what about the completion of the patent data with CPC codes and their searchability?

Answer: the WIPO have some collections and consider to add the data to Patentscope in the near future, a next step would be to make them searchable.

Finally, Guido noted that in the coverage of the collections provided there is still no distinction between patents and utility models.

**Iustin Diaconescu** gave a presentation on the 2018 updates. The complete PCT gazette archive (1978-2018) was added. This can be found under the Browse menu. In PATENTSCOPE there is an option to download a spreadsheet with the publication number and the first publication date of all PCT applications.

An amendment in the PCT treaty in 2017 required all offices to provide more detailed data on National Phase Entries. Since then the data flow improved (more regular and more consistent). On the website an up-to-date overview of the coverage of the various national offices can be found. Under the Browse menu in PATENTSCOPE an overview of the national phase entries can be downloaded. Searching for national phase entry can be done with NPCC, e.g. NPCC:CA will give national phase entries in Canada.

Peter Kallas reported that the PDG Impact group has made a comparison between the data provided about NPE by EPO and WIPO, which are not identical.

The search reports are made available in XML format which allows making machine translations of them. The plan is to index some of the data in the search report and make them searchable in 2019.

A new project was started to redesign the interface although nothing will be changed regarding functionality. Also a responsive design is planned so that PATENTSCOPE can be used on different devices.

**Bruno Pouliquen** presented the WIPO translate updates although not much had happened in the past year. They are consolidating their translation models. The team currently consists of 3 full time persons (grown from 1 person). They have agreements with some patent offices (including KIPO which concluded that it was better than Google Translate and Systran) that will use WIPO translate and also some companies are using it (as a “pay for service”). A large part of the translations is from Chinese and Japanese into English but there are e.g. also quite some translations from English to Russian. The new ATAC (Advanced Technology Applications Center) now consists of 6 people plus Bruno as manager. They work not only on machine translations, but also on e.g. image recognition and speech recognition.

They are currently working on some models which should result in better machine translations. They are improving Portuguese translations using Spanish-English transformers.

**Jeremy Thille** talked about the PAT-INFORMED database which has been launched a month ago. The purpose of this database is to know whether a specific pharmaceutical compound (INN) is protected by a patent in a particular country. The data have been put in by the pharmaceutical companies themselves, with around 20 companies worldwide participating. Once you have found a patent, you can contact the company and they are bound to respond. You have to have an account for this, not everybody can contact companies. There are links to the full text of patents in PATENTSCOPE.

This project was started at the request of pharmaceutical companies (at FPMA the association for pharmaceutical companies). The project is only in phase 1, and not everything is covered. It was suggested by the users that something similar for standards would be useful.

Stephen Adams, Hannah Sophia, Bettina de Jong and Klaus Gundertofte provided short comments and questions on that topic.

### **Topic 5: [Patent Register Portal](#) (Andrew Czajkowski)**

Mr. Czajkowski presented on the new patent register portal. The original patent register portal was developed in 2013. It provided information on what data are available where. Before developing a new platform, they sent out a survey to patent information user groups and other users to understand their needs. A beta version of the portal is available at [www.wipo.int/patent\\_register\\_portal](http://www.wipo.int/patent_register_portal). It will have data from over 200 jurisdictions. The map is based on UN country boundaries. The map has a pop-up window with a fact sheet. It provides direct links to the online register or gazette, or provides contact information in case of no online site. The map can be searched using filters. All the information available on the map can also be found in tables. Newly available will be detailed help files for all covered jurisdictions ('Detailed jurisdiction files' available in PDF format).

The portal will go live on 21 November 2018. Plans for further development are not only regular updates, but also addition of more information.

Peter Kallas said that the PDG supports the WIPO Register Portal.

Guido Moradei highlighted the importance of the international community of users contribute to report changes, improvements or issues occurred to the information provided by the IPOs to keep the Portal updated.

### **Topic 6: [PCT Related Matters](#) (Christine Bonvallet)**

Ms Bonvallet would like the PCT website to be more interactive and less static and would welcome any feedback from the users. She showed the new look and feel of the website which includes a visualisation of the PCT timeline.

There are 41 states that have signed the Paris convention but have not yet joined the PCT. WIPO has been putting quite some effort in persuading Argentina to join, so far still unsuccessfully but at least there is no strong resistance anymore.

There has been a change in the top countries of origin for PCT filings, with a strong growth of China. The top PCT applicants are 1. Huawei (CN), 2. ZTE (CN), and 3. Intel (US).

The PCT Working Group discussed rule changes regarding when an IPEA may start to begin the IPE, 'erroneously filed elements and parts', fee reductions for universities and research institutions, assisting national phase entry avoiding for applications having to re-enter much of the data.

Per 1 July 2017 the Rule regarding providing data on national phase entry was changed. Now that the level of obligation for the offices has been increased, WIPO is helping them to provide the data by making it an e-action in ePCT (in addition to the PCT Electronic Data Interchange (PCT-EDI) system). Currently 63 states are providing data of which 32 on a regular basis. (The maximum number achievable would be 124.)

The PCT Minimum Documentation Task Force had discussions on what (additionally) should be included in the minimum documentation (e.g. utility models and Indian Traditional Knowledge documentation). The final report with recommendations should be available in December 2018 for the MIA meeting in 2019 (this meeting is only open to ISAs and IPAs).

The Philippines has been appointed International Search Authority and will become operational next year. With their appointment there are now in total 23 ISAs.

ePCT filings are now more than 75% of all PCT applications. It can be used at 55 receiving offices.

Stephen Adams raised a question about the possibility for users to participate PCT WGs, which however seem to be open to observers and documentation public.

#### **Topic 7: Brand/Design related matters (Marina Foschi)**

Ms Foschi explained that trademarks can be not only images but also colours, sounds or smells. Requirements for protection are that it has to be distinctive, may not be descriptive, cannot be a customary term, may not deceive the public, and it may not contradict with public order or morality. You can also not register a trademark that infringes a third party's trademark right.

Trademarks can be registered nationally, regionally or international (Madrid system at WIPO), but a national registration is required first. The duration of protection is at least 7 years but can be indefinitely renewed, although in some countries there is an obligation to use.

There is no clear definition of 'design' but it relates to how a product looks and not how it works. It may include not only tangible products but also look and feel of shops, icons or the graphical interface of applications. In general the protection of a design is limited in scope and duration (although in e.g. UK unlimited). Sometimes there are deviating forms of protection, for instance the shape of the VESPA is protected in Italy by copyright. The requirements for protection are that it must have been independently created, novel and original. Also designs can be protected at national, regional or international level. Applicants can file directly at WIPO. Protection is at least 10 years, but this varies.

#### **Topic 8: Other databases: [Global Brand/Design Databases](#) (Mona Remlawi)**

Ms. Remlawi explained that the Global Brand and Design databases get data from offices around the world. WIPO extracts data from the trademarks and designs to build the database. You can search in multiple languages and the system can also do fuzzy search, phonetic search or use stemming or transliteration. In many fields the system will provide 'autocomplete'.

The Global Brand database covers 38 national offices and 2 international offices (WIPO and EUIPO). The design database covers 12 national offices and the same 2 international offices. This is an increase for both databases compared to 2017. They hope to be able to add China and the Republic of Korea to the design database soon.

In 2014 an image similarity search was introduced. It worked well for simple structures, but was based on shape, colour and texture, and not using the 'content' of the images (e.g. the face within the LG logo). An improved image similarity search, using AI (machine learning) is expected to be released by the end of 2018 or early 2019. It is identifying Vienna classifications in images and in that way able to find much more similar images. The whole database has received machine assigned classifications. The machine assigned classifications are updated only annually, since doing it more frequently would be too disruptive.

The plan for 2019 is to release an Arab brand database, and also increase the coverage of the global database data from countries in South America, Africa and Europe, and to improve the user interface.

No progresses in relation to the issues raised last years have been reported.

#### **Topic 9: [WIPO Statistics](#) (Bruno Le Feuvre)**

The WIPO Economics and Statistics Division consists of a staff of 15 persons. The main sources of the WIPO Statistics Database are WIPO data and data from IP offices obtained via questionnaires, which are sent not only to PCT member states but also directly to offices of other UN countries (under which definition Taiwan is not a country).

He showed various statistics on PCT applications. Most applications were filed in computer technology, followed by electrical machinery/apparatus/energy, 'measurement', and digital communication. The top 10 applicants worldwide are from Japan, Korea and China (counting families). The statistics on filing pendency times showed that in Brazil and India the final decision occurs after 80 months on average!

Although in >30% of the PCT filings no women are mentioned as inventors, the gap between men and women inventors seems to close slowly over time.

The World Intellectual Property Indicators 2017 publication will be available in December 2018.

For detailed statistics Bruno recommended to use the WIPO IP Statistics Data Center on the website.

Guido Moradei asked if multiple design models in the statistics are counted as individual models. Mr. Le Feuvre answered it is possible to discriminate among the two kind of filings: application count (indicator 1) vs. design count (indicator 5).

#### **Topic 10: [Traditional Knowledge](#) (Begoña Venero Aguirre)**

Ms Venero Aguirre referred to the WIPO website for detailed information. See under 'Policy' the IGC - Intergovernmental Committee on IP & GR, TK and Folklore and also under 'Policy' and then under 'IP & Other Policy Topics' the 'Traditional Knowledge' page.

She showed a short video available on the Traditional Knowledge page that explains the use of traditional knowledge and the protection of it. Traditional Knowledge does not only concern products, but also expressions etc and even dances. She stated that even more things can be done to protect traditional knowledge, both at national, regional and international level (like in the Intergovernmental Committee).

At the IGC lots of time has been spent on discussing who should be the beneficiaries of TK: only indigenous people or also others? Opinions vary per country. In any case there should be some kind of compensation for the holders of TK when it is used/developed further by others.

In India there is already a database on TK for defensive purposes, especially designed for the use by patent examiners, so that they can easily include this in their prior art searches. This database is accessible in 5 international languages. However, the database is not publicly accessible, only to patent examiners of offices that have signed non-disclosure agreements. When using it as prior art, the examiner may give the applicant only the page with the relevant text. The aim would be to use more databases to protect TK.

Stephen Adams expressed the concern that the databases only available to examiners may change the definition of prior art. Searchers in applicant companies can then not find certain parts of the prior art.

#### **Closing Remarks (Alejandro Roca-Campaña)**

Mr. Roca-Campaña closed the meeting. He summarized WIPO's strategy to make data available globally in order to encourage innovation and exploitation of the data. They are supporting innovation incubators by providing tools and expanding functionalities of main public goods via the free databases (PATENTSCOPE and Global Brand and Design databases). They are continuously trying to improve coverage and

functionality. It has been of primary importance for WIPO to receive feedback of patent information professionals and that is why they organise these meetings.

Bettina de Jong thanked the WIPO for organising this meeting on behalf of the various user groups. She emphasized that although only a limited number of people were physically present in the room, there were also quite a number of people attending via WebEx for the whole day. Furthermore it should be noted that these people represent various user groups and will distribute the information further within their organisations. To make the interaction more efficiently she suggested to WIPO that their staff could also send questions that they would like to get answered by users, to the representatives of the user groups before the meeting so that they have time to collect input from their respective groups. WIPO could also use this channel to receive feedback in between meetings. Muriel Bourgeois and Stephen Adams underlined this on behalf of CEPIUG and PIUG.

Guido Moradei suggested also putting the topic 'copyright' on the agenda.

Furthermore the wish was expressed that all speakers would use some slides for their presentation and not only present orally. Sandrine would send out a questionnaire asking for further feedback on the meeting.

Guido Moradei – CEPIUG Secretary

9 December 2018

Thanks to the courtesy of Bettina de Jong, on whose minutes this document has been prepared.