

Special Union for the International Patent Classification (IPC Union)

Committee of Experts

**Forty-Seventh Session
Geneva, April 16 and 17, 2015**

REPORT

adopted by the Committee of Experts

INTRODUCTION

1. The Committee of Experts of the IPC Union (hereinafter referred to as “the Committee”) held its forty-seventh session in Geneva on April 16 and 17, 2015. The following members of the Committee were represented at the session: Brazil, Canada, China, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Israel, Japan, Mexico, Netherlands, Norway, Portugal, Republic of Korea, Romania, Russian Federation, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States of America (26). The African Intellectual Property Organization (OAPI) and the European Patent Office (EPO) were represented. Patent Information Users Group (PIUG) was also represented. The list of participants appears as Annex I to this report.

2. The session was opened by Mr. Francis Gurry, Director General, WIPO, who welcomed the participants. Mr. Gurry stressed the importance of the work of the Committee for the revision of the IPC in the framework of the IPC Revision Roadmap. In that respect he emphasized the work done so far for the improvement of the IPC-related IT systems and, in particular, of the IPC Revision Management System.

OFFICERS

3. The Committee unanimously elected Mr. Kunihiro Fushimi (Japan) as Chair and Mr. Lu Huisheng (China) and Ms. Orit Regev (Israel) as Vice-Chairs.
4. Mrs. Xu Ning (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

5. The Committee unanimously adopted the agenda which appears as Annex II to this report.
6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Committee (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Committee was expressed or repeated after the conclusion was reached.

REPORT ON THE TENTH TO TWELFTH SESSIONS OF THE IP5 WG1-WORKING GROUP ON CLASSIFICATION

7. The Committee noted brief oral reports by China, the EPO and Japan on the tenth, eleventh and twelfth sessions, respectively, of the IP5 WG1-Working Group on Classification (WG1).
8. The tenth session of WG1 was hosted by SIPO in Beijing from March 24 to 28, 2014. The FiveIPOffices reviewed 41 proposals (including 12 P-proposals, 18 J-proposals and 11 E-proposals) and 21 projects (including 15 F projects in IPC phase and six F projects in IP5 phase). They agreed to launch eight new F projects in IP5 phase (in brackets the related IPC area and the Rapporteur office):
 - F 036 (from P 104, F21K; JP);
 - F 037 (from P 117, B83Y; US);
 - F 038 (from P 117, B29C; EP);
 - F 039 (from P 120, C03C; JP);
 - F 040 (from P 121, C23C; JP);
 - F 041 (from P 122, B60Q; EP);
 - F 042 (from P 123, A63B; EP); and
 - F 043 (from J 034, G09G 3/32; KR).
9. The FiveIPOffices also agreed to promote the following three F projects from IP5 phase to IPC phase:
 - F 019 (from P 106 (J 002), H02K 11/00 – 11/04; JP);
 - F 023 (from P 110 (J 017), H01F 41/06; JP); and
 - F 033 (from P 119 (J 035), H01L 27/115; KR).

10. The eleventh session of WG1 was hosted by the EPO in Munich from October 14 to 17, 2014. The FiveIPOffices reviewed all of the active F projects still in IP5 phase as well as all of the proposals. The IP5 WG1 agreed to promote the following F projects to IPC phase (in brackets the related IPC area and the Rapporteur office):

F 038 (B29C 64/00; EP);
F 040 (C23C 4/00; JP);
F 041 (B60Q 3/00; EP);
F 042 (A63B 67/18; JP); and
F 045 (H04B 7/02; KR).

11. The FiveIPOffices also agreed to promote several proposals to F projects of IP5 phase:

F 046 (C09D 7/00; CN);
F 047 (C12Q 1/68; KR);
F 048 (G02F 1/15 – 1/19; JP);
F 049 (C02F 1/00, CN);
F 050 (G01R 31/02; KR); and
F 051 (F42J 2/00; JP).

12. The twelfth session of WG1 was hosted by the JPO in Tokyo from March 23 to 27, 2015. The FiveIPOffices reviewed 29 proposals and 11 projects. They also agreed to promote the following E/J/P proposals to F projects of IP5 phase (in brackets the related IPC area and the Rapporteur office):

F 052 (from JE 057, F16L 53/00; CN);
F 053 (from E 065, G10B; JP);
F 054 (from J 059, B60N 2/48; CN);
F 055 (from J 061, H01R 4/24; CN);
F 056 (from J 062, F25C; JP);
F 057 (from P 129, B01J; JP); and
F 058 (from P 130, J 045, H04W 76/00; CN).

13. The FiveIPOffices agreed to promote the following F projects to IPC phase (in brackets the related IPC area and the Rapporteur office):

F 035 (from P 114, H02J 17/00; KR); and
F 044 (from P 124, J 038: H04N 13/00 – 15/00; KR).

REPORT ON THE PROGRESS ON THE IPC REVISION PROGRAM

14. Discussions were based on Annex 4 to project file CE 462 prepared by the International Bureau, containing a status report on the activities of the IPC Revision Working Group in 2015, in particular on the IPC Revision Program.

15. The Committee noted that the total number of F projects had decreased since version 2014.01 and, in contrast, during which the number of C projects had rapidly increased. A large number of new entries from C projects would be expected from version 2016.01 onwards. The Committee also noted that, in addition to the FiveIPOffices, more offices, such as Brazil, Germany, Sweden and the United Kingdom, submitted revision requests under the framework of the IPC Revision Roadmap.

16. The Committee encouraged all offices to actively participate in the IPC Revision Program, in particular, by submitting revision requests under the framework of the IPC Revision Roadmap.

17. Japan orally presented a proposal during the session to revise the procedure of adopting revision requests under the IPC Revision Roadmap. The Committee decided to keep the current procedure unchanged and invited Japan to submit a written proposal to be considered by the Committee at its forty-eighth session in 2016 which would not contradict the fundamental rules of the IPC Union.

AMENDMENTS TO THE *GUIDE TO THE IPC* AND OTHER BASIC IPC DOCUMENTS

18. Discussions were based on project file CE 454, in particular on Annex 10 to the project file prepared by the International Bureau containing amendments to the *Guide*.

19. The Committee adopted, with one minor modification, the proposed amendments to paragraphs 21, 52, 142 and 187 which appear in Annex III to this report. These amendments would be included in version 2015 of the *Guide*.

20. The Committee noted with gratitude that Sweden volunteered to be Rapporteur of newly created maintenance project M 755 to propose modifications to the IPC scheme in view of the adopted modifications to paragraph 187 of the *Guide* concerning the terms “control”, “controlling”, “regulate” and “regulation”.

21. Discussions were also based on project file CE 455, in particular on Annex 22 to the project file, containing compiled amendments to the “Guidelines for Revision of the IPC” and other basic IPC documents, prepared by the International Bureau, which integrated proposals and comments by offices.

22. The Committee adopted, with some modifications, the amendments to paragraphs 102 to 106 and Appendix I of the “Guidelines for Revision of the IPC” which appear in Annex IV to this report.

23. The Committee also adopted, with some modifications, the amendments to the “Guidelines for Determining Where to Classify Patent Documents” which appear in Annex V to this report.

24. Furthermore, the Committee agreed with a proposal by Sweden to integrate into the *Guide* all relevant instructions on what and where to classify, without necessarily maintaining the two relevant documents separately. The Committee invited Sweden to prepare a proposal to modify the *Guide* accordingly under project CE 455.

25. The Committee further adopted, with some amendments, the proposed modifications to the “Guidelines for Drafting Classification Definitions” and the Definition Template, as presented by the International Bureau in Annexes 21 and 24 to the project file, which appear in Annex VI to this report.

26. With respect to the amendments to the document “IPC Revision Policy and Procedure”, the Committee agreed with a proposal prepared by the International Bureau in Annex 20 to the project file. The document “IPC Revision Policy and Procedure” would not need any updates and should be considered as completely replaced by the IPC Revision Roadmap, in view of the fact that the current practice to automatically include F projects in the IPC Revision Program is not impacted by the IPC Revision Roadmap.

CONSIDERATION OF THE USE OF POSITION 40 “SOURCE OF CLASSIFICATION DATA” IN WIPO STANDARD ST.8

27. Discussions were based on Annex 2 to project file CE 464, containing a rapporteur proposal by the United States of America on the use of position 40 “Source of Classification Data” of WIPO Standard ST.8, and on Annex 3, containing comments submitted by the International Bureau.

28. Japan expressed concerns that changing WIPO Standard ST.8 would have strong impact on users and IT systems. Furthermore, frequent changes to Standards should be avoided. Other offices had doubts about the need for introducing new indicators and would prefer to introduce additional clarifications on the definitions of the current indicators under position 40, i.e. “H”, “M” and “G”.

29. In view of the late submission of the rapporteur proposal and the comments by the International Bureau, as well as the concerns expressed during the session, the Committee invited further comments by offices on the use of position 40 in their current practice and, in particular, on the questions raised by the International Bureau listed in Annex 3 to the project file.

30. The Rapporteur was invited to provide a rapporteur report and proposal for consideration at the next session of the Committee.

REMOVAL OF NON-LIMITING REFERENCES (NLRs) FROM THE SCHEME OF THE IPC

31. Discussions were based on Annex 19 to project file WG 191 containing a rapporteur proposal on a plan to remove NLRs from the scheme.

32. The Committee noted that, during the pilot phase of project WG 301 which had been initiated by the Committee at its forty-sixth session with the International Bureau as Rapporteur, initial proposals for 10 selected subclasses covering the three technical fields had been prepared by the Rapporteur, based on which comments had been received from seven offices.

33. It was also noted that the majority of the comments were in agreement with the initial proposals, where less than 15 per cent of the comments indicated disagreement. However, this percentage would be significantly lower when taking into account the final rapporteur’s proposal.

34. The Committee therefore adopted, with some modifications, the plan to remove NLRs from the scheme following the procedure as in the pilot phase of project WG 301 which appears as Annex VII to this report.

RECLASSIFICATION STATUS REPORT AND TREATMENT OF NON-RECLASSIFIED PATENT DOCUMENTS IN THE MCD AND IPCRECLASS

35. Discussions were based on Annex 13 to project file QC 013 and Annex 22 to project file CE 381, respectively, containing a proposal for "Treatment of Non-Reclassified Patent Documents in the MCD and IPCRECLASS" and a statistical report from the MCD and IPCRECLASS prepared by the International Bureau.
36. The Committee noted the recent uploads of more than 170,000 families of the reclassification data to IPCRECLASS from several offices, e.g. Japan, China and Canada. The Committee expressed its gratitude for their reclassification effort.
37. It was also noted that the International Bureau implemented the default transfers to revision projects that entered into force in 2007 and 2008. The International Bureau explained that six families of version 2008.01 in IPCRECLASS reported as "still to be reclassified" had been found as being not necessary to be reclassified. Therefore, all the families in the projects of versions 2007.01 to 2008.04 were considered as reclassified.
38. The reclassification statistics for versions 2009.01 and 2010.01 showed progress since the forty-sixth session of the Committee, particularly for version 2010.01; the amount of families to be reclassified has dropped from 27.6 per cent to 20.1 per cent of the original for version 2009.01 and from 45.3 per cent to 26.8 per cent for version 2010.01. There were still more than 30,000 families for version 2009.01 and 60,000 for version 2010.01 which remained to be reclassified. The statistics for versions 2011.01 to 2014.01 showed a large number of families still remaining to be reclassified.
39. China informed that reclassification of CN documents for versions 2009.01 to 2013.01 had been completed; however, there were problems with data delivery to IPCRECLASS and some data were delivered just before the session. A complete set of reclassification data from China would be expected to be delivered to IPCRECLASS during this year. The United States of America would further investigate the reason why their Result Lists (RLs) had not been received by IPCRECLASS once the investigation by the EPO as foreseen in paragraph 42, below, was completed.
40. The Committee decided to postpone the inclusion of projects that entered into force in versions 2009.01 and 2010.01 for the implementation of default transfers. Offices were therefore invited to review their reclassification status and to submit their RLs according to the IT requirements.
41. The International Bureau was invited to prepare an updated reclassification status report in the second half of the year, based on which the Committee would decide electronically whether the default transfers for versions 2009.01 and 2010.01 could be implemented even before its next session.
42. The Committee repeated its invitation to the International Bureau and the EPO to further investigate the non-reclassified documents of project M 099 in version 2010.01 that should have been dealt with by one-to-one automatic transfer in the MCD. The International Bureau and the EPO were also invited to agree bilaterally on a process for synchronizing IPCRECLASS with the MCD with regard to non-reclassified patent families. The EPO informed the Committee that Residual Working Lists (RWLs) had been prepared. However, investigations on their content would still be needed and would be completed in June 2015.

HANDOVER OF THE WORKING LISTS MANAGEMENT FROM THE EPO TO WIPO

43. Discussions were based on project file CE 472.
44. It was particularly noted, that following this handover, it would be the responsibility of the International Bureau to create Working Lists (WLs) and RWLs. The existing tools for the creation of the WLs used by the EPO would not be used since they are integrated in the DOCDB; the International Bureau would need to develop new tools and access a copy of the DOCDB instead. IPCRECLASS would need to be updated as well. The EPO would assist the International Bureau in the definition of the specifications of the new tools.
45. In view of budgetary constraints, these developments would start only at the beginning of 2016 and their completion was foreseen for 2017. In the meantime, the EPO would continue delivering WLs and RWLs when needed.
46. The Committee approved the handover of the above-described operations from the EPO to the International Bureau.

REPORT ON IPC-RELATED IT SYSTEMS

47. The International Bureau delivered a [presentation](#) on the status of IT related developments in relation to IPC support.
48. The International Bureau informed the Committee about the completion of the parallel viewer (FIPCPC) project, which shows the CPC and FI subdivisions in the context of the IPC, and about the implementation of additional web services.
49. The corresponding IPCPUB software package had been made available to offices and had been already implemented by Brazil for the publication of its national version of the IPC.
50. The Committee noted that recent changes in CPC XML files would affect the parallel viewer and the International Bureau would further assess the issue. The International Bureau further clarified that the parallel viewer would not need to include Y section or 2000 series of the CPC.
51. The Committee reviewed several suggestions submitted by offices to project CE 447 on the improvement of IPCPUB. It was noted that a tool offered by Mexico would be made available on the IPC website, and a new view (“full view tree”) would be added to the IPC Internet publication platform. It was agreed that other suggestions proposed by Mexico would be considered at a later stage. The Committee noted that Brazil offered to contribute to the documentation of the implementation of IPCPUB software package.
52. The International Bureau informed that, during the second half of 2015 all login-based IT solutions supporting the IPC would be migrated to a new authentication method.
53. The Committee reviewed several suggestions submitted by offices to project CE 446 on the improvement of IPCRECLASS. The Committee invited comments on the first suggestion made by Brazil in Annex 13 to project file CE 446 and, furthermore, on whether modifications to the algorithm for WL creation were needed for consideration at its next session. The International Bureau clarified that such changes would need to be considered in connection with the handover of WL management from the EPO to WIPO.

54. Concerning the suggestion made by Brazil in paragraph 3 of Annex 13 to project file CE 446, the International Bureau agreed to modify IPCRECLASS so that the capture of IPC symbols would be case insensitive and that acceptable formats would be aligned with those currently documented in IPCPUB on-line help. As for the second suggestion in paragraph 2 of said Annex, the International Bureau would further investigate and analyze the feasibility of modifying IPCRECLASS design. The corresponding changes to IPCRECLASS could then be implemented taking into account the available resources.

55. The International Bureau announced that a survey aimed at reviewing the utility of each by-product of the IPC master files had been conducted and lead to the conclusion that all of them should be kept. It was also noted that, as side effect of IPCRMS implementation, the compilation file and the validity file would be added to the list of by-products. The results of the survey were posted as Annex 1 to project file QC 019.

56. The Committee took note of the above and expressed its gratitude for the efforts made by the International Bureau on the IT support for the IPC.

IPC REVISION MANAGEMENT (IPCRMS) PROJECT

57. The International Bureau delivered a [presentation](#) on the status of the IPC Revision Management (IPCRM) project and procurement of the related solution (IPCRMS) as Managed Application Services.

58. The Committee noted necessary changes in Master Files and their by-products provided by the International Bureau in Annex 24 of project file QC 010 and approved those changes which would enter into force in the final publication of IPC-2016.01.

59. The International Bureau described the planned scenarios for drafting IPC definition proposals until and after IPCRMS is moved into production, as well as plans to address the transition from the legacy system to IPCRMS.

60. The International Bureau was invited to inform the Committee on the potential overlap of functionalities between IPCRMS and the IPC e-forum and to clarify for which purpose the two systems would be used.

61. SaM Solutions, the contractor selected by WIPO for the implementation of IPCRMS, delivered a [presentation](#) on the functional scope and timelines for the delivery of IPCRMS.

62. The Committee took note of the above and expressed its appreciation on the progress of this project.

NEXT SESSION OF THE COMMITTEE

63. The Committee noted that, since 2014, in order to avoid overlapping sessions and to more efficiently use the available premises at WIPO, the dates of the sessions of all Committees and Working Groups were centrally planned and approved for the whole year at the beginning of each year. Since the Committee usually meets in February each year, the members of the Committee expressed the wish to receive the invitation as early as possible; furthermore, they expressed their preference that the Committee meets at the beginning of April instead of February.

64. This report was unanimously adopted by the Committee of Experts by electronic means on May 12, 2015.

[Annexes follow]