

世界知识产权组织标准委员会（CWS）

第七届会议

2019年7月1日至5日，日内瓦

PAPI 工作队关于对公共可用专利信息进行访问的问卷提案

国际局编拟的文件

背景

1. 在 2016 年 3 月举行的第四届会议续会上，产权组织标准委员会（CWS）注意到专利文献集团（PDG）提供的关于对国家和地区专利注册簿的要求的请求和信息。标准委员会尤其同意收集各工业产权局在其专利注册簿的内容、功能和未来计划方面的做法（见文件 CWS/4BIS/6 附件三）。
2. 标准委员会于 2017 年举行的第五届会议上，设立了新的第 52 号任务：
“调查用于对各工业产权局公共可用专利信息进行访问的各种系统的内容和功能，以及关于其公布做法的未来计划；为用于对工业产权局公共可用专利信息进行访问的系统编写建议”（见文件 CWS/5/22 第 94 段至第 96 段）。
3. 标准委员会还组建了公众访问专利信息（PAPI）工作队，以执行第 52 号任务，并指定了产权组织国际局为工作队牵头人。标准委员会要求新组建的工作队兼顾在专利注册簿门户网站维护期间所收集到的信息以及法律状态工作队的工作成果。（见文件 CWS/5/22 第 97 至 100 段。）
4. PAPI 工作队于 2017 年 9 月开始工作。目前有 32 名专家由工业产权局、行业团体以及国际局提名参加了工作队。工作队成员包括智利、中国、德国、联合王国、印度、日本、大韩民国、俄罗斯联邦、斯洛文尼亚、乌克兰，以及专利信息用户群联合会（CEPIUG）和专利文献集团（PDG）

调查问卷草案

5. 根据标准委员会的决定，PAPI 工作队在标准委员会第六届会议之前进行了五轮讨论，编写了关于对公共可用专利信息进行访问的各种系统的内容和功能的问卷提案。问卷于标准委员会第六届会议上提交。国际局要求代表团就问卷提出的若干问题作出澄清。标准委员会将问卷交回 PAPI 工作队，供进一步审议。标准委员会要求工作队在第七届会议上提交一份修改后的问卷提案。

6. PAPI 工作队进行了三轮讨论以解决标准委员会第六届会议上提出的问题。工作队还审议了提高问卷答复数量的方式。为此目的，问卷被分为了两部分。国际局将在标准委员会批准该调查后以通函形式向主管局发送关于基本专利信息的第一部分。第一部分旨在快速简单地作答。一旦主管局提交了第一部分的回复，就将向其发送调查的第二部分以了解更为详细的信息。最终问卷草案转录于本文件附件，供标准委员会审议批准。

7. 拟议的问卷草案包括两个部分，涵盖六个领域：

第一部分：在线数据系统的基本可用性和覆盖范围

第二部分：关于在线数据系统特点的详细信息

- (a) 访问专利信息系统的条件；
- (b) 系统提供的内容；
- (c) 系统的功能；
- (d) 工业产权局希望在其他工业产权局系统中作哪些访问；
- (e) 工业产权局对其专利信息系统的未来计划和产权组织建议的有用领域。

工作计划

8. 工作队对执行第 52 号任务提出以下工作计划：

| 措 施 | 预期成果 | 计划日期 |
|---|----------------------------|-------------|
| 提交进展报告，包括提交标准委员会第七届会议的关于对公共可用专利信息进行访问的各种系统的最终问卷草案 | 预计标准委员会将在本届会议上审查批准问卷草案。 | 2019 年 7 月 |
| 用批准后的问卷进行调查 [注：秘书处将调查最佳调查工具] | 秘书处将发出通函，邀请各工业产权局参与调查。 | 2019 年 10 月 |
| 收集分析调查回复 | 各工业产权局将对调查做出答复；工作队将分析调查结果。 | 2020 年 2 月 |

| | | |
|----------|---|------------|
| 编写调查结果报告 | 工作队将编制调查结果摘要，并提出所需的进一步措施，供标准委员会第八届会议审议。 | 标准委员会第八届会议 |
|----------|---|------------|

9. 请标准委员会：

(a) 注意本文件的内容；

(b) 审议批准转录于本文件附件中的问卷草案；并

(c) 要求秘书处发出通函，邀请各工业产权局参与上文第 7 段所述的调查。

[后接附件]

DRAFT QUESTIONNAIRE ON THE CONTENT AND FUNCTIONALITIES OF SYSTEMS FOR PROVIDING ACCESS TO PUBLICLY AVAILABLE PATENT INFORMATION

GLOSSARY

Basic patent information – published patent applications and / or granted patents

Publication – In line with [Part 8 of the WIPO Handbook](#), the terms “publication” and “published” are used in the sense of making available:

- a patent document to the public for inspection or supplying a copy on request;
- multiple copies of a patent document produced on, or by, any medium (e.g., paper, film, magnetic tape or disc, optical disc, online database, computer network, etc.).

Legal status information – information about events that may affect the grant, scope, term, ownership, or other legal aspects of a patent or patent application.

PART 1

This part of the survey covers basic availability and coverage of online data systems.

Core Information

Q1. Does your Office provide access to basic patent information (published applications or granted patents) online?

YES NO

Q2. How can users access basic patent information online? Mark all that apply:

- Online queries with no login required
- Online queries with free login (no payment required)
- Online queries with paid subscription or contract required
- Online queries only in designated locations, such as a public search facility
- No online queries, only bulk data downloads are available

Q3. Who can access this information online?

- Information is only available to patent attorneys admitted to practice before the Office
- Information is only available to residents of the Office's country or region
- Information is available to anyone
- Other: (Please specify: _____)

Q4. Does your Office/Organization make authority files of published patent documents available as per WIPO Standard ST.37?

YES NO

Comment: _____

Q5. Are there any significant gaps in coverage of the authority file information?

YES NO

If yes, please explain, for example missing data sources, time frames for substantial delays in updates, or other reasons for gaps.

Comment: _____

Q6. What types of patent information from your Office are available online? Please select all that apply:

- Unpublished applications (limited info made available before publication)
- Published applications
- Granted patents
- Legal status information
- Corrections
- Priority information
- Patent Term Extensions or Supplementary Protection Certificates
- Patent family information
- File inspection
- Court decisions
- Reassignments
- Licensing information
- Official Gazette
- Other: (Please specify: _____)

Please provide URLs where the available types of information can be accessed online:

Q7. What languages do the online systems for patent information indicated above use for the user interface and search?

- a. Basic Patent information (applications and grants)
[language selection list] _____
- b. Legal status information
same as (a), or:
[language selection list] _____

Q8. What time periods does the available online data cover for the following types of patent information? If the data has gaps or is incomplete, please note so under Remarks.

| Type of Information | From (date) | To (date) | Not available | Remarks |
|---|-------------|-----------|---------------|---------|
| Published applications | | | | |
| Granted patents | | | | |
| Legal Status information | | | | |
| Corrections | | | | |
| Priority information | | | | |
| Patent Term Extensions or Supplementary Protection Certificates | | | | |
| Patent family information | | | | |
| File inspection | | | | |
| Court decisions | | | | |
| Reassignments | | | | |
| Licensing information | | | | |
| Official Gazette | | | | |
| Other: _____ | | | | |

Q9. Is the following legal status information available in online systems:

YES / NO / PARTIAL for each

- Whether the patent is granted
- Whether the patent is currently in force
- PCT national phase entry date
- PCT national phase non-entry date
- Fee payments
- Change of ownership
- Pre- and post-grant events events following court decisions.
- Other information

Comments:

Q10. How often is each type of patent information updated online?

| Type of Information | Update frequency (multiple choice: realtime, daily, weekly, biweekly, monthly, quarterly, other) |
|---|--|
| Published applications | |
| Granted patents | |
| Legal Status information | |
| Corrections | |
| Priority information | |
| Patent Term Extensions or Supplementary Protection Certificates | |
| Patent family information | |
| File inspection | |
| Court decisions | |
| Assignments | |
| Licensing information | |
| Official Gazette | |

PART 2

This part of the survey covers more detailed information about the features of online data systems.

Access Conditions

Q11. Please explain any other conditions or requirements for access to basic patent information, such as limits on the number of queries, number of results, or data limits.

Q12. Are fees required for access to particular types of information?

YES NO

If yes, please indicate for which information and explain the payment procedure.

Q13. Are the online interfaces for different languages synchronized? Please indicate the reference language and any differences in the data available in different languages (for example, in the frequency of updates, coverage, search tools, etc.).

a. Basic Patent information (applications and grants)

b. Legal status-specific information

Content

Q14. Are documents available for download in a searchable text format? This refers only to the content of the document which can be represented as text. Do not consider images or figures in your answer. If a document has both images and text, answer Yes if all the text elements are searchable.

YES NO PARTIAL (some text elements not searchable)

Q15. Do the information systems provide access to updated versions of patent documents when changes are made after publication (e.g. "as granted" rather than "as filed")?

YES NO

Q16. Which parts of patent documents are updated:

- complete document,
 - claims,
 - description,
 - other:
-

Q17. Is the event history (list of relevant legal status information) for a given document available in online systems?

FUNCTIONALITY

Systems provided by your Office/Organization

Q18. Are the following features available in the online systems in question?

| | Patent Applications | Patent Grants | Legal status data |
|--------------------------|----------------------------|----------------------|--------------------------|
| Basic search | | | |
| Advanced search | | | |
| Field combination search | | | |
| Semantic search | | | |
| Machine translations | | | |

Q19. Are the following fields available for search in the online systems in question?

| | Patent Applications | Patent Grants | Searchable in English or Latin character set? |
|---------------------------|---------------------|---------------|---|
| Patent publication number | | | |
| Patent application number | | | |
| Priority date | | | |
| Priority number | | | |
| Applicant name | | | |
| Inventor name | | | |
| PCT application number | | | |
| PCT publication number | | | |
| Title | | | |
| Abstract | | | |
| Claims | | | |
| Description | | | |

Q20. For machine translations, please indicate which languages are translated: _____

From (original document languages): [language selection list]

Other: (Please specify _____)

To (translated output languages): [language selection list]

Other: (Please specify _____)

Q21. Which sections of the document are translated:

Entire document

Title

Abstract

Description

Claims.

Other: (Please specify: _____)

Q22. What number formats are accepted when searching by application or publication numbers? Please provide examples of the numbers accepted by the system.

Q23. Are WIPO ST.3 country codes or WIPO ST.16 kind-of-document codes used as part of the search term when searching by application or publication number?

- Yes, the codes are required
- Yes, the codes are optional
- No, the codes are not accepted when searching

Q24. Do the online systems have a single interface for the available types of patent documents? For example, for published patent applications, granted patents, patent term extensions, fee payments.

- YES NO
-

Q25. Do the online systems have a single interface for different types of industrial property rights? For example patents for inventions, plant patents, design patents, inventors' certificates, utility certificates, utility models, patents of addition and others.

- YES NO

Q26. If there are separate websites or portals for these other types of industrial property, please list them.

Q27. Do the online systems contain information on documents issued under international or regional IP protection systems, which have (potential) effect in your jurisdiction?

- YES NO

Q28. If so, what types of documents are available, e.g. translations?

Q29. Is this data searchable in the same online systems as national documentation?

- Yes, international / regional data is available and searchable
- International / regional data is available in the online systems, but not searchable
- No, international / regional data is only available in other systems
 - The national online systems provide links to the international / regional systems

Comments:

Systems provided by other Offices/Organizations

Q30. What functionality would you like to see in the systems provided by other Offices?

| | For full descriptions | For legal status |
|---|-----------------------|------------------|
| Possibility to translate content into other languages | | |
| Search by bibliographic data fields | | |
| Full text search | | |
| Possibility to download documents in various formats | | |
| Alerting | | |
| Other. Please specify | | |

Q31. What is your desired update frequency for data from other Offices:

| | For full descriptions | For legal status |
|--------------------------------------|-----------------------|------------------|
| Immediate publication of all changes | | |
| Daily updates | | |
| Weekly updates | | |
| Other. Please specify | | |

Q32. Should the other Offices' systems support machine-to-machine communication (such as web services) for exchanging data with your Office?

For full descriptions:

YES NO NO PREFERENCE

For legal status information:

YES NO NO PREFERENCE

Q33. Should the other Offices' systems provide search capabilities for national data sets and data published by other Offices (with an interface in the national language)?

For full descriptions:

YES NO NO PREFERENCE

For legal status information:

YES NO NO PREFERENCE

Q34. Is there a user guide for searching (such as explanation of fields or examples) available in the system?

YES NO

Q35. Is there a clear indication of which information in the official publication is issued by your Office/Organization, or a disclaimer indicating which information is from other sources?

FUTURE PLANS

Q36. Please briefly describe your future plans with respect to your Office's online systems, their content and functionality.

Q37. In which of the following areas are WIPO recommendations the most needed and/or most effective:

| | For full descriptions | For legal status |
|--|------------------------------|-------------------------|
| Composition of published information | | |
| Frequency of updates | | |
| Availability of information and/or interfaces in other languages | | |
| Information retrieval functionality | | |
| Other. Please specify | | |

[附件和文件完]