

PDG

Contact details:
Bettina de Jong
PDG Secretary General
Zuiderzeepark 94
1024 MH Amsterdam
The Netherlands
sg@p-d-g.org
+31 651 543 982

Mr. Young-Woo Yun
Head of Standards Section, Secretary of the CWS
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20, Switzerland

12-09-2023

Subject: PAPI

Dear Woody,

Thank you for sending the invitations to the Eleventh Session of the Committee on WIPO Standards (CWS) in December and for the draft agenda. Out of the many items of interest, there is one in particular for which we feel there is some urgency to respond with our proposals - that is PAPI Public Access to Patent Information Task Force. As you know, for several years PDG IMPACT Working Group members have been actively engaged in helping to shape the progress of PAPI, for example through discussions with other interested parties on the WIPO Task Force Wiki. Two surveys were designed which had a good response rate from Intellectual Property Offices (IPOs) and generated a wealth of data. The aim of PAPI as set out in 2017 (CWS/5, Task No. 52) is to:

“Survey on content and functionalities of systems for providing access to publicly available patent information of industrial property offices, as well as future plans with respect to their publication practices; prepare recommendations for systems for providing access to publicly available patent information of industrial property offices”.

After the ninth CWS session in 2021 the International Bureau considered that the survey results would be useful to update Part 6.1 of the WIPO Handbook “Recommended minimum contents for intellectual property offices’ websites”.

PDG members fully agree with this as the existing document was produced more than 20 years ago. During that time the patent information landscape has changed considerably. There are excellent databases such as PATENTSCOPE, Espacenet and many commercial sources which aggregate patent data from all over the world, but none are complete (and probably never can be) in every respect.

In order to achieve legal certainty patent information users often need to consult patent office websites and the registers and databases they contain. The practical difficulties of finding relevant

The PDG is registered as association in Switzerland, address c/o Bratschi AG, Marius Meier, Lange Gasse 15, CH-4052 Basel

Agfa • AkzoNobel • ALTANA • ASML • AstraZeneca • BASF • Bayer • Beiersdorf • Boehringer Ingelheim • Clariant • Coloplast • Covestro • Deutsche Telekom • DSM • Evonik • FrieslandCampina • GSK • Henkel • Hoffmann-La Roche • IFPEN • Johnson Matthey • Kao Chemicals Europe • LANXESS • L'ORÉAL • Lundbeck • Merck • MSD • Nestlé • Novartis • Novozymes • Pfizer • Philips • Procter & Gamble • Robert Bosch • Sanofi • Shell • Siemens • Signify • Solvay • Syngenta • thyssenkrupp • TotalEnergies One Tech Belgium • thyssenkrupp • Unilever • voestalpine

patent documents or comprehensive legal status in many countries through a variety of strange interfaces in various languages are familiar to many patent searchers, so up-to-date guidelines which help IPOs standardise the content and functionality of their online resources would be considered very beneficial in the long run and could help increasing the transparency of IP systems.

A list of possible recommendations that addresses each of the PAPI survey questions could in theory be very long, but the following consolidated and prioritised list reflecting the views of PDG members would comprise a relatively small number of basic principles:

- All bibliographic and lifecycle data for any IP right shall be accessible, as complete, and timely as possible.
- Access should be eased by providing an English-language user interface.
- Data itself should be available in English language (or at least in a machine-readable form to enable machine translation).
- A common task is locating patent family equivalent documents for patent authorities that are not covered by widely used family databases. Therefore, it is important that patent documents in IPO databases are correctly indexed according to priority date and searchable as such.
- Clear and up to date legal status information (preferably based on the WIPO ST.27 standard) accompanied by timely fee (annuities) payment information.
- Full text (preferably machine-readable) of the latest publication stage (or at its least claims).
- Information on the latest update of the data content of databases.

Beyond these essential items, the following items/functions would be desirable:

- Bibliographic search in English-language.
- All information through a single interface/portal.
- Functionality to follow pre- and post-grant events (alerting).
- Access to file wrappers / dossiers (at least machine-readable or readily machine translated).
- Ownership information updates.

After the most recent tenth CWS session in November last year (Item 21) it was announced that there would be a plan to present a proposal for updating Part 6 of the Handbook at CWS/11 in December. We are glad to see that PAPI is on the agenda for discussion in December. We sincerely hope that there can be progress in recommendations and that our collective PDG thoughts may be taken into account.

Best regards,



Bettina de Jong
PDG Secretary General

[Fin del Anexo y del documento]

The PDG is registered as association in Switzerland, address c/o Bratschi AG, Marius Meier, Lange Gasse 15, CH-4052 Basel

Agfa • AkzoNobel • ALTANA • ASML • AstraZeneca • BASF • Bayer • Beiersdorf • Boehringer Ingelheim • Clariant • Coloplast • Covestro • Deutsche Telekom • DSM • Evonik • FrieslandCampina • GSK • Henkel • Hoffmann-La Roche • IFPEN • Johnson Matthey • Kao Chemicals Europe • LANXESS • L'ORÉAL • Lundbeck • Merck • MSD • Nestlé • Novartis • Novozymes • Pfizer • Philips • Procter & Gamble • Robert Bosch • Sanofi • Shell • Siemens • Signify • Solvay • Syngenta • thyssenkrupp • TotalEnergies One Tech Belgium • thyssenkrupp • Unilever • voestalpine