Survey Concerning Citation Practices in Intellectual Property Offices

Response ID:209 Data

2. Section 1: Identification page

1. Please enter the ST.3 code of the member state or inter-governmental organization you represent.

IB - International Bureau of the World Intellectual Property Organization (WIPO)

2. Please enter the name of the office or organization you represent. For instance, International Bureau of WIPO.
If your organization name is the same as your ST.3 code name, you may put "n/a".

International Bureau of WIPO

3. Questions about citation references provided by your Office: Sections 2 to 4

Section 2: Citation reference availability

5. Does your Office publish citation references associated with your Office's patent documents?

Yes
Please comment if necessary:

6. Select one option describing the availability, to the public, of your Office's citation references.

Available to the public

7. In which of the following location(s) associated with patent documents, published by your Office, can citation references be found?

Preliminary search report
Substantive search and/or examination report
Patent description
Other patent document location (Please specify): Third party observations
Please comment on any of the above mentioned locations, if appropriate: Preliminary search report is the partial search report that an International Searching Authority may issue as an Annex to Form PCT/ISA/206 reporting on non-unity of invention and inviting the applicant to pay additional fees to search the further inventions. If the International Searching Authorities issue the partial search report, they are not obliged to send it to the International Bureau, but if received by the International Bureau, it will be published. Citation references are not mandatory in the patent description but are sometimes included by applicants.

8. If citation references are part of the bibliographic front page information, are they included in INID code (56)?

No

9. Beyond the locations listed as options in question 7 above, select the location(s) outside the patent document where citation references can be found:

10. Are hyperlinks included for the above Internet locations?

Not applicable
Please comment if necessary:

11. Does your Office give information about a patent document that cites the specific patent document the user is looking at (i.e., a forward citation)?

No

12. Are hyperlinks to the citing document provided?

Yes
Please comment if necessary: Hyperlinks are provided to cited patent documents and their patent family members in an online HTML version of the international search report where International Searching Authorities provide their international search reports in XML format. Hyperlinks are not included to cited non-patent literature, nor for patent documents cited in international search reports that are not provided to International Bureau in XML.

13. Does your Office follow the recommendations set out in WIPO Standard ST.14 for the identification of citation references?

Partially (please specify/provide further details): Conformity with the recommendations set out in WIPO Standard ST.14 is dependent on practices of the International Searching Authority or International Preliminary Examining Authority
Please comment if necessary:

14. Does your Office provide indications, to the general public, informing about who suggested or decided on including the citation references?

No

If available, where can indications of who created a citation reference be found by the general public?

Please comment if necessary:

4. Section 3: Search Report Information

15. Does your Office prepare international search reports (ISRs) in the capacity as an International Searching Authority under the PCT?

No

5. Section 3: Search Report Information

Do you have quality control on citation references entered on search reports?

Please comment if necessary::

Do your citation references include online URLs?

Are unique document identifiers used, e.g., DOI?

If applicable, which unique document identifiers are used?

6. Section 3: Search Report Information

16. Does your Office prepare Office-specific national/regional search reports (non PCT)?

No

7. Section 3: Search Report Information

Do you have quality control on citation references entered on search reports?

Are relevance indicators stated?

Do your citation references include online URLs?

Are unique document identifiers used, e.g., DOI?

If applicable, which unique document identifiers are used?

8. Section 3: Search Report Information

Please comment on any major differences between the provision of ISR and other search report citation references if any

9. Section 4: Centralizing/Tagging Citation References

17. Do you (intend to) add tags to identify citation references?

No

18. Does your Office have a centralized database containing citation reference identification data elements?

No

If possible, please specify any structural elements on which the database is founded, for example:

Is the information in the database technically and legally exchangeable e.g., with other Offices?

19. Are citation references from your Office searchable by the general public?

No

20. Please add any further comments you may have about any of the questions in section 4 above:

10. Questions about your Office's published documents that may be cited (within a citation reference): Sections 5 to 7

Section 5: Location of published patent documents which can be considered to be an (or the) authentic source

21. Which mediums represents the (or an) authentic legal rendition (authoritative source) of your Office's published patent application?

Website (if multiple website separate each address with a semi- colon ";"): https://www.wipo.int/en/web/patentscope/ (pdf image)

22. Which mediums represents the (or an) authentic legal rendition (authoritative source) of your IPO's published granted patents?

Other (please specify): The International Bureau publishes patent applications under the PCT but does not grant patents.

23. Regarding the medium indicated above, is there one or more (file) formats that should be looked at (in preference to other formats)?

Yes

If yes, please select all formats that should be considered in preference to other formats

.html
.xml

24. Is your Office using commercial providers for publishing patent documents?

No

11. Section 6: Availability of location identifiers

25. Which, if any, text- based identifiers do your published patent documents contain:

Page numbers
Line numbers
Paragraph numbers

26. Which, if any, identifiers of non-textual elements occur within the description part of your published patent document:

Image/figure numbers within the description: PCT Rule 5.1(iv) requires the description to briefly describe the figures in the drawings, Rule 11.13(k) requires the different figures to be numbered in consecutive Arabic numerals
Chemical formula numbers: PCT Rule 11.10(b)
Tables: PCT Rule 11.10(c)
Gene sequences: PCT Rule 5.2
Mathematical formulas: PCT Rule 11.10(b)
Minutes/Seconds (for referencing videos): would depend on how applicant cited a video in the international application
Webpage identifiers (URL with heading/section reference): would depend on whether applicant cited webpages in the international application
Other (Please specify): would depend on citing practices of applicant

12. Section 7: Paragraph number details

27. Does your published patent documents include paragraph numbers?

Yes

13. Section 7: Paragraph number details

28. Paragraph numbers are typically created by:

Applicant / Inventor

29. Paragraph numbers are recreated:

During the publication process
When numbered paragraphs are amended

30. Describe any special treatment you give to long paragraphs:

31. Describe how you treat numbered paragraphs that are subsequently amended:

New paragraph given an extra figure but subsequent paragraph numbers unchanged

32. If necessary, please provide additional comment on any part of the questions or answers given above in this section.

Whether paragraph numbers are used in a PCT application depends on the filing format accepted by the receiving Office. Amendment of the description during the international phase of the PCT can only take place before the International Preliminary Examining Authority during international preliminary examination.

14. Section 8: Citing documents based on machine translations

33. Does your Office currently allow to cite machine-translated documents in search or examination reports?

No

15. Section 8: Citing documents based on machine translations

When citing a document without paragraph numbering, how does your Office identify the relevant passage in the machine translation?

How does your Office ensure that applicants can access the exact machine translation used by your Office?

Does your Office record or store the machine translation used by the examiner for internal or public reference?

Does your Office have a preferred format for citing machine translations in search or examination reports?

Has your Office encountered cases where an applicant disputed the relevance of a citation based on a machine translation?

Should there be a standardized method for referencing the machine translation engine and date of translation in the international search report?

Should WIPO Standard ST.14 be revised to include recommendation on how references to machine translations should be cited in a patent document?

16. General questions about Citation Practices: Sections 9-10
Section 9: Examples of citation references published by your Office, if this information is available.

34. If possible, please provide a patent (application) number and a publicly available internet address that contains one or more typical examples of patent and non-patent literature citation references.

17. Section 10: Additional comments about citation practices

35. If applicable, please make any further comments, e.g., you may wish to comment on difficult aspects of citation practices for your IPO:

e.g., users are confused about the part of a document a citation reference was referring to : Citation references linked to an international application published by the International Bureau will depend on the citation practices at the International Searching and Preliminary Examining Authority