Survey Concerning Citation Practices in Intellectual Property Offices

Response ID:169 Data

2. Section 1: Identification page

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

JP - Japan

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".

Japan Patent Office (JPO)

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: Citation references are available to the public mainly through the following accesses: 1. Citation references associated with patent publication are available: (a) in the bibliographic data in the Patent Gazette (B) (shown as [reference] indicated by INID code (56)) (b) in the ISR attached to the Japanese Translation of PCT International Application for a patent. 2. Citation references can be found in office action documents, such as "Notice of Reasons for Refusal", which are viewable on J-PlatPat < https://www.j-platpat.inpit.go.jp>. 3. Citation references can also be found under the "Classification/Citation Information" of patent applications by using the OPD retrieval function of J-PlatPat.

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?

Substantive search and/or examination report
Bibliographic data
Please comment on any of the above mentioned locations, if appropriate: See the answers to Question 5, items 1(a) and 2.

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

Yes

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:

E-Dossier/File wrapper

10. Are hyperlinks included for the above Internet locations?

Yes
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:

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): Implemented for the ISR, but not implemented for some part of the domestic operation.
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?

Yes

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

Bibliographic data on patent document
Substantive search and/or examination report
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?

Yes

5. Section 3: Search Report Information

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

Yes (Please provide examples in detail): Search reports drafted by examiners are, in all cases, subject to checks by Directors (called "Approvals"). Prior to the Approvals, Officers in charge of Technical Information check the formal aspects of drafts of search reports. In addition, where necessary, Quality Management Officers scrutinize aspects such as the appropriateness of prior art searches. Furthermore, random sampling for audit by Quality Management Officers is conducted after the Approvals but before notices are sent to applicants/attorneys. Examination quality can be assessed through the judgments made by the Quality Management Officers on the validity of prior art searches and on the accuracy of reasoning.
Please comment if necessary::

17. Do your citation references include online URLs?

Sometimes (specify when): When citing electronic technical information retrieved via the Internet or similar means.

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

Sometimes (Specify when): When a document identifier is assigned to the cited reference.

If applicable, which unique document identifiers are used?

Digital Object Identifier (DOI)
ISBN and ISSN
Other (please specify): Accession No. of the database used.

6. Section 3: Search Report Information

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

Yes

7. Section 3: Search Report Information

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

Yes (Please provide examples in detail): Search reports drafted by examiners are, in all cases, subject to checks by Directors (called "Approvals"). Prior to the Approvals, where necessary, Quality Management Officers and QMO researchers scrutinize aspects such as the appropriateness of prior art searches. Furthermore, random sampling for audit by Quality Management Officers is conducted after the Approvals but before notices are sent to applicants/attorneys. Examination quality can be assessed through the judgments made by the Quality Management Officers on the validity of prior art searches and on the accuracy of reasoning.
Please comment if necessary::

21. Are relevance indicators stated?

No

22. Do your citation references include online URLs?

Sometimes (Specify when): When citing electronic technical information retrieved via the Internet or similar means.

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

Sometimes (Specify when): When a document identifier is assigned to the cited reference.

If applicable, which unique document identifiers are used?

ISBN and ISSN
Other (please specify): Accession No. of the database used.

8. Section 3: Search Report Information

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

At the JPO, search reports are not prepared in domestic examination; however, cited references are included in office actions, such as the "Notice of Reasons for Refusal", along with the examination results. For this reason, JPO treats the Notice of Reasons for Refusal as falling within the scope of "office-specific national/regional search reports (non-PCT)" when responding to the questions in this section. While the Notice of Reasons for Refusal does not contain relevance indicators, it contains the examiner's views, including how the cited references were combined to support the refusal.

9. Section 4: Centralizing/Tagging Citation References

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

No

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

Yes

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

Relational database:

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

Yes

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

No

28. 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

29. 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 ";"): Official Publication via the Internet: https://www.gazette.jpo.go.jp/scciidl010

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

Website (if multiple website separate each address with a semi- colon ";"): Official Publication via the Internet: https://www.gazette.jpo.go.jp/scciidl010

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

No

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

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

Yes (Please provide details): We use the development vendor for the gazette publication system.

11. Section 6: Availability of location identifiers

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

Paragraph numbers

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

Image/figure numbers within the description:
Chemical formula numbers:
Tables:
Gene sequences:
Mathematical formulas:

12. Section 7: Paragraph number details

35. Does your published patent documents include paragraph numbers?

Yes

13. Section 7: Paragraph number details

36. Paragraph numbers are typically created by:

Applicant / Inventor

37. Paragraph numbers are recreated:

When numbered paragraphs are amended

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

There is no restriction of the number of characters or words in each paragraph.

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

Other (Please specify): In case of the deletion of one paragraph, the paragraph number is left as a vacant number.

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

14. Section 8: Citing documents based on machine translations

41. 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.

42. 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.

Specify application number and kind code, e.g., WO 2005/110961 A1 : JP 6691280 B1
Specify Internet address and any instructions helpful to find patent (application) number, e.g., IA=IB2005001265&REF=RSS : https://www.j-platpat.inpit.go.jp/c1801/PU/JP-2020-008423/10/ja
Specify where in the document the citation references can be found, e.g., page 1, lines 19 and 25, search report at end of document : (Entry of the document number is required to obtain the document) see front page, INID code (56)

17. Section 10: Additional comments about citation practices

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