Survey Concerning Citation Practices in Intellectual Property Offices

Response ID:179 Data

2. Section 1: Identification page

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

PT - Portugal

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".

Portuguese Institute of Industrial Property

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
Please comment on any of the above mentioned locations, if appropriate: Sometimes applicants/inventors by their own initiative present patent documents details and references in the description of the patent application.

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

Not applicable

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)?

Not applicable

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?

Yes
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?

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)?

Yes

7. Section 3: Search Report Information

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

Yes (Please provide examples in detail): We carry out internal audits, during which the auditor reviews all documents produced during the examination of the application, including the preliminary search report and the substantive search and/or examination report. During these audits, the way in which the documents are cited is also verified and, if necessary, corrected.
Please comment if necessary::

18. Are relevance indicators stated?

Yes

19. Do your citation references include online URLs?

Sometimes (Specify when): URLs are included when the cited document is available online and can be downloaded by anyone.

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

No

If applicable, which unique document identifiers are used?

8. Section 3: Search Report Information

21. 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

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

No

23. 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?

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

Yes (please specify the location where the references are searchable e.g., http://www.): The citation references are available in the search reports that can be viewed in https://servicosonline.inpi.justica.gov.pt/pesquisas/main/patentes.jsp?lang=PT&pk_vid=b303a43cbd5f51ad177548283887756d . Then the documents cited in the reports can be searchable online using any search engine, for example google search engine ou using patent databases such as https://worldwide.espacenet.com/

25. 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

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

Paper
Website (if multiple website separate each address with a semi- colon ";"): Patent documents can be also be retrieved through search in https://servicosonline.inpi.justica.gov.pt/pesquisas/main/patentes.jsp?lang=PT&pk_vid=b303a43cbd5f51ad177548283887756d

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

Paper
Website (if multiple website separate each address with a semi- colon ";"):

28. 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

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

No

11. Section 6: Availability of location identifiers

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

Page numbers
Paragraph numbers

31. 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:
Minutes/Seconds (for referencing videos):
Webpage identifiers (URL with heading/section reference):

12. Section 7: Paragraph number details

32. Does your published patent documents include paragraph numbers?

Yes

13. Section 7: Paragraph number details

33. Paragraph numbers are typically created by:

Applicant / Inventor

34. Paragraph numbers are recreated:

Other (Please specify): Paragraph numbers are created when the applicant/inventor submit the several documents of the patent application (whether it is at the beginning of the process during the submission of the patent application, or during the applicant/inventor answer to a possible notification regarding irregularities with the application)

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

Non-applicable

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

Other (Please specify): The applicate/inventor must re-number the paragraphs and/or restructure the text.

37. 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

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

Yes

15. Section 8: Citing documents based on machine translations

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

Machine translation usually includes the numbered paragraphs.
Where this is not the case, the examiner specifies which paragraph is concerned and sometimes includes the relevant passage (for example: 1st paragraph of the automatic translation of description 'The present disclosure (...)')

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

Other (Please specify): The machine translation is available to the general public via the link sent to the applicant. However, the examiner usually keeps a copy of the machine translation in case it needs to be sent to the applicant at a later date.

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

No

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

No

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

No

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

Yes

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

Yes

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

46. 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 : PT 118295 B
Specify Internet address and any instructions helpful to find patent (application) number, e.g., IA=IB2005001265&REF=RSS : Using INPI search tool: https://servicosonline.inpi.justica.gov.pt/pesquisas/main/patentes.jsp?lang=PT&pk_vid=b303a43cbd5f51ad177548283887756d choose "Número do processo" (1st option) and then click on "Continuar" (at the bottom left). Then, write 118295 in "Número do Processo" (the second field on the screen, that is the only one in white), and then click on "Pesquisar" (the bottom below "Número do Processo").
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 : In "Documentos Relacionados" you can find "Relatório de Pesquisa" and you can click on "Consultar" (the links presented). Then, for example clicking on the "Relatório de Pesquisa" from 30-06-2023, it will open this window https://servicosonline.inpi.justica.gov.pt/pesquisas/GetDocsRelacionados?docNum=8168124-6612276&procNume=8168124&anoPed=2022&mesPed=10&codMod=01 In this document you can find the documents that were cited in the Written Opinion. If for example you click on "Relatório Exame PAT" from 17-07-2025 you will open the document https://servicosonline.inpi.justica.gov.pt/pesquisas/GetDocsRelacionados?docNum=8168124-7046018&procNume=8168124&anoPed=2022&mesPed=10&codMod=01 . In this document, besides having a table with the cited documents (that you can find at the end of the document), you will find citation references during the report (for example, in p. 2 "revestimento de poliuretano (D1: abstract; p. 2 secção 2.1, p. 4 secção 3.1).")

17. Section 10: Additional comments about citation practices

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