Meeting of the

Trilateral/WIPO Standards Working Group
Tokyo, 2008-07-14—16
Draft Report (**Final**)

Delegations:

European Patent Office

Paul Brewin,	Team Manager, ePublication
Keri Rowles,	Administrator, Publication

U.S Patent & Trademark Office

Wendy Garber,	Acting Chief Information Officer
Kay Melvin,	Director, Business Relationship Management Group
Dave Talbott,	Administrator, Search and Information Resources Administration
Bruce B Cox,	Manager, Standards Development Division
Don Levin,	Manager, Ecommerce unit

World Intellectual Property Organization

Peter Waring,	Head, Technical Cooperation Section PCT International Cooperation Division

Japan Patent Office

Tomoki Sawai,	Director, Information Technology Planning Office
Hideo Sasano,	Deputy Director, Information Technology Planning Office
Tsutomu Igarashi,	Examiner, Fourth Patent Examination Department
Takatoshi Kimura,	Deputy Director, Services and System Optimization Promotion Office
Hiroshi Toshima,	Deputy Director, Information Technology Planning Office
Shigeki Kamiyama,	Deputy Director, Patent Information Policy Planning Office
Masaaki Kokawa,	Assistant Director, Information Technology Planning Office
Jun Kimura,	Official, Services and System Optimization Promotion Office

Venue

The Special Conference Room in the Japan Patent Office, 3-4-3 Kasumigaseki, Chiyoda-ku Tokyo.

Summary of the meeting

Adoption of Agenda

EPO proposed that ”Correction of XML” and ”Media-less exchange” should be added to the agenda on the second day, and the proposal was accepted.

Final Report of the Trilateral/WIPO Standards Working Group, with flourish

1． USPTO reported the history of the past TWSWG. Each office appreciated that we have been expanding knowledge of XML in order to deal with applications filed in many countries, and the spread of utilization of IT contributed to the promotion of streamlining the office operation.

2． Each office confirmed that TWSWG or a succeeding working group will continue to work on the following two projects with responsibility， "CAF" and "Comparative study on the definition of the OCR quality"．

Regarding the final reports jointly proposed by EPO and USPTO, offices decided that JPO and WIPO would review the proposal and reach an agreement during this working group.

Draft mandate of TDSA (TDSWG)

1． The draft mandate of a succeeding working group was examined with the draft mandate of TWSWG (STD1/004/2008) submitted by EPO. As a name of succeeding working group, TDSA (Technical Data & Standards Area) and TDSWG (Technology and Data Standards Working Group) have appeared in some reports. However, TDSA WG (Technology and Data Standards Area Working Group) is to be proposed to the ITG, considering consistency with mandates delegated from ITG.

2． As for the WIPO participation to this WG, WIPO will attend this WG as an observer or host office, and Trilateral Offices welcome WIPO's contribution to this WG.

3． Offices confirmed that the WG works with projects transferred by ITG as a draft mandate of TDSA WG. JPO proposed that TDSA should report to Trilateral ITG as well as Trilateral SWG, and the proposal was accepted.

4． Offices had a consensus that each office can report in flexible format document within TDSA WG, and will report to ITG etc., with the format specified by the Trilateral Offices.

5． Roadmap could be revised according to annual ITG goal, but the fundamental mandate of TDSA WG will not be changed unless ITG requests it.

EPO will revise the draft mandate of TDSA WG, based on the discussion in this agenda, and TDSA WG members will check the revised draft.

-Comparative study on the definition of the OCR quality

1. EPO presented a short paper on the concept of the definition of OCR quality. EPO made the comment that the ITG asked for a comparative study on the definition of the OCR quality but it was not so clear what is required. EPO asked other offices to discuss whether a standard of OCR quality should be made or not, how far this WG should conduct comparative study, what kind of quality is desired.

2. USPTO and WIPO presented their views that it is important to make it clear what ITG request to TDSA WG on this project.

3. JPO indicated this project is aiming for data exploitation in other offices, and especially for solving the problem of OCR quality difference of documents received in WIPO from RO. JPO explained their study of another approach for digitization of applications with "pre-converted file".

Each Office will discuss with its Business Solutions and/or ITG WG whether a standard of OCR quality should be made or not, what kind [or level?] of quality is desired, and how far this WG should go in conducting a comparative study. Each Office will inform other offices of the result of discussions by the end of July. Then, depending on this consultation, TDSA WG will conduct Comparative Study and compile reports.

-Exchange of machine translation dictionaries

1. Offices will discuss this issue, based on a document presented by EPO for the Trilateral meeting in September. EPO introduced OLIF as an example of a standard for exchange terms in dictionary, briefly.

XML4IP

1. USPTO proposed about the way of implementation with namespace – each country will import elements from components and make its own elements by it self. USPTO referred that CALS Table is supposed to be included, because it has no common elements and duplicated elements should be excluded so that it can reduce the number of namespace.

2. JPO confirmed the relationship between current ST. and XML4IP to USPTO that at least ST.36 is needed to be redefined to accommodate XML schema. Also

unique elements in ST.36, 66, 86 are confirmed to be left in current ST.

3． USPTO indicated 15-20% is made as unique elements by each office, and JPO also considers it similar extent or more.

4． JPO presented the document which was submitted to the task force leader in this April in order to make it clear what will be common. In addition, JPO proposed the extension method by "extension elements", as "the country-specific extension method" of XML4IP to solve the problem with validation and maintenance. JPO emphasized the merit that the method by "xs:extension elements" will make it possible to define number of appearance by the schema, which the method by "xs:any" cannot.

5． EPO recognizes that the proposal by the JPO is very reasonable method of validation, but EPO presented their concerns to adopt this proposal to application documents because elements of each country are necessary for exchanging information with other offices.

6． JPO indicated its preference that the direction for this issue will be decided at the SCIT meeting in this November, owing to the system development which is proceeding currently in JPO.

7． USPTO supposes that XML4IP cannot be fully implemented in its system, and considers this issue on internal system aside from it on information exchange. The conversion between internal data and external data is supposed.

USPTO will comment to the proposal for "the country-specific extension method" of XML4IP by JPO, by the end of July. EPO and WIPO will also do their best to make a comment no later than the end of July.

CAF Implementation

1． JPO proposed for the conversion rule from XML documents to PDF, especially for a rule to edit <heading> tag as a section title of upper tags, and its condition. This proposal will be discussed at the second day of the meeting – July 15th.

2． JPO requested the current WIPO schedule for the development of PCT-SAFE. WIPO reported that it has started developing style sheet, and it will be finished by the end of August. JPO also asked WIPO to inform update schedule of PCT-SAFE, because XML DTD will be changed for CAF implementation in January, 2009. WIPO recognized the necessity of development, however it reported the schedule has not yet been decided.

3． EPO commented to JPO proposal for English Presentation of Headings as

follows.
- Change proposal of presentation from "Example" to "Embodiment Example"
- Format specification is needed for Reference Signs List
- The format of presentation of "Citation List" - paragraph style or list style should be examined, and EPO proposed itemization style

4．USPTO presented that there is no problem to utilize CAF to applications filed, but expressed its concerns about paragraph numbering and consistency with publication specification for contractors to utilize CAF to publications. USPTO will give the publication specification document for contractors – "Publication Bulletin"(?) by request from JPO.

5．USPTO and JPO pointed that EPO Change proposal for the rendering of Embodiment Examples from "Example" to "Embodiment Example" is not necessary, because Business WG on CAF has already finished, and this WG should implement according to the agreed document.

JPO will revise its proposal for English Presentation of Headings, taking EPO and USPTO's comments into account, and consider proposal for change to WIPO.

Revisions of Annex F
- Revise Annex F to grandfather EFS Web

1．The purpose of the PFC is to make EFS Web compliant to Annex F. USPTO indicated that it is important for applicants to be able to file in a way which is compliant with Annex F, when PLT comes into effect and it hopes to adjust Annex F to USPTO e-filing system.

2．JPO mentioned to support filing based on XML format, as principle. Therefore, JPO's position is very negative to USPTO's proposal which allows PDF filing. JPO expressed its concerns that other countries might claim similar change following USPTO proposal, if PDF filing is accepted, which will interfere with the spread of XML filing.

3．EPO and JPO have concerns of a possible negative impact on interoperability for Office to Office communication, if Offices are required to accept PDF files. Both Offices proposed not to change the current provision on Office to Office communication.

4．WIPO indicated that PDF (coupled with TIFF) is also acceptable for PCT in the "office to office" sector by bi-lateral agreement where the IB performs conversion to TIFF, though broader discussion is necessary on forum owing to the difference

of each country's situation.

5． EPO commented that dissemination of patent document using PDF raises a number of complex issues, for example copyright embedded fonts and handling meta data whilst respecting the XML WIPO standards.

6． USPTO mentioned that PDF is basically compatible, and Offices will not be required to accept PDF, but can choose as an option. USPTO understands that acceptance of PDF gets behind in terms of interoperability, while pointed that users' hope to accept PDF filing, necessity of compliance to Annex F under PLT, utilization of PDF in PDX. USPTO invited other offices opinion, again.

7． EPO presented its concern that utilization of PDF should be examined carefully, and JPO also expressed its concern on Office to Office communication.

8． JPO inquired USPTO the long-term plan for XML filing and data exploitation, however, USPTO is not sure for long-term plan.

Offices confirmed that they continue to discuss this issue in broader discussion.

-Annex F Refactoring

1． USPTO presented its proposal for refactoring Annex F, with business rules separated from technical rules, for the purpose of responding new technologies flexibly.

2． WIPO mentioned that Annex F itself is about a PCT system specification, and, in the context of PLT, the variation of specifications for national offices may not have been sufficiently considered. This makes refactoring with a goal of enabling PLT compliance difficult. WIPO expressed its view that should Annex F refactored, the review should also include consideration of changes to the technical content.

3． EPO questioned the USPTO the merit of refactoring. USPTO explained the background - this proposal was from the discussion of PLT, Annex F cannot handle various specifications of domestic offices though users hope to file based on PDF format. PDF has been utilized as a urgent strategy, and refactoring to respond new technologies flexibly appeared as a long-term strategy.

4． JPO asked USPTO whether technical matters will be described as a part of Annex F or another document, and JPO expressed its concerns that binding might be weakened if technical matters are separated from Annex F.

5． USPTO does not intend to weaken the binding of Annex F, by refactoring it. USPTO invited comments from other offices how to revise the way to refact

Annex F, but no comment was presented.

Offices confirmed that Refactoring Annex F is also concerned with Business WG, and ITG will conclude this issue. If possible, TWSWG will submit document for ITG consideration according to TWSWG member's agreement during this meeting.

-Draft PFC for allowing SHA-2 family as hash algorithm
1. JPO presented that conventional SHA-1 algorithm is not secure enough, and proposed SHA-2 should be added as hash algorithm, for PCT e-filing purpose.
2. USPTO expressed its recognition that the deadline to update hash algorithm to SHA-2 is the end of 2010.

EPO will comment by the end of July, and USPTO will comment by the end of September to JPO proposal. JPO will submit PFC to WIPO around September, if EPO and USPTO respond that JPO proposal has no problem.

One Portal Dossier (JPO)
1. The Chairman proposed to discuss One Portal Dossier first, to conduct the meeting effectively, and it was accepted.
2. JPO introduced "One Portal Dossier". EPO and USPTO welcomed JPO's proposal.
3. USPTO and JPO reported that they suppose W3C OASYS protocol as the implementation measure.
4. Offices confirmed that ITG meeting in September will be a starting point of this project and JPO presented it is aiming for implementation in its optimized systems, though many items should be fixed as future schedule.

JPO will provide EPO with the document for presentation. (completed on July 15th)

WIPO Standard ST.25 and PCT AI Annex C
1. USPTO commented that it was not necessary to conduct further discussion about this circular since it was mainly concerned with a business process.
2. EPO agreed to the opinion of USPTO.
3. JPO commented that although this circular included revision of Annex F, the change was just a formality.

The Trilateral Patent Office shared recognition that the change of Annex F was not essential and each office would comment on the circular respectively by August 15th in consideration of business aspects, if needed.

ST.26
-Discussion about draft ST.26

1. EPO shortly explained the present revision proposal.
2. JPO agreed to this proposal, since its comments to secure conformity between ST26 and ST36 were accepted fundamentally. USPTO agreed to it as it was.
3. JPO commented that Annex F had to be changed so that either ST26 or ST25 could be selected by offices, since JPO would not change its format for sequence listings immediately.
4. EPO commented that the first priority was to agree to DTD of ST.26, and then changes of Annex F, ST.36, and ST.26 should be discussed.
5. USPTO and JPO shared the view of EPO.

Other topics
-PFC's

1. EPO commented that it would confirm current situation of <formula-text> and questioned the status of the <o> tag; WIPO confirmed later in the meeting that the <o> tag has been added to the ICE and is curretly used in a number of DTDs..

-Packaging Standard

1. EPO explained packaging standards adopted in the DOCDB exchange and communication with contractor its desire for it to become a WIPO standard.
2. USPTO stated that it was premature to propose this idea to SCIT, because the treatment of huge data was not decided.
3. EPO commented that although a perfect draft was ideal, in order to advance the discussion, it would like to propose to define a short main body at first and then define detailed things in Annexes. And USPTO agreed to the proposal.
4. WIPO, acknowledged the technical viability of the EPO proposal, and expressed its concern that an adoption of this proposal as a WIPO Standard could put significant burden on offices, using alternate packaging formats, to change their systems and as WIPO would prefer to comply to WIPO standards it could lead to a revision of Annex F.

5． EPO commented that if standardized, all countries did not have to adopt the standard immediately and it would be enough to change their system at the timing of the earliest system renovation.

6． JPO commented that since this proposal would be effective in the case of secondary use of data, such as official gazette, it did not seem necessary to change the standard of the electronic application of Annex F. EPO expressed its approval of the view that the standard was mainly for the secondary use.

JPO, USPTO and WIPO agreed to comment on the proposal until next SCIT/SDWG meeting.

-Correction of XML

1． EPO commented that it would check the comments to PFC which JPO submitted before and it would answer during next week.

-Media-less Exchange

1． EPO noted that Media-less exchange was mentioned during the preparations of this meeting, and drew the group's attention to the existence of the Trilateral Patent Information (PI) WG project. EPO commented that it had conducted patent information service by through medialess exchange since 2005.

2． WIPO commented that SOAP was currently popular and promising means for the implementation of information services and that it was currently working on SOAP based web-services for its patent information service. EPO agreed with the opinion of WIPO.

-ISR

1． JPO presented its plan to make ISR(s) in XML format according to Annex F.

2． EPO commented that it was currently revising the DTD of ISR(s). EPO also commented that the current conversion from image ISR(s) to XML one was being performed by using existing DTD, and that it created XML ISRs from a DB and will use them for the search and publication purposes.

3． In addition, EPO commented that it wanted to exchange ISR(s) in XML format between offices in the future.

4． JPO commented regarding markup of citation that automatic generation of URL might be easy as long as document numbers were provided properly. And it also commented that this issue needed to be discussed continuously in

conjunction with one portal dossier.

Revision of WIPO Standard ST.22

1 ． Offices confirmed that the final draft sent from task force leader to the member is satisfying. JPO is considering details of it, but the result will be added as ANNEX. JPO mentioned that it will have no impact to EPO and USPTO.

2 ． Offices confirmed that further discussion is unnecessary in this meeting and closed the discussion on this agenda.

ST.36 (review new ICE format, provisional ICEs and new PFRs)

➢ JPO proposed to discuss about ST.36 (review new ICE format, provisional ICEs and new PFRs), and XML4IP (review comments from RU and DE offices to TF leader) which XML4IP task force leader asked before this WG. Offices confirmed it and the proposal were accepted.

➢ Each Office will report XML4IP task force leader its view to new PFRs by itself. The report of this WG will be submitted to the task force leader by WIPO, if necessary.

Each Office's opinion to new PFRs

PFR ST.36/2008/	Subject	EPO	JPO	USPTO	WIPO	Notes
002	Add <second-last-name>	OK	Conditional Agreement	Conditional Agreement	-	1
004	Revision of cardinality of the "addressbook"	OK	OK	OK		
005	Revision and addition of some elements in ICEs	In Review	In Review*	In Review*	-	2
006	Revision to element package-data in ICEs, and addition of new elements to ICEs	OK	OK*	OK	*	3
007	Revision of attribute to e-mail	OK	In review	Disagree		4

	address					
008	Revision and addition of elements related to CAF	OK	OK	OK		

1．USPTO, WIPO and JPO express their concerns that addition of <second-last-name> might have impact on the definition of last-name element. Each Office confirmed that this PFR is not an issue only for Spain. EPO will present Spain its alternative proposal - <last-name> is left as an essential tag, and <first-last-name>, <second-last-name> are added in <last-name> which is acceptable by other offices. EPO will report Spain's response to this proposal. USPTO and JPO commented that proposal only by one country should not be nationalized.

2．Offices did not reach an agreement to this PFR. JPO will comment following the result of considerations by EPO. USPTO hopes that this issue will be added to the agenda in the next meeting.

3．Offices agreed this PFR basically. JPO presented that timing of implementation for this PFR is in review. WIPO commented that this is an option, and each office can decide when to implement.

4．WIPO presented its view that attribute "purpose" is seemed to be a typo, "e-mail purpose" correctly. USPTO concerns that this PFR includes something out of PCT rules.

[XML4IP (review comments from RU and DE offices to TF leader)]
This issue was not discussed, due to time constraints.

Future Plan
Finalize the report of TWSWG
1．JPO will send other offices draft Action List including review and wrapping up of final report of the TWSWG, and draft report about the discussion on the third day (July 16th), by July 18th.

2．The report of this WG will be finalized by the end of July.

Next meeting
1. Next meeting of TWSWG (Kick-off meeting of TDSA WG) will be considered to

be held during SCIT meeting in this November.

2. Trilateral Offices confirmed Interpreter presence is important in TDSA WG.

[Action List]

	Agenda	Action item
a	*Final Report of the Trilateral/WIPO Standards Working Group, with flourish*	➢ JPO and WIPO would review the final report jointly proposed by EPO and USPTO by July 21st. ➢ Final Report of TWSWG will be finalized after that.
b	*Draft mandate of TDSA (TDSWG)*	➢ EPO will revise the draft mandate of TDSA WG, based on the discussion in this WG, and circular it to the WG member for confirmation. ➢ After the check by the WG member, revised mandate of TDSA WG will be posted at Trilateral website by EPO, before Trilateral SWG and ITG in this September.
c	*-Comparative study on the definition of the OCR quality*	➢ Each Office will confirm its Business Solutions WG the point of Comparative Study on OCR quality, and inform other offices of it by the end of July. ➢ In response to this, TDSA WG will conduct Comparative Study and compile reports by the end of August.
d	*XML4IP*	➢ USPTO will comment to the proposal for "the country-specific extension method" of XML4IP by JPO, by the end of July. ➢ EPO and WIPO will also do their best to make a comment no later than the end of July.
e	*CAF Implementation*	➢ USPTO will give JPO the publication specification document for contractors – "Publication Bulletin". ➢ JPO will revise its proposal for English Presentation of Headings, taking EPO and USPTO's comments into account, and consider proposal for change to WIPO.
f	*Revisions of Annex F*	➢ EPO will comment by the end of July, and USPTO

	-Draft PFC for allowing SHA-2 family as hash algorithm	will comment by the end of September to JPO proposal for allowing SHA-2 family as hash algorithm. ➤ JPO will submit PFC to WIPO around September, if EPO and USPTO respond that JPO proposal has no problem.
g	*WIPO Standard ST.25 and PCT AI Annex C*	➤ Each office would comment on the Circular 2652 respectively by August 15th in consideration of business aspects, if needed.
h	-Packaging Standard	➤ JPO, USPTO and WIPO agreed to comment on the proposal on Packaging Standard by EPO until next SCIT/SDWG meeting.
i	-Correction of XML	➤ EPO would check the comments to PFC which JPO submitted before and it would answer during next week (by July 25th).
j	*ST.36 (review new ICE format, provisional ICEs and new PFRs)*	➤ Each Office will report XML4IP task force leader its view to new PFRs. ➤ EPO will present Spain its alternative proposal - <last-name> is left as an essential tag, and <first-last-name>, <second-last-name> are added in <last-name> which is acceptable by other offices. ➤ EPO will report Spain's response to this proposal.

Annex (will be included in future)
1. Final report of the Trilateral / WIPO Standards Working Group (TWSWG)
2. Revised draft mandate of Technology and Data Standards Area (TDSA) Working Group

Period