"Raising the Bar" – new measures entering into force on 1 April 2010

As reported in Patent Information News 2/2009, the "Raising the Bar" initiative at the EPO is not about raising the level of inventive step. Rather, it aims to communicate current best practice with respect to the assessment of inventive step at the EPO and to ensure a consistent and clear standard for the assessment of inventive step across all technical fields.

Improving quality
As Thomas Jefferson, the first US Commissioner of Patents, once wrote, "The exclusive right to invention [is] given not of natural right, but for the benefit of society." The flip side of the protection patents afford is the information inventors are obliged to provide in return; in other words, the invention has to be sufficiently disclosed in the patent application for a skilled person to be able to carry it out. This "patent information" is part of the benefit to society referred to by Jefferson.

The benefit to society of patent information depends on its quality. While patent offices can influence this by the thoroughness of their work in searching and examining patent applications, patent applications are published in the form in which they are filed, which means that applicants themselves
with the search opinion prior to entry into the examination phase. These comments will be part of the file and will be available to the public via Register Plus.

The examination phase will remain much as it is today, with the inclusion of a number of changes that aim to place more emphasis on ensuring that the subject-matter examined does not shift away from the subject-matter searched and that it converges, through an efficient process, to form a patentable scope of protection. Also, applicants are to identify any amendments made and the basis for them.

Summary of the EPC rule changes entering into force on 1 April 2010

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rules 62a (new) and 63</td>
<td>The applicant is invited, at the request of the examiner, to clarify the claims before the search is performed.</td>
</tr>
<tr>
<td>Rule 137 (new paragraph 5)</td>
<td>Amendments that introduce subject-matter not searched due to the application of Rules 62a and 63 EPC are not permitted.</td>
</tr>
<tr>
<td>Rules 70a (new) and 161</td>
<td>The applicant must provide a response to the search opinion issued by the EPO search examiner prior to entry into the examination phase.</td>
</tr>
<tr>
<td>Rule 137, paragraphs 2 &amp; 3</td>
<td>Only one opportunity for the applicant to file &quot;own volition&quot; amendments.</td>
</tr>
<tr>
<td>Rule 137, paragraph 4</td>
<td>The applicant must identify any amendments and indicate their basis in the original filing.</td>
</tr>
<tr>
<td>Rule 36</td>
<td>Sets time limits for divisional applications.</td>
</tr>
<tr>
<td>Rules 57a, 69 and 135</td>
<td>References to some of above new rules added.</td>
</tr>
<tr>
<td>Rule 64</td>
<td>Time limit for payment of additional search fee in cases of non-unity.</td>
</tr>
</tbody>
</table>

Information on the changes entering into force on the 1 April can be found on the EPO website at www.epo.org/patents/law/legal-texts/epc/changes-2010.html

New Guidelines for Examination

The EPO is already accepting orders for the new edition of the Guidelines for Examination, which will be available from 1 April 2010. To order your copy, go to www.epo.org/guidelines.

A draft version of the revised Guidelines is available on the EPO website.

The next issue of Patent Information News will include an article on the subject of divisional applications at the EPO, and what changes the new rules bring.
Co-operation with our member states has been a core element of the EPO’s patent information policy ever since it was first adopted back in 1988. In fact, it is fair to say that the successes we have achieved over the years would have been unthinkable without that co-operation.

In the early days, co-operation was essential in order to secure a reliable, regular and efficient exchange of patent data between the offices and its dissemination to the public. Thanks to the supportive line taken by our partners throughout the member states, we have also been able to set a benchmark with the European publication server and – most notably – with esp@cenet.

Being close to their users, the national offices in the member states and the network of over three hundred patent information centres across Europe play a key role in assisting industry to use the information contained in patents effectively for their business activities.

It is therefore my pleasure to inform readers that the EPO’s patent information team and the European co-operation team have been brought together into one unit, which I will head. The new unit also includes co-operation with “neighbouring states”, i.e. countries geographically close to member states and with whom we maintain very close ties.

The co-operation programmes between the EPO and the member states aim at improving the patent system’s contribution to Europe’s innovative capacity and economic development, promoting a Europe-wide transfer of knowledge, skills and expertise. Patent information is an essential part of these activities, with member states acting as “multipliers” throughout Europe, supporting industry with services and advice.

The new unit will enable us to tackle the challenges we face in both the patent information and European co-operation fields with added vigour, and I look forward to reporting to you regularly in these pages on the progress we make.


Quality in patent information
The main theme of the EPO Patent Information Conference 2009, held in Biarritz, France last November, was quality and who among the various players in the patent information landscape bears responsibility for assuring it.

“The quality of patents and the quality of patent information are inextricably linked”, said EPO President Alison Brimelow. Peter de Bellmonde of IPS Intellectual Property Services AB argued that disclosure is a fundamental feature of all patent systems and a matter of “ethics”. Taking a different view, Andreas Feichtner, a patent attorney with Reinhard Skuhra Weise & Partner GbR, said that, whilst it might be very virtuous to call for high ethics in the patent system, attorneys would be held liable if they did not act in their clients’ best interests.

Introducing post-grant renewal fees and why they’re important for patent information
The EPO receives 50% of the revenue from the annual renewal fees paid in the member states. These are collected by the Office’s “Post-grant renewal fees administration” department. This unit has come to play an important role in patent information because payment of the patent renewal fee in a particular country is a useful indicator that the patent is in force in that country.

The creation of a new profession?
The Confederacy of Patent Information User Groups (CEPIUG) and the Patent Documentation Group (PDG) have agreed on the main features of a professional qualification for patent information specialists.

End of the line for four ESPACE products
The EPO stopped production of the following ESPACE products at the end of 2009:
- ESPACE ACCESS
- ESPACE FIRST
- ESPACE ACCESS-EPC
- ESPACE WORLD

These products have been replaced by GPI – the Global Patent Index. See www.epo.org/gpi for more information.
Lost in translation? Get the right type of Korean patent translation for your needs

His Majesty the lid (50) This is maryeon. In addition, a number of buttons consisting konteourolbu (42), the snow Chidoemye, water valves inside the objection hucheuk device (Midori City) and the tax system has been put temporarily stored input device (60) with Everything. As soon as the commitment and the tax administration is done watering.

Royal lids? Input devices “with everything”? Who could guess from this not particularly successful machine translation, done by an online internet translation service, that the original Korean patent document is actually all about parts for washing machines?

Fortunately not every Korean patent translation consists of such gobbledygook. There are a number of ways in which you can get reasonable English versions of Korean full texts without getting "lost in translation". The first of these is KIPI's K2E-PAT service, and the second our new Korean-to-English human translation service.

K2E-PAT: machine translations to beat the language barrier

On-the-fly translations for documents from 1979 onwards

The K2E-PAT ("Korean to English Automatic Machine Translation") service was launched in January 2007 by the Korea Institute of Patent Information (KIPI) on behalf of the Korean Patent Office (KIPO). It offers translations of patent documents, utility models and Korean PCT publications.

K2E-PAT can provide translations of the following:

```markdown
<table>
<thead>
<tr>
<th>Type</th>
<th>Coverage</th>
<th>Start Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patents</td>
<td>Unexamined patent publications (A)</td>
<td>from 1983 onwards</td>
</tr>
<tr>
<td></td>
<td>Examined patent publications (B1)</td>
<td>from 1979 onwards</td>
</tr>
<tr>
<td></td>
<td>International applications (PCT) (A)</td>
<td>from 1985 onwards</td>
</tr>
<tr>
<td>Utility models</td>
<td>Unexamined utility model publications (U)</td>
<td>from 1998 onwards</td>
</tr>
<tr>
<td></td>
<td>Registered utility models (Y1)</td>
<td>from 1979 onwards</td>
</tr>
<tr>
<td></td>
<td>International applications (PCT) (U)</td>
<td>from 1986 onwards</td>
</tr>
</tbody>
</table>
```

Unfortunately it cannot provide translations of published corrected patent documents.

While there is something of a time delay in the publication of Korean patent abstracts (KPA) and other abstracts in English (in the case of KPA this is normally three months because the translations are done manually), K2E-PAT translations are available on the day of publication of a new document in KIPRIS (the Korea Intellectual Property Information Service, operated by KIPI on behalf of KIPO).

Accessing machine translations in KIPRIS

Access to the K2E-PAT service is by way of the KIPRIS search system. There are three ways you can request your translation:

- via the "Patent Search" database – click on the "K2E" icon in the hitlist or once you have selected the document you want;
- via the KPA (Korean Patent Abstracts) database – click on the "English Fulltext" icon in the hitlist or after selecting the document you want;
- via the separate K2E-PAT interface.

The K2E-PAT interface has the same search fields as the "Patent Search" database, but with one significant advantage: the hitlist itself already contains important information about the patent in English. All documents have a translation of their title as well as of the Korean names of the inventor, applicant and professional representative.

Download documents

While searches via the K2E-PAT interface are free and can provide a certain amount of information about the title and names, full translations are only available for a fee. You can choose between:

- calling up a document via the KIPRIS website, and
- ordering documents from commercial providers or via the EPO

The EPO can normally furnish a translation within two working days of receipt of your request. More information about the service can be found on our website at www.epo.org/patents/patent-information/east-asian/translation/K2E-PAT.html.

The downloaded document contains the following information:

- bibliographic data
- abstract
- description
- all drawings (not just the representative drawing, as with KPA)
- legal status information

A further advantage of K2E-PAT is that the English translation and the Korean original can be displayed in parallel (virtually line for line). This allows you to locate passages of particular importance in the Korean text itself and to have them translated manually.
Chinese documentation is a very important source of prior art for EPO examiners. Chinese companies are particularly active patent applicants in certain fields, such as telecommunications, and there has been rapid growth in the prior art documentation in Chinese in those fields. Chinese non-patent literature is increasing in volume at an even faster rate than patent literature and poses a special challenge for patent offices due to difficulties, for example in the area of traditional medicine, in knowing of its existence.

In the past, when faced with Asian documentation, EPO examiners would assess the relevance of a document on the basis of the abstract (if available) or drawings, or by consulting colleagues with some knowledge in Chinese. If they thought a document might be relevant, they could request a manual translation, which could be cited in the search report and used in substantive examination.

Today, EPO examiners have access via the Office’s internal databases to significant amounts of Chinese documentation, with new sources being added regularly. Sometimes only the English abstract and drawings are available, sometimes the full text (abstract, description, claims and drawings) in English. They also have access to translations of Chinese patent documents via the SIPO and C-PAT websites.

Examiners can also use a human-assisted machine translation service where necessary. Before requesting a translation, they are expected to assess the English abstract, drawings and any machine translation available on the SIPO or C-PAT websites and decide whether a translation is actually important for their search or examination. Once ordered, translations – available for patent documents and utility models – can normally be supplied within 72 hours by one of three specialised companies in China. Any translations prepared in this way are automatically added to the EPO’s databases for future searches.

The following points must be borne in mind:

– Machine translations and human-assisted machine translations do not have any legal value and are not cited by examiners in the search report. Only the original Chinese documents are cited in the search report, while the translations can be annexed to the search opinion and referred to in the examination report only.

– Translations available from national offices, for example on their websites, and published as separate publications (with a separate publication code) have legal value.

– Manual translations have legal value.

CHINA

How do EPO examiners work with Chinese documentation?

Figure 2: Extract from a K2E-Pat translation, showing the Korean original and the English translation side by side.

The EPO’s translation service: the human option

Machine translations such as those provided by K2E-PAT can be useful indicators of what a patent is about. However, they seldom have the same quality as a professional “human” translation. And there are plenty of situations in which a precise and accurate translation of the Korean content is essential, for example in order to carry out a precise analysis of the claims. With this in mind, we will be offering human translations of Korean patent documents starting this spring.

Interested? If you would like to find out more about our new translation service or about the K2E-PAT machine translation service, all you have to do is contact the Asian patent information team, by phone or e-mail. You can reach us on Tel. +43 52126 4545 e-mail: asiainfo@epo.org. or online at www.epo.org/patents/patent-information/east-asian.html.

Useful links

K2E-PAT Interface in KIPRIS: http://k2epat.kipris.or.kr/k2epat/searchLogin.do?next=ItemSearch
News from Asia

PCT national phase entry information for Malaysia has now been added to WIPO’s Patentscope search service. The PCT national phase entry information on Patentscope now covers 42 countries, including information recently added from the African Regional Intellectual Property Organization (ARIPO), Belarus, Hungary and the Eurasian Patent Organization (EAPPO).

WIPO’s Patentscope is located at: www.wipo.int/pctdb/en/search-adv.jsp


Amended Implementing Regulations and Examination Guidelines entered into force in China on 1 February 2010. Implementing Regulations and Examination Guidelines, revised in line with the new Chinese Patent Law which entered into force on 1 October 2009, have now been approved and published.

The Implementing Regulations deal in more detail with specific aspects of the Patent Law, including SIPO’s new “confidentiality” or “secrecy” examination, which has to be requested by applicants for inventions made in China before they can file abroad. If the applicant receives no notification of a secrecy examination within four months of filing the request, he may file abroad. Where required, the secrecy examination will be completed within two months.

The regulations also include details of filing requirements, especially for designs, which from now on are required to include a brief explanation of the design. Furthermore, for patents, applicants will no longer have to pay maintenance fees prior to the grant date.

The revised Examination Guidelines modify some of the standards for the filing and examination of patents in light of the changes to the Patent Law and its Implementing Regulations.

The Implementing Regulations and Examination Guidelines are on the SIPO website (currently in Chinese only):


The Korean Design Act has been revised. Revised Korean Design Act regulations entered into force on 1 January 2010. They apply to all design applications filed on or after that date.

Some of the main changes include amendments to the classification system, the acceptance of three-dimensional image drawings and an increase in the number of categories of articles eligible for unexamined design applications.

Source: Ministry of Government Legislation (in Korean only): www.law.go.kr/LSW/lsSc.do?menuid=0&ptn=1&query=%EB%94%94%EC%9E%90%EC%9D%88&x=0&y=0

Amendments to TIPO’s accelerated examination procedure have entered into force. The Taiwan Patent Office (TIPO) has its own set of procedures, based on the Patent Prosecution Highway (PPH) system, to accelerate the speed of patent examination. Although Taiwan is currently not part of any PPH agreements with other patent offices, applicants can submit documents relating to applications recently published or soon to be published in other countries to TIPO in order to help speed up the examination procedure. Following a one-year trial period, TIPO has now introduced a number of amendments to its accelerated procedure. These amendments entered into force on 1 January 2010.

For more information about the amendments to the accelerated examination procedure, see TIPO’s English website: www.tipo.gov.tw/ch/News_NewsContent.aspx?NewsID=4269

Online filing is gaining popularity in China? According to the latest statistics, SIPO received 64,809 applications via its e-filing system in 2009, accounting for 7% of the total number of applications for patents, utility models and designs. This is three times the number filed online in 2008.

SIPO’s e-filing system was introduced in 2004. Since then, the user-friendliness of the system has been improved, making e-filing easier for applicants.

More information can be found here: www.chinaipr.gov.cn/policy/statistics/600203.shtml

The Indian Patent Office has published an information booklet on industrial designs? The booklet provides general information on the registration of designs, and highlights amendments to the industrial design regulations which entered into force in India in June 2008.

The document can be downloaded as a PDF from the IPIndia website at http://ipindia.nic.in/ipr/design/Design_RegistrationBooklet/RegistrationBooklet_05February2010.pdf

TIPO’s English database now uses a standardised system for the Westernisation of Chinese names? Starting with patent applications published after 16 July 2009 and utility models registered after 11 June 2009, the names of applicants and inventors are shown in TIPO’s English database using the standardised Hanyu Pinyin format, which is also the standard in mainland China. This will make it easier to identify the English names of Chinese applicants throughout all Chinese-speaking areas.

TIPO’s English TWPAT database is available at http://twpat.tipo.gov.tw/tiptwoc/tiptwemk

For more news from Asia, go to http://eastmeetswest.european-patent-office.org/news
**DATA FORMATS**

**PDF/A is coming: new PDF archive format starting April 2010**

The European Patent Office currently publishes patent documents in PDF format. Starting in calendar week 14 (publication date 7 April 2010), it will publish them in the ISO standard PDF/A format. As the esp@cenet service does not contain any PDF documents (they are dynamically generated from facsimile documents), the new format will not change anything, and users will not notice any difference.

Users of the Publication Server and subscribers to ESPACE EP discs and raw data services will be able to see some changes to the PDF format, but only if they look closely!

**Advantages of PDF/A**

The PDF/A format has been designed to ensure that digital documents can be unambiguously reproduced long into the future. Moreover, it allows the storage of metadata which provide information about the content of the PDF/A document. Metadata are very useful for search engines that provide this type of information – for example the publication number, applicant, International Patent Classification, and so on – for searches. The European Patent Office has collaborated with the member states to develop a PDF/A profile which sets out in detail where the various metadata are to be found in the document.

For more information go to www.epo.org/patents/patent-information/european-patent-documents/announcements.html or www.pdfa.org

**FORUM FOR USERS**

"East meets West"

Networking opportunities for users of Asian patent information
22–23 April 2010, Vienna, Austria

This year’s forum on patent information from Asia will take a close look at progress in Asian patent data collections and at the roles that patent offices, commercial providers and the patent information user community play in making these collections widely available. The forum will also spotlight the latest developments in Indian patent information and introduce participants to the patent system in Malaysia. Topics of discussion will include the Common Hybrid Classification project, Asian legal status, cross-language searches, traditional knowledge and the new Chinese Patent Law. In the run-up to East meets West, participants are invited to attend the IPR2 stakeholder briefing session on EU-China co-operation in IP protection.

More information on East meets West is available at www.epo.org/about-us/events/emw2010.html

Details of the IPR2 project and stakeholder briefing can be found at www.ipr2.org/stakeholder.

**NEW SOFTWARE**

**IPscore – patent portfolio analysis**

IPscore is the EPO’s popular free software for patent portfolio analysis. A new version of IPscore is now available on the EPO website for users to download.

The new version includes the following improvements:

– Users can adapt questions put by the system as part of the analysis process (wording, scoring and chance/risk evaluation).
– Users can adjust the number of questions.
– Customisation is now possible (e.g. for particular purposes or types of user – industry, service provider, technology transfer office, etc). User groups can then discuss and test these customisations using a new import/export function.

– Data (= patents that have been evaluated) can be imported and exported for easy data exchange and for upload into future IPscore versions.
– A run-time version of IPscore is available, making it possible to use IPscore without MS Access (with some limitations).
– The evaluations of other patents can be grouped into one radar chart in order to make it easier to compare them and to improve the quality of the evaluation process.

The IPscore page on the EPO website includes:

– a link to the download area for the IPscore software
– an online presentation on the valuation of patents (www.epo.org/patents/learning/e-learning/business-commerce/ipscore.html)
– information on IPscore training

For more information, see www.epo.org/ipscore
How users helped shape GPI

The EPO’s new Global Patent Index (GPI) service has been in full regular production since January 2010. Users of existing products played a key role in GPI’s development, from the first prototype to the production version.

Three stages of prototyping and testing
Stage 1 – In the first stage, a small group of hand-selected users were invited to test the prototype version of the GPI database. Testers had to go to considerable effort configuring their software and access to the database manually. During this phase there were also fairly frequent changes, such as adding and removing search fields.

Stage 2 – Next, a wider group of volunteers – mainly users of ESPACE products – joined the prototyping efforts. By then, the changes to the service were much less frequent, the software could be automatically installed and documentation was available. However, there were still no regular updates to the database.

Stage 3 – Finally, a fully public, widely publicised test was launched, based on a simulation of a regular production environment. Several hundred enthusiastic users participated.

Feedback
Regular contact between the EPO development team and the testers ensured a steady flow of feedback and the immediate implementation of various suggestions. A full report on the results of an online survey that was carried out is available at www.epo.org/gpi under “Technical details”.

What users like:
– the comprehensive data coverage
– the powerful searching possibilities
– the customisable display and output

– “This product enables user-friendly, no-nonsense searching with capabilities outreaching most current in-house and commercially available systems. In my opinion this will help raise quality throughout the search community.”
– “It is a very simple yet powerful tool for a researcher.”
– “This product has the potential to become an industry standard.”

What users did not like:
– the slow display speed of the drawings
– the slow display speed of other external data such as legal status

– “Make it go at least twice as fast.”
– “Work on a better solution for drawings.”
– “If full text was supported it would be the best database around.”

Next steps
The overall feedback is now being analysed for technical and financial feasibility. The EPO is also currently studying solutions for accessing external data in a faster manner.

Patent analysis on a big scale

The Corporation Invention Board has recently launched a new website aimed at allowing users to monitor the nature and extent of technological globalisation.

Using the EPO’s Patent Statistical Database (PATSTAT), the Corporate Invention Board website makes it possible to track and analyse how global patent portfolios within industrial areas change over time. It also identifies the geographic origin of inventions protected by patents.

The website includes a rankings page showing who the world leaders are in terms of patent filings, broken down by industry, technology and geographical region.

The visualisation page, based on treemap diagrams, allows users to match their interests with various search criteria, which they can select and mix. R&D managers, for example, can visualise the performances of their own group and those of their competitors, while public policy makers can analyse the territories for which they are responsible.

The Corporate Invention Board is a French-based project forming part of a consortium between IFRIS (Institut Francilien Recherche, Innovation et Société) and the ESIEE Management business school for technology. Its website is at www.corporateinventionboard.eu.

Corporate Invention Board treemap: European corporate priority applications according to headquarter location
Source: Corporate Invention Board

Coming soon
The browser interface to access the GPI service is in the early stages of external testing. Phase 2 will start in April/May.

Watch the EPO website for invitations to join the test group and have your say.

A big thank you!

The EPO thanks everyone who participated in the prototyping and testing. Your contributions have helped to shape the GPI service. We will continue to ask for your comments and suggestions as we improve this new service.

GPI replaces ESPACE ACCESS, ESPACE FIRST, ESPACE EPC and ESPACE WORLD.

For more information about Global Patent Index, see www.epo.org/gpi.
New IPC version 2010.01

The latest version of the International Patent Classification (IPC-2010.01) entered into force on 1 January 2010.

The changes introduced by IPC-2010.01 can be found on WIPO’s IPC website at www.wipo.int/classifications/ipc/ipc8/?lang=en under the “Compilation” tab (see Figure 1).

To indicate the nature of the changes concerned, WIPO has applied the following tags:

- N for a new entry
- D for a deleted entry
- C for a changed entry, with an impact on its scope, i.e. involving a reclassification
- M for a “maintenance”-type change (see below)
- U for an unchanged entry

It has also indicated which of the following IPC projects led to each change:

Revision projects (“C” projects)
These projects include changes impacting the scope of the entries, and therefore involving reclassification. A number of (sub)-classes are involved, and the list is also available in the RCL (revision concordance list) tab on the above-mentioned IPC page (see Figure 2).

Residual main groups (“99/00”)
One feature of the reformed IPC is the provision of a (standard) residual main group in all sub-classes where the existing main groups do not exhaust the scope of the sub-class title. These residual main groups usually have a classification symbol ending with “99/00”. IPC-2010.01 sees the introduction of some additional residual groups.

Maintenance projects (“M” projects)
As a result of the general IPC maintenance project co-ordinated by WIPO, the wording of several groups has been amended to make it easier to understand. These changes have no impact on the scope of the groups concerned or on other groups, and so do not involve any need for reclassification.

Removal of informative references
A number of “M” changes also stem from the project to remove informative references from the IPC scheme. One feature of the reformed IPC is the availability of Definitions (the “D layer”) as a parallel development to the IPC scheme, supporting the scheme as such with, among other things, lists of references of interest for search. It was therefore decided that the scheme should only contain “limiting references”, i.e. references that have a direct impact on the scope of the group concerned. As a consequence, it is intended to move all “informative references”, i.e. those of interest for search purposes only, progressively from the IPC scheme into the D layer.

Use of new IPC version for patent publications
All intellectual property offices are obliged to publish their patent documents in accordance with the IPC version in force at the time of publication. As of 1 January 2010, the Master Classification Database (MCD), managed by the EPO, only accepts IPC symbols which are valid in the 2010.01 version.

Next version
In accordance with an agreement between the intellectual property offices represented on the IPC Committee of Experts, the next version of the IPC will not be published before 1 January 2011. There will thus be no more changes to the IPC in 2010. As announced in Patent Information News 2/2009, WIPO is expected to abolish the current distinction between “core” and “advanced” level in the IPC with effect from 2011.

Effect on ECLA classification
It is the EPO’s aim that the ECLA classification symbols should follow the IPC as closely as possible. The ECLA scheme will therefore gradually be adapted over the coming months to reflect the changes introduced in the 2010.01 version of the IPC.
Simulating technology progress using patent data

“Patents, due to their nature, represent technological evolution and include speculation about how that particular technology might be developed and used in the future,” say Ervin Dubarić and Dimitris Giannoccaro of the Swedish Patent Office, who have been studying various methods and models for predicting and planning the future of technologies, and who are the authors of this article.

Some technology prediction methods are based on a life cycle approach, under which technology is expected to follow an S-curve (see Figure 1).

One method, which is known to provide different important economic indicators, is the analysis of patents. The aim of our study is to apply the life cycle approach, using patent applications to study technological development in different technologies, such as wind-power technology, heating using microwaves (i.e. microwave ovens) and nanotechnology. A review of patent applications using the EPO’s ECLA classification scheme has given us an insight into technological development for different technologies. For example, we have been able to show that wind-power technology has penetrated the market and that the maturity stage lies sometime in the future (see Figure 2).

Our work has also highlighted the technological trends within three different sub-segments of wind-power technology: rotor form, regulation and pitch adjusting. Based on our trend analysis, we can conclude that most R&D efforts are made within regulation technology in comparison with the other two segments (see Figure 3).

The most common technology forecasting model is the "logistic growth curve". Figure 4 shows the simulated logistic growth of wind-power technology. The dots are the actual number of accumulated patent applications and the line shows the simulated S-curve.

Our study has also shown the importance of patent information and how it can be used as a tool for business intelligence and technology forecasting. However, strategic R&D investment decisions should not be based solely on technological considerations such as patent data, but should also take market demands into account.

Ervin Dubarić and Dimitris Giannoccaro can be contacted by writing to ervin.dubaric@prv.se and dimitris.giannoccaro@prv.se
**PATENTS AND THE ECONOMY**

**High-level meetings in Japan discuss PATSTAT**

One of the newer EPO offerings is PATSTAT, the EPO Worldwide Patent Statistical database, used all over the world by researchers, economists and advisers working in the field of innovation policy.

PATSTAT was on the agenda at a series of meetings in Tokyo this January, commencing with a research committee meeting at the Japanese Patent Office attended by leading patent academics in Japan, with observers from the JPO and the Ministry of Economy, Trade and Industry.

Focussing on research on applicants’ filing behaviour for sustainable economic growth in Japan, the meeting featured three presentations:

– Seeking patents in high-tech sectors: an international comparison in four sectors
– An empirical study on patenting behaviour in Japanese firms: conversion from quantity to quality
– Software patents and their impact on software innovation in Japan

Two international experts – Dominique Guellec from the OECD in Paris and James Rollinson from the EPO – were invited to give their comments on the subjects covered by the presentations. James took the opportunity to explain how PATSTAT could be used as a source of data to add an international perspective to research.

At another meeting, hosted by the Research Institute of Economy, Trade and Industry, Dominique Guellec gave a talk on the European innovation system and the reform of the patent system to an audience that included former commissioners of the JPO, leading patent lawyers and academics, and a Fair Trade Commissioner from the Japanese government. Describing ongoing discussions in Europe on sustainability and fee reform, James Rollinson said that the EPO would be looking for hard evidence as support for devising, implementing and reviewing policy. He saw the PATSTAT database as one possible source of such evidence.

Finally, the Institute of Intellectual Property (IIP) – a research institute founded in 1989 – hosted a workshop on PATSTAT. Of particular interest was a report by Professor Suzuki of the Japanese National Graduate Institute of Policy Studies on a method he has developed to link PATSTAT and the IIP’s own highly respected patent statistics database.

The EPO will post details on the PATSTAT web forum at http://forums.epo.org/patstat/.

**TRAINING**

**Virtual event calendar for first half of 2010**

Interested in joining the EPO for a live online session?

The monthly online patent information newsflash, a half-hour update session, takes place every last Thursday of the month (except August and December).

There are also a number of virtual training seminars scheduled between now and the summer break.

For details and to register go to the searchable IP calendar (www.epo.org/topics/ip-events/patent-event-search.html) and filter virtual online events by selecting “Online training” in the medium field.

**OTHER NEWS**

**World Patent Information**

The latest issue (Volume 32, Issue 1, 2010) of this international peer-reviewed journal has recently been published, in electronic and printed form, with articles on the following topics:

– Properties of the USPTO Patent Citation Network: 1963 to 2002
– The text, the full text and nothing but the text: Part 1 – standards for creating textual information in patent documents and general search implications
– Review of the state of the art in patent information and forthcoming evolutions in intelligent patent informatics
– Mirror, mirror on the wall, squishy and soggy, 2 nanos tall: strategies, methods and tools for searching homogeneous catalysts – an EPO perspective (Part 1 – Introduction and patents)
– Technology and industrialisation at the take-off of the Spanish economy: new evidence based on patents

The editor, Mike Blackman, is always pleased to receive articles to be considered for publication in the journal. He can be contacted at mblackmanwpi@tiscali.co.uk.

The latest articles can be found in the ‘Articles in Press’ section of the journal’s website.

More information about the journal, including contents lists and abstracts, is available at www.elsevier.com/locate/worpatin.
EPO Patent Information Conference 2010 in Switzerland

The EPO Patent Information Conference 2010 will be held at the Beaulieu conference centre (www.beaulieu.org) in Lausanne, Switzerland from 19 to 21 October. To stay up to date with preparations for the conference, simply register your e-mail address at www.epo.org/pi-conference.

Webcast from Search Matters 2010

The EPO's annual showcase of patent searching excellence is to be broadcast via webcast from The Hague on 12 and 13 April. The Search Matters webcasts can be watched live, or viewed on demand at any time for up to a month after the seminar. A total of eleven lectures and four workshops will be available. To subscribe to the webcast, costing EUR 150, go to the registration page at http://application.epo.org/ipcal/i_event.php?id=5116

"EPO data in depth" – newsletter supplement now available

This issue of Patent Information News is published together with "EPO data in depth", a regular supplement containing details of the latest developments in the EPO’s databases along with background information on how the data is generated.


Conference on patent statistics for decision-makers

This conference, organised in cooperation with leading patent statistics experts from OECD, Dime, EPiP, Eurostat, JPO, NSF, USPTO, WIPO and the EPO, will take place in Vienna on 17 and 18 November 2010. A call for papers has been issued. For more information, see www.epo.org/about-us/events/patstat.html