Patent Information News

Full-text or classification search: which is better?

Patent Information News 1/2016 reported on the introduction of full-text searching in Espacenet. But bearing in mind the high-level efforts made to assign Cooperative Patent Classification (CPC) symbols to as many patents as possible, do we actually need full-text searching at all? This article explains how, depending on the circumstances, a full-text search can produce better results than a classification search.

Advantages of full-text searching
Patent classification schemes make the process of discovering the technical content of patent documents more efficient. Over the years, they have become an essential tool for patent searchers.

Despite the success of such schemes, searching with keywords in text data can still be very useful. There are a number of reasons for this:

- Patent classes are not always available for all the technical features of an invention, or their definition is too broad for more specific queries.
- Even though most patent documents worldwide have been allocated a patent classification, coverage may not be sufficient for a patent search, for example because a particular classification is not available for patent documents from a particular country.
- Patent classes do not always cover the entire technical content of a document, just those aspects relevant to the invention.
- Searches focussing on particular parts of patent applications and granted patents, for example patent claims and embodiments in infringement searches, using patent classes alone are only possible to a limited extent.

See article on pages 8 and 9
Full-text searching in Espacenet

The following example illustrates the advantages of full-text searching in Espacenet.

In 2004, European patent application EP1498948 claimed an assembly with the following components:

– a substrate/base plate
– a circuit device mechanically and electrically connected to the substrate
– projections on the circuit device and substrate which are sized and shaped in such a way that they can be interdigitated relative to one another

Such assemblies were already well known at the time, which is why a number of novelty-destroying documents from the field of electronics were cited against the claimed invention.

An early example of such an assembly can be found, however, in a field which at first glance would appear to be of no interest. GB1139315 discloses an arrangement of building blocks on a substrate, in which the parts can be mechanically and electrically connected by way of a typical engagement. This document is classified in IPC classes A63H33/04 (Other toys: building blocks, strips or similar building parts) and G09B23/18 (Models for scientific, medical or mathematical purposes, e.g. full-sized devices for demonstration purposes; for physics; for electricity or magnetism).

If you used the IPC classes relevant for the circuit device assembly, which are in H01L, you would not find this GB document. And you might not consider using the IPC classes allocated to the GB document in your search for the circuit device assembly.

But a full-text search for early documents, e.g. from before 1970, would find the GB patent.

Espacenet offers Advanced search and Smart search options.

Full-text searches using the advanced search function

To search in Advanced search you must first select the worldwide collection in the language of your choice. The following collections are available for full-text searches (description and claims):

– Worldwide EN – collection of published applications in English
– Worldwide FR – collection des demandes publiées en français
– Worldwide DE – Sammlung veröffentlichter Anmeldungen auf Deutsch

Then enter your keywords in Keyword(s) in title, abstract and full text.

Espacenet looks for your keywords in the Title, Abstract, Claims and Description fields.

Full-text searches using the smart search function

In Smart search you must enter one or more keywords and click Search before you can select the database you want. Then enter your keywords in the smart search field and use the field identifier ftxt to search full text in the description and claims.

You can also use the field identifiers claims and desc (see table).

New commands for full-text searching in Smart search Maske on Espacenet

<table>
<thead>
<tr>
<th>Command</th>
<th>Meaning</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>ftxt =</td>
<td>Finds search terms in the full text of the document</td>
<td>ftxt = tetracyclin</td>
</tr>
<tr>
<td>desc =</td>
<td>Finds search terms in the description</td>
<td>desc = laser</td>
</tr>
<tr>
<td>claims =</td>
<td>Finds search terms in the claims</td>
<td>claims = volcanic</td>
</tr>
</tbody>
</table>

For more information and examples see Patent Information News 1/2016 and the release notes².

25 years of Europe's leading patent information event

In September 1991, the European Patent Office held its first patent information conference. Staged in Munich, it attracted all the leading names of the time in the field. 25 years on, the conference still takes place every autumn, and it is still the largest event of its kind in Europe.

The EPO Patent Information Conference draws participants from every area of activity within patent information. The list of delegates includes users from industry, information brokers, patent information consultants, patent attorneys, providers of search tools, database producers and representatives of many different patent offices. It is a networking experience par excellence, where you are guaranteed to meet the right people to discuss your patent information needs.

And yet the conference is more than just a meeting place and event. It is a key moment in the calendar every year. It is the axis around which new developments rotate. People plan their deadlines for the launch of new products around the conference. Others prepare and announce decisions depending on what they want to say, or what they want to hear, at the event.

On top of all this, the EPO Patent Information Conference has come to serve as a symbol for the EPO's openness and transparency. Our Office remains the world's leading provider of patent information. It is unique among patent offices in terms of the products and services it offers. And it is unique too in its determination to foster dialogue with users in a multitude of ways, including the EPO Patent Information Conference.

In 2016, the EPO Patent Information Conference will be held in Madrid from 8 to 10 November. See you there!

"It's all about searching better ..."

"What I notice about the conference programme this year," says EPO director Heiko Wongel, "is that it is all about searching better. Compared with some events in the past, it is less focussed on understanding the data and on how to use the tools, and more on delivering the right result in an efficient way."

A quick glance at the programme for this year’s EPO Patent Information Conference certainly seems to bear this out. The event will feature topics such as the challenge of monitoring new patent publications as their numbers continue to increase. One direct consequence of these developments has been the rise in recent years of full-text searching. A whole conference session is devoted to full-text and the possibilities it opens for semantic search and deeper analysis.

Increasing numbers of documents and increasing data quantities have – fortunately – been mitigated by increased processing power and speed. One direct consequence of these developments has been the rise in recent years of full-text searching. A whole conference session is devoted to full-text and the possibilities it opens for semantic search and deeper analysis.

Legal status searching, especially in the context of freedom-to-operate studies, has been a subject that has drawn delegates’ interest in the past. It is no surprise, therefore, to see a strong accent on the issue again this year, both in the main programme and in the discussion rounds that take place on the first morning of the event.

The organisers of the EPO Patent Information Conference have clearly targeted their programme at professionals working in the patent information field. Patent searching may be a small profession, but it makes an essential contribution to innovation and to decision-making in industry and beyond. As an organisation whose own work is based on quality of service, the EPO is interested in supporting a strong and healthy body of patent information professionals in Europe and in ensuring that they continue, in the words of Heiko Wongel, to "search better". The conference is evidence of that stance.
**LEGAL STATUS DATA**

**News from the INPADOC worldwide legal status database**

**Brazil – request for entry into the national phase**
The EPO receives both bibliographical and legal status data from INPI Brazil. Updated on a weekly basis, the legal status data, including information on PCT entry into the national phase, is retrieved direct from the Revista de Propriedade Industrial (RPI). The RPI also mentions the request for entry into the national phase, which takes place earlier, sometimes years before the actual entry. This information is now in the database, with the legal status code BR B01A.

The backlog from 2012 until today has been loaded in order to cover applications that do not yet have a national entry.

**BR B01A Code description**

**English:**
PCT PUBLICATION - REQUEST FOR ENTRY INTO THE NATIONAL PHASE

**Original:**
COMUNICACAO DA PUBLICACAO INTERNACIONAL PCT. APRESENTACAO DE PETICAO DE REQUERIMENTO DE ENTRADA NA FASE NACIONAL

**Legal status data from Greece**

INPADOC now includes Greek legal status events. So far, more than 100 000 events have been added to the database. The EPO receives legal status data about EP validations in Greece, granted patents, expiries, revocations and lapses.

**Codes (in case interesting)**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>GR EP</td>
<td>EP PATENT VALIDATED IN GREECE</td>
</tr>
<tr>
<td>GR MA</td>
<td>RIGHT EXPIRED</td>
</tr>
<tr>
<td>GR MF</td>
<td>RIGHT REVOKED (REVOCATION)</td>
</tr>
<tr>
<td>GR MFE</td>
<td>GR-EP PATENT REVOCATION FOLLOWING OPPOSITION</td>
</tr>
<tr>
<td>GR MH</td>
<td>RENUNCIATION</td>
</tr>
<tr>
<td>GR ML</td>
<td>LAPSE DUE TO NON-PAYMENT OF FEES</td>
</tr>
<tr>
<td>GR MP</td>
<td>PATENT MODIFICATION CONVERTED TO MAIN PATENT</td>
</tr>
<tr>
<td>GR NF</td>
<td>RESTORATION OF LAPPED RIGHT</td>
</tr>
<tr>
<td>GR PG</td>
<td>PATENT GRANTED</td>
</tr>
<tr>
<td>GR PP</td>
<td>EP - PROVISIONAL PROTECTION</td>
</tr>
<tr>
<td>GR UG</td>
<td>UTILITY MODEL GRANTED</td>
</tr>
</tbody>
</table>

**United States – patent term extensions**

In 1984, the United States adopted the Hatch-Waxman Act, which laid the basis for patent term extensions (PTEs) for medicinal products in the US. A patent term extension can be requested for a product or an active ingredient covered by patent protection. The calculation of the extension takes into account the duration of the regulatory review period. The letters with the application request, from the USPTO to the FDA and back, are available in Global Dossier.

After an interruption, the EPO is now regularly receiving data on US PTEs. It has introduced three new legal status codes to indicate the application, grant or rejection. INPADOC also provides the product name, the expiry date of the patent and - where possible - information on the extension date or interim extensions. The latter require manual intervention from the Patent Data Services team.

**Codes**

<table>
<thead>
<tr>
<th>US</th>
<th>PTEF</th>
<th>APPLICATION FOR A PATENT TERM EXTENSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>US</td>
<td>PTEG</td>
<td>GRANT OF A PATENT TERM EXTENSION</td>
</tr>
<tr>
<td>US</td>
<td>PTER</td>
<td>REJECTION OF A REQUEST FOR PATENT TERM EXTENSION (FOR EG. INELIGIBLE, DISMISSAL, WITHDRAWAL, ETC)</td>
</tr>
</tbody>
</table>

**INPADOC legal status: US2006024290 (A1) — 2006-02-02**

The EPO does not accept any responsibility for the accuracy of data and information originating from other authorities than the EPO, in particular, the EPO does not guarantee that they are complete, up-to-date or fit for specific purposes.

At the time of writing, 41 patent term extensions have so far been granted in 2016. The screenshot shows one example in Espacenet.

**Re-examinations, patent trials and appeal board certificates**

INPADOC now includes two new codes related to decisions of the Patent Trial and Appeal Board in the US. Post-grant review and inter partes review are opposition proceedings after the grant of the patent. Both procedures took effect in September 2012.
For decades, subscribers have received their INPADOC legal status data from the EPO in an SGML-based format. With many data providers already supplying legal status data in state-of-the-art XML formats, the time had come for the EPO to follow suit.

INPADOC is a “raw data” product that provides legal status data extracted from the EPO’s master database to a host of external users. Users get the data from the EPO in exactly the same format as it is stored in. In other words, it is “raw” and not ready to be consumed by the end-user without further processing by experts in the field. These experts are to be found among the world’s most prominent commercial providers and many patent-issuing authorities.

INPADOC in XML offers many improvements over the current product, including the following:

– SGML-numbered tags have been replaced by XML natural language tags, allowing for ease of understanding of the contents without having to consult the user manual.

– Data items that are closely related to each other – such as details pertaining to fee payments – have been grouped into transparent data structures.

The data shows the owner’s name, the opponent, the kind code of the certificate, and the trial number and date.

### INPADOC worldwide legal status data now available in XML

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The decisions appear on the USPTO website on a weekly basis and in the INPADOC legal status database.

The migration from SGML to XML format presented the INPADOC team with an excellent opportunity to introduce a number of interesting new features:

– The new product covers the complete “life” of a file. In the old product, the exchange of data was limited to events that had been added or updated in a particular week. The new product presents the user with every single event recorded in the database for a given patent application – from the very first to the most recent.

– The new product supports a unique and stable identifier, linking the INPADOC legal status data to the corresponding bibliographic data as it is maintained in DOCDB, the EPO’s master database for worldwide bibliographic data. This will make it possible to combine bibliographic and legal status data to the exact specifications and particular needs of the subscriber.

– The new product includes all the steps in the publication of a patent application. Each step carries a unique and stable identifier that will enable the subscriber to retrieve the corresponding bibliographic data from DOCDB.

Provisions have been made in the definition of the new product to cater for future enhancements, including:

– Introducing the notion of “event class” that will group event codes into categories.

– Presenting product information pertaining to supplementary protection certificates and ownership details in a rich data structure.

The new product has been available to users together with the current product since the beginning of this year. If all goes according to plan, as of 2017 it will be the sole format provided.

Enhancement of legal status codes description table

Legal status codes and their descriptions in English and their original language are now available in one table instead of three.¹ For each code, the table shows the date of addition to the database and the date of the last modification of the codes and their description.

¹ www.epo.org/searching-for-patents/helpful-resources/raw-data/data/tables/weekly.html
During the summer, the EPO completed the loading of “rich citations” into its master bibliographic database, DOCDB. These citations are rich because they include additional information indicating the claims to which the citation is relevant in the patent application for which the search was done. They also indicate where the pertinent passage is in the cited document. This information was previously only available via the Common Citation Document feature in Espacenet.

Rich citations also open up some new options for searching. An earlier exercise put rich citations in place for newly loaded documents from the first part of 2015. Now, after 4.7 million documents and their citations have been loaded into the database, rich citations cover a time span from 1994 to 2015. They are mostly EPO and PCT publications, but they also include national publications from EPO member states for which the EPO drew up the search report. The countries concerned are Belgium, Cyprus, France, Greece, Italy, Lithuania, Luxembourg, Malta, The Netherlands, San Marino and Turkey. Rich citations for search reports from Chinese and Swiss national publications have been available in DOCDB since 2015.

Before 2015, the situation with citations for EPO and PCT documents was that, irrespective of the point in the procedure at which they appeared, and the publication on which they appeared, they were consistently all “attached” in the databases to the first publication level available. This would lead in particular to the anomaly whereby the record for “A2” publications (publication of an application without search report) would have all the citations, including citations from the search report, attached to it. EP1094144 A2 is an example of this (see screenshot).

However, citations that do not appear at a specific publication step will still be attached to the first publication step available, that is A1 or A2. This is the case for citations mentioned by the applicant and those made as third-party observations.

In the case of EP-A publications originating from PCT applications, Espacenet retrieves the search report citations from the corresponding PCT publication. For instance, publication EP2135337 A1 as such does not exist, as the corresponding PCT publication WO 2008122424 A1 is already available in German (Article 153(3) EPC states that the EPO will not republish a PCT application in such cases). The corresponding search report citations are thus only stored in the database as part of the record for the PCT publication. However, for the sake of completeness, Espacenet retrieves the citations from the PCT application and also lists them under “Cited documents” for the EP publication. Open Patent Services (OPS) and other services providing direct access to the EPO’s databases do not have this feature, as they provide the data as stored in the database.
In the previous issue of Patent Information News, it was explained how status identifiers displayed in relation to European patent applications and granted patents in the European Patent Register indicate at a glance the most recent event in the life of a patent document.

This issue looks at how they can also be used to carry out statistical analyses of technical fields or to evaluate patent portfolios.

In certain situations, it may be helpful to analyse the patent portfolios of applicants in a particular technical field, in order to find out how active they are in the field and to establish the status of their patents and patent applications. Using status IDs, it is possible to produce a kind of “fingerprint” of these patent portfolios.

The graphic on the right shows European patent applications and granted patents for three patent applicants in the field of photovoltaics found using the PATSTAT database. It includes the latest procedural status, as indicated by the status ID. The documents were grouped together and counted and the results represented graphically. The graphic shows the fingerprints of the three selected applicants as a function of the earliest year of filing (vertical axis) and the status ID (horizontal axis). A colour coding is used to indicate the percentage of documents with a given latest procedural status for a given year.

There are clear differences between the three applicants.

Company A has been filing applications in the field of photovoltaics since 1997 and has continued to be active well into the current decade. So far, around half of all its applications have been granted, with some of these granted patents facing opposition.

With the exception of one or two earlier applications, company B did not start filing European applications in the field of photovoltaics until the mid-2000s. Around 6% of the applications it has had granted is remarkably low. Company B has also been active well into the current decade.

Company C displays a noticeably different pattern of behaviour. Its patent activity extends from the beginning of the 1990s to the mid-2000s, with an average rate of grant of more than 50%. In contrast to the other two applicants, company C has actively withdrawn around a third of its European patent applications.

The fingerprints of the three applicants show the different ways in which status IDs can be used. Bibliographic data and other legal status information can be added to provide even more information.

Carried out by skilled patent information users, analyses like this can make a significant contribution to the successful business use of patent information and to IP management in general.
Why search using classifications?
A lot of documents (especially older ones) in Espacenet have a classification but no searchable title or abstract, and searching by classification is the only way of finding them.

Classification is language-independent, so it helps you to find documents no matter what language they are written in.

Sometimes, keyword searching just doesn’t work out. In these situations, and depending on the technical field, classification searching can be a good alternative.

What classifications exist in Espacenet?
Espacenet offers two classification systems for you to search with:
– the International Patent Classification system – usually called the “IPC”
– the Cooperative Patent Classification (CPC) system, which is a joint EPO-USPTO initiative and offers a finer level of resolution than the IPC

Three ways to find the right classification symbols for your search
Method 1: the classification search tool in Espacenet
The simplest way to get started is to try the classification search tool in Espacenet, which you can select from the menu on the left-hand side. Then just type in some words that describe the technology you’re looking for and click Search.

Espacenet will display a number of potentially relevant high-level classification areas. You can now click the down-arrow to the left of a technology field that appears to be relevant to see more detailed classification symbols. You can select the ones you want by checking the respective check boxes. Finally, click Find patents to start your search.

Classification systems available in Espacenet

<table>
<thead>
<tr>
<th>International Patent Classification (IPC)</th>
<th>Cooperative Patent Classification (CPC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>systematically on all documents from 1970 onwards</td>
<td>based on IPC, but more detailed; includes very old documents</td>
</tr>
<tr>
<td>used worldwide</td>
<td>covers all major patenting countries, except Japan</td>
</tr>
<tr>
<td>technology broken down into approx. 160 000 classification symbols</td>
<td>technology broken down into approx. 250 000 classification symbols</td>
</tr>
<tr>
<td>published on the front page of the patent document</td>
<td>for some countries, classifications assigned by the EPO after publication (a few months delay)</td>
</tr>
<tr>
<td>annual revisions</td>
<td>frequent revisions</td>
</tr>
<tr>
<td><a href="http://www.wipo.int/classifications">www.wipo.int/classifications</a></td>
<td><a href="http://www.epo.org/espacenet">www.epo.org/espacenet</a> – click Classification Search</td>
</tr>
</tbody>
</table>

Selected classifications
B64C27/006 /low x
B64C27/008 /low x

Find patents
Copy to search form
Method 2: keyword search and a careful inspection of the classifications

Many experienced patent searchers prefer to find patent classification symbols for their searches by conducting a keyword search in the titles and abstracts. You can do this in Espacenet by typing the keywords into the Smart search field.

In the example below, we can see that IPC classes in the B64C area dominate the results. You can then switch to the classification search and type in “B64C” to study all the classes in that area and select the ones of interest.

Method 3: if you have relevant related documents, look where they are classified

Often, when you conduct a search, you may already be aware of existing patent documents that describe a technology that is very close to what you’re looking for. If this is the case, it makes sense to check out the classification symbols on those documents and make them a starting point for your search.

If you don’t know of any close technologies when you start the search, you can adopt this method at a later stage of a search once you have found some relevant documents.

You can also check out the relevance of any documents cited in the search report and their classification symbols.

Things to remember

Very recent documents may not have a CPC symbol. Make sure you re-run critical searches after a few months to ensure that you don’t miss the latest publications.

The CPC provides coverage that goes back to the early 20th century and a much finer level of categorisation than the IPC, so this is the one to use if you’re looking for high precision in your search or technologies where older documents could be relevant. The IPC, on the other hand, has a broader geographical coverage than the CPC.

You can use the full classification symbol for searching, e.g. G04B47/04, or stop anywhere before the “/” to include every classification entry in that category, and thus increase the number of search hits.

You can combine technical features by searching for two classification symbols together, using the AND operator (see the example below):

G04B47  ➞  clocks in combination with other things
F21V33  ➞  lighting in combination with other things

A search for G04B47 AND F21V33 will find lamps with built-in clocks or clocks with built-in lamps.
India: Patents (Amendment) Rules 2016

Following a public consultation in late 2015 and subsequent adaptation, India’s Patents (Amendment) Rules 2016 came into force on 16 May 2016. Constituting an amendment to the Patents Rules 2003, they introduce a number of important changes, some of which are shown in the table below along with a brief description.

### Overview of the main changes resulting from India’s Patents (Amendment) Rules 2016

<table>
<thead>
<tr>
<th>Rules</th>
<th>Description of the changes</th>
</tr>
</thead>
</table>
| 2: Definitions                             | – Inclusion of expedited examination into definition of request for examination.  
– New category of applicant: start-up.  
– Definition of start-up: less than five years old, less than approx. USD 4m turnover, working towards innovation.  
– Not eligible as start-up: companies formed by splitting or reconstruction of existing entity. |
| 6: Leaving and serving documents           | – Agent’s obligation to file documents electronically only.  
– Definition of accepted delays (war, strike, etc.).  
– Time limits for submission after delay situation resolved.  
– Burden of proof with submitting party. |
| 7: Fees                                    | – Explicit provision that fees are to be paid at the appropriate office.  
– In case of transfer of ownership from start-up to other legal entity, difference in fees has to be paid.  
– Refund in case of double filings or fees paid twice.  
– Refund of examination fees if applicant withdraws application before issuance of first examination report. |
– Abstract to describe technical advancement of invention compared with state of the art and main use, excluding speculative use.  
– When early publication is requested, reference to biological deposit must be provided at the latest on the date of filing such a request. |
| 14: Amendments to specifications           | – More precise definition of procedure for submitting amendments to specification. |
| 24B: Examination of applications           | – Divisional application to be published one month from examination request.  
– Time for putting application in order for grant reduced from twelve to six months (three-month time extension possible). |
| 24C: Expedited examination of applications | – Form 18A to be used for requesting expedited examination (request must be in electronic form).  
– Expedited examination possible if India was designated as ISA and IPEA or if applicant is start-up.  
– Conversion from normal to expedited examination possible (with exceptions, e.g. combination with early publication request).  
– Examination report to be prepared by examiner within two months of receiving file from Controller.  
– Controller has one month to dispatch examination report when ready (additional 15 days for dispatching statement of objections)  
– Procedure for preparing and dispatching first examination report should not exceed 3.5 months.  
– Applicant has six months to put application in order for grant (three-month extension possible). |
| 28: Procedure in case of anticipation by prior publication | – Hearing in case of anticipation by prior publication can be via video or audio conference.  
– Relevant documents for hearing to be submitted within 15 days of hearing. |
| 55: Opposition to the patent               | – Opponent must send copy of opposition request to applicant.  
– Applicant to file statement and evidence within three months of date of notice of opposition, with a copy to the opponent.  
– Controller’s decision on opposition is based on statements filed by applicant, opponent and other parties. |
| 71: Permission for making patent application outside India | – For inventions relating to defence or atomic energy, Controller has 21 days from date of receipt of consent from central government to treat request for permission to file a patent application outside India. |
| 108: Particulars to be contained in the register of patent agents | – Register of patent agents now contains details of registration renewals and other information relevant for Controller. |
| 135: Agency                                | – To authorise an agent, as an alternative to Form 26, power of attorney can be filed within three months from date of filing of application. |
News from Asia

Korea: information on legal entities extended in KIPRISplus
The Korean Patent Office has extended the information on corporate applicants in KIPRISplus to make it easier for users to identify legal entities and to distinguish similar corporations from one other.

KIPRISplus is a patent information web service providing real-time access to Korean data via either bulk data retrieval, Open API or Linked Open Data.

The service already included data on applicant names and applicant codes; since April 2016 the corporate registration and business licence numbers of each legal entity have also been available. This additional information is useful for analysing technological trends and for linking data on patents to information on related industries.

China: information on dual filing cases can now be retrieved
Under Chinese patent law, the dual filing of patents and utility models on the same day is possible. However, up to now it has been difficult to locate information on dual filing cases, as there was no link in the Chinese databases between the patent application and the corresponding utility model filing.

This information can now be searched in the CNIPR database when using the number search option in the Chinese language version. When searching with a patent application number, the corresponding utility model application is now displayed among the bibliographic information. More advanced search and filtering options for dual filings are, however, only possible by means of a paid subscription.

You can find a step-by-step guide for searching this information in the “China - Searching in databases” section of the EPO’s virtual helpdesk on Asian patent information.

Kuwait officially joins the PCT
Kuwait deposited its instrument of accession to the PCT on 9 June 2016. The treaty officially came into effect in Kuwait on 9 September 2016. International applications filed on or after 9 September 2016 will therefore automatically include the designation of Kuwait. Source: WIPO

The Office of the Controller General of Patents, Designs & Trade Marks (CGPDTM) in India recently published its annual report for 2014-2015. Available online, the report contains statistics and a brief analysis of patents, trade marks, designs and geographical indications. The total number of patent filings decreased slightly from 42,951 in 2013-2014 to 42,763 in 2014-2015. The majority of patent applications are still filed by foreign applicants, but the number of applications filed by domestic applicants was up 10 percent over the previous year.

Design and trade mark applications enjoyed significant hikes of approximately 9 and 5 percent respectively. There were, however, only 47 geographical indication filings, representing a decrease of 37 percent.

Thanks to intensive recruitment in the examination area, the number of patents granted during the period in question was 5,978, an increase of 1,751 over the previous period. This intensive focus on the patents backlog seems to have had a negative side-effect on the granting rates of other IP rights, which fell in the same period.

Singapore: stricter criteria for post-grant amendments
On 30 June 2016, the Intellectual Property Office of Singapore (IPOS) published new regulations for post-grant amendments.

In the past, amendments after grant were permitted as long as they did not introduce additional subject-matter or extend the scope of the granted patent.

According to the new regulations, amendments also have to meet the following requirements:
– All relevant matters in relation to the proposed amendment must be sufficiently disclosed, i.e. the patent owner must sufficiently explain the reasons for the amendment.
– There should be no unreasonable delay on the part of the patentee in seeking the amendment, i.e. the patentee should file the amendment as soon as he becomes aware of new prior art which might affect the patent’s validity.
– The patentee may not gain an unfair advantage by delaying the amendment.

For more news from Asia, see the Updates section on the EPO website at www.epo.org/asia.

1) www.epo.org/searching-for-patents/helpful-resources/asian/china/search.html
2) www.wipo.int/treaties/en/ShowResults.jsp?country_id=96C
COUNTRY FOCUS

Accessing patent information from Russia – Part 2: Rospatent

Following on from the analysis of the Eurasian Patent Office’s patent information resources in Patent Information News 2/2016, this second article of a two-part series takes a look at Russian national patent law and the free information resources available from the Federal Institute for Industrial Property Rights (FIPS).

The Federal Institute of Industrial Property (FIPS)
Initially established in 1955, the Committee on Inventions and Discoveries of the USSR’s Council of Ministers was transformed in 1960 into the All-Union Scientific Research Institute for the State Patent Examination, which in turn later became the Federal Institute of Industrial Property (FIPS).

Today, FIPS is a division of the Federal Service for Intellectual Property (Rospatent). It issues and disseminates Rospatent’s official publications and provides access to its patent information. FIPS is also in charge of various procedural activities.

Patent grant procedure
The granting authority for patents in the Russian Federation is Rospatent. Applications may be filed in any language, although the request for grant must be filed in Russian, Rospatent’s procedural language. A Russian translation of any documents must be submitted within three months of the date of filing.

In Russia, there is a six-month grace period for disclosure of information, meaning that disclosure by the applicant of the invention up to six months prior to the date of filing will not have a novelty-destroying effect.

A law dating back to 1931 used to prohibit applicants from filing abroad without the explicit permission of the Soviet authorities. Even today, for all inventions made in Russia, the applicant must wait six months from filing at Rospatent to file abroad, or obtain written permission to do so. In the case of PCT applications where Rospatent is the receiving Office, no foreign filing permit is required.

Examination is a deferred system, where the substantive examination request must be filed three years from the date of filing or priority date. There is no accelerated examination, but an accelerated novelty search can be requested. Applicants may convert an application from a patent to a utility model, or vice versa. A use requirement allows for compulsory licences to be granted for inventions which have not been worked in Russia for more than four years from the date of grant. It is obligatory to register all licences with Rospatent. Opposition is not available in Russia, but complete or partial invalidation can be filed at any time after grant. Requests for re-establishment of rights after the non-payment of renewal fees can be filed at any time up to three years from the expiry of the last paid year.

2014 and 2015 saw some important changes, including the restriction of the applicant’s possibility to amend his application multiple times, publication of the application together with the search report (if ready) and the introduction of third-party observations. Sufficiency of disclosure became a separate patentability requirement, and patent term extensions were introduced to extend the life of pharmaceutical patents, where instead of registering the extension under the original patent number, a new supplementary patent is granted. Furthermore, utility model applications must now undergo substantive examination, and the option of a three-year extension in addition to the ten-year utility model term has been abolished.

Facts and figures
In 2015, Rospatent received around 45 500 patent applications, approximately 16 000 of which were from foreign applicants. Just about all of the 11 906 utility model applications were domestic filings. The drop from almost 14 000 utility model applications in 2014 was expected, as utility models now undergo substantive examination. The largest numbers of patent applications are filed in chemistry and metallurgy, followed by human necessities and transport.

Document kind codes and numbering system
Russian applications are published 18 months after the priority (or application) date, with the kind code A. The C1 kind code is assigned to publications of granted patents that are issued without a preceding A publication. C2 is used for granted patents where there is a preceding publication of the application.

Application numbers consist of four digits for the year of filing, plus a six-digit serial number. The same number, plus the kind code, is used as the publication number. The granted patent number is simply a seven-digit serial number.

Application number = Publication number + A kind code

[Diagram of Russian patent number system]

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The FIPS patent information resources

Information on the coverage of Rospatent data in the EPO’s databases can be found in the useful tables section1 on the EPO website. This article covers the original and official sources of Rospatent information available on the FIPS website, including the official bulletins, open registers and information retrieval system.

In addition to its "Inventions. Utility Models" bulletin, FIPS also publishes bulletins for industrial designs, trade marks and computer programs. Each bulletin has a different publication frequency. The inventions bulletin is published on the 10th, 20th and 27th of each month. It contains official announcements and notifications, as well as previously unpublished authorship certificates and patents from the Communist era. Among the notifications are changes of name, assignments, withdrawals at the applicant’s request and court decisions in cases of rights abuse.

Open registers2 for all IP activities including invention applications and registered patents give users free access to legal status information in Russian. You can retrieve this using the publication number, without the kind code. The screenshot below shows an example of a patent that is no longer in force, as indicated by the bold bar in black. A green bar indicates an active patent. The bar contains the latest legal status of the patent and the period for which the most recent renewal fee was paid. The legal status events are shown at the bottom of the page after the abstract, descriptions, claims and drawings.

Early in 2016, FIPS launched a new version of its Information Retrieval System.3 Users no longer need a password for the free-access part of the service. The search mask and database selection are now available in English. The advanced user interface offers searches in Russian in the abstracts of Russian patents and utility models from 1994, and in the full text of Russian applications and granted patents and utility models from the last three bulletins. Abstracts of Russian patents from 1994 are available for searching in English. The Information Retrieval System also contains Russian trade marks, industrial designs and computer programs. Detailed coverage is available on the Information Search System page on the FIPS website. The system allows users to search using Boolean operators with stemming, truncations and mathematical operators. A free-text query in Russian will also search for synonyms of the keywords entered.

For more information on the topics covered in this article, please contact the EPO’s Asian Patent Information Services at asiainfo@epo.org

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1) www.fips.ru/wps/wcm/connect/content_en/en/about_fips/
2) www.rupto.ru/rupto/portal/start?lang=en
3) www.epo.org/searching-for-patents/helpful-resources/raw-data/data/tables.html
5) www.fips.ru/wps/portal/Registers/
IP5 Statistics Working Group meets PATSTAT

The main purpose of the IP5 Statistics Working Group and the exchanges of statistical data between the IP5 offices is to allow for more informed workload planning at each office. Through their two major annual publications ("Key IP5 statistical indicators", published every spring, and the full "IP5 Statistics Report", issued at the end of the year), the IP5 offices also provide a more consistent view for external policymakers.

The next IP5 Statistics Working Group meeting will be hosted by KIPO in Korea in 2017.

For more information see www.fiveipoffices.org/statistics.html
Maps showing database coverage

The maps below give you a quick global view of the data that is currently available in the EPO’s worldwide patent databases. They are based on a snapshot of the databases taken on 30 July 2016.

When you use the databases, you might come across isolated records from countries in grey on the map. In these cases, the records may be present in the database because the patents they refer to were cited in search reports or for other reasons, but there is no regular reliable data supply in place (yet).

The major improvements over previous years mainly relate to greater richness and improved quality at source of the data, which are not reflected on these maps.

More information on the coverage of the EPO’s databases is available online at www.epo.org/searching-for-patents/helpful-resources/raw-data/data/tables/weekly.html

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**PUBLICATIONS CORNER**

"Publications corner" presents the latest statistics on EPO publications.

- EP-A2: European patent applications published without search report
- EP-A3: European search reports
- EP-B1: European patent specifications
- EP-B2: revised European patent specifications

Note: The table does not include statistics on European patent applications filed via the PCT route (Euro-PCT applications). These are published by WIPO and are not made available by the EPO unless they are in a language other than English, French or German. Currently about 60% of all European patent applications are Euro-PCT filings.

<table>
<thead>
<tr>
<th>European patent publications</th>
<th>Weekly average 2016</th>
<th>Total Jan–Sept. 2016</th>
<th>Change vs. 2015</th>
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<tr>
<td>EP-A documents</td>
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<tr>
<td>EP-A1</td>
<td>1299</td>
<td>51 961</td>
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<tr>
<td>EP-A2</td>
<td>92</td>
<td>3 674</td>
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<tr>
<td>Total EP-A1 + A2</td>
<td>1 391</td>
<td>36 781</td>
<td>6.7%</td>
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<tr>
<td>Percentage EP-A1 of total A1+A2</td>
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<td>EP-A3</td>
<td>227</td>
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<tr>
<td>EP-B documents</td>
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<tr>
<td>EP-B1+B2</td>
<td>1 820</td>
<td>72 787</td>
<td>39.1%</td>
</tr>
</tbody>
</table>
Free patent information webinars in 2017

Joining one of the EPO’s free online webinars is a good way of keeping up to date with the latest news on EPO patent information. The programme for the first half of 2017 is shown below. Block your calendar now for the topics that interest you. For more information, see www.epo.org/pi-training.

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Title</th>
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<tr>
<td>16 Jan</td>
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</tr>
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<tr>
<td>18 Jan</td>
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<td>Patent portfolio management</td>
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<tr>
<td>14 Feb</td>
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<td>Recent and upcoming law changes in Japan and Korea</td>
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<tr>
<td>15 Feb</td>
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<td>Patent families</td>
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<td>Recent and upcoming law changes in Mainland China and Hong Kong</td>
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<td>1 March</td>
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<td>Recent and upcoming law changes in India</td>
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<td>8 March</td>
<td>11.00</td>
<td>Introduction to patent classification</td>
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<td>27 March</td>
<td>11.00</td>
<td>Patent Information Newsflash</td>
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<tr>
<td>5 April</td>
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<td>Business use of patent information</td>
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<tr>
<td>10 April</td>
<td>11.00</td>
<td>Virtual helpdesk</td>
</tr>
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<td>26 June</td>
<td>16.00</td>
<td>Patent Information Newsflash</td>
</tr>
<tr>
<td>10 July</td>
<td>16.00</td>
<td>Virtual helpdesk</td>
</tr>
</tbody>
</table>

Nominate your favourite inventor for the European Inventor Award 2017

Inventors constantly inspire us with their new ideas, improving our daily lives and creating prosperity, jobs and value for society. Whose innovations have impressed you the most? Take a minute to put their name forward for the 2017 European Inventor Award, which gives inventors the recognition they deserve.

Each year an independent international jury chooses fifteen of the most outstanding scientists and engineers from hundreds of proposals.

The online nomination procedure is open until 12 October. Visit www.epo.org/european-inventor to nominate your 2017 award candidate now.