Aim of the discussion round
To introduce ECLI and the ECLI Search Engine to IP professionals and database providers, and to discuss its strengths, weaknesses and ideas for future improvements.

Introducing ECLI and the ECLI search engine
The European Case Law Identifier (ECLI) was defined in 2011 as the new standard for case law in Europe. It is a univocal identifier consisting of the following five elements:

- **ECLI**
- **ECLI:EU:** self-identifier
- **ECLI:EU:C:** country or institutional code
- **ECLI:EU:C:1982** code of the issuing court
- **ECLI:EU:C:1982:335** the year the judgment was rendered
- **ECLI:EU:C:1982:335** the ordinal number of the decision

These elements are completed with a set of standardised metadata for case law data exchange.

The standard has already been adopted by the EPO for the Board of Appeal decisions, by the Court of Justice of the European Union, by the European Court of Human Rights and by many EU countries.

As part of ECLI, the ECLI Search Engine has also been designed and implemented. The ECLI Search Engine is not a database, but a uniform index.
of case law information. The web application is based on the indexing of case law metadata exposed by the ECLI providers on a standardised XML sitemap, and of the full texts of the decisions themselves. It offers searching with various criteria, including the ECLI itself.

The ECLI metadata contains various obligatory elements like the name of the court and the date of the decision. Moreover, it may contain links to the case law databases of the participating authorities and/or to the complete case law document in different languages.

The ECLI Search engine is available at: https://e-justice.europa.eu/content_ecli_search_engine-430-en.do
ECLI at the EPO
The EPO has adopted the ECLI to identify uniquely, search and cite the EPO's Board of Appeal decisions. The EPO provides an ECLI sitemap (epo.org/ecli-sitemap) to expose the metadata of the Board of Appeal decisions. This metadata is available for re-use by any third party. The EPO supports using the ECLI to search and cite case law in the patent field and the ECLI search engine as a single access point to search for case law related to patents.

Outcome of the discussion: challenges and suggestions for improvement

- Search for court decisions on patents is still based on various sources;
- Ensure complete coverage from courts related to patents/IP rights;
- Decisions related to 'patent law' or 'intellectual property rights' are not necessarily well-categorised. For example they may fall in the general 'civil law' category;
- National patent offices have not yet linked their national databases on patent-related case law to the ECLI Search Engine;
- Define a clear definition of the concept of 'case law' provided by the ECLI service;
- Provide a service description on the court coverage and time coverage per court;
- Enhance metadata with:
  - Complete reference patent numbers
  - Better granularity on the actors in the proceedings – e.g. judges' names
- Promote the use of ECLI and the ECLI Search Engine.

References
ECLI Search Engine: https://e-justice.europa.eu/content_ecli_search_engine-430-en.do
EPO ECLI sitemap: https://epo.org/ecli-sitemap
Building on ECLI project: http://bo-ecli.eu/

Alexander Ivantchev, Chairman, Discussion round 3

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