

一般社団法人日本知的財産協会



特許情報検索に関する EPO, DPMA, PDG 訪問代表団

2016年度 情報検索委員会

6月21日(火) 関東部会

6月28日(火) 関西部会



- ◈背景
- ♦訪問先
 - 71st PDG IMACT Meeting
 - EPO
 - Hoffmann Eitle法律事務所
 - -ドイツ特許庁
- ◆トピックス
- ◆ 今後の展望





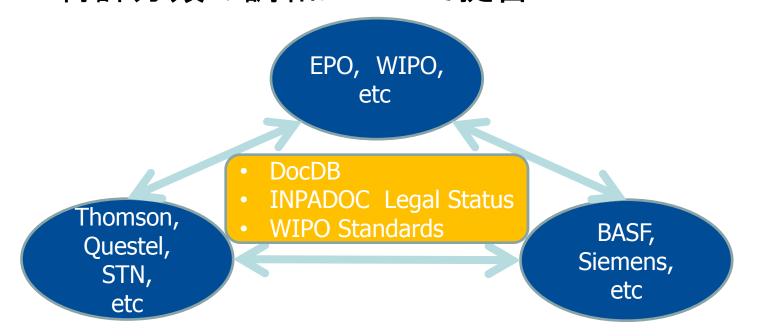
背景





PDG IMPACT Group との協力関係

- ◆ 欧州の特許ユーザーの団体
- ◆ 各庁、DBベンダー、ユーザー間の意見交換会
 - 特許情報のサーチ可能性を追求
- ◆過去2回参加
 - 特許分類の調和について提言







PDG IMPACT Meeting のトピック例

◆ CPCスキーム改正で消滅した分類の検索差異

EPOの主張

・Espacenet の検索 → O件

STNの主張

STNの検索 → O件ではない

この差異は何故?



EPOから次回meeting にて回答





PDG IMPACT Group の活動

- ◆年2回のサーチに関するワークショップ
 - EPO主催のカンファレンスにて
- ◆ ワークショップに向けたサーチ環境の改善
 - 各庁、DBベンダーへの改善提言

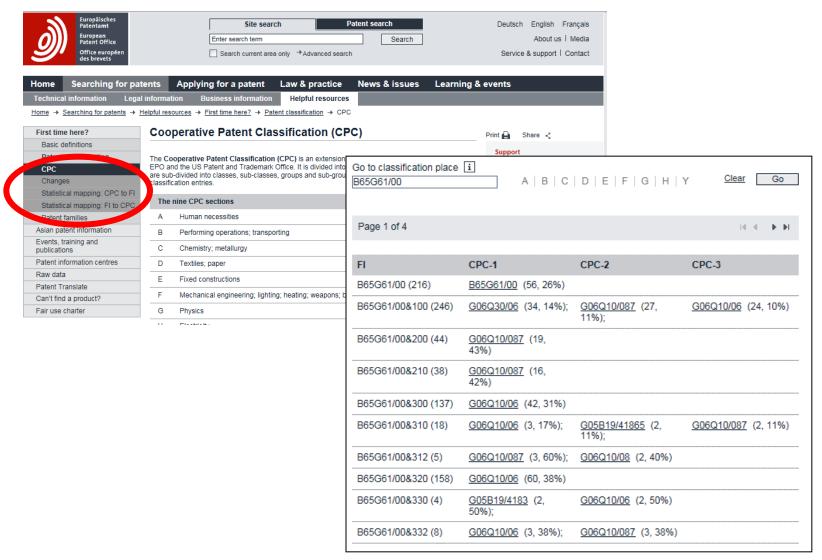






JIPAからの要望が実現した例

◆ CPC⇔FI統計的コンコーダンス by EPO







訪問先





PDG 71st PDG IMACT Meeting

- ◆ 日程: 2016.4.14 ~15
- ◆場所: Hotel Mercure Den Haag Central (オランダ・ハーグ)
- ◆ 参加者: EPO、WIPO、各国特許庁、欧州企業、ベンダー等から46名

- ◆ JIPAからの提言
 - CPC
 - 譲渡情報



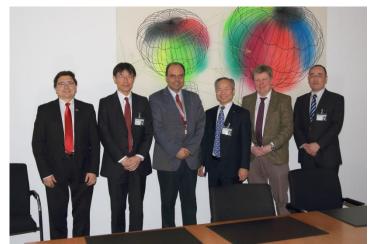






- ◆ 日程: 2016.4.15
- ◆場所: EPO(オランダ・ハーグ)
- ◆ 面談先: Mr. Marios Sideris、Mr. Pierre Held 、Mr. Peter Swaren(いずれも特許分類担当者)
- ◆統計的マッピングへの要望









Hoffmann Eitle法律事務所

- ◆ 日程: 2016.4.18
- ◆場所: Hoffmann Eitle法律事務所(ドイツ・ミュンヘン)
- ◆面談先: Mr. Christopher Furlong、Dr. Joachim Renken、Dr. Dirk Schüßler-Langeheine、Dr. 松澤美惠子
- ◆Unitary Patentを踏まえて、欧州を中心とした 今後の知財動向







ドイツ特許庁

- ◆ 日程: 2016.4.19
- ◆場所: ドイツ特許庁(ドイツ・ミュンヘン)
- ◆ 面談先: Mr. Hubert Rothe (Head of Division 2.1, Information Services for the Public)、Mr. Thomas Plarre (Patent examiner, patent division 1)
- ◆ドイツ特許庁の譲渡情報に関する整理、検索の仕様について詳細を確認





トピックス





◆ CPCに関する提言活動の概要

FIユーザーのCPC利用環境の改善に向けて



CPC ⇔ FI 統計的コンコーダンスの改善提案

- ① 有用性検証結果の紹介
- ② さらなる有用性向上に向けた要望

PDG IMPACT Meeting

欧州の主要な機関、企業、ベンダー等が集まる中で、プレゼンテーションを通して課題を共有し、EPOへの改善を依頼した

EPO訪問

EPOの分類担当者と具体的なディスカッション





分類対照ツール(JPO提供)

- 分かりやすく便利
- 必ずしもFIとCPCが一致するわけではない



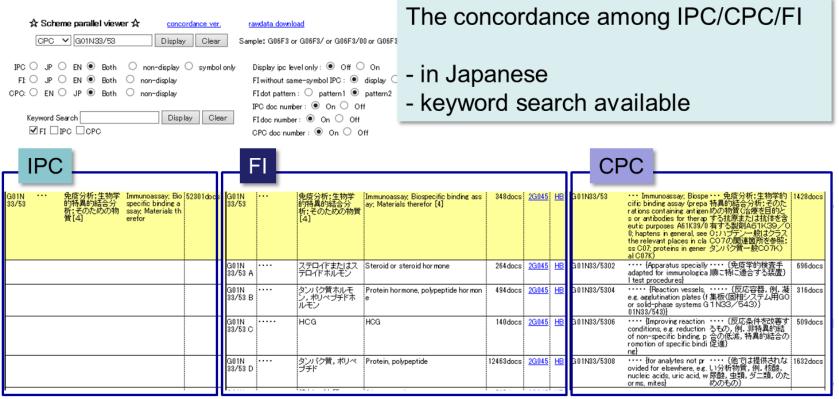
CPC ⇔ FI 統計的コンコーダンス(EPO提供)

• 分類対照ツールの弱点を補完可能





IPC/CPC/FI Parallel Viewer (JPO)



http://www.jpo.go.jp/cgi/cgi-bin/search-portal/narabe_tool_e/narabe_e.cgi







The difference between CPC and FI

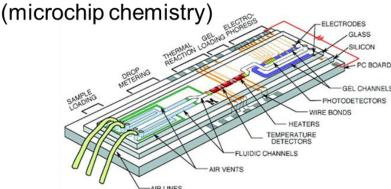


CPC

G01N 37/00		Details not covered by any other group of this subclass [3]	286件	2G058	HB	G01N37/00	Details not covered by any other group of this subclass	82件
G01N 37/00 101	•	Analysis technology referring to mu-TAS(microchip che mistry)(New, Apr. 2000)	5960件	<u>2G058</u>	HB	G01N37/005	 Measurement methods not based on established scientific the ories 	87件
G01N 37/00 102	•	Arres: type sensor based on peculiar reaction(New, Apr. 2000)	6090件	2G058	田			
G01N 37/00 103	•	Analysis technology referring to high throughput screening(New, Apr. 2000)	439件	<u>2G058</u>	HB			

G01N37/00 101

Analysis technology referring to μ-TAS

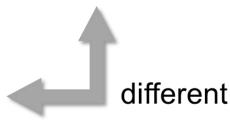


μ-TAS: micro-Total Analysis Systems

http://lsi.epfl.ch/page-13122.html

G01N37/005

Measurement methods not based on established scientific theories



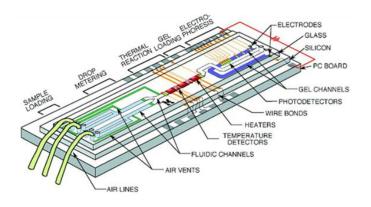




The difference between CPC and FI

CPC

B01L3/50	-	Containers for the purpose of retaining a material to be analysed, e.g. test tubes
B01L3/502	• •	with fluid transport, e.g. in multi-compartment structures
B01L3/5027	•••	by integrated micro-fluidic structures, i.e. dimensions of channels and chambers are such that surface tension forces are important, e.g. lab-on-a-chip

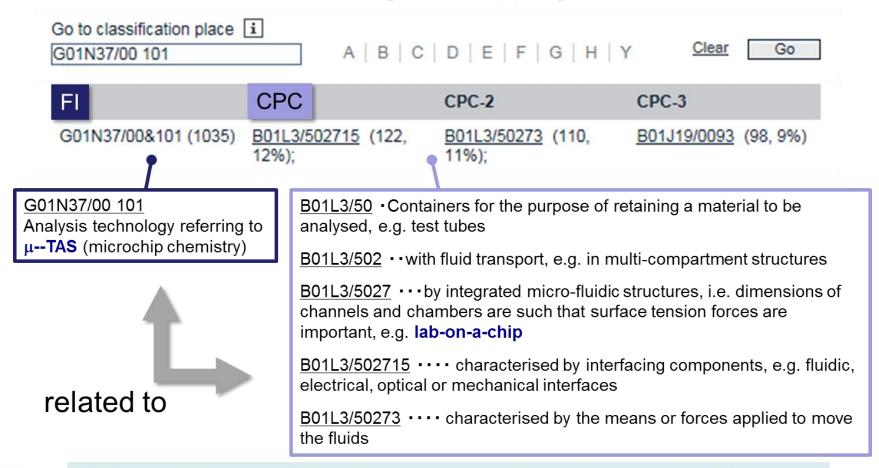


μ-TAS ≈ lab-on-a-chip





The results of search using the mapping tool







- ◆ CPC ⇔ FI 統計的コンコーダンスの改善要望
 - •最新のFIへの対応依頼
 - "NOMAP" の低減要望

Go to classification place i								
G01N24/14	Α	В	C	D	E	F	G	ŀ

|--|

FI	CPC-1	CPC-2
G01N24/14 (11)	H01J49/38 (6, 55%)	
G01N24/14&A (1)	NOMAP	
G01N24/14&B (1)	NOMAP	
G01N24/14&Z (1)	NOMAP	





◆最新のFIへの対応依頼

We confirmed the FI coverage of the statistical mapping tool.

Doto	Number	of entries fo	r revision	Statistical M	apping (FI to CPC)	
Date	Deleted	Changed	New	Implemented	To be implemented	
May-13	45	177	297	297	0	
Nov-13	12	670	53	53	0	
Apr-14	90	125	505	505	0	
Nov-14	517	307	337	0	337	
Apr-15	742	173	351	0	351	

Not covered

Above data are regarding to H section

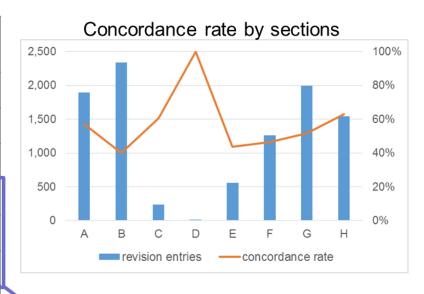




◈最新のFIへの対応依頼

The history of FI revisions and the concordance rate between CPC and revised FI

Date of FI revision	Number of FI entries	Concordance rate (revised FI – CPC)
Apr. 2013	585	72%
Nov. 2013	389	65%
Apr. 2014	2,304	45%
Nov. 2014	2,808	61%
Apr. 2015	3,004	55%
Nov. 2015	1,728	35%
Total	10,818	50%



Not covered by the statistical mapping

- Recent FI revision: high pace
- Discordance between CPC and revised FI: about 50%

We are looking for regular updates in order to keep a satisfactory coverage of the latest FI.





◆ "NOMAP" の低減要望

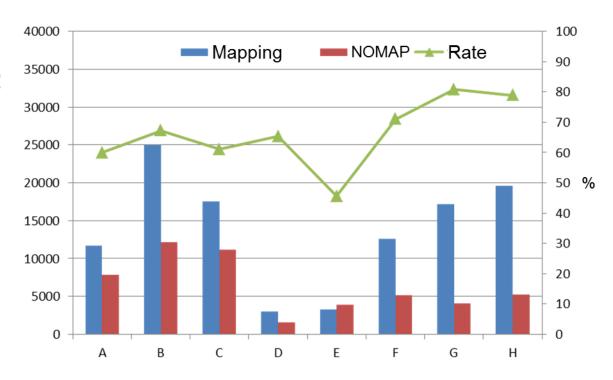
The impact of "NOMAP" results

Total number of FI: 188,022

Mapping results: 125,736

"NOMAP" results: 62,286

Mapping rate: 66.9%



We are looking for a decrease in "NOMAP" results and an increase in corresponding FI-CPC results.





◆ CPCに関する提言活動のまとめ

統計的マッピングへの最新のFI改定の反映を提案

- ➤ EPOは統計マッピングを年に4回更新しており、年に2回のFI改正には対応しているから多少のタイムラグはあるものの問題ないかと思われるが、確認する。
- ➤ 新設されたFIにも対応済みなのか、不明な点が新たに生じたため、再度追加で確認予定。
- ▶ 資料の中で示した改正されたFIとCPCとの一致率について、始めは低くても、特許 庁間で調整するので、現時点の状況を再度確認してみると良い旨、コメントいただ いた。

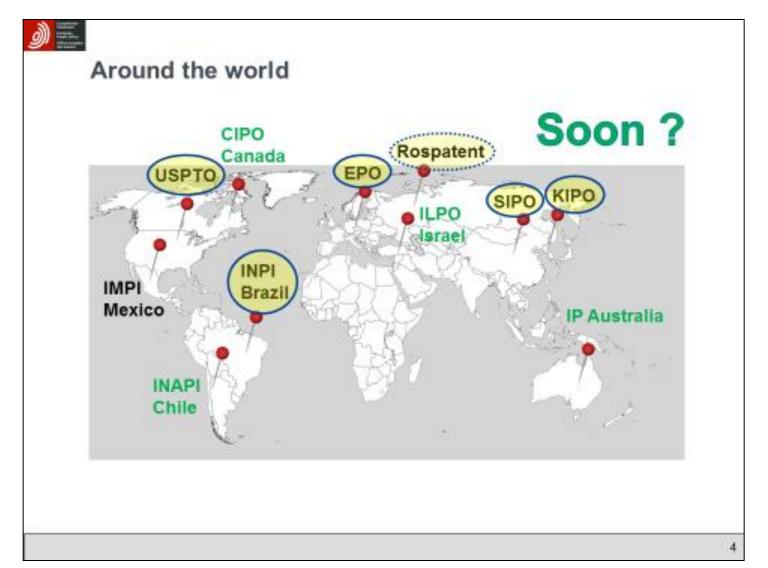
NOMAP(結果なし)の改善依頼

- ▶ 極端に付与数が少ない分類は表示されず(3ファミリー以下)、その結果NOMAPになる。
- ➤ FIとCPCとの調和が進むことでNOMAPの減少が期待される。
- ▶ 統計的マッピングは有用であるが、FIユーザーとしては、本質的には調和されることが第一であり、引き続き国際的に特許分類の調和が進むことが重要である。引き続き、JIPAとしても分類調和の状況把握、提言を行っていくべきと考えられる。





◆最新の動向(普及状況)







◆ 最新の動向(カバー率)



CPC Coverage of EPO core collection

(EPODOC, Update 14 April 2016)

Country	Country Code	Number of documents (source: EPODOC on 14/04/2016)	Number of publications classified in CPC (family or document level)	% publications classified in CPC (family or document level)
EPO	EP	3.000.950	2.993.964	99,8%
United States	US	11.657.732	11.330.666	97,2%
Austria	AT	1.001.972	646.770	64,5%
Belgium	BE	585.582	551.539	94,2%
Switzerland	СН	714.255	575.088	80,5%
Germany	DE	5.487.581	4.682.945	85,3%
France	FR	2.403.312	2.382.701	99,1%
United Kingdom	GB	2.364.425	2.108.208	89,2%
Luxembourg	LU	61.613	60.580	98,3%
The Netherlands	NL	548.339	536.423	97,8%
ARIPO	AP	3.612	3.414	94,5%
Australia	AU	1.485.746	1.338.867	90,1%
Canada	CA	2.327.255	1.242.039	53,4%
OAPI	OA	13.432	13.190	98,2%
WIPO (PCT)	wo	2.826.540	2.816.654	99,7%





◆ 最新の動向(カバー率)



CPC Coverage of other patent collections

(EPODOC, Update 14 April 2016)

Country	Country Code	Number of documents (source: EPODOC on 14/04/2016)	Number of publications classified in CPC (family or document level)	% publications classified in CPC (family or document level)
Brazil	BR	569,893	347.431	61,0%
China	CN	10.609.342	2.086.380	19,7%
India	IN	81,613	45.874	56,2%
Japan	JP	17.263.154	4,409,968	25,5%
Korea	KR	3.088.148	1.087.984	35,2%
Russian Fed.	RU/SU	2.143.432	286.864	13,4%
Mexico	MX	253,499	229.369	90,5%
Chile	CL	11.434	8.360	73,1%
Czech Republic	cz	88.383	42.383	48,0%
Denmark	DK	389.198	252.492	64,9%
Spain	ES	1.072.124	613.994	57,3%
Finland	FI	193.002	111.547	57,8%
Greece	GR	99.128	52.412	52,9%
Hungary	HU	116,457	71.516	61,4%
Norway	NO	199.853	170.415	85,3%
Sweden	SE	518.134	329,496	63,6%

Overall, 44.6 million documents classified in CPC





◆ 最新の動向(中国の状況)



CPC classification work at SIPO

	Year	Backfile documents to be classified in CPC	Frontfile applications to be classified in CPC
STATUS	2014	89 000	0
314103	2015	385 000	155 820
	2016	-	1 100 000
PLAN	2017	Depending on the availability of resources	All





◆ 最新の動向(PCT出願に対する付与方針)



Intellectual Classification of WO publications in CPC by the EPO

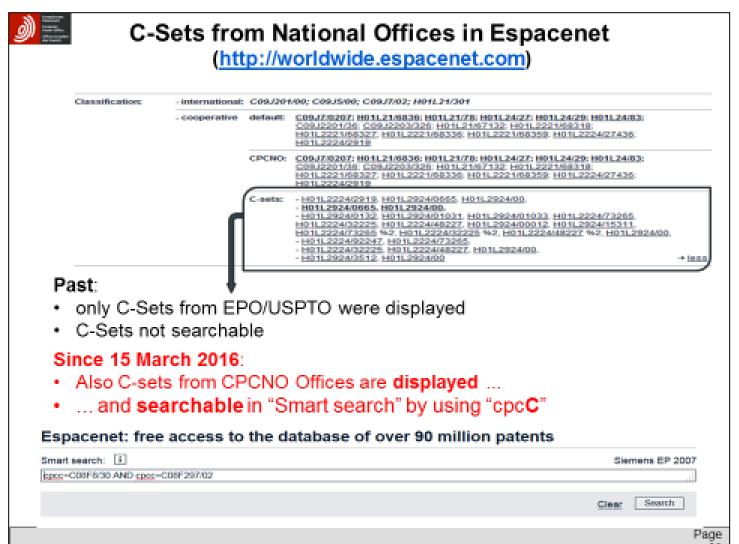
Since January 2016, **WO** documents in languages other than EPO official languages, e.g. in **Japanese**, **Korean**, **Chinese or Russian**, are not intellectually classified in CPC by the EPO anymore

- IPC allocations provided by National Office are copied into CPC symbols
- Intellectual classification by the EPO still takes place for applications searched by the EPO, i.e. where family members are available in English, German, French or Dutch





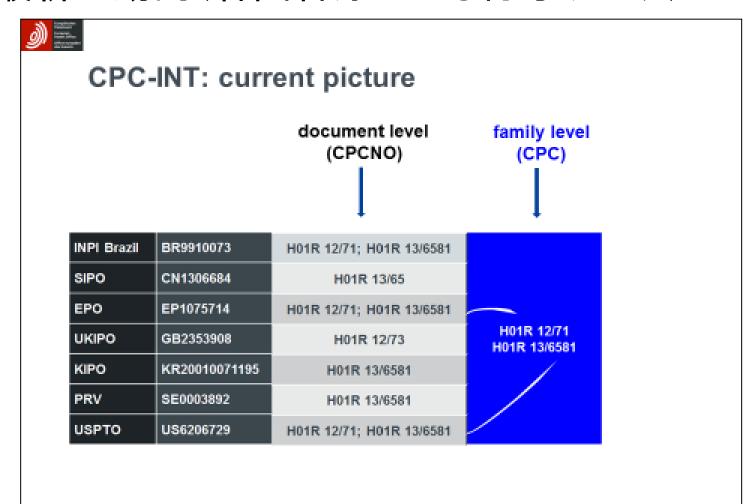
◆ 最新の動向(C-Setsについて)







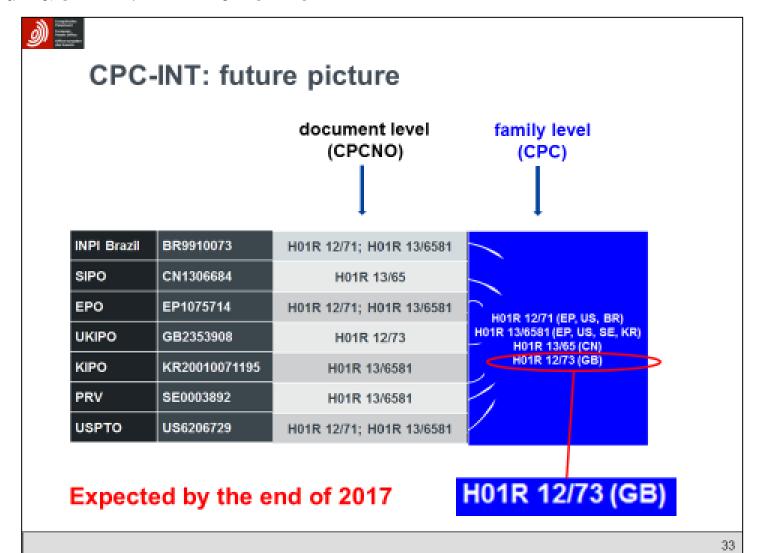
◆ 最新の動向(各国官庁による付与データ)







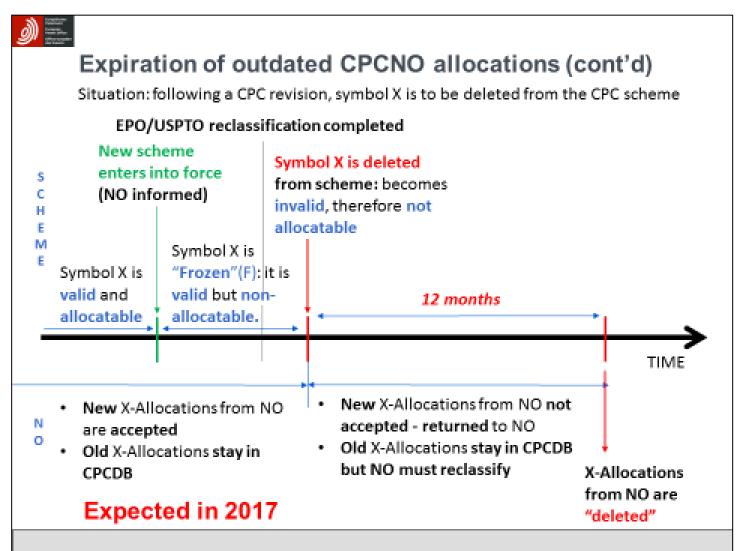
◆ 最新の動向(各国官庁による付与データ)







◆スキーム改変で消滅する分類の扱い

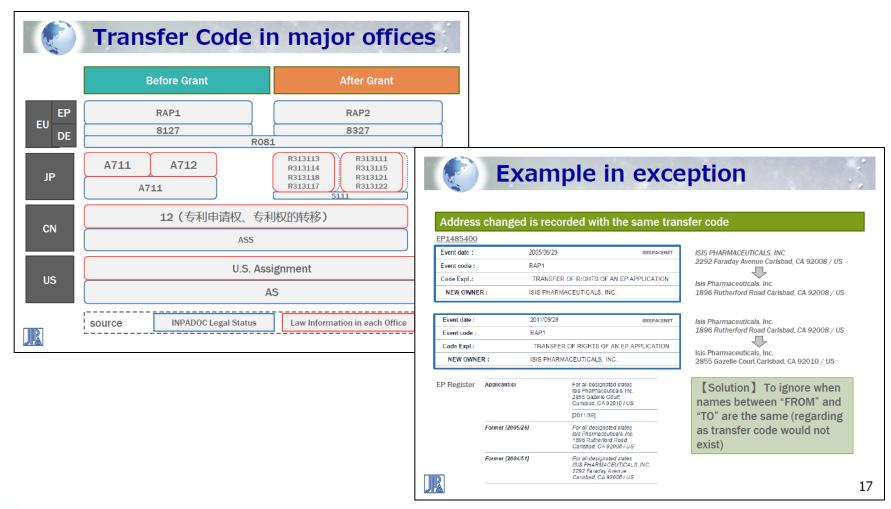






譲渡情報

◈情報整備の国際調和を要望







DPMA 譲渡情報

◆譲渡に関する情報について、DPMAregisterは「R081」という一つのコードで管理している。コードができる以前の案件も、遡って付与されている。従って、古い「8127」「8327」はDPMAのデータベースには存在しない。





Patent Scope 化学構造式検索

PATENTSCOPE CHEMSEARCH

Outline of the presentation

- 1. Principle
- 2. Timeline

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION





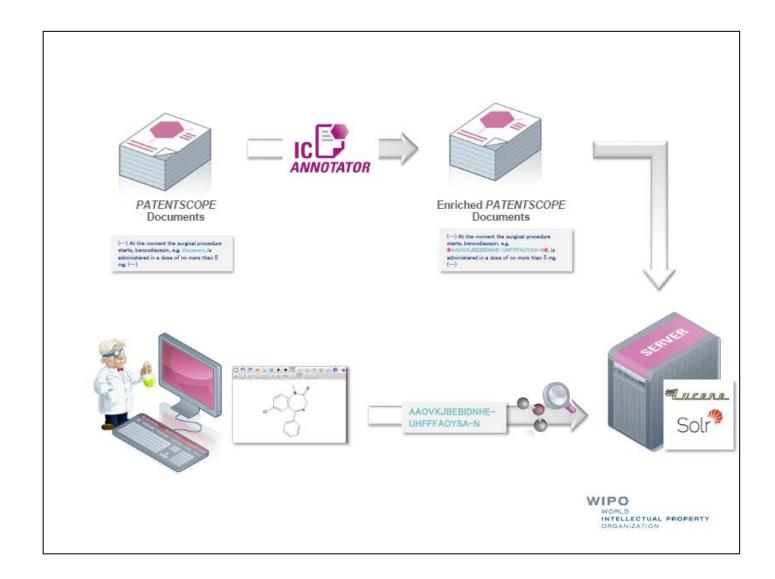
Principle

Add chemical compound search capabilities to WIPO's public free patent search system PATENTSCOPE

- Recognize chemical compounds in patent texts and from embedded drawings included in patent texts
- Standardize all the different representations of chemical structures into Inchikeys
- Implement search functions for Inchikeys that can be used by non chemists







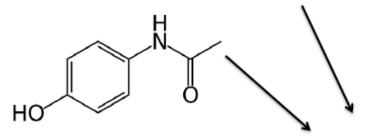


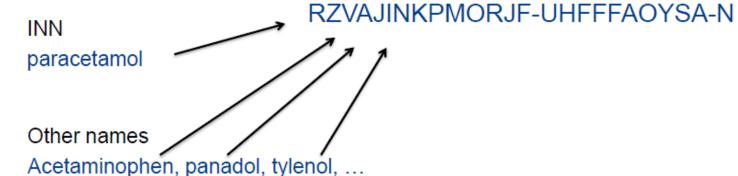


Standardization

IUPAC name

N-(4-hydroxyphenyl)acetamide

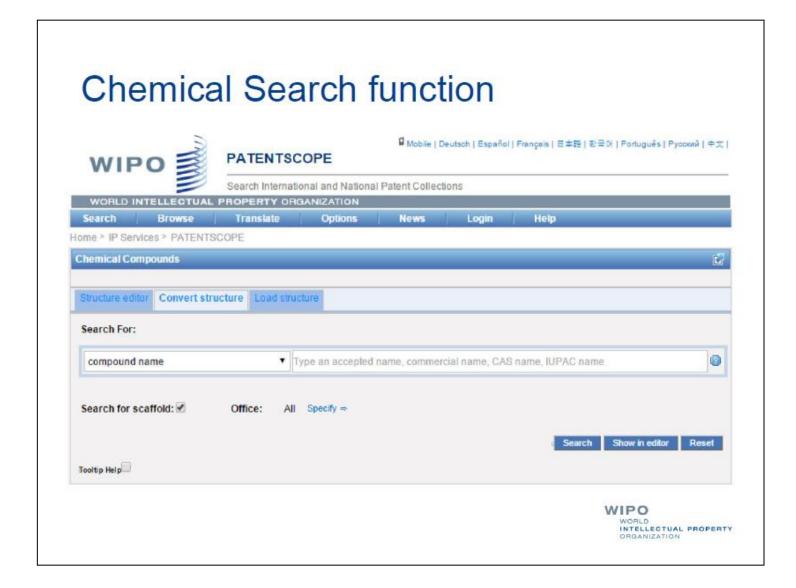




WIPO
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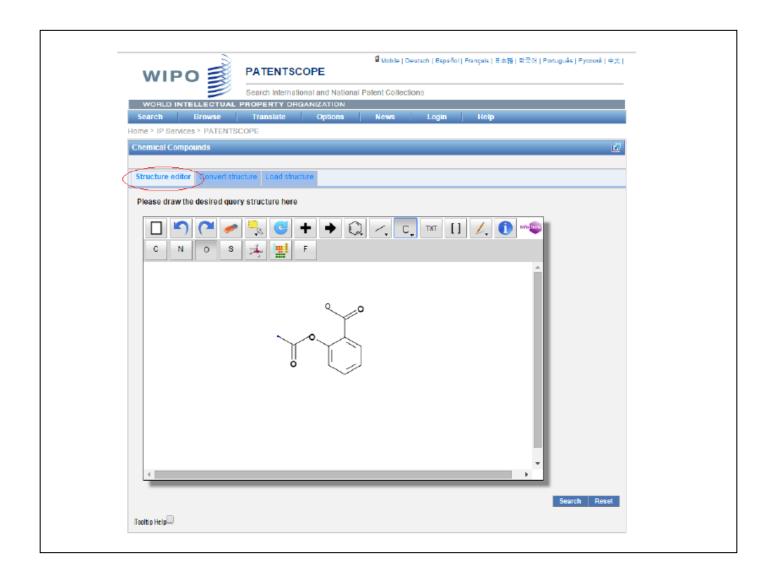






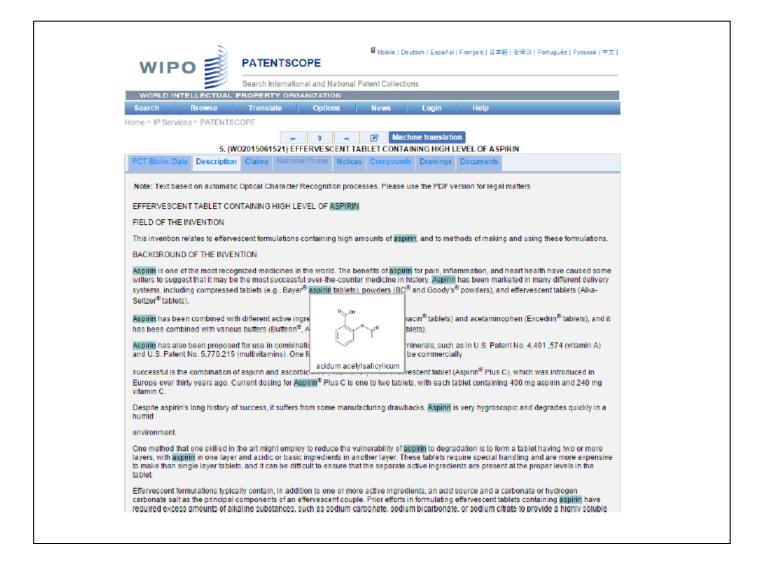
















Timeline

- RFP published January 2015
- Contractor selected Mid Summer 2015
- Project kick off September 2015
- Project step 1 target delivery date: February 2016
- Target production date: July 2016

Scope of step 1: chemical compounds in PCT applications published in English or German

Next envisaged steps: other languages (Chinese, French, Japanese, ...)

Other patent collections: US, EP, JP, CN











Plan

- CWS/4BIS (March 21 to 24, 2016)
- PDG requests
 - Legal status
 - Patent registers
 - Information on entry and non-entry into national (regional) phase of international applications
- Other relevant decisions
 - ST.3 (country and organization codes)
 - ST.14 (citations)
 - ST.26 (sequence listings)
 - Authority file
 - CWS Surveys
 - Survey on the use of WIPO Standards
- Awareness about WIPO Standards
- WIPO Standards Workshop and TF meetings

WIPO
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ST.3 – Country and organization codes

- The revised ST.3 was published on April 11, 2016
- New two-letter codes:
 - "XX" to represent unknown states, other entities or organizations
 - "XV" for the Visegrad Patent Institute (VPI)

チェコ、ハンガリー、 ポーランド、スロバキ アの国際特許機構

- Change of name:
 - OHIM to European Union Intellectual Property Office (EUIPO)
 - Same code "EM"

WIPO
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ST.14 – Citations

- Revision of ST.14 approved
- Categories indicating cited documents
 - Revised codes "E", "O" and "P"

Category "E": Earlier patent document as defined in Rule 33.1(c) of the Regulations under the PCT, published on or after the international filing date.

<u>Code "E" may be accompanied by one of the categories "X", "Y" or "A"</u>

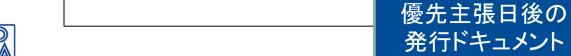
早期登録

Category "O": Document referring to an oral disclosure, use, exhibition or other means. Code "O" should always be accompanied by one of the categories "X", "Y" or "A";

ロ頭開示の 参照

Category "P": Document published prior to the filing date (in the case of the PCT, the international filing date) but later than on or after the priority date claimed in the application. Code "P" should always be accompanied by one of the categories "X", "Y" or "A";

WORLD INTELLECTUAL PROPERTY ORGANIZATION





ST.26 – Sequence listings

- *ST.26 Recommended standard for the presentation of nucleotide and amino acid sequence listings using XML (eXtensible Markup Language)"
- Adopted by the CWS and will be published for information purposes
- Pending the recommendations for the transition from WIPO Standard ST.25 to the new WIPO Standard ST.26
 - Proposal should be presented at CWS/5
 - ST.25 continue to be used

WIPO
WORLD
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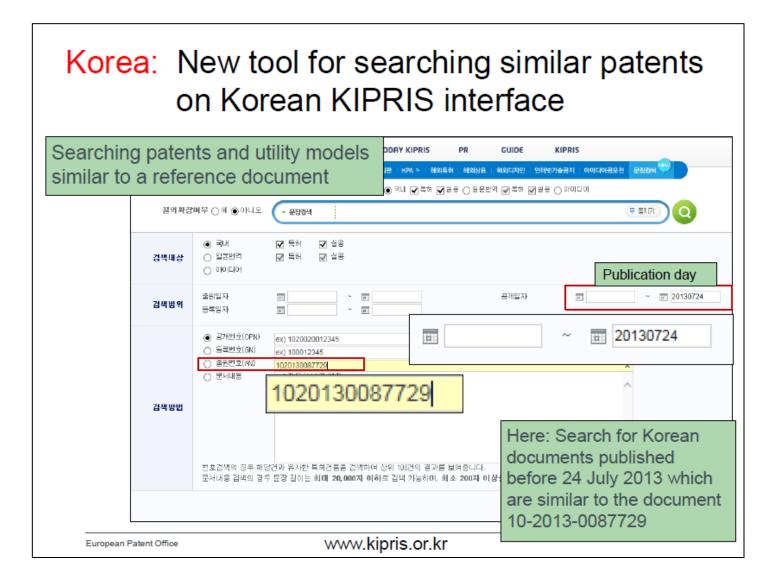


ミノ酸配列の

XML表記



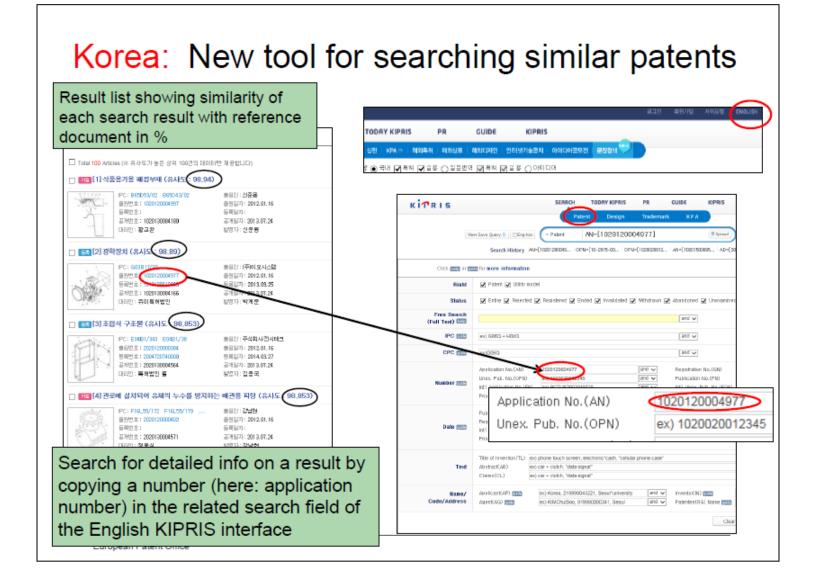
KIPO 類似特許サーチ



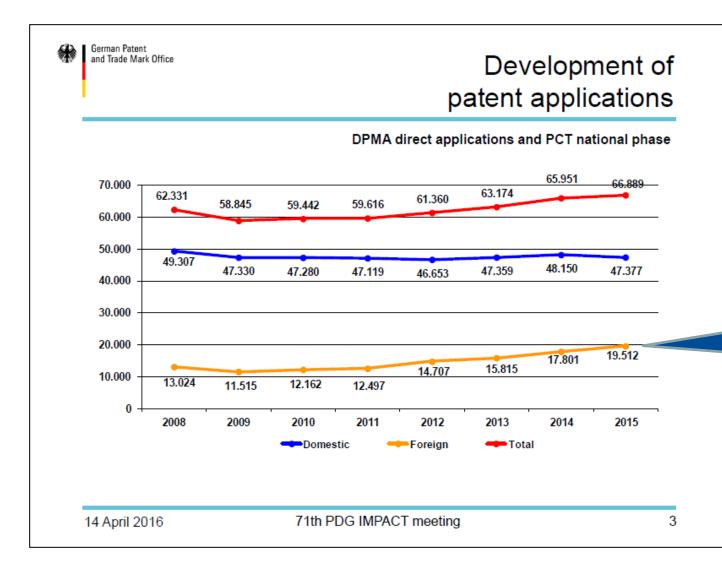




KIPO 類似特許サーチ



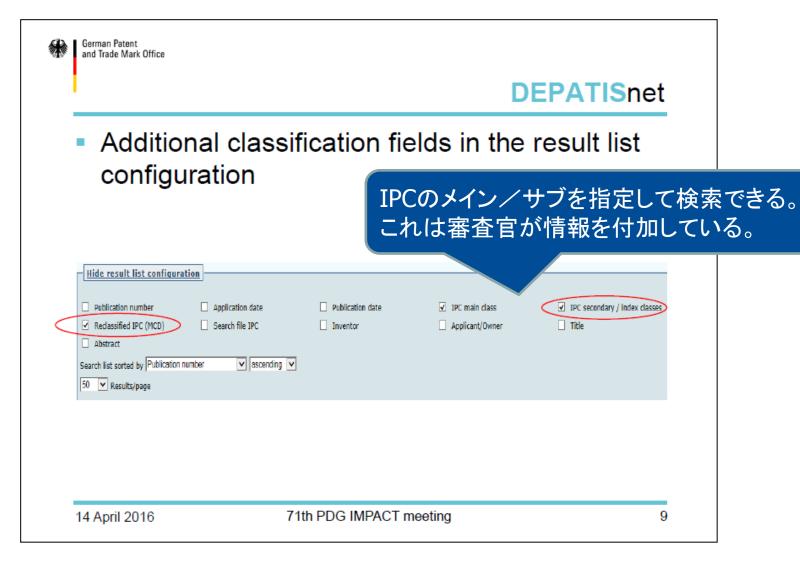




外国人 増加









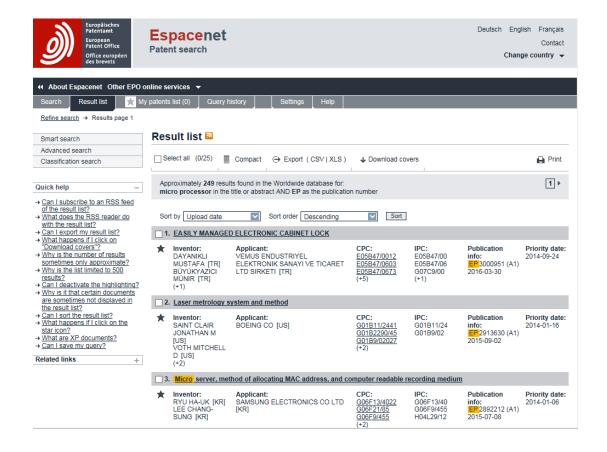


- ◆欧州統一特許(UP)とドイツ特許の二重登録は許され、両方の裁判所での係争もOK。
- ◆ 例えばsiemensのような欧州の企業は重要な特許をUP登録するから、それらを分析するのは重要である。
- ◆ 2017年にスタートする鍵は6月のBrexitの行く末次第





◆ espacenet でのUP エフェクトのモック画面の紹介。EP出願に青いマークが付加表示される。UP エフェクトの情報は商用DBにも提供される。







◆インド特許の公報番号がO詰めされて、12桁に なった

Indian data – change of format from filings from January 2016

OLD

- Patent applications:
 - nnnnn/AAA/YYYY national filings
 - nnnnn/AAANP/YYYY –
 PCT transfers
 - AAA is MUM, KOL,DEL and CHE (BOM, CAL, DEL, MAS for older documents)
 - · nnnnn digits
 - No publication numbers
- · Granted patents: nnnnnn
- No patent kinds



- NEW
- YYYYJTNNNNNN
 - YYYY Year of filing
 - J- single digit regional office (1 for Delhi, 2 Mumbai, 3 for Kolkata, 4 for Chennai)
 - T -Type of Application
 - 1 for Ordinary
 - · 2 for Ordinary-Divisional
 - 3 for Ordinary-Patent of Addition
 - · 4 for Convention
 - 5 for Convention-Divisional
 - 6 for Convention-Patent of Addition
 - 7 for PCT NP
 - · 8 for PCT NP-Divisional
 - 9 for PCT NP-Patent of Addition
 - NNNNNN 6 digits common continuous running serial number applicable for all regional Offices in India

11





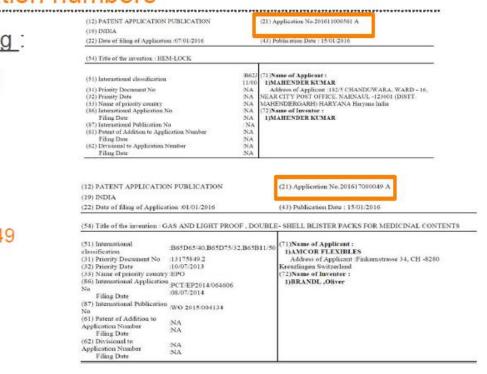
◆ サンプル

Indian data – new number format –examples of application numbers

National filing:

201611000561

PCT filing 201617000049







CN 2重出願

◆ 2014/9/1のCN出願データを見ると、10%が実用新案との二重出願

Chinese dual filing – case study

- Date of filing 1st September 2014 (>18 months to publication)
- Pairs were identified based on similar titles on search results sorted on applicant and technology
- Out of 4208 patent and utility model applications filed on 1st Sep 2014 there are 389 pairs of utility models and patent applications that seem to describe the same invention

NB: there may be other pairs for which one or both of the pair did not reach the publication stage







CN 2重出願

◆ サンプル

Chinese dual filing – sample for date of filing 1st September 2014

A	8	C	D
	Novel portable multifunctional folding desk A	- WAY CONTROL MAD A CONTROL OF CO	
N204032669U	one new portable multifunctional folding desk	A47B000300 A47B002304 F21V003300	Anhui University of Science and Technology, CN
	Parallel mechanism based complex road surface		
	transfer robot One based on a complex road		
N204110198U	carrying robot of parallel mechanism	B62D6057032	Anhui University of Science and Technology, CN
	Complex road surface transfer robot based on		
	parallel mechanisms One based on a complex		
CN104149872A	road conveying robot of parallel mechanism	B62D6057032	Anhui University of Science and Technology, CN
	Dynamic range adjustable differential		
	interferometer and measuring method A		
	regulating differential interferpmeter and a		
CN104215319A	method of dynamic range	G01H000900	Anhui University,CN
	System and method used for automatically		
	detecting drilling rod length stress waves Used		
	for drill rod length stress wave automatically		
CN104197869A	detecting system and method	G01B001700 G01N002904 G01N002907	Anhui Urban Construction Design And Research Institute, Cl
	Sorting machine used for sorting hard materials		
CN204107876U	One for a hard material of sorting machine	807C0005342	Anhui Weisong Photoelectric Technology Co. Ltd., CN
	Sorting machine for sorting hard materials and		
	sorting method thereof A one used for sorting		
CN104174598A	sorting hard material a and a sorting method	B07C0005342	Anhui Weisong Photoelectric Technology Co. Ltd., CN
	Steel strip surface dirt clearing mechanism One		510 Table (100 No. 100
N204108794U	steel belt surface dirt cleaning mechanism	82480027033	Anhui Xinke New Materials Co. Ltd., CN
	Deciling device for oily wastewater A one-	Charles 197	
CN204111372U	containing oil waste water oil removing device	C02F000140	Anhui Xinke New Materials Co. Ltd., CN
	Self-propelled hydraulic aerial cage data		
	acquisition terminal Self-type high altitude		
N204065747U	operation vehicle data collecting terminal	60580019042	Anhui Yangling Technology Co. Ltd., CN
CN204156512U	Battery charger protection circuit	H02H000720	Anhui Yangling Technology Co. Ltd.,CN
CN104366689A	Tobacco shred collecting cabinet joint device A	1.0000000	Anhui Yitong Machinery Co. Ltd., CN
	tobacco collecting a silk cabinet joint. Tobacco shred collecting cabinet joint device A	A24C000539	Annul Hong Machinery Co. Ltd., CN
***********		1210000000	Asked Wheen Markinson Co. 144, CM
CN204104814U	tobacco collecting silk cabinet one joint. Drug particle measuring discharging device A	A24C000539	Anhui Yitong Machinery Co. Ltd., CN
	one traditional Chinese medicine granule a low		
N20411018211	one traditional Chinese medicine granule a low material	0650000136 0650000106	Aphysi Yongshangtang Pharmaceutical Co. Ltd. CN
HOMSON R	THEFERINE	ORSEGNED IN LUNCHWINDING	econs tonescentrate Marmacastroatto Inc. CN-



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Quality Management

IMPACT's INPADOC Issues of High Priority

71. IMPACT Meeting, 14./15. April 2016

The Hague



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Items of highest priority regarding quality and coverage of the INPADOC file

JP data

Missing data: Appeal, divisional applications (only partly available via bibliographic

information)

Completeness: Annual fee payment, backlog*) (before 2004)

KR data

Missing data: Trial decision, divisional applications (lack of application number of

related applications)

Completeness: Gaps in the bibliographic data (mainly grants)

· Other main items

US PAIR data (withdrawal of applications) =

MX Gaps, mainly grants (estimated 50 %)

TW Pre-grant legal status events*)

INPADOCに欠落している ので改善要望

*) Data currently not available from the offices.



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Items of highest priority regarding quality and coverage of the INPADOC file

PCT entry data missing

PCT entry into national phase information INPADOC vs. Patentscope (23.03.2016)

- AU, CN, EA (11/2015), PL (09/2014): Patentscope has more recent PCT entry data to INPADOC
- . PH, CU, IN, SG, TR, VN: no further distribution of data by WIPO allowed
- EP: PCT entry data not available from 2009 onwards, early unambiguous information required
- · Most important new countries/offices to be included in INPADOC

IN, MY, PH, ID, TH, SG, VN

GCC, AE, IR

CL and other Latin American countries

Patentscope よりも INPADOCがデータ少



ご清聴有難うございました



