

WIPO Patent Information Services for Developing Countries

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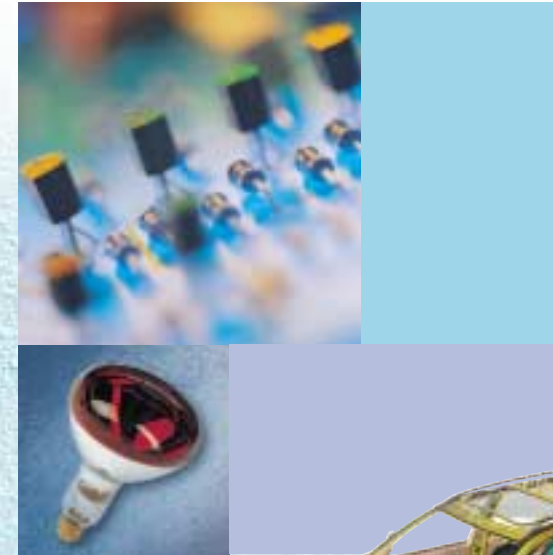
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Technology and inventions are important parts of the innovation process, which transforms inventions into marketable products.

The innovation process is most complex and as such requires a lot of specialized expertise and professional knowledge. The marketing and commercialization phase of the innovation process is crucial for the success of any invention and innovation. Knowledge and information (not to say intelligence) are crucial for the whole innovation process. Finding, identifying and using relevant information is very important for inventors and innovators, since the success of their invention on the market will depend to a very large extent on their capacity to handle information.

One of the principal mandates of the World Intellectual Property Organization (WIPO) is to offer technical assistance to developing countries. This also includes the WIPO Patent Information Services for Developing Countries (WPIS). These services provide access to and use of technological information contained in patent documents in support of the technological and economic development of those countries.

The WPIS was initiated in 1975 and is presently offered free of charge with the cooperation of some 17 industrial property offices worldwide, as well as the European Patent Office.

These services have proved to be highly appreciated and successful, which is reflected in the growing number of users who regularly ask for information, as well as the diversity of requests received. Many developing countries have developed, with the assistance of WIPO and on the basis of the various search tools available on CD-ROM and online, their capacity to disseminate patent information to users at the national level and to perform searches locally on the state of the art in many different categories of technology. This capacity has also been enhanced by the growing possibilities of access to the patent document collections via Internet.

Today, the World Wide Web, or Internet, as it is more commonly known, offers extraordinary opportunities for the dissemination and distribution of information, but also, and what is more important, for almost unlimited access to information.

The aim of this publication is to inform potential users in developing countries of the WPIS, their usefulness and how they could contribute to R&D activities and industrial development projects of developing countries. It is our hope that, in this way, this publication will help also to educate and promote awareness among industrial enterprises, research institutions and individual inventors about the patent system and its benefits for technology transfer and progress.

Kamil Idris
Director General
World Intellectual Property Organization

A handwritten signature in black ink, appearing to be 'Kamil Idris', written in a cursive style.



Courtesy: Osram GmbH



Courtesy: Osram GmbH

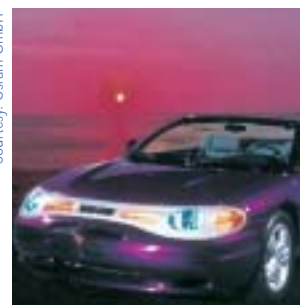


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I. Introduction

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The industrial property (IP) system has two main functions: the so-called “exclusivity function” and “the information-function.” The fact that a patent gives an inventor an exclusive right on a special knowledge and by doing so limits the possibilities of access to this special technology for other enterprises is compensated by the obligation for the inventor to disclose the information about the newly developed technology for public access. This second function of the IP system, referred to as the information function, is very important for the continuous development of the technology.



Each publication of a patent document could be the base for new technical developments by other inventors. Without publication there would be no chance at all for the public to get information about new technical development. It is therefore not surprising that today providing information for the public is part of the tasks of an industrial property office. In the last 30 years a change took place: with the growing use of information many industrial property offices realised that providing information to the public might in future be of equal importance to the granting of patents, trademarks and designs itself. Thus most industrial property offices decided to build up greater information capacities for the public.



The IP system contributes to economic growth and development by creating the conditions for the marketing and commercialization of inventions in several ways:

- (a) it gives an incentive to the creation of new technology, which will result in, inter alia, new products, inventions and commercial opportunities;
- (b) it contributes to the creation of an environment that facilitates the successful industrial application of inventions and

new technology, and the legal framework, which encourages investment, including from foreign countries;

- (c) by publishing the information or new inventions, it acts as a catalyst for the commercialization of inventions and their transfer to productive use;
- (d) it is an instrument of commercial and industrial planning and strategy.

Patent documents contain descriptions of scientific and technical concepts as well as practical details of processes and apparatus. Patents generally disclose technological information by describing the inventions in accordance with the requirements of the applicable patent law and by indicating the claimed novelty and inventiveness by reference to the existing state-of-the-art. They are thus sources of information, and in many cases furnish a history, in summary form, of the technological progress in the field of technology to which they relate.

According to recent WIPO statistics, the number of patent applications filed each year in the world is well over one and a half million. Those applications result in the grant of more than half a million patents. The number of inventions which are covered by those patent applications and grants is much smaller since each invention gives rise to an average of two to three patent



applications in different countries. The number of patent documents published each year, both applications and granted patents, is over two million, in many different languages.

There are no exact statistics on the number of patent documents published so far from the beginning of the times when patents were first published. They can, however, be estimated at over 40 million. Normally, only the recent ones are of practical importance for those searching technological information; the older ones are frequently only of historical interest. Nevertheless, access to the older ones is an absolute necessity for any Industrial Property Office whose law requires it to pass a judgement on the question of whether a given patent application related to an invention is, objectively, new, since such a judgement requires looking at all the existing patent documents likely to disclose a similar invention.

Creation and permanent upgrading of high quality information systems have become one of the main tasks of national industrial property organisations. For research and development activities this new task might be of more importance than the original main function of a patent office, namely the granting of patents. Information is now one of the main products of national economies. A growing number of IP offices and organisations are using the Internet to offer access to their patent documents databases.

The patent system plays an important role in the process of matching technology suppliers and recipients. In addition to the valuable technological information, a published patent document contains details of the names and addresses of the applicant, patentee and inventor, and thus provides a means whereby the owners of rights in relation to technology may be located; finally patent documents contain information on the legal status of the industrial property rights (IPR) in the invention, to which they relate.

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The patent system stimulates invention and innovation through the accumulated pool of technological information contained in patent documents. The information contained and classified in patent documentation constitutes the single most valuable and comprehensive source of technological information available in the world today: the technology disclosed in patent documentation might serve to stimulate ideas for further invention and innovation.

The effective searching of patent documentation can indicate the state-of-the-art, which exists in relation to any particular field of technology, which will be of particular importance to the individual enterprise. Awareness of the state-of-the-art in a particular technical field can avoid duplication in research work by indications that the desired technology already exists. Also it can provide ideas for further improvements; and can give an insight into the technological activities of competitors and, by reference to the countries in which patents have been taken out, the marketing strategies of competitors. A state-of-the-art search can also identify newly developing areas of technology in which future R&D activity should be monitored.

The aforementioned advantages characterize the information available through the patent system as an extremely valuable and comprehensive source of technological, commercial and legal information that can be used directly for scientific and experimental purposes and as a basis for stimulating the adaptation and improvement of the

technology described in patent documents immediately after its publication, provided the user has the necessary basic and specialized knowledge.

It should be noted that the information contained in patent documentation provides merely the skeleton of a particular technology, and needs to be supplemented from other sources in order to represent a functional body of technology. In every case the raw source of technology disclosed in a patent specification is supplemented after the grant of a patent by know-how derived from the accumulated experience of the use of the invention.

Analyzing patent applications or patents for the same invention in different countries will permit conclusions concerning the commercial interests of the patent owner.

Patent documents generally convey the most recent information, which, generally speaking, is not divulged in any other form of literature. It is wrong to believe that relevant information contained in patent documents will come to one's notice by other means. An investigation made by the U.S. Patent and Trademark Office shows that as much as 70% of the technology disclosed in U.S. patent documents published between 1967 and 1972 had not been found in non-patent literature.



The main user groups of patent information are:

- industry, and in particular R&D intensive industry;
- research and development institutions;
- governmental authorities;
- small and medium-size enterprises;
- individual inventors;
- professionals in the field of industrial property, e.g. administrators of technical libraries, patent agents, researchers, producers of data banks;



- educational institutions and university students.

The practice has shown that information contained in patent documents can be very useful to:

- avoid duplication of R&D work;
- identify specific new ideas and technical solutions, products or processes;
- identify the state-of-the-art in a specific technological field in order to be aware of the latest development;
- assess and evaluate specific technology and to identify possible licensors;

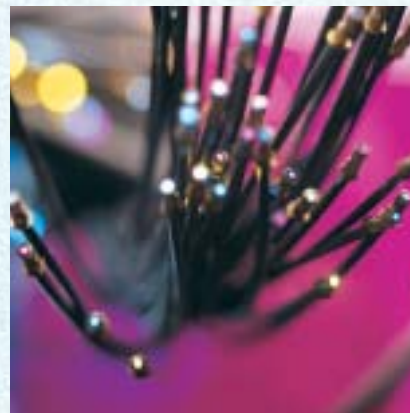
- identify alternative technology and its sources;
- locate of sources of know-how in a specific field of technology or in a given country;
- improvement of an existing product or process;
- development of new technical solutions, products or processes,
- identify existing or prospective industrial property rights (validity, ownership, ...), particularly to avoid infringement actions;
- assess novelty and patentability of own developments with a view of applying for a domestic or foreign industrial property right;
- monitor activities of competitors both within the country and abroad; and
- identify a market niche or to discover new trends in technology or product development at an early stage.

Patent information can also be exploited to monitor technology trends as well as competitor's R&D activities. Since patents must be applied for before any public disclosure and are normally published after 18 months, information, contained in patent documents, represents an early warning of future trends in an organization's activities. While the publication of an individual patent does not in itself tell you much about a competitor's intentions, taken together with several similar patents however provide a strong indicator of that company's likely intention to commercialize a product or process. For example, for a particular company and new technology area, a patent analysis may give results suggesting that the company has a continuing and firm interest in this area, likely to be leading to marketable products.

Since the technological information contained in patent documents is not secret, it can be freely used to support research and development activities.

The cost of obtaining protection varies, but is never negligible. This means that a patent is only requested for a given country if there is an economic interest in doing so.

The nature of the invention will determine whether protection will be sought in some



countries and not in others. The first reason to file a patent application for a given country is that the invention could be reproduced by the industry of that country, and hence create competition for the inventor's own production. The number of applications for patents in a specific branch of industry and for a given country is therefore an indicator for the level of technological development of that country in such field.

Another reason for applying for a patent in a given country is that the country constitutes an important market for the subject matter of the patent, even if it is not in a position to produce it itself.

The capacity for innovation may be studied either in respect of a company or in respect of a field of industry or again as regards one country. In the first case, the number of patents filed by a company and the development of those patents over time will show the innovative capacity of the company. The same applies if we study the overall innovative capacity of a country. It is only the number of domestic applications that will indicate the inventive possibilities of the country concerned.

Hereafter are given brief descriptions of specific characteristics of patent documents, which make them extremely useful sources of technological information, with some clear advantages over other sources of information.



Description, Claims, Drawings

Patent documents generally have a fairly uniform structure that facilitates the extracting of information: the claims give the essence of what is new; the description gives the background to the invention (what was known before the invention, i.e., the "prior art"), and defines the difference between the pre-existent technology and what the invention contributes, as a new matter, as a step forward, to technology development; often patent documents contain also drawings, that illustrate the invention that is claimed.

Technological information is disclosed by describing the inventions in accordance with the requirements of the applicable patent law and by indicating the claimed novelty and inventiveness by reference to the existing state of the art. Certain patent documents are published together with a search report showing a series of references found at the occasion of a documentary search made to establish in a first instance the level of novelty of the claimed invention.

Abstracts

Many patent documents contain an abstract. Abstracts allow a general idea to be formed of the contents of the document within a few minutes, and in any case a much shorter time than would be required to read the full text of the patent document.

Classification

Patent documents bear "classification symbols" which facilitate very much finding and extracting relevant information from them. For the purposes of maintaining search files and performing searches for the state of the art, patent offices classify patent documents according to the field or fields of technology to which their contents relate. Although several classification systems exist, today the International Patent Classification (IPC), which was



established by an intergovernmental agreement concluded more than 30 years ago and administered by WIPO, is the most widely applied by all the major industrial property offices.

The main part of the high cost of processing and classifying patent documents for building up search files, and of keeping the classification system up to date, is borne directly by the patent offices which publish large numbers of patent documents; users other than the Patent Office itself thus have access to patent documentation without incurring, in addition to their costs as users, the cost of maintaining, developing and classifying their own patent documentation collections.

Patent documents belonging to a given classification subdivision contain a highly concentrated supply of usually technically advanced information on a given technological field.

Date

Patent documents bear several dates (date of application, priority date, date of grant) from which conclusions can be drawn as to the age of an invention and to the question of whether the inventions they describe are still under legal protection. If they are no longer legally protected, they can be used without the consent of the patentee.

Inventor, Applicant, Owner

Most patent documents indicate the name and address of the inventor, applicant, the patentee (the owner), and the inventor, or at least one or two of those persons. The information contains also the legal address of at least the owner and/or the applicant. These indications allow any potential licensee to contact the persons concerned in order to find out under what conditions the technology may be transferred.

A. Various types of searches using patent documentation

In practice, there are various more or less typical reasons for performing searches in collections of patent documents, each of them requiring a slightly different approach in the search method used. Some of the search types are basically concerned with technological information as such, while others are directed towards the processing of patent applications, or relevant to the legal state of a new technology. In the following subparagraphs the individual types of searches are listed separately, whereas it is a well-known fact that many items of bibliographic information may be combined in searching.

In general, searches performed by inventors search are usually not as exhaustive as the searches done by professionals at patent offices. However, such insights into patent documents are often very useful for the inventor to determine whether someone has already patented a similar invention, or to obtain relevant information about other patents in the same category as his invention.





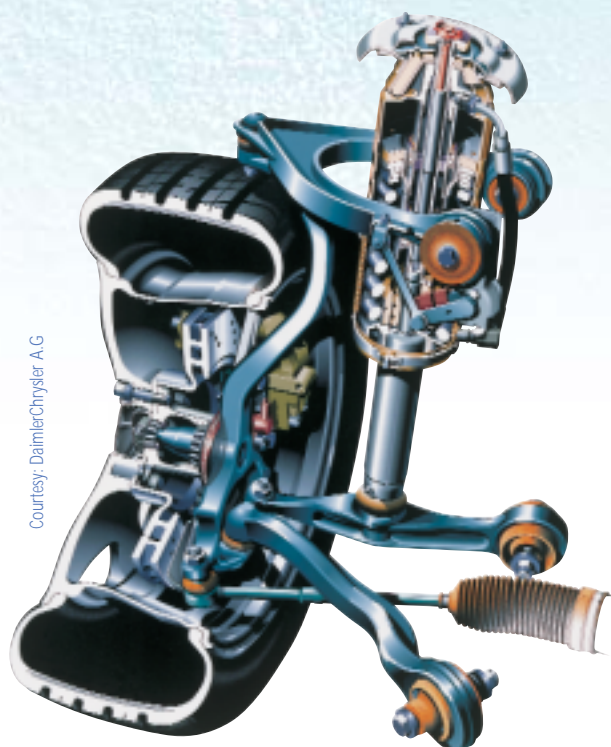
Pre-Application Searches (PAS)

At first, an invention is just an idea. Many details are not even known or recognized as relevant parts. A novelty search based on a vague idea can only result in a vague picture of the prior art.

The patent application process is difficult, time consuming and expensive; therefore, the inventor should conduct a "Pre-Application Search" (PAS) before filling a patent application. In this search, the inventor should look for any printed publications, public knowledge, or patents already issued in his country or a foreign country that may relate to the particular invention.

State-of-the-Art Searches

This kind of search, also referred to as "Informative Search," is made to determine the general state-of-the-art for the solution of a given



Courtesy: DaimlerChrysler A.G

technical problem as background information for R&D activities and in order to know what patent publications already exist in the field of the technology or research. Further reasons for undertaking this kind of search could be the wish to identify alternative technologies which may replace known technology or to evaluate a specific technology which is being offered for licensing or which is being considered for acquisition.

State-of-the-art searches are especially useful for technology development or technology transfer purposes.

Novelty Searches

The objective of a "Novelty Search" is to determine the novelty or lack of novelty of the invention claimed in a patent application or a patent already granted, or of an invention for which no application has yet been filed. The aim of the search is to discover relevant prior art.

An early novelty patent search is usually discouraging. Normally, the basic inventive ideas are formulated in such an unspecified way that many publications will apply to this broad description.

Dependent on the outcome of the novelty search, the next decision will be whether to stop or to go ahead in developing the invention. If nothing of relevance was found, it is easy and you should go ahead. The decision becomes more difficult if one or several pertinent documents have been found.

Most important is to restrict the search to the appropriate area. If an invention can be used in a different field, the patent office will classify it in various classes. It is, however, more important to study the patents classified in the most relevant area.



Patentability or Validity Searches

A "Patentability or Validity Search" is made to locate documents relevant to the determination not only of novelty but also of other criteria of patentability, for example, the presence or absence of an inventive step (i.e., the alleged invention is or is not obvious) or the achievement of useful results or technical progress. This type of search should cover all the technical fields, which may contain material pertinent to the invention.

Novelty and patentability searches are mainly being carried out by industrial property offices in the course of the examination of patent applications.

Name Searches

These are searches for locating information about published patent documents involving specific companies or individuals, as applicants, assignees, patentees or inventors.

Technological Activity Searches

They are to be understood as searches for identifying companies and/or inventors who are active in a specific field of technology. These searches are also suitable for identifying countries in which a certain technology is being patented, so as to know where to turn to for obtaining particular information in a given field of technology.

Infringement Searches

The objective of an "Infringement Search" is to locate patents and published patent applications, which might be infringed on by a given industrial activity. In this type of search the aim is to determine whether an existing patent gives exclusive rights covering that industrial activity or any part of it.

Patent Family Searches

This kind of search is carried out to identify a member of a "patent family." Patent family searches are used in order to:

- find the countries in which a given patent application has been filed (if published);
- find a "patent family member" that is written in a desired language;
- obtain a list of prior art documents or "References Cited"; and
- estimate the importance of the invention (by number of patent documents relating to the same invention and being published in different countries or by industrial property organisations).

Legal Status Searches

A search for this type of investigation is made to obtain information on the validity (status) of a patent or a published patent application, on a given date, under the applicable patent legislation in one or more countries. Such information can assist in making decisions on, for example, exporting, or in the negotiation of license agreements. It can also give guidance on the value attached to a particular patent by the patentee.

Overview of services

The WIPO Patent Information Services for Developing Countries (WPIS) are offered free of charge on the basis of contributions made by some 18 industrial property offices worldwide and the International Bureau of WIPO itself. These services include the provision of, e.g.:

- (i) state-of-the-art search reports carried out in patent document collections and online databases;
- (ii) search and examination of patent applications filed with Industrial Property Offices under the ICSEI (International Cooperation for the Search and Examination of Inventions) program



including search and examination of patent applications submitted by the African Regional Industrial Property Organization (ARIPO), which have no priority or for which no search reports have been established;

- (iii) information on equivalent patent documents of published patent applications and granted patents;
- (iv) copies of individual patent documents.

Some of these services have been in operation for the benefit of patent information users in developing countries since 1975. They have proved to be highly successful. This success is reflected in the increasing number of users who regularly ask for information and in the number and diversity of the requests increasingly received.



Courtesy: Swisscom

Contributions to the services

At the end of December 2001, the contributing Industrial Property Offices were from the following countries: Australia, Austria, Brazil, Bulgaria, Canada, Cuba, Finland, France, Germany, Japan, Norway, Portugal, the Russian Federation, Sweden, Switzerland, the United Kingdom, the United States of America, as well as the European Patent Office. In addition, DERWENT, ORBIT and QUESTEL also provide, to the International Bureau of WIPO, some free online access for WPIS.

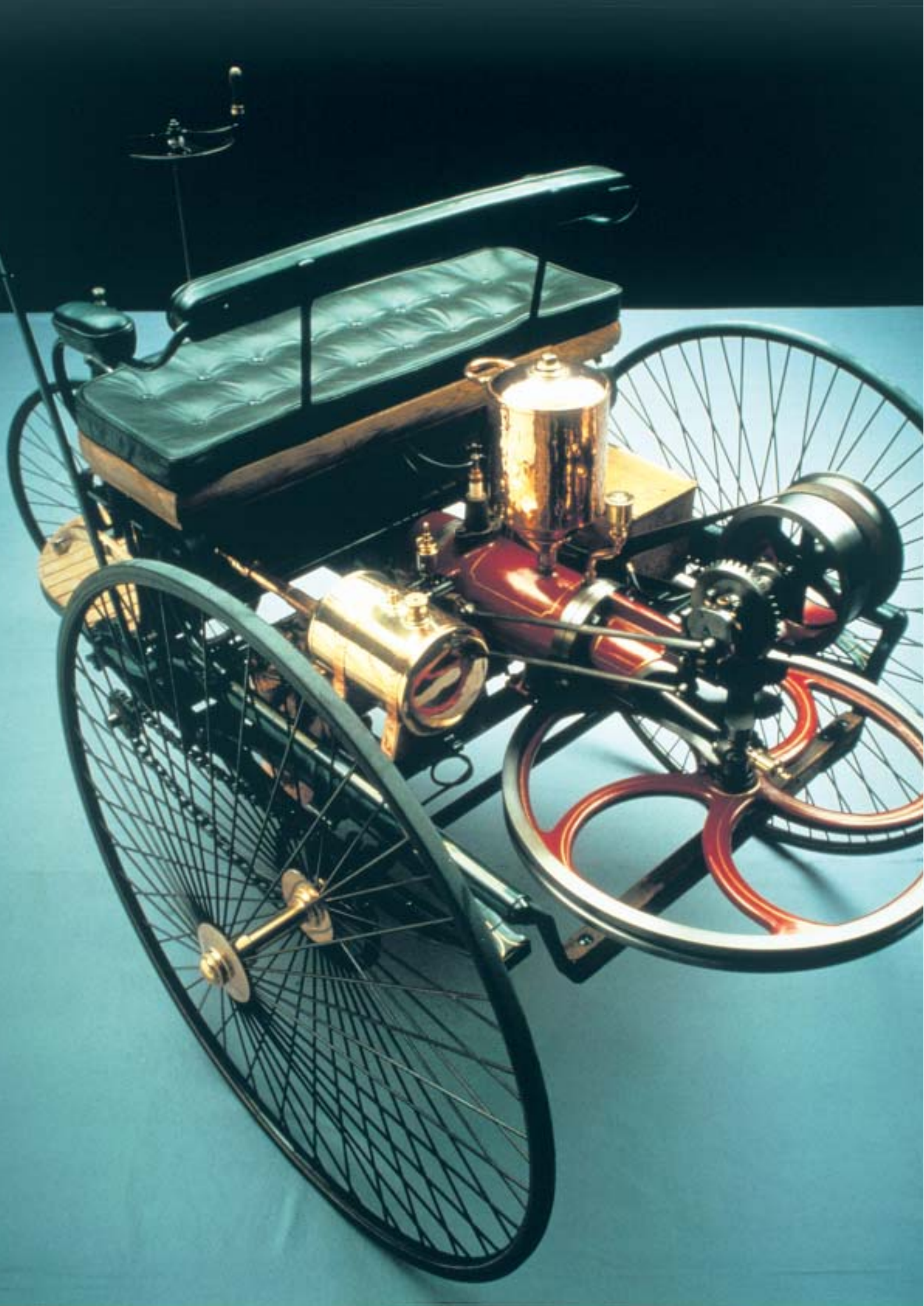
Procedure for requests for services

The International Bureau of WIPO accepts requests only if they are made by institutions or individuals from developing countries. Requests made by private institutions or individuals require the endorsement of a government authority.

Requests to use the WIPO Patent Information Services described below should be submitted to the International Bureau of WIPO on the appropriate form attached. They should be written in English, French, German, Spanish or Russian. WIPO acknowledges receipt of search requests and informs the requestor to which contributing office the request was transmitted for performing the search. Furthermore, according to the policy of the International Bureau of WIPO, requests may have to be refused if they are related to arms, chemical warfare, military technologies, etc.



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III. Types of Services

A. State-of-the-art search reports

State-of-the-Art Search Reports Based on Information in Patent Document Collections and Online Databases

The WIPO Patent Information Services for Developing Countries (WPIS) include the provision of confidential reports on the state of the art in response to requests received from patent information users in developing countries. Such reports identify the "state of the art", as reflected in patent documents and non-patent literature, in respect of a technical problem described in the request. The search is performed by highly skilled patent examiners of industrial property offices contributing to the WPIS program. They consult their search files which contain collections of national and foreign patents and published patent applications (90%) as well as relevant non-patent literature (10%). The search files are classified according to the International Patent Classification (IPC) which subdivides the whole technology into more than 67,000 groups. Some searches are performed on internationally accessible computerized databases which are privately owned and located outside industrial property offices. All search reports list patent documents and relevant non-patent literature concerning the technical problem described in the request with brief descriptions explaining their relevance. Full text copies of the documents cited in the search reports are also provided free of charge. Guidelines and forms for the submission of requests for search reports, including sample requests and the corresponding reports, are enclosed. It is important to note that some requests submitted in Spanish or Russian will have to be translated into English by the International Bureau of WIPO, so that the contributing industrial property office can perform the search. The process of preparation of the search report will be accelerated if such requests are submitted with the title and abstract already translated into English.

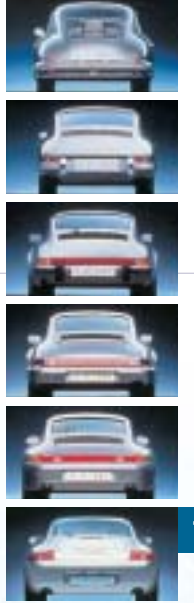
B. ICSEI

ICSEI stands for International Cooperation in the Search and Examination of Inventions. The objective of the ICSEI Program is to assist industrial property offices of developing countries exclusively in assessing novelty and inventive step of patent applications filed with them. This service, which complements the service of the state-of-the-art reports, is intended to assist industrial property offices of developing countries in examining pending patent applications which have been filed by non-residents of their respective countries.

To take advantage of this Program, industrial property offices should forward a copy of the complete text of the patent application to WIPO in either English, French, German or Russian, with a request that it be dealt with under the ICSEI Program.

Further details of the ICSEI Program, as well as guidance for submitting requests for search and examination reports to be furnished through the International Bureau of WIPO, are given in the enclosed guidelines.

Courtesy: DaimlerChrysler A.G



Courtesy: Porsche A.G

Courtesy: DaimlerChrysler A.G



C. Equivalent patent documents (patent “family”)

In order to use this service, users or industrial property offices should forward to the International Bureau some basic bibliographic data which is specified in the appropriate guidelines. On the basis of these data, the International Bureau or the industrial property offices can proceed with an online search for equivalent patent documents published in other countries or by regional or international patent authorities. In the case that equivalent patent documents were published and patent literature was cited during the examination procedure or during documentary searches by other IP offices, (normally in the form of search reports annexed to the published patent applications or as citations listed on the first page of the granted patent), the International Bureau secures copies of both the search reports and patent documents cited therein.

The International Bureau can also search, by using its free online access to certain industrial property databases to identify a member of a “patent family.”

Guidelines for the submission of requests for information on equivalent patent documents and patent families as well as the request form, are enclosed.

D. Copy service

Free copies of the full text of any published patent or patent application, as may be specifically requested by the users from developing countries, are also available. In the event that a requested document is published by a country in a language not understood by the requestor, WIPO endeavors to find a description of the same invention contained in another corresponding patent document published by another country in English. If no corresponding patent is available in a

language familiar to the requestor, WIPO endeavors to identify the translation of the abstract in English wherever available. Some 30 industrial property offices provide, free-of-charge, copies of their patent documents, however, the main suppliers of free copies are those offices in Austria, France, Germany, Japan, Mexico, Portugal, the Russian Federation, Switzerland, the United Kingdom, the United States of America, as well as the European Patent Office (EPO) and WIPO.

Guidelines for the submission of a request for a state of the art search report

Introduction

In practice, there are, more or less, typical reasons for requesting searches to be carried out in collections of patent documents and online databases. Each reason can require a slightly different approach in the search method used.

Within the framework of the WIPO Patent Information Services, searches carried out may serve to:

- determine the general state of the art in the field of a given technical problem as background information for R & D activities and in order to know what patent publications already exist in that field of the research activity;
- identify alternative technologies which may replace known technologies, or to evaluate a specific technology which is being offered for license or considered for acquisition;
- locate information about published patent documents involving specific companies or individuals, as applicants, assignees, patentees or inventors;
- assist in determining the novelty, or lack of novelty, of an invention claimed in a patent application or a patent already granted, or even of an invention for which no application has yet been filed.

In submitting a request for a state-of-the-art search report (hereinafter called “search report”), the requestor must comply as closely as possible with the guidelines set out below. The guidelines have been drawn up so as to facilitate the work of the patent examiner in the industrial property office that will be requested to perform the



search. It is particularly emphasized that a worthwhile search in patent documentation can only be performed if full details of the technological problem to be solved and exact spellings of names of companies and individuals are given. Due to the large volume of patent documentation, it is not sufficient to merely refer to a broad area of technology or to submit just the title of a request for technological information.

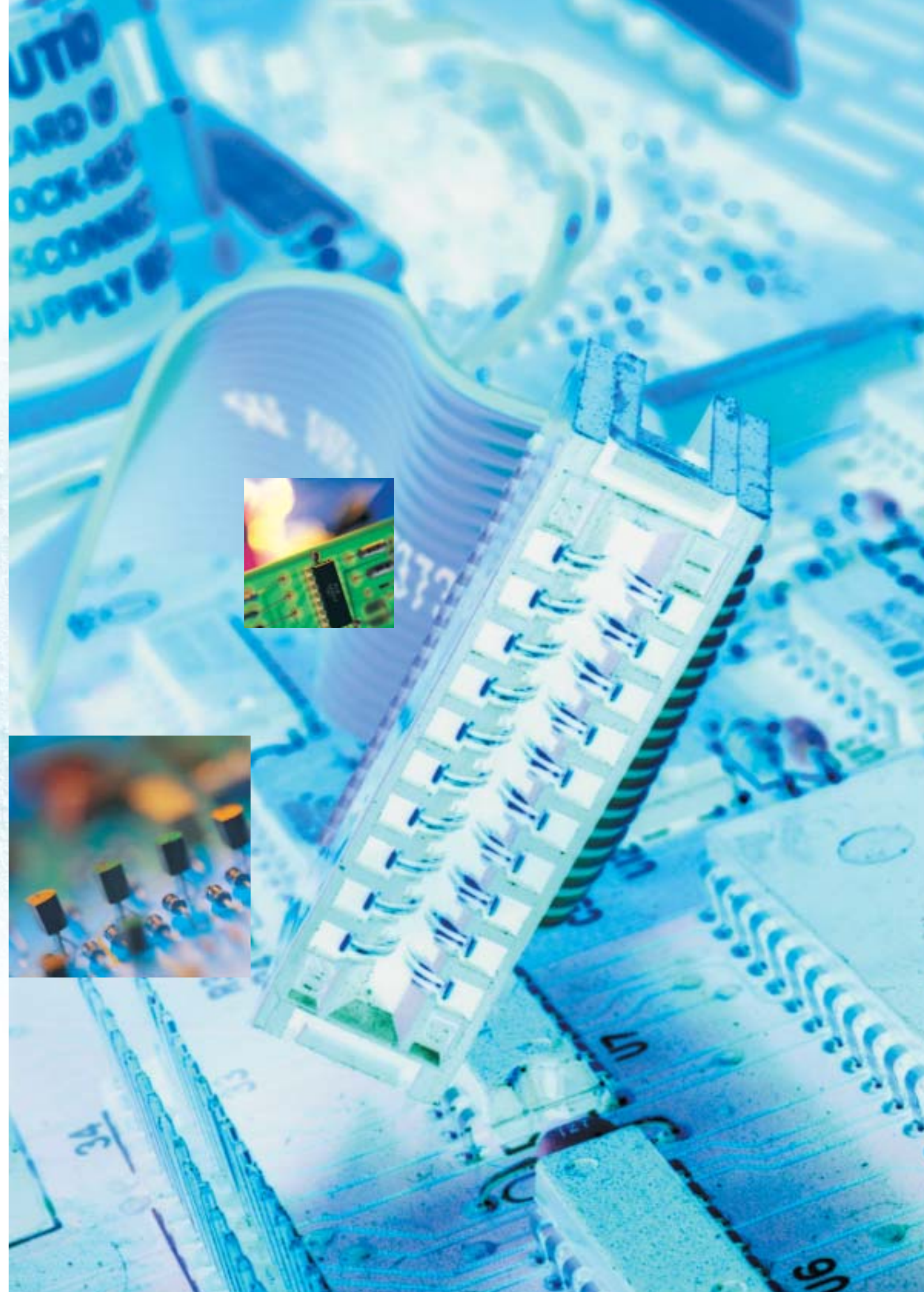
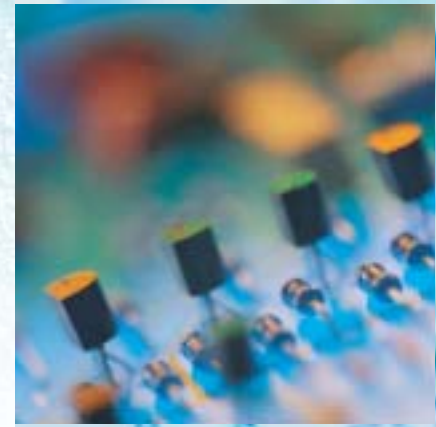
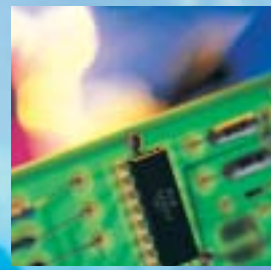
Requests for search reports submitted directly by a private institution or by an individual are accepted only if they are endorsed by a national (or regional) industrial property office, a national research and development institution or other government authority of the country of residence of the requestor.

Each request for a search report is examined by WIPO before it is forwarded for processing to one of the contributing industrial property offices. If WIPO, or the contributing industrial property office, consider that the request does not contain sufficient information, the requestor will be asked to provide additional technical information. It should be noted that a detailed search to identify technical solutions or other relevant data can only be made if a very clear description of the technology being sought is given. If searches are requested to locate information regarding patent literature which involves specific companies and/or individuals, the spelling of names, including all versions known to the requestor, must be precise and complete.

Requirements for a request

Each request for a search report must:

- (a) specify the government department or other national authority, institution or organization making or endorsing the request;
- (b) give a title which, for reference purposes, summarizes the subject matter of the request;
- (c) contain a full and detailed description of the subject matter of the request. This should relate to a single, well defined technological problem, or, in the case of a name search, have precise and complete spelling of company names and/or individuals;
- (d) include, if the description is very long, (e.g., several pages), a summary of the description giving the particulars of the technological information sought;
- (e) be signed by the requestor and/or the director or other responsible official of the government authority or institution making and/or endorsing the request;
- (f) use the appropriate form (see the sample form WPIS attached). The form can also be copied (downloaded) from WIPO's web site, www.wipo.int.





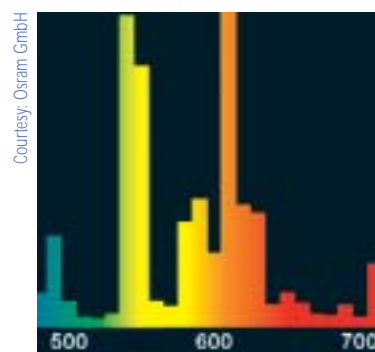
Each request for a search report should contain drawings if they assist in the understanding of the description. The request should list any limitations of the search report which could facilitate a swift and more accurate search (e.g., by publication date, by country, by language of documents disclosing technology relevant to the request or by the symbols of the International Patent Classification (IPC) specifying the technical field).

The description in a request for a search report should be sufficiently detailed and precise so that the examiner himself does not need to make assumptions concerning the information sought. For example, if information concerning a desired solution to a technological problem is required, both the type of solution and the problem itself should be clearly defined in order to avoid the searching of other, unwanted solutions, or of the same solution to a different technological problem. Moreover, if general solutions to a technological problem are required, the requestor should describe those solutions to the problem that are already known to him so that the examiner can concentrate upon the specific need.

Content of a search report

The search report will contain:

- (a) citations of patent and non-patent literature considered to be relevant to the technological problem given in the request



(copies of those documents will also be provided), however, neither commercial information nor technical drawings and designs, and the like, may be expected to be provided;

- (b) in most cases, a short description of the relevance--to the technological problem given in the request--of the documents cited;
- (c) normally, the classification symbols of the International Patent Classification (IPC) and/or a national patent classification of the subject matter fields searched. It would also include, where relevant, an indication of the patent document collections searched and the period covered by the report;
- (d) the date on which the search was actually completed.

It should be noted that any information given by the requestor to describe his inquiry will be treated as confidential.

Attached are examples of two requests for search reports, together with the corresponding reports, and one request for a name search, accompanied by the results. It is particularly recommended that these be carefully studied before a request is submitted to the International Bureau of WIPO.

Guidelines for the submission of a request for a search and examination under the icsei program

The objective of the ICSEI Program (International Cooperation in the Search and Examination of Inventions) is to enhance the credibility of the patent system and its usefulness through measures which should make it possible, eventually, for every country to issue patents for inventions only where the claimed

invention is new and if it involves an inventive step when compared with the applicable "state of the art" on the relevant date of the patent application.

It is a well-known fact that the examination of the patentability of an invention requires a very large volume of documentation and an important staff of highly qualified and specialized engineers and lawyers. Most of the developing countries and many of the developed countries cannot afford the cost that such a documentation and staff would necessitate. The objective is to find ways and means by which such countries could be so assisted that, mainly by relying on such assistance, they could issue patents that are just as "viable" as those issued by the technically most advanced industrial property offices, that is, patents that have a high degree of likelihood of successfully withstanding attacks on their validity.

Such patents are desirable not only from the viewpoint of their owners but also from the viewpoint of prospective transferees or licensees of patented technology (since they would have a better idea about the real value of the patented inventions that are being offered to them for exploitation), as well as of users of patented inventions for purposes of technological information (because only a careful, complete and correct examination can guarantee the clarity and completeness of the disclosure of a patented invention) and prospective competitors (because they could better measure the risks of infringement if they decide to use the patented invention without the patentee's permission).

It is true that the Patent Cooperation Treaty (PCT) is designed to solve some of these problems but, since that treaty is generally used only where the inventor seeks protection in two or more foreign countries, a solution has to be found also for indigenous inventions for which, usually, protection will be sought only in the home



country. The objective is to find a solution which, in its end result, yields a very high-quality examination report, similar to the one offered by the PCT under its Chapter II. However, since the procedure under that Chapter is optional for both the PCT-contracting States and the applicants, not all applications filed under the PCT are subjected to international preliminary examination. At the same time, the objective is that this solution, the ICSEI Program, should cost as little as possible both to the applicant and to the national patent offices of developing countries.

It should be noted that the copy of a patent application sent to WIPO under the ICSEI Program should be complete, except that the identification of the applicant may be omitted. Patent applications in the English, French, German or Russian languages are accepted under the ICSEI Program.

The ICSEI search and examination reports, prepared by highly skilled examiners of industrial property offices having at their disposal the required documentation, will contain opinions on the novelty and inventive step of inventions claimed in the respective patent applications, which can in time be used by the requesting industrial property office to decide whether or not the invention claimed in the application deserves a patent.

This service, which is intended to assist industrial property offices in developing countries exclusively, is free of charge. The patent applications transmitted will be handled confidentially both by the International Bureau and the executing industrial property office.



Guidelines for the submission of a request for information on equivalent patent documents

The identification of "equivalent" patent documents or the location of a member of a patent family can be useful in order to:



- find the countries in which a patent application for a given invention has been filed (if published);
- find a "patent family member" that is written in a desired language;
- estimate the importance of the invention (by number of patent documents relating to the same invention and being published in different countries or by Regional or International industrial property organizations).

Requirements for a request

When submitting a request for information on equivalent patent documents published by other industrial property authorities, the office with which the patent application is pending should forward the following information to the International Bureau of WIPO:

- (a) country of origin of the application, and, if applicable, priority number and filing date;
- (b) name(s) of inventor(s)/applicants (s).

The requestor should state, if desired, language preferences for the equivalents. However, it has to be noted that patent documents only, and not other kinds of literature, are obtainable within the scope of this service.

A necessary prerequisite for locating patent families is the availability of bibliographic data or at least the publication number of the patent document and name of the country or the organization which has published it (or the respective application number including filing date and country or organization in which the application has been filed).

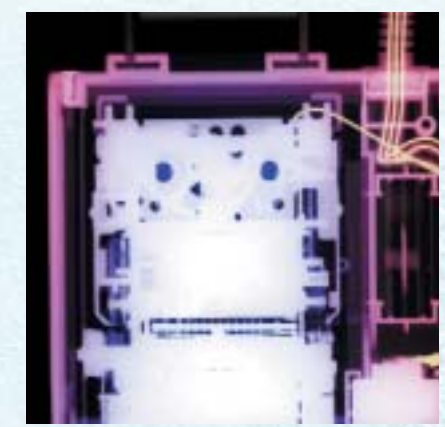
The requestor should state any limitation of the search to be carried out in order to facilitate its processing (e.g., period to be covered, International Patent Classification symbols, countries, etc.).



Each request for information on equivalents, or patent families must:

- (a) indicate the industrial property office or other institution making the request;
- (b) give complete and accurate bibliographic data of the pending patent application and details concerning which equivalents are to be located or the patent document in respect of which family information is requested;
- (c) be signed by the director or other responsible official of the industrial property office or institution and government authority making and/or endorsing the request.

Attached is an example of a request for furnishing information on equivalent patent documents and citations or patent family members, together with the reply to be expected.



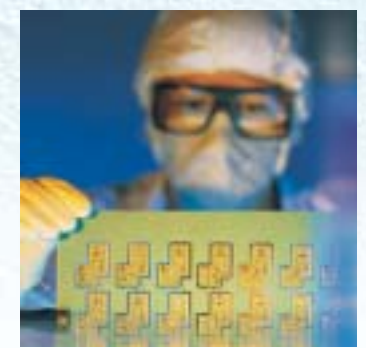
Guidelines for the submission of a request for copies of individual patent documents

Requirements for a request

Each request for copies of individual patent documents must:

- (a) specify the government department or other national authority, institution or organization making the request;
- (b) be signed by the requestor and/or the director or other responsible official of the government authority or institution making and/or endorsing the request;
- (c) use the appropriate form (attached).

For each requested copy of a document, at least the publishing country or organization and the document number must be given. Also, if needed, there should be an indication (in plain language) of the kind of patent document



V. Examples

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requested (e.g., published unexamined patent application, published examined patent application, granted patent).

When requesting copies of Japanese patent documents please specify whether the publication number refers to an examined patent application (kokoku) or unexamined patent application (kokai).

In order to facilitate the processing of the request, the identification data should be grouped according to publishing country or organization and kind of document and should, within those groups, be given in the order of the document numbers.

In general, the copies provided by WIPO will be sent to the requestor together with a copy of the original request. If for some reason it is not possible to supply a copy of a requested document, an indication will be given on the copy of the original request.

It should be noted that this service is designed for the provision of copies of individual patent documents. It is not possible to ask for copies of patent documents not identified by their serial numbers. Thus, no requests will be honored which, for example, ask for the supply of copies of complete series of patent documents that are classified according to one (or more) symbols of the International Patent Classification.

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Example request no. 1 for a search report

Title: Industrial recycling of vinasse.

Description: The production of ethyl alcohol from molasses has created a new environmental problem, namely the accumulation of vinasse (spent molasses) which, owing to its high mineral and nutrient content, is very prone to microbiological attack, and is thus liable to cause pollution problems.

Summary: Information contained in a recently published patent literature is required on technological processes that will enable us to use vinasse as a raw material for producing other products that might be useful in the agricultural and livestock sectors and in industry.

Example search report

Patent Documents :

EP	048,061
EP	175,034
GB	2,073,244
FR	2,516,540
US	4,604,125

Fields searched:

Int. Cl.5: C 02 F, C 12 F, C 12 N, C 12 P

Observations:

The patent documents cited above relate to industrial recycling of vinasse.

As to European patent application EP 048,061, vinasse is concentrated and burned; the rest is used in the alcohol preparation process.

In European patent application EP 175,034, recycling of purified vinasse into the fermentation process is disclosed.

According to US patent US 4,604,125, a fertilizer is produced from vinasse.

In French patent application FR 2,516,540 the production of a combustible gas by anaerobic fermentation of vinasse is described.

According to the UK patent application GB 2,073,244 vinasse is used as a growth medium for yeasts; thus animal feed supplements can be produced.

Example request no.2 for a search report

Title: Rural Community Water Filters.

Description: Many villages do not possess the advantage of safe drinking water (filtered water) owing to the prohibitive cost of rapid gravity sand filters or slow sand filters.

A low cost rapid gravity filter has been designed which is expected to require minimum maintenance and give best results. The filter uses the principle of sand filtration and post-chlorination arrangements; a centrifugal pump is used for periodical backwashing of the sand-bed. Preliminary trials have shown encouraging performance.

Summary: In order to provide safe drinking water facilities for rural communities, a rapid gravity sand filter has been designed and developed. Patent documents and possibly other relevant literature, especially of recent date, concerning development of water filtration methods for rural communities are requested.

Example search report

Patent Documents:

GB	1,586,685	US	4,238,335
US	4,211,655	US	4,305,826
US	4,211,656	US	4,317,733

Fields searched: Int.Cl.5: C 02 F

Observations:

The patents cited concern filtering methods using sand as a filtering medium. The last four patents cited show an apparatus with means for back washing of the filtering medium.

Example request for information on equivalent patent documents or patent "family"

Information is requested on equivalent patent documents published by other offices and based on the following invention which is pending with the Industrial Property Office of:

- (a) Country of priority:
Australia
- (b) Priority number:
11603/88
- (c) Filing date:
February 10, 1988
- (d) Name of inventor:
Kimber, M.B.
- (e) Name of applicant:
Astra Pharmaceuticals Pty. Ltd.
- (f) Title of invention:
Plastic Cartridge and Syringe

Furthermore, the provision of copies of the equivalent documents and the patent literature identified in earlier examination procedures and documentary searches concerning the above-mentioned subject matter, preferably in the English language, would be welcomed.

Example reply

The information listed hereinafter has been located concerning priority patent application AU 11,603/88:

- (a) Published patent document equivalent to Australian application:
WO 89/07,462
- (b) Patent literature cited in International Search Report:
DE 809,698
DE 2,820,727
US 3,945,383
US 4,235,235

(Copies of all identified patent documents that are written in English are enclosed with the reply).



VI. Annexes (detachable)

- A. Request for a state-of-the-art report on technological information, ICSEI, patent family
- B. Request for copies of individual patent documents





WORLD INTELLECTUAL PROPERTY ORGANIZATION
Geneva
WIPO PATENT INFORMATION SERVICES FOR DEVELOPING COUNTRIES
Request* for

- A. ICSEI Report [] C. Patent Family []
B. State of the Art Search Report []

(It is recommended that the relevant guidelines for a request be consulted before completing this form; please type or use block letters)

1. The report is requested* by: (name, organization, unit)

.....
.....
.....

2. Address and telecommunications numbers for correspondence:

.....
.....
.....

3. Title (brief indication of technological field):

.....
.....
.....

4. Summary of the technological problem on which the report is requested (a detailed description together with drawings, if applicable, should be given on a separate sheet):

.....
.....
.....
.....

5. Where the search should be limited as to period and symbols of the International Patent Classification (IPC) to be covered, please indicate:

- (a) the years: b) the IPC symbols:

.....

Endorsement

Name and address of government authority:

.....
.....

Signature of responsible officer:

.....

Date:

.....

Note: This request form should be submitted to the World Intellectual Property Organization (WIPO),
34, chemin des Colombettes, 1211 Geneva 20, Switzerland - Fax (+41-22) 338 97 64
e-mail: innovpro.mail@wipo.int - website: <http://www.wipo.int/innovation/en>

6. Priority data (if available):

.....
Publishing country and/or number of application or patent:

.....
Name of the inventor(s) and/or applicant(s):

.....
7. The main purpose of the search report:

(a) to form a basis for developing research and development activities by identifying the solutions already known to a technological problem?

(b) to assist planning in the use of new technology?

(c) to assist in overcoming difficulties in certain technological steps of a technology already implemented by the requestor?

(d) to assess technology and/or equipment to be or being purchased?

(e) to assess results reached under a current research and development project?

(f) to assist in the decision-making process concerning industrial property proceedings (e.g. to file a patent application, to determine novelty of the invention claimed in a patent application)?

(g) other (please specify)?

8. Indicate if this request is a supplement to an earlier search report.

If so, state search report number:

9. Please indicate if your office has internet access Yes No

10. The requestor hereby gives his consent to allow the search title and only the title) to be recorded in a list of titles. This implies that the respective report may later on be reused in processing similar searches under WIPO's Patent Information Services but neither the identity of the original requestor nor the purpose of this request shall be disclosed:

Yes

No

Date:

Signature:



WORLD INTELLECTUAL PROPERTY ORGANIZATION
Geneva
WIPO PATENT INFORMATION SERVICES FOR DEVELOPING COUNTRIES
Request for copies of individual patent documents

(It is recommended that the relevant guidelines for a request be consulted before completing this form; please type or use block letters)

1. Copies are requested* by (name, organization, unit):
.....

2. Address and telecommunications numbers for correspondence:
.....

3. Please indicate if your office has internet access Yes No

Date: _____ Signature: _____

Publishing Country	Publication number of document	Remarks

If space is not sufficient, please continue overleaf.
For Japanese documents, please specify if examined or unexamined patent applications are requested.

Endorsement

Name and address of government authority:
.....
.....

Signature of responsible officer: _____

Date: _____

Note: This request form should be submitted to the World Intellectual Property Organization (WIPO),
34, chemin des Colombettes, 1211 Geneva 20, Switzerland - Fax (+41-22) 338 97 64
e-mail: innovpro.mail@wipo.int - website: <http://www.wipo.int/innovation/en>

*Where the requestor is not a government authority, the request should be endorsed here by the appropriate government authority.

Publishing Country	Publication number of document	Remarks