

CPC News

October 2012

Latest developments about the Cooperative Patent Classification

Introductory words by the two Heads of Office

Foreword by EPO President Benoît Battistelli

The Cooperative Patent Classification (CPC) is nearing its launch. I am personally delighted by this breakthrough in technical harmonisation, bringing direct benefits for the patent community and the general public.

The European Patent Office (EPO) and the United States Patent and Trademark Office (USPTO) have every reason to be proud of what they have achieved in the remarkably short space of time since the signature, on 25 October 2010, of the agreement that initiated the project. In less than two years, we have finalised and published a joint scheme incorporating the best classification practices of both Offices, which will align our patent procedures more closely and deliver major efficiency gains. In the process, the CPC will be a stepping stone towards a more general harmonisation of the world's patent systems.

The creation of the CPC is the fruit of a very close cooperation between the various teams of experts at the EPO and at the USPTO, whom I wish to congratulate here for having translated a general agreement with David Kappos two years ago into a tangible reality. The new harmonised system is more powerful and easier to use. It is now in full public view and will surely be subjected to very careful scrutiny by all stakeholders, before it becomes available for use by other IP offices and industry.

I am sure you will find plenty to interest you in this first issue of the CPC News, containing a range of informative articles on the progress of the scheme and the arrangements for its introduction on 1 January 2013.

Greeting from Under Secretary of Commerce for Intellectual Property and Director of the USPTO David Kappos

Welcome to the first issue of the CPC News, a new electronic publication produced jointly by the United States Patent and Trademark Office (USPTO) and the European Patent Office (EPO).

I echo President Battistelli's remarks in that indeed this is a proud moment and remarkable milestone for both the EPO and the USPTO. Together, we have accomplished a great deal as we continue to work toward a common classification scheme. This newsletter signifies our commitment to communicate with our stakeholders as we move closer to our launch goal of January 1, 2013.

Congratulations to the many that have dedicated countless hours towards taking an ambitious joint vision and creating a harmonized classification scheme that will enhance the examination abilities of both the EPO and USPTO. This historic collaboration will help shape the direction of international IP collaboration by bringing more certainty of patent rights to applicants as they move their products and technologies to market.



From left: Benoît Battistelli and David Kappos

www.cpcinfo.org

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Cooperative Patent Classification

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What does Cooperative Patent Classification (CPC) mean globally?

On October 25, 2010, the European Patent Office (EPO) and the United States Patent and Trademark Office (USPTO) announced an agreement to work toward a common patent classification system. This common classification scheme, known as the Cooperative Patent Classification (CPC), is a bilateral system being jointly developed by the USPTO and the EPO. Since the 2010 announcement, both Offices have been collaborating closely with the goal of developing and transitioning to a common classification system that will be compatible with all other major intellectual property offices.

Both the EPO and the USPTO have highly developed patent classification systems, and the CPC project represents an ambitious harmonization effort designed to bring the best practices from each Office together, setting the stage for future harmonization and work sharing. Moving to an improved and jointly maintained classification system will help enhance the examination and search abilities of each Office and bring more certainty of patent rights to applicants as they move their products and technologies to market.

CPC offers many strategic advantages. It will provide a compatible classification system allowing patent examiners and patent system users worldwide to conduct patent document searches by accessing the same document collections. Revisions will be made by both Offices on a regular basis allowing for a rapid response to filing trends and emerging technologies. It will also provide an increased number of breakdowns compared to the current U.S. Patent Classification system offering targeted searches with more focused results. USPTO and EPO examiners will also have more opportunities to collaborate and exchange classification and search ideas by leveraging and using work completed by other intellectual property offices. As a global system, CPC will be used by more than 45 patent offices - a user community totaling more than 20,000 patent examiners - who will all share the same classification scheme. Given these factors, it is clear that CPC will provide numerous benefits to IP offices around the world and strengthen the global intellectual property system.

CPC will be launched in both the EPO and the USPTO on January 1, 2013, with a two-year transition period for the USPTO.

Sections A - H	Section Y
<p>Main trunk invention or additional information 160.496 symbols</p>	<p>(includes former USPC XRACs and digests) additional information only</p>
<p>Indexing codes (former Breakdown and Orthogonal ICO; IPC indexing codes) additional information only 82.223 symbols</p>	<p>7.330 symbols</p>

CPC scheme

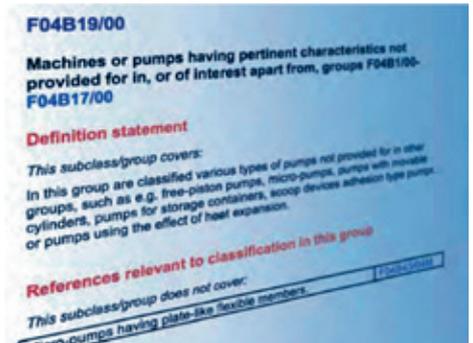
Cooperative Patent Classification (CPC) definitions

This article looks at the “CPC definitions” which accompany the CPC scheme. They follow the general principles of the IPC definitions and help to clarify the subject-matter falling within each classification place. They provide additional information on these entries, and do not change their scope, which is defined by the title and limiting references in the scheme.

The CPC definitions have eight sub-sections:

- Title
- Definition statement
- Relationship between large subject matter areas
- References relevant to classification
- Informative references
- Special rules of classification
- Glossary of terms
- Synonyms and keywords

The CPC definitions are based on the template used for IPC definitions¹. They describe the classification practice in each technical area down to at least the main group level, but in many cases even down to the subgroup level. The CPC definitions are also useful for training in classification and for controlling classification quality. The CPC definitions further enhance the quality of the search results, which ultimately enhances the legal certainty associated with a granted patent.



A first batch of definitions was made available together with the “CPC launch scheme” on 1 October 2012. The remaining ones will be published during the following months.

The CPC definitions will be available to the public via the Internet site www.cpcinfo.org. At a later stage they will be linked to the CPC scheme via the USPTO and EPO (Espacenet) public CPC scheme viewers.

¹ <http://www.wipo.int/classifications/ipc/en/faq/#G24>

Cooperative Patent Classification (CPC) scheme essential new features

The CPC scheme is initially based on the European Classification (ECLA), keeping all its properties: built on the IPC, hierarchy, titles, expandability.

In addition to the former ECLA groups, the CPC scheme also includes:

- all former EPO ICO (indexing) codes,
- the vast majority of former EPO “keywords (KW)”, which were converted to valid ECLA/ICO symbols before becoming CPC symbols, and
- some more entries originating from the USPC, e.g. further subdivisions for “Business Methods”, and USPC cross-reference art collections [XRACs] and digests.

Essential new features are highlighted below.

Concordance with the IPC

A one-to-one CPC-to-IPC concordance table will be maintained in order to offer, at any moment, the IPC symbol corresponding to a given CPC symbol.

Format of the CPC symbols

CPC symbols keep in first instance the same digits after the “/” of their parent IPC symbol. If a group is specific to CPC (thus not existing in the IPC) additional digits are appended, replacing the previous alpha-numeric portion present in ECLA.

Up to 6 digits after the “/” will be used in order to remain compliant with the analogue WIPO ST.8 for the allocation of IPC symbols.

CPC titles

Curly brackets {text} will mark the title of a CPC group not existing in the IPC or CPC-specific text added to the original title of an IPC group – this was previously noted [N: text] in ECLA.

Curly brackets will however neither be used in the CPC “2000”-series nor in the Y section.

CPC structure: “main trunk” and indexing codes

ECLA symbols (and their “mirrored” ICO symbols) were converted into 160.496 CPC classification symbols which are available for the classification of either “invention information” or “additional information” — in a similar way as with IPC symbols.

This set of symbols form the so-called “main trunk” of the CPC scheme.

Former “further breakdown” and “orthogonal” ICO symbols were moved to the “2000”-series of the CPC scheme.

A63B

2243/00 . Specific ball sports

2243/0029 . Golf

These symbols in the “2000”-series are CPC indexing codes, which can thus only be used to classify “additional information” — in a similar way as with IPC indexing codes.

With its classification and indexing symbols, the CPC scheme now consists in a total of about 250.049 subdivisions.

Y section and Y10S

Some years ago the Y section of ICO, for tagging new technological developments, was created, e.g. Y02 for climate change mitigation technologies. This section is not available in the IPC.

This section Y now additionally contains a new subclass Y10S to accommodate technical subjects formerly covered by USPC cross-reference art collections [XRACs] and digests.

Y10S

101/40 . Means to print on golf balls

A63B

37/00 . Solid balls; {Rigid hollow balls}; Marbles (heavy throwing balls A63B65/06)

37/0003 . {Golf balls ---}

Quality and Cooperative Patent Classification (CPC)

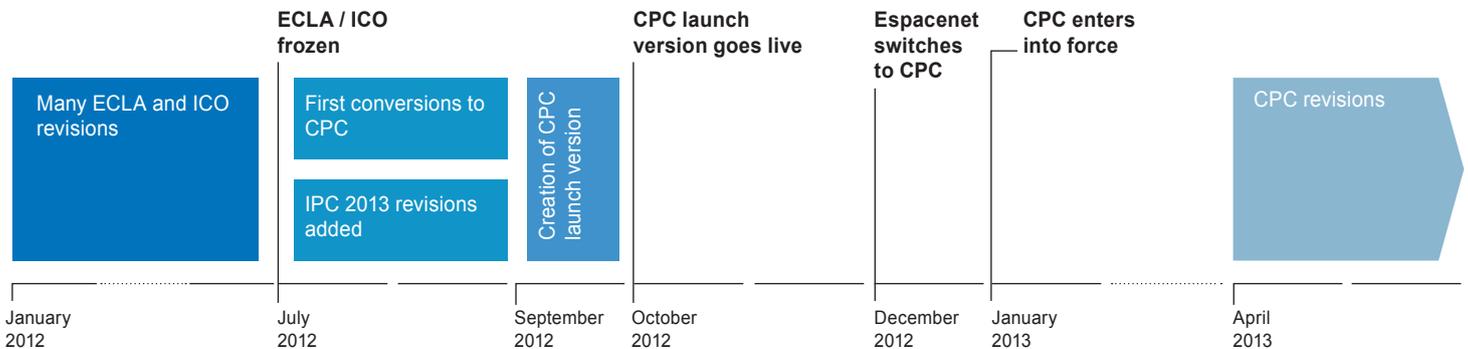
Quality is a key component to the successful implementation of CPC.

CPC is a refined classification system which will allow searchers to retrieve relevant prior art efficiently and reliably. In order to serve this purpose, classification symbols have to be allocated to documents correctly, consistently and in a complete manner. For this reason, CPC will be supported by a robust quality management system, building on the best practice of EPO and USPTO to ensure continual improvement. This is not a trivial exercise, as the classification of documents is a complex intellectual activity, the quality of which cannot simply be measured using a micrometer. A network of technical experts will be undertaking a thorough quality control process by which feedback mechanisms will enable the transfer and sharing of classification experience and expertise.

CPC presents the EPO and the USPTO with new challenges: Not only will the number of staff involved in classification work be larger, but also they will be working on different continents. As a key asset, both the EPO and the USPTO can rely on an existing common platform: the highly technically qualified examiners they employ. Classifiers in each office will be provided with a single point of contact for each technical field. Quick and efficient feedback will be possible so that improvement cycles can be kept tight.

Both Offices are striving to excel in setting up a suitable quality assurance system. This endeavour will lead to continuous improvements being made to the CPC.

Timeline for the implementation of the Cooperative Patent Classification (CPC)



On 1 October 2012 users will have their first opportunity to take a look at the new Cooperative Patent Classification (CPC) scheme and thereafter start preparing for its entry into force on 1 January 2013. The full classification scheme will be available via the www.cpcinfo.org website so that anyone interested can become acquainted with the classification symbols used in their technological field well in advance of the official entry into force.

After two years of hard toil behind the scenes, this milestone will mark the first truly visible step towards full implementation of the CPC.

Early 2012

many revisions to ECLA and ICO

The fact that the EPO's well-established ECLA classification scheme would form the basis for CPC meant that it was important to get ECLA into the best shape possible as fast as possible. EPO examiners thus used 2011 and the first part of 2012 to bring a large number of changes to the old ECLA/ICO schemes.

July 2012

ECLA/ICO revisions stopped - further refinements of the "business methods" scheme introduced - integration of USPTO cross-reference art collections (XRACs) and digests

After more than thirty years of constant evolution and change, the intense flow of ECLA/ICO revisions stopped in July 2012.

The final amendments included two important elements relevant to users of the USPC:

- the introduction of a more refined classification scheme for business methods based on USPC subdivisions, which can be found under CPC subclass G06Q;
- the integration of the former USPTO XRACs and digests in the Y section of CPC under the subclass Y10S.

July - August 2012

Over the course of the summer, a first conversion of ECLA/ICO to CPC (i.e. a draft version of the CPC scheme) was produced.

In parallel to this, new IPC2013 symbols were incorporated into ECLA, as were the symbols for two CPC revision pilot projects conducted by the USPTO and the EPO, namely in B60W20 (control systems specially adapted for hybrid vehicles) and in H03M3 (delta-sigma modulation).

The ECLA scheme was eventually frozen on 1 September 2012 to allow for the final conversion to CPC to proceed.

September 2012

preparing the CPC launch version

In September 2012 the complete conversion of ECLA/ICO to CPC took place in preparation for the launch. This conversion created the first ever official version of the CPC scheme on the basis of the last ever version of ECLA. Every ECLA/ICO symbol was mapped to a unique CPC symbol.

1 October 2012

CPC launch version goes live

From 1 October 2012, the public will be able to access the full CPC scheme and the mutually agreed Definitions available in XML and PDF formats.

This first version of CPC will remain unchanged throughout the remainder of 2012 and until 31 March 2013. Concordance tables will be provided from ECLA to CPC, CPC to ECLA and from CPC to IPC.

Users will be able to come to grips with the CPC using e-learning modules, which will become available in late 2012 and early 2013 via the www.cpcinfo.org website.

December 2012 - January 2013**CPC scheme viewers****EPO**

For Espacenet users, the biggest change will happen early December 2012, when the Espacenet Classification Search will move from ECLA to CPC. From this moment on, it will no longer be possible to search on Espacenet using ECLA symbols.

USPTO

USPTO users will be able to search using either CPC or USPC in January 2013. Both schemes will be viewable online.

1 January 2013**the CPC enters into force**

After entry into force of the CPC, ECLA will officially cease to exist and the EPO will classify its documentation using the CPC.

The USPTO will have a transition period until end of 2014, during which

- Newly filed US applications (published as US “A” documents) will be classified in USPC and CPC.
- US “B” publications will be classified by the USPTO examiners either in USPC or in USPC and CPC.
- The EPO will classify in CPC only.

From 2015 the USPTO will classify exclusively in CPC (except for plants and designs).

Both EPO and USPTO will continue to classify in IPC.

1 April 2013**first CPC revisions**

After the initial period during which the CPC will remain unchanged, the first CPC revisions will take place as of April 2013 in mutual agreement between the EPO and the USPTO. From this moment onwards, the EPO and USPTO will work together on regular revisions, and the CPC will start to deviate increasingly from its launch version - and thus from the final version of ECLA.

A quality assurance (QA) process will be in place to guarantee the harmonisation of the classification practice between the two offices.

The importance of work sharing in the transition to Cooperative Patent Classification (CPC)

In recent years, the continual rise in the number of corresponding patent applications cross-filed in intellectual property (IP) offices around the world has led to an increased interest in patent examiner work sharing. Now, more than ever, establishing an increasingly robust work sharing environment has potential to deliver tremendous examination benefits. By utilizing patent examiner search results performed by other IP offices around the globe, by having a better understanding of search strategies, and by increasing access to more classified prior art, work sharing will minimize duplicative efforts and reduce examiner workloads.

A powerful work sharing environment- where examination benefits are fully realized- requires three key components. The first component is a common classification system, which provides examiners with an understanding of patent application and prior art classification within participating IP offices. The second component relates to the timing and pendency of patent examination in participating IP Offices. Simply stated, in order to use work from another IP office, the other office must have previously worked on a corresponding application, and that work must be available to examiners. Last, but certainly not least, examiners need the optimal information technology (IT) tools and business policies to do the work. It is essential that examiners can easily access work from another IP office to expedite their own work.

To tap into these benefits, leaders of the major IP offices around the world have committed to projects that support and provide the infrastructure for efficient work sharing. In addition to developing the needed technical tools, these projects aim to build trust and confidence among the various participating IP offices. Initiatives such as Five IP Offices cooperation work to address what is needed to ensure examiners in one office can easily access and understand the work already performed in an earlier office – thus not needing to repeat it—and thereby trusting that a thorough, quality examination was conducted. The Five IP Offices are the European Patent Office, the Japan Patent Office, the Korean Intellectual Property Office, the State Intellectual Property Office of the People’s Republic of China, and the USPTO.

The USPTO is currently the only major IP office not using an International Patent Classification (IPC)-based primary classification system. The Cooperative Patent Classification (CPC) project will promote the harmonization of the IPC because it serves as a basis for further IPC refinement.

As an IPC-based classification system, CPC will bring the USPTO in line with the other IP offices and strengthen patent harmonization and work sharing.

A common classification system is critical to build and develop the trust and confidence necessary for patent examiners in different IP offices to effectively share work. Specifically, it will provide a mutual understanding of patent application classification and prior art searches conducted in an office who conducted an earlier examination. If patent examiners understand how and why a search was conducted by an office of earlier examination, that search can be re-utilized. A common classification system will also enable examiners to search more foreign art collections using classification searches. These resource-savings, coupled with the ability to view the full search strategies and examination results of the examiners in other IP offices, is key to successful and effective work sharing.

The transition to the CPC is a critical step in developing and moving towards a robust work sharing program. By enhancing the ability to leverage and use the work performed by other IP offices, resources will be saved and workloads reduced.

Cooperative Patent Classification (CPC) communication activities

In view of the importance and impact of the Cooperative Patent Classification (CPC) for external users of patent information, the European Patent Office (EPO) and the United States Patent and Trademark Office (USPTO) have put many efforts in communicating the developments of the CPC project along the way. In the last two years, tens of user's meetings have been attended by USPTO and/or EPO representatives where extensive presentations were given.

Amongst the organized outreach activities, a major event was the "CPC Workshop for external users" organized by the EPO in its venue in Vienna, Austria, on 23 March 2012. Many patent information commercial providers, industry representatives, patent attorneys and patent searchers were present and followed the detailed presentations given by key members of the CPC project. A question and answer session concluded the workshop allowing the participants to voice some of their concerns regarding CPC by putting forward their questions in a direct way. For those who could not come to Vienna that day, the event was recorded and processed in order to create an e-learning module accessible online via the www.cpcinfo.org/publications.html page.

Following the Vienna workshop, the first USPTO CPC External User Day event took place on July 10, 2012, in the Madison Building auditorium at the USPTO. More than 100 participants attended in person and 35 via webcast. Participants included public searchers, agents from small and large entities and Patent Office Professional Association (POPA), the USPTO's patent examiner labor union, representatives. Under Secretary of Commerce for Intellectual Property and Director of the USPTO David Kappos greeted attendees and discussed the importance of the CPC. USPTO's executive staff and project managers gave the audience an introduction to the CPC and discussed customer interaction, accessibility, training, outreach and the CPC implementation timeline. Marios Sideris, the Director of Classification for the EPO, participated in the event and gave a summary of the EPO CPC Workshop for external users mentioned above. His attendance and participation reinforced the collaboration and partnership between the EPO and USPTO for CPC. The event ended with a panel presentation and audience question and answer session. The panel included USPTO and EPO personnel and external users, who together shared their perspectives on transitioning to CPC. This CPC event was an important step in the ongoing process undertaken by the USPTO to educate and inform external stakeholders about the current development and future implementation of CPC. The USPTO gave presentations on the CPC at the National Association of Patent Practitioners (NAPP) annual meeting in August and will participate in the Patent Information User's Group (PIUG) North-east Conference in October. An online chat with the examining corps hosted by Director Kappos is planned for October. A second USPTO external user day is being scheduled for November 2012, which will build on the success of the first CPC external user day event. CPC will also be a major topic at the EPO Patent Information Conference 2012, 6-8 November, in Hamburg, Germany. Be sure to check the CPC website www.cpcinfo.org for future CPC announcements and events as we move toward the CPC kickoff in January 2013.

Field Specific Training (FST)

The CPC Field Specific Training (FST) sessions provide a direct interaction between EPO and USPTO experts on the classification practice in a given technical field using the CPC Definitions. This training consists of a two-hour video-conference session which the EPO classification experts will hold with their counterparts at the USPTO. The USPTO experts will have previously followed and completed an on-line classification training course provided by the European Patent Academy.

It is planned to start with FST sessions in October 2012, until the first quarter of 2013. Pilot sessions took place in June 2012 to test the process.

"The FST session was really appreciated. I have participated in a second one, and discussions were even more interactive. Direct communication is important to explain classification practice" said enthusiastically an EPO examiner who participated in the pilot.

The FST sessions will enable experts at each office to get to know each other, establish a network for future collaboration and build trust through direct communication.

