

# SCIT.ATR.PI.2005.NL

## Annual Technical Report 2005 on Patent Information Activities submitted by Netherlands (SCIT/ATR/PI/2005/NL)

Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

The term "patent" covers utility models and Supplementary Protection Certificates (SPCs). Offices which issue design patents should report their design patent information activities in their Annual Technical Reports on Industrial Design Information Activities.

### I. Evolution of patent activities

- filings and grants

The number of patent applications submitted in the Netherlands rose slightly in 2005 compared to 2004. The Netherlands Patent Office received in 2005 a total of 2,850 applications. The number of applications is clearly in excess of the five-yearly average over the period 2001-2005, which works out at 2,736.

Filings: Grants

-2004: 2,742 -2004: 2,366

-2005: 2,850 -2005: 2,373

Under the Patents Act, patents may be granted for a maximum of 6 years or 20 years. For a twenty-year patent, a novelty search is required. The number of requests for novelty searches rose slightly in 2005 to 1,942. The number of registered Dutch patents granted also rose slightly to 2,373. The number of requests for restoration to the original state (Article 23 of the Patents Act 1995) rose slightly to 54.

- Invalidity recommendations

There were ten recommendations requested in 2005 on the grounds of Article 84 of the Patents Act 1995. To these requests, the Netherlands Patent Office issued three recommendations in 2005: two recommendations were for 'partially invalid' and one for 'invalid'. Two requests were withdrawn and the others are still being dealt with.

For requests submitted in 2004, a total of six recommendations were issued in 2005 (five for (partially) invalid and once for 'not invalid').

- Advice to the Court

In the year under review the Netherlands Patent Office provided technical advice to the District Court of the Hague on two occasions.

Furthermore, the Netherlands Patent Office was appointed by the District Court of The Hague (at the request of a party) as an expert to provide a 'provisional expert's report' (Article 202 et seq. of the Code of Civil Procedure). The expert's report will be published in 2006.

- Additional protection certificates

Since Regulation no. 1768/92 came into force in 1992 concerning an additional protection certificate for medicines, an average of 30 requests are submitted each year in the Netherlands. There were 48 requests submitted in 2005.

### II. Matters concerning the generation, reproduction, distribution and use of primary and secondary sources of patent information

- Publications

Publications according to the Patent Law 1995 are:

A-documents, registered patent applications;

C6-documents, 6 year (unexamined) grant of patents;

C20-documents, 20 year (examined) grant of patents.

The Netherlands Patent Office publishes the patent gazette, De Industriële Eigendom, and the official journal, Bijblad bij De Industriële Eigendom, monthly. The latter contains jurisprudence on industrial property rights.

The Patent Register has been accessible on line since January 2000 via the NPO's website ([www.octrooicentrum.nl](http://www.octrooicentrum.nl)). The system offers free access to current data about published Dutch patent applications, patents granted since 1912 (including European patents granted for the Netherlands) and certificates.

### III. Matters concerning abstracting, classifying, reclassifying and indexing of technical information contained in patent documents

- International Patent Classification (IPC)

Patent applications are assigned to categories after being submitted, in accordance with the International Patent Classification (IPC). On 1 January 2006 the new, restructured IPC version 8 was introduced and is now available online. In the future, modifications will be made from time to time and not all at once in the form of an entirely new version as usually happened in the past. Preparations were made in 2005 at the Netherlands Patent Office for the publication of the IPC-8 categories and the delivery of files to the EPO and the WIPO.

### IV. Search file establishment and upkeep

In 2004 the collection of patent publications in the NPO library has been reduced in size.

A start was made on disposing a part of the foreign library collections on paper and microfilm. The operation is completed in 2005. The EPO has taking over a substantial part of the collection in order to expand the BNS (Backfile conversion Numerical Services) data-base. Some of the countries of origin have taking over parts of the collection.

The secondary collections, such as the journal collection and the technical collection, have also been greatly reduced. In 2005 some of the reorganised sections were transferred to other libraries or institutions in the Netherlands. A selection of special patent-related documents and books will be retained for their historical value and in order to give an impression of the size and diversity of the collection that the Patent Council owned in the past.

#### - Information Library

The Information Library has been up and running since 2004. It is an easily accessible information centre that provides employees proactively with books, reports, magazine articles, e-files etc. that they need to carry out their work. In 2005 a 'knowledge card' was made for each employee, containing a summary of his/her background, education, specialism, expertise and area of interest. The principal purpose of the knowledge card is a signalling one: each employee receives every week a summary of news items that match the interest profile given.

## V. Activities in the field of computerized and other mechanized search systems

#### - The Netherlands patent register.

Since July 2004, the Netherlands Patent Office has had a new register on the internet. This register now contains the data from all patents published since the first Patent Act came into effect in 1910. In addition, the Netherlands Patent Office has worked in cooperation with the European Patent Office on the introduction of a new version of Esp@cenet.

Esp@cenet can be accessed via the Netherlands Patent Office's website, with auxiliary text in Dutch. This allows customer-friendly dissemination of patent information to the target groups.

#### - Patent-related applications

The option of submitting patent applications online plays a major role in expanding the Netherlands Patent Office's online service. The project was started up in 2004 and in March 2005 it became possible to submit international (PCT) applications online. Because of delays in the delivery of the software, the online submission of national (NL) applications was put into production in early January 2006. The software for submitting applications online is fully integrated in the online file system e-Phoenix that has been in use since April 2004. The last link in this chain is the replacement of the 'Recht' patent registration system by Soprano. This system is supplied as standard software by the EPO and forms, together with the other elements, the Electronic Patent and Trademark Office System (EPTOS). This is a combined hardware and software solution of the EPO, with fully integrated ICT processing and administering of applications from customers, right through to the filing of completed cases. The pilot for the EPTOS solution was carried out at the Netherlands Patent Office and this is the result of intensifying cooperation between the EPO and the Netherlands Patent Office.

A start was made in 2005 with the necessary preparatory work for the introduction of Soprano, including drawing up model correspondence and reports. The first version of Soprano was delivered in January 2006, following which migration and implementation can now take place. Thanks to the option of viewing files and publications and making fee payments online, the introduction of Soprano is also of considerable interest to customers of the Netherlands Patent Office.

#### - Customer relations system WinRis

The WinRis system that was put into use in 2002 registers all customer contacts. A product module was linked to WinRis in 2005. Highly detailed information on recorded customer contacts by product (promotion, information and inquiries) has made it possible since then to monitor what products are used by the customers. Employees systematically register information on new customers: regional origin, area of technology, nature of questions, services used, division into target groups etc. The information is used to approach customers direct to encourage them to make contact again, but also to produce mailings and internal explanatory reports. WinRis information is important raw data for the account managers: based on customer behaviour and evaluation of activities, products can be modified and working plans brought up to date.

#### - Business applications, infrastructure and office automation

In the area of business applications, much effort in 2005 was devoted to replacing the financial system FMS by Exact with effect from 1 January 2006. This allows the number of platforms to be reduced further. In addition, at the start of 2005 a new time recording system was put into use, with which leave can also be requested electronically. The website has been completely redesigned and a tool has been put into use with which AO (Administrative Organisation) descriptions are made accessible via the Intranet. In respect of the infrastructure, central data storage was contracted out in the second half of the year. In addition, a start has been made with the virtualisation of servers with a view to a further consolidation of systems.

With regard to office ICT, a pilot with the teleworking facility of the Ministry of Economic Affairs was started up in the second quarter of 2005. Following this pilot the teleworking facility was made available in the third quarter to all employees for occasional teleworking. This will enable employees to log in to the network anywhere and at any time.

The simplification and standardisation of applications and the infrastructure led in 2005 to substantially fewer calls being made to the helpdesk.

#### - Website

Due to the introduction of the new website name, the number of page views (1.8 million) was less than expected (2.5 million). During the last months of 2005 there was already a rise again towards the desired level.

The redesigned website was launched in January 2006, incorporating the new possibilities offered by Internet technology. This means that a new navigation menu guides customers more quickly to the information they require. The structure is no longer target group-based, but subject-based. Patent information is described in small building blocks, identified using keywords and therefore easier to find. Functionality is also in place (mijn.octrooiencentrum.nl) which allows customers to receive periodic information (alerts) based on a predefined profile. The website also meets the requirements of those with a visual disability. Improvements in accessibility and communication with customers have been taken over from the website [advies.overheid.nl](http://advies.overheid.nl).

#### - Espacenet

The EPO develops and manages the patent search system esp@cenet®. This system, which is public and available free of charge on the Internet, contains some sixty million patent documents from 72 countries. The Netherlands Patent Office makes esp@cenet available through its website. In 2005 there were some 135,000 user sessions with esp@cenet through the Netherlands Patent Office's website. With informative activities and initial research in patent literature, the patent attorneys of the Netherlands Patent Office make use of esp@cenet as the preferred search option.

In 2005 the long-held wish of users to be able to print entire patent documents with a single command was fulfilled. Previously it had only been possible to print page by page. On the start page the Dutch help texts have been simplified and extended. A Dutch manual for searching in esp@cenet will also be published in brochure form in 2006.

## **VI. Administration of the industrial property office library and services available to the public (relating to facilities, e.g., for lodging applications, for assisting clients on searching procedures, for obtaining official publications and registry extracts)**

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See under IV and V.

The library is open to the public on one afternoon per week.

Customers who are already familiar with patents are provided with personalised service as much as possible, taking into account the starting points and the policy relating to Market and Government. As well as individual conversations, focusing on an in-depth discussion of the patent system, searches in the patent literature are also carried out.

Customers want to take a well-considered decision whether to apply for patent protection or intentionally not to do so. They clearly have a strong need for one-to-one conversations on such matters as the advantages and disadvantages of patent protection. Usually such a conversation is accompanied by searches in the patent literature, exploring the patentable aspects of an invention. In 2005 there were 420 individual conversations held and 620 searches in databases.

Staff at the Netherlands Patent Office provide information on location – among organisations working in the field of innovation. This is done at locations such as branches of Syntens and at the NOVU. In addition, the Netherlands Patent Office has participated in a project of the Young Enterprise Foundation (stichting Jong Ondernemen) and a competition by New Venture. Below follows an explanation of these activities.

### **- Innovation through Patent Information (Innovatie door Octrooi-Informatie - IOI)**

In 2001 the Netherlands Patent Office together with Syntens started up the IOI project. Syntens – an initiative of the Ministry of Economic Affairs, is an innovation network for entrepreneurs. From a number of branches distributed throughout the Netherlands, Syntens assists SMEs who want to innovate. Advisors from the Netherlands Patent Office were permanently seconded to five branches of Syntens in 2005. From there, low-threshold information is provided on the patent system and the use of patent information with innovation. The number of participating businesses grew in 2005 from 1,460 to 1,950, 30% more than had been forecast. At the request of entrepreneurs some 350 searches were carried out by the Netherlands Patent Office, almost 50% more than expected. The duration of these searches was reduced from eight weeks to four weeks. The number of businesses that attended a workshop was 120, during which the existence of market parties was highlighted: patent attorneys and patent search agencies.

The successful IOI project will change from a project structure to a permanent organisation in 2006, and from now on the advisors will also be deployed at universities and HBO institutions.

### **- Cooperation with the NOVU**

The Dutch Association of Inventors is the professional organisation of professional inventors in the Netherlands. It promotes the interests of individual inventors in the Netherlands by providing knowledge and expertise and assisting inventors in seeking cooperation and investigating opportunities for actually putting inventions in product form on the market. An advisor from the Netherlands Patent Office gives advice at the NOVU. She holds meetings with inventors on their patent situation (for example, patent infringement, extending a patent to other countries, search strategy in the patent literature, 130 interviews in 2005) and also carries out initial searches for them in patent literature (forty carried out in 2005). The Netherlands Patent Office also regularly publishes articles in the professional journal *Vindingrijk* published by the NOVU. There is a significant appreciation for low-threshold one-to-one information, confidentiality and involvement. NOVU members are becoming more and more convinced that a proper patent search is a crucial step in the innovation process. Consultation sessions will be held on location in 2006 together with a number of Chambers of Commerce.

## **VII. Matters concerning mutual exchange of patent documentation and information**

See under IV.

## **VIII. Other relevant matters concerning education and training in, and promotion of, the use of patent information, including technical assistance to developing countries**

The Netherlands Patent Office distinguishes between five target groups: SMEs, individual inventors, universities and institutes of technology, colleges of professional education, and the government. Each of these groups has its own specific need for information on patents and the patent system.

The way these target groups are approached is laid down in a business plan by the department of Knowledge Development & Information (Kennisontwikkeling & Voorlichting, abbreviated to K&V). This plan is the basis for the products needed by the customer. The business plan is also worked out in greater detail in account plans for each target group. Customers are approached direct by the Netherlands Patent Office, but also through cooperation with sector associations and umbrella organisations.

The business plan divides the products to be supplied into three phases or 'entry' moments for the customer: the promotion phase, the information phase and the inquiry phase. The first phase is concerned with arousing interest in patent information, the second phase on providing basic information. In the inquiry phase the patent subject matter is gone into in greater depth, all as far as possible in accordance with the customer's wishes. At a certain moment the customer will take a deliberate decision on whether or not to apply for patent protection.

Promotion focuses on increasing the use of the patent system. The promotion activities aim to provide the customer with an insight into the importance of using patent information in innovative enterprise. It emphasises the relevance and practical usefulness of patent information and of knowledge about the patent system. The activities usually focus on collectives, on target groups as a whole. In 2005 new brochures were produced for promotional purposes and for the first time a patent congress was organised. In addition, the Netherlands Patent Office also participated in the organisation of the Holland Innovation event, and the television programme *Het Beste Idee van Nederland* (The Best Idea of the Netherlands).

### **- Patent congress**

The patent congress that was organised in March 2005 welcomed 250 participants, its main theme being the official launching of the new name and house style. From that moment the former Netherlands Industrial Property Office was officially renamed the Netherlands Patent Office. In her speech, the state secretary of Economic Affairs, Ms Van Gennip, announced that an evaluation of the Dutch patent system would be carried out.

### **- Holland Innovation**

The Netherlands Patent Office, in cooperation with the Kennisalliantie Zuid-Holland, the NEBIB, ID-NL and the Municipality of The Hague organised in 2005 a two-day innovation seminar for SMEs: 'Holland Innovation'. On the first day, the Netherlands Patent Office presided over an innovation debate and innovation dinner with the theme 'dare to do business differently' ('durf anders te ondernemen'). During the dinner for three hundred people, thirty entrepreneurs presented a nominated invention for the ID-NL annual prize. On the second day of Holland Innovation some thousand businessmen and women were present at the Knowledge Market. The Netherlands Patent Office provided information on the patent system and organised a number of workshops. The ID-NL annual prize was also awarded on this day. The Netherlands Patent Office had studied the nominated proposals according to their patentable aspects.

#### - Best Idea of the Netherlands

In 2005 the Netherlands Patent Office participated in the TV programme 'Het Beste Idee van Nederland', in which students, private individuals and businesses presented their new inventions. In each programme the Netherlands Patent Office provided advice on the need for a novelty search when developing a new idea. The participants were given assistance and support in searching the patent literature.

The Information Department focuses on providing standard information on request. The information provided concerns the protective function of patents and the use of the knowledge described in the patent literature. The information is provided fast in a uniform manner. Interaction usually focuses on an individual customer, not a collective. Information is provided through the Public Information Department by giving presentations and workshops as well as through the website using modern search systems.

#### - Public information

The front-line information unit received almost eight thousand questions in 2005 on patents and other industrial property rights: by telephone, in writing (letter or email) or following a visit. In 2005 a large number of frequently asked patent questions together with their answers were posted on the website. An interactive digital patent advisor was also introduced on the website. This advisor leads the customer through a number of elementary questions, which will help him to decide whether or not to apply for a patent for his invention.

The Netherlands Patent Office gave presentations, guest lectures and workshops at eleven universities. In 2005 more than one thousand students and researchers at technical, medical and business economics faculties learnt about the patent system and the use of patent knowledge. These were mostly students reaching the end of their Bachelor studies or who were about to embark on their Master's study.

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#### - Young Enterprise Foundation (Stichting Jong Ondernemen)

In 2005 the Netherlands Patent Office participated in the project of the Young Enterprise Foundation. Students set up an enterprise, the aim of which is to put a new idea or product on the market. The Netherlands Patent Office supports the students in the phase when new ideas and products are being developed (for example, assistance in searching in patent literature). Some five hundred student businesses were set up in 2005, each one with an average of ten participants per business. At the request of the Netherlands Patent Office, patent attorney agencies were willing to help student businesses free of charge in drawing up a patent application. In this way, the students learnt about the process from idea to product innovation and market introduction.

#### - New Venture

New Venture is an annual competition for developing an innovative idea into a successful business plan. The innovative ideas, the thoroughness of the feasibility study and the business plan are assessed in three rounds. The Netherlands Patent Office coaches the participants during the ideas round and supports them in their search in patent literature. This year, from a little under four hundred entries the ten most promising innovations received an award. The awards ceremony took place at the Netherlands Patent Office, attended by three hundred guests.

#### - Encouraging the use of patent publications

An advisor of the Netherlands Patent Office seconded to the University of Leiden has introduced some seventy researchers to the patent system and the use of patent databases. Through a holding company of the Erasmus University of Rotterdam, a large number of researchers have received relevant patent publications. These will help them further with the process of knowledge valorisation (having companies and society profit from the results of scientific work).

Agreements have been reached for 2006 on secondment to Delft University of Technology and the Radboud University of Nijmegen. Patent publications will be supplied to the TU Innovation Lab at Eindhoven University of Technology.

#### - Administrative Issues on Patents and Trademarks (AIPT)

In 2005 too several delegations from a number of countries visited the Netherlands Patent Office. For 35 participants from different countries, such as China, Chile, Laos and Macedonia, the annual course on 'Administrative Issues on Patents and Trademarks' (AIPT) was organised in collaboration with the EPO. There was particular interest in the process a patent application has to go through before the patent is granted, and the activities in relation to the transfer of knowledge.

At the end of 2005 delegations from Armenia, Georgia and Tajikistan were received, as was a large delegation from China, some members of which were from the Chinese national patent institution.

#### - Policy-relevant knowledge

Through studies, the Netherlands Patent Office identifies trends and developments in both the Netherlands and the rest of the world in the area of research and innovation. These are important for developing policy.

Within the Knowledge Development & Information department, the Knowledge Accessibility and Policy Interaction cluster (Kennisontsluiting en Beleidsinteractie – abbreviated to KOB) is responsible for generating policy-relevant knowledge. The studies that KOB produces often focus on subjects of public interest, such as water or energy. The KOB also provides support in developing policy, such as the evaluation of the Technological Top Institutes and the evaluation of the Patents Act 1995.

The year 2005 was characterised by an increasing demand for studies, both detailed investigations as well as quick scans and requests for 'raw' data. There has been an unforeseen high demand for the latter in particular. This 'raw' data only needs a limited interpretation. Policy-relevant questions lead to part-studies that are similar in scope to a quick scan.

Studies will be carried out in 2006 for the Ministry of Economic Affairs on the subject of water (patent activities in the hydraulic engineering sector)

and biomedical technologies (patent position of the Netherlands). Research is also being carried out for SenterNovem into renewable energy, and for Syntens on the subject of air cargo logistics.

## IX. Other relevant matters

1.	Classification is allotting one or more classification symbols (e.g., IPC symbols) to a patent application, either before or during search and examination, which symbols are then published with the patent application.
2.	Preclassification is allotting an initial broad classification symbol (e.g., IPC class or subclass, or administrative unit) to a patent application, using human or automated means for internal administrative purposes (e.g., routing an application to the appropriate examiner). Usually preclassification is applied by the administration of an office.
3.	Reclassification is the reconsideration and usually the replacement of one or more previously allotted classification symbols to a patent document, following a revision and the entry into force of a new version of the Classification system (e.g., the IPC). The new symbols are available on patent databases.