

SCIT.ATR.PI.2002.NL

Annual Technical Report 2002 on Patent Information Activities submitted by Netherlands (SCIT/ATR/PI/2002/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

In 2002, the NIPO devoted a great deal of energy to promoting awareness of patents among its focus groups. The completion of the agency structure in 2002 gave the impulse for the reinforcement and intensification of contacts with our client, the Directorat-General for Innovation at the Ministry of Economic Affairs. In addition, work was carried out on the digitisation of various primary processes. As a result of this digitisation, combined with consequences of the Final Act, amending the 1910 Patent Act (effective as per March 15, 2003) and the compromise reached on March 3, 2003, with respect to the Community Patent, the mission and organisation of the NIPO will undergo adjustments in 2003.

International developments in the field of dissemination

Since many years the EPO develops patent information systems, like Epoque and the BNS-system. The Espacenet search engine is available through the Internet. The Netherlands Patent Information ON line system will surplus to requirements due the Espacenet. For that reason, PION will be taken off line by the end of 2003.

National developments in the field of dissemination

With regard to NIPO's main target groups, small and medium sized enterprises, universities and governmental authorities, the NIPO has intensified its contacts with its main client on behalf of the industrial property rights policy. Furthermore, a joint venture between NIPO and Syntens, by which five patent advisors were stationed at Syntens.

International developments in the field of protection

The most important development in the field of international protection is the compromise, reached in March 2003 on the establishment of a Community Patent. As a result of this agreement, the European Court of Justice will deal with disputes regarding patents granted in Europe, as from 2010.

Furthermore, the UK Patent Office has asked the NIPO to carry out about 150 cases on its behalf, as the UKPO has backlogs.

National developments in the field of protection

As the Final Act amending the 1910 Patent Act came into effect in March 2003, all patent applications still awaiting examination under the terms of the 1910 Patent Act will become patents in line with the new 1995 Patent Act. The famous NIPO department, the Patent Office, will therefore cease to exist by the end of 2003.

About 8 km of the 22 kilometres patent collection has been digitised. It is NIPO's goal to make the majority of the collection available via electronic media.

The Dutch cabinet has imposed drastic cuts in government spending. Apart from the elimination of 100 jobs within the Ministry of Economic Affairs, working groups are discussing the streamlining of four of the Ministry's agencies, including the NIPO.

Facts: In 2002, the office received 2,603 patent applications of which 2,595 were submitted under the 1995 Patents act, a decrease of 1,8 % compared to 2001. In total 2,127 (82%) of the filings were of Dutch origin.

The 1995 Patents Act offers the applicants the choice of a six year or twenty year patent. Approximately 72% of the applicants opted for a twenty year patent (with novelty search). In 2002 the NIPO carried out 317 novelty searches. The EPO effected 1,390 novelty searches on behalf of our Office. A total of 2,761 patents were granted, 396 of which were under the Patent act 1910.

Changes in the patent-act 1995.

In the year 2002, there were no changes in the patent-act 1995.

Supplementary Protection Certificates: A total of 36 applications for a Supplementary Protection Certificate (SPC) were submitted to the Office in 2002. Of these 36 applications, 32 were related to a certificate for medicinal products (48 in 2001), while the remaining 4 applications were related to a certificate for plant protection products.

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

In accordance with the Patent Law of 1910 the Office publishes:
A-documents, patent applications laid open to public inspection;
B-documents, patent applications after examination;
C-documents, grant of patents.

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 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 Office's website (www.bie.minez.nl). The system offers free access to current data about published Dutch patent applications, patents granted since 1968 (including European patents granted for the Netherlands) and certificates.

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

The only activities carried out under this item were classification and reclassification activities. Classification is made in accordance with the seventh edition of the IPC. The Netherlands Industrial Property Office continued its practice to allot the relevant classification symbols both for the purposes of invention information and for the purposes of additional information, and not to allot any indexing codes.
Patent applications are classified shortly after the filing date. Where necessary, they are reclassified when the search report has been issued and /or when the applicant amends the application in view of the literature cited in the search report. In connection with patent applications filed before April 1, 1995, and therefore to be treated under the former Netherlands Patents Act (1910), reclassification also will take place, where necessary, after examination as to substance, when it has been decided to publish the examined patent application.
With relation to the search files mentioned under IV, below, no reclassification has been carried out when a new edition of the IPC entered into force. However, the complete collection of NL patent documents classified in accordance with the current version of the European Classification (ECLA) is available via the website using Espacenet.

IV. Search file establishment and upkeep

National patent documents, starting with the year 1912 up to 1973, classified according to IdT (Dutch classification system Indeling der Techniek) are still part of the search files. From 1973 onwards, national documents are accessible in classified order according to IPC (International Patent Classification).

Patent documents of 50 countries with which the NIPO exchanges documents are accessible on various data carriers (microfilm, microfiche, hard copy, cd-rom or DVD). These days almost every country offers their patent documents on cd-rom or dvd.

With reference to former discussions that included commissions of the library, decisions were taken to reorganise the patent collections. In 1998, a start was made with deleting the duplications on micro-media. In 2000, a start was made by deleting duplications on hard copy in favour of publications on cd-rom and dvd. Deleting the publications on hard copy decreased the volume of our collection by 5,600 meters.

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

The Dutch patent register:

The activities in the year 2002 of the Netherlands Industrial Property Office started a project to extend the Dutch patent register. Currently this register holds bibliographical information about patents granted for the Netherlands ever since 1968. The register will contain information for all patents granted in the Netherlands. This means from 1912 onwards. The new register is to be expected to be available during the 4th quarter of 2003.

Patent Information ON line:

Discussion started on whether the Patent Information ON line system (PION) that is in production since 1998, should be renewed or whether it is becoming more or less obsolete because of the enhancements that are made to Espacenet by the EPO. The outcome of the discussion is that the PION-system will be phased out at the end of 2003.

Web-site:

A redesign of the web-site started in 2002 and the new web-site was launched in the 1st quarter of 2003.

2003 and 2004:

For 2003 and possibly 2004, the office concentrates on further automation of internal processes to make it possible in the near future (after 2004) to offer services like on line filing and on line file inspection.

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)

The library is collecting, administering and making available collections of patent publications, non-patent literature and files in the field of industrial property. With permanent search for solutions to integrate internal and external information sources the Library offers clients access to information systems in ambiguous way.

In 2002, 3,348 individuals visited the NIPO's library. The library provides access to patent documents from 50 countries. A large part of the collection is accessible free of charge via the PION, Espacenet and Patent Register search systems. Because of the on line services the number of visitors dropped by 55% over the last five years. The number of visitors is expected to decrease even more in 2003. The requests for information the office receives by visitors, e-mail, letter and telephone in total are quite stable over the last two and a half years.

In 2002, the NIPO specified its information strategy for the library for coming years. Conventional information sources have had to make way for electronic available sources. Due to these developments and the evolution of patent activities, the NIPO will have to reorganise their activities. The reorganisation of this office will be a fact probably halfway into 2004.

Espacenet and Patent Information On Line (PION):

Patent information can be obtained via the NIPO's website using the PION and Espacenet search systems. However PION, intended for non-specialists, will disappear at the end of 2003. These developments are due to a different vision on the importance of the system. From Espacenet, which was developed by the EPO, one can extract the same data as through the use of PION. Furthermore, the costs of keeping the system PION up and running became unacceptable.

STAR-project:

The Cuadra STAR library system has been handling all processes that relate to the acquisition, cataloguing and management of the library collections since 2000. Because of this, the possibility opened to offer a freely accessible version of the public catalogue and the so called "country documentation" - database for selected referential articles which review the field of industrial property in the Netherlands and many other countries – via NIPO's website. The public catalogue contains the title descriptions of all literature present in the office's library: reference monographs, technical and legal monographs, periodicals and patent journals.

VII. Matters concerning mutual exchange of patent documentation and information

See under V. Activities in the field of computerised and other mechanised search systems and also under VI. Administration of the industrial property office library and services available to the public.

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

see attachment

[wipoattachment](#) - word document

IX. Other relevant matters

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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.