

# CWS.ATR.PI.2009.CA

## Annual Technical Report 2009 on Patent Information Activities submitted by Canada (CWS /ATR/PI/2009/CA)

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

#### Changes experienced in terms of application filings and grants with respect to the previous year

National:

37477 filings of which 28169 were PCT (2009)

42089 filings of which 31975 were PCT (2008)

PCT:

1922 CA RO filings (2009)

2284 CA RO filings (2008)

ISA:

2148 ISA requests (2009)

2467 ISA requests (2008)

IPEA:

296 chapter II requests (2009)

485 chapter II requests (2008)

#### Trends or areas experiencing rapid changes with respect to the previous year

Trends in our e-services

National:

1020 e-filings 12285 e-correspondence (2009)

1003 e-filings 11995 e-correspondence (2008)

PCT:

202 e-filings (2009)

19 e-filings (2008)

Even though patent agents have not started using e-filing on a large scale, some small firms do use it on a regular basis.

Our e-correspondence allows an applicant to perform all transaction (enter national phase of an application, pay fees, etc.) They can pay all fees online using their credit-card or a deposit account. Unfortunately, once we receive the data, we still have to enter it manually in our system (this part has not been automated yet with the exception of maintenance fees and PCT-Safe filed applications). Beginning in 2009 we have 2 new e-services that will allow for PCT RO e-filing using the PCT-Safe application. The biggest impact is on paying maintenance fees on applications. A separate e-service is now available to allow clients to instantly pay maintenance fees using a credit card, other methods of electronic payment will be forthcoming. Both of these new services are fully integrated with our backend systems.

#### URLs of web pages of the Office's website that provide statistics related to patents

<http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr01539.html> - patent

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

#### Publishing, printing, copying (main types of publications of the Office in the field of patent information, etc.)

Reproduction and Distribution:

Canadian Patent Office Record (Gazette) is published weekly and is available on CIPO's website.

Also the Annual index of the Canadian Patent Office Record was made available by means of our website in 2000.

MIMOSA CDs for applications open to public inspection and granted patents are prepared every week and sent to various Patent Offices around the world.

Images and text of applications open to public inspection and granted patents are sent by FTP to the EPO weekly. Text is sent to the USPTO and SIPO through e-mail on a weekly basis.

To help searchers, the office also provides online access to United States patents via WEST in the client service center at the CIPO.

#### Main types of announcements of the Office in the field of patent information

Office notices and changes to office procedures are published through the Canadian Patent Office Record (CPOR).

Some of these office notices, and many other patent related notices, are put directly on the CIPO website under the Patent Notices section at the following link.

[http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h\\_wr00292.html](http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr00292.html)

### **Mass storage media used (paper, microforms, optical storage, etc.)**

Our TechSource system includes bibliographic data (from 1869-present), text (abstract, claim and description of laid open patent documents from 1978-present) and images of patent documents (from 1920-present). All these documents are stored on hard disk technology.

To help searchers, the office also provides dedicated online access to United States patents and applications open to public inspection through the PubWEST search system.

### **Word processing and office automation**

Custom correspondence is done using WordPerfect 10. All other office automation tasks are performed within our patent processing system TechSource.

### **(New) techniques used for the generation of patent information (printing, recording, photocomposing, Optical Character Recognition (OCR), etc.)**

The generation of patent information (printing) is done through a combination of software tools supported by the TechSource patent processing system. These include WordPerfect for custom correspondence creation as well as FrameMaker for the generation of the Canadian Patent Office Record (gazette).

### **URLs of web pages of the Office's website that provide access to online publication of patent documents and gazettes, and to other primary and secondary sources of patent information, including patent publication servers and download of bulk patent data**

[http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h\\_wr01933.html](http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr01933.html)

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

### **Abstracting, reviewing, translating**

The Office translates the titles in French or English depending on the language of the application. Some translations are retrieved from the PCT import process which uses an XML file "FTPed" from WIPO or downloaded from WIPO's PatentScope. We are currently working on providing abstracts in both French and English.

### **Classification<sup>1</sup>, preclassification<sup>2</sup> (if applicable), and reclassification<sup>3</sup> activities; Classification system used, e.g., International Patent Classification (IPC), other classification (please indicate whether or not patent documents are classified by your Office and, if so, which classification is used)**

The Canadian Intellectual Property Office (CIPO) classifies patent documents internally using the International Patent Classification system (IPC) as its classification system since October 1, 1989. Before this date, the office used the Canadian Patent Classification system as its classification system. Documents between August 1978 and March 1994 contain classification codes from both systems. Classification code information appearing on applications following the PCT route are transferred directly in our system and can be reviewed any time thereafter.

### **Bibliographic data and full-text processing**

CIPO maintains an electronic search file of all patent documents open to public from 1920-present, searchable using bibliographical data.

Documents from 1978 -present are also searchable using text fields of abstract, claims and description. Only the text from the abstract and claims is verified for quality when the image is converted to text using OCR. The bibliographical information and image format of patent documents are available internally through our in-house system "Intellect" or externally on the Canadian Patent Database through our Web site. The only information not available for searching on our website is the text from the description.

## **IV. Search file establishment and upkeep**

### **File building**

The information for our search engine is coming from our Line of Business (Mainframe based application to handle national cases) application which enables CIPO to manages electronically all Canadian patent documents (paperless office).

### **Updating**

The Canadian Database search engine is updated electronically daily for our internal search tool and our external search tool available on our website. Our old InquireText search system was replaced with a new system entitled Intellect which was put into production in 2008.

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

## **In-house systems (online/offline)**

CIPO is involved in a renewal project to replace the electronic patent document data management system (Line of Business) in future years.

On the e-commerce side, our Office has completed a project to implement PCT-Safe electronic filing of applications. In addition we have expanded our electronic commerce transaction to accept electronic payment of patents maintenance fees and we will be looking at other areas of improvement in the area of e-commerce.

## **External databases**

CIPO uses commercial databases on patents and technical literature through, for example, Questel-Orbit, STN, DIALOG, Delphion, GeneSeq providers and general databases available over the Internet.

We rolled out the EPOQUENet system to all our examiners in the course of the year.

## **Administrative management systems (e.g., register, legal status, statistics and administrative support)**

Information on patent documents is available through a mainframe application which supports the administration of the patent process by managing: applications, granted patents, applicant, inventors, owners, agent information, etc. The system also provides statistical information, management reports, fee payment, correspondence, workflow management facility, etc.

## **Equipment used (hardware, including the types of terminal and network used, and software), carriers used**

TechSource is the system used by the Patent Branch of the Canadian Intellectual Property Office (CIPO) to support its delivery of all patent prosecution processes. The core of the system consists of the major integration of Commercial Off-The Shelf (COTS) products; Image Plus to handle the scanning and viewing of images, FAF for the management of documents, Verity to handle the textual searching requirements and QMF to handle interactive query of the data. These COTS products operate in an IBM mainframe environment that supports, and is supported by, the Line Of Business (LOB) system which is a mainframe CICS and DB2 applications that handles patent application tracking, financial and client management elements of the patent process. Bridging exists between the different applications to have an integrated system. In addition to these COTS products we also use several custom made applications. We use some applications created with C++ to handle National Entry applications, International PCT applications and for the classification of all applications. We also have a custom web based application as our internal search tool, Intellect.

User workstations are operating using the WindowsXP operating system and are networked through an ethernet LAN.

## **Existing online thesauri; their structure, presentation and usefulness for computerized searches**

Thesauri capability is in TechSource but was never implemented but one does exist in our new WEB based internal search tool, Intellect.

## **VI. Administration of the industrial property office library, and information products 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)**

CIPO consolidated all of its intellectual property Search Libraries in Gatineau, Quebec into a single Client Service Centre. The various paper search files have been removed. CIPO clients now search only the electronic search files.

The following link is to the CIPO main page. [http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h\\_wr00001.html](http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr00001.html)

The following link is a link to the Canadian Manual of Patent Office Practice [http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h\\_wr00720.html](http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr00720.html)

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

### **International or regional cooperation in the exchange of machine-readable information, e.g., bibliographic data, abstract and/or full text information**

CIPO now provides Laid-open and Grants documents on CD-R or via FTP transfer.

The following is a link to CIPO's electronic data products. [http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h\\_wr01933.html](http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr01933.html)

### **Medium allowed for filing applications**

Filings can be made on paper, electronic medium or via our web site.

CIPO is still running a PPH pilot with the USPTO, we can get files from their public PAIRS system. The USPTO has to get Canadian files directly from their applicant.

The following is a link to our Correspondence Procedures. <http://www.cipo.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr00633.html>

## **VIII. Other relevant matters concerning education and training in, and promotion of, the use of patent information, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)**

In 2009, the Canadian Intellectual Property Office, in partnership with WIPO, offered a one-week Specialized Training Workshop on the Application of Management Techniques in the Delivery of IP Services.

CIPO has provided, in cooperation with WIPO, the following free patent services to developing countries:

- o Patent search and examination reports for developing countries, upon request from WIPO (ICSES);
- o State-of-the-art patent searches under the WIPO Patent Information Searches (WPIS) for developing countries; and
- o Paper copies of relevant Canadian patent documents identified by WIPO patent searches.

## **IX. Other general information related to the Office that is available on the Internet -- URLs of web pages of the Office's website that:**

### **provide information on legislation related to patents**

<http://laws.justice.gc.ca/en/P-4/index.html>

### **contain the Annual Report of the Office**

[www.cipo.ic.gc.ca](http://www.cipo.ic.gc.ca)

## **X. 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.