

# SCIT.ATR.PI.2004.DE

## Annual Technical Report 2004 on Patent Information Activities submitted by Germany (SCIT/ATR/PI/2004/DE)

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

In 2004, 57,784 patent applications were directly filed with the German Patent and Trade Mark Office as against 56,938 in 2003. Compared to the previous year, there was an increase of 1.5% in direct applications.

100,171 PCT applications in the international phase, the first part of the PCT procedure, were received at the German Patent and Trade Mark Office in 2004. This is an increase of 16,000 applications over the previous year. In 2004, 1,450 international applications under the Patent Cooperation Treaty (PCT) entered the second part of the procedure, the national phase at the German Patent and Trade Mark Office.

The data on the applications filed with the European Patent Office, effective in Germany, must be added to the applications filed with the German Patent and Trade Mark Office in order to get a complete picture of the patent applications effective in Germany. For pursuing their interests in the European market, many foreign applicants use the European patent system in order to obtain patent protection in Germany.

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

The applications from the IPC area

B 60 Vehicles in general have been in the lead since 1995. In 2004, 5,118 applications were filed in this area, followed by the areas:

F 16 Engineering elements or units,

G 01 Measuring, testing,

H 01 Basic electronic elements.

With about 3,700 applications each, the number of applications of these three important technical areas are so similar that they can actually be regarded as equally important. Consequently, it is not relevant that the IPC areas Measuring, testing and Basic electronic elements have changed positions.

The following areas, which have retained their positions for a long time, are also interesting:

5th position since 1996: A 61 medical or veterinary science, hygiene,

6th position since 1997: H 04 electric communication technique.

### 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.)

All patent documents including the patent gazette are published weekly on Thursdays.

The following numbers of documents were published in 2004:

42,790 Offenlegungsschriften

(Unexamined patent applications, A1)

16,832 Patentschriften

(Patent specifications, B3, B4, C5)

17,073 Gebrauchsmuster

(Utility models, U1)

39,261 translations of European patent specifications (T2, T3, T4).

318 translations of claims of European applications (T1)

1,317 translations of international applications (T5)

988 corrections of patent documents (A8, A9, B8, B9, C8, C9, U8, U9, T8, T9)

These documents are available in electronic form on the official Internet platform DPMApublikationen.

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

a) Patent Gazette ("Patentblatt") (<http://www.patentblatt.de>)

Pursuant to German Patent Law, the GPTO publishes the following in the Patent Gazette:

- First publications of patent applications
- Granted patents
- Registered utility models
- EP patent applications designated for Germany
- German translations of claims of EP patent applications
- Granted EP patents designated for Germany
- PCT applications published in German language
- German translations of PCT applications published by the GPTO
- Applications, grants and rejected applications of supplementary protection certificates (SPCs)
- Publications based on patent applications filed with the patent office of the former German Democratic Republic
- Topographies of microelectronic semiconductor devices

Apart from the mentioned items, all major changes of the legal status and all major procedural steps of national patent and utility model applications, EP patent applications and granted EP patents which take effect in Germany are published in the Patent Gazette. The Patent Gazette ("Patentblatt") is published in a PDF version and a searchable version on the Internet platform DPMApublikationen every Thursday.

b) DPMApublikationen (<http://publikationen.dpma.de>).

On 1 January 2004, the new official publication platform of the GPTO became operational. On this new Internet platform the GPTO publishes all its official publications, i.e. "Patentblatt" (patent gazette), "Markenblatt" (trade mark journal), "Geschmacksmusterblatt" (designs gazette) and the patent documents (A, B, C, U and T documents), exclusively in electronic form. DPMApublikationen can be used free of charge.

DPMApublikationen has a German and an English language user interface for accessing data relating to patents/utility models, trade marks and industrial designs, available in two different versions:

\* PDF version for displaying, printing and downloading the patent gazette, trade mark journal and industrial designs gazette in the layout of the former printed issues,

\* searchable version for conducting searches within the bibliographic, legal and procedural status data; several search modes available (beginner, expert, assisted); access to patent documents and trade mark and industrial design images.

The patent documents are available in PDF and XML format.

The printed issues of the patent and industrial designs gazettes were discontinued on 31 December 2003, when the DPMApublikationen Internet platform became operational. The last printed issue of the trade mark journal was published on 25 June 2004.

c) Patent Register via DPINFO (<https://dpinfo.dpma.de>)

Bibliographic data, changes of the legal status and information about procedural steps of national patent applications, national and EP patents, SPCs (supplementary protection certificates) and utility models are available in the Patent Register pursuant to both the Patent and the Utility Model Law. Certain data of EP patent applications with DE as a designated state and of WO patent applications with DE as a designated state, published in the German language, are contained in the Register, too.

Additionally, DPINFO includes a register for DD applications and patents, comprising all applications and patents filed with the Patent Office of the former German Democratic Republic (GDR), since 1 January 1980, as well as patents in force on 1 January 1991 and based on applications filed before 1 January 1980 with the Patent Office of the former GDR.

The access to the Patent Register is freely provided on the Internet via the DPINFO database. (See also item III)

d) DEPATISnet (<http://depatisnet.dpma.de>)

With DEPATISnet vast resources of information stored in the database of DEPATIS are available to users of patent information, free of charge, on the Internet.

Like DEPATIS, DEPATISnet provides access to all German patents since 1877. In addition, patent offices of many other countries agreed to make their documents available on the Internet. Austria, Australia, France, Italy, Japan, Switzerland, the United Kingdom and the United States are among the information pools listed.

The sophisticated search options allow users to access the vast pool of technical information for research and development. A special search software has been developed for subject-indexing patent information which is designed to meet the needs of both casual users (newcomers) and professional patent searchers. DEPATISnet offers a large variety of options for searching patent documents and up to five different search modes, accommodating users with different levels of experience. The user interface fulfils the requirements of a modern Internet search and allows comfortable and targeted searches for subject-indexing patent data.

The enhanced version of DEPATISnet is offered, above all, to universities, research institutions and patent information centres. It is called DEPATISnet-Premium and provides a more comfortable access to the data of the document archive of DEPATIS for these user groups.

e) The German patent database PATDPA

Bibliographic data, abstracts, main claims and main drawings of German patent documents and bibliographic data, main claims and main drawings of German utility model documents are available to the public in the PATDPA database, which is produced by the GPTO and hosted by STN International. With a short delay after the entry in the Patent Register, also legal status data and certain procedural steps are contained in PATDPA. (For details see item III.)

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

## Current CD-ROM publication practice

The publication of the German CD-ROM series DEPAROM was continued. This CD-ROM series was developed in cooperation with Bundesdruckerei GmbH in 1994 and continues the publication of the earlier product ESPACE-DE, which was first issued in July 1991.

The retrieval software for DEPAROM is permanently being improved, suggestions by the customers are being taken into account. At present, the DEPAROM series consists of the following CD-ROM products:

- DEPAROM-ACT

Facsimile CD-ROM containing first publications and patent specifications (A, B and C documents) of the GPTO as well as the claims of European patent applications in German translation and international applications in German translation (T1 and T5); published weekly; starting with the 13th publication week of 1996, the CD-ROM also includes the full texts of first publications and patent specifications in character coded form (XML) since January 2004.

- DEPAROM-U

Facsimile CD-ROM containing utility models (U documents) of the GPTO; published every two weeks, the CD-ROM also includes the full text in searchable form (XML) since January 2004.

- DEPAROM-T2

Facsimile CD-ROM containing the German translations of European patent specifications (T2-T4); published weekly; the CD-ROM also includes the full text in searchable form (XML).

- DEPAROM-KOMPAKT

Index CD-ROM containing published unexamined applications (A), granted patents (B, C) and utility models (U) of the GPTO as well as claims of European patent applications in German translation (T1), international applications in German translation (T5) and translations of European patent specifications designated for Germany (T2-T4); comprising bibliographic data and abstracts (as far as available) in searchable form; published every two months; starting with the 27th publication week in 1994.

A uniform user interface is provided for all the CD-ROMs of the series.

- Patentblatt-CD

The GPTO publishes the monthly Patent Gazette on CD called "Patentblatt-CD" since January 2004. The Patentblatt-CD contains all bibliographic data and all major changes of the legal status and all major procedural steps of national patent and utility model applications, EP patent applications and granted EP patents in searchable form.

The retrieval software for the Patentblatt-CD based on MIMOSA.

## Word processing and office automation

### (New) techniques used for the generation of patent information (printing, recording, photocomposing, etc.)

On 1 January 2004 the GPTO started its publication platform "DPMApublikationen". Since that time the GPTO executes its statutory publication duties via the Internet. At the same time the paper products were abandoned. The patent data to be published are generated by a third party.

See also item II / Main types of announcements of the Office in the field of patent information / b) DPMApublikationen

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

### Abstracting, reviewing, translating

Patent applicants have to provide an abstract drafted according to national rules similar to WIPO Standard ST.12/A. This abstract is subject to the examination as to formal requirements. The abstracts are published on first publications (DE-A1 and DE-B3 documents). If no abstract was submitted by the applicant, the main claim (together with a drawing) will be published on the first page of the first publication of a granted patent. Title pages of second publications contain main claims instead of abstracts. In the Patent Register the abstracts can only be viewed. In the database PATDPA (STN), DEPATISnet and DPMApublikationen they can be searched as well.

German patent documents are reviewed by Derwent Publications Limited (London) [now Thomson Scientific Limited]. These abstracts are available through the Derwent World Patents Index databases.

### Classification and reclassification 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 GPTO classifies patent documents (applications, patents and utility models) according to the current IPC, i.e. to the 7th edition of the IPC. The patent documents issued by the office contain only official IPC symbols whereas documents of the search file are reclassified according to the so called DEKLA (IPC + internal subdivisions) if necessary. The GPTO regularly participates in the revision activities of the IPC.

### Coordinate indexing (domestic deep indexing systems, keyword indexing)

The GPTO maintains four databases of the ICIREPAT type. These databases for Cosmetics, Detergents, Glass Compositions and Metallic Materials contained, at the end of 2004, a total of about 169,000 material compositions from more than 143,000 patent documents. They are accessible to every patent examiner within a self-guided search mode and were used for about 1,670 searches in 2004.

### Hybrid system indexing

For all German patent applications, the use of Hybrid Classification is obligatory, i.e. classification symbols in association with indexing codes are allotted to the DE documents. The indexing codes allotted are contained and searchable in the online database PATDPA (STN). Indexing codes have been assigned to about 5% of the patent applications published in 2004.

## **Bibliographic data and full-text processing for search purposes**

Patent Register: DPINFO / DEPATIS

The bibliographic data of each DE document are loaded in the patent register, searchable via DPINFO as well as under DEPATIS. When preparing the DE documents for publication the full text of each document is generated. This full text is loaded in the database of DEPATIS together with the facsimile document; this information is updated weekly.

Bibliographic data regarding DD patents are exclusively searchable via the DPINFO service. DPINFO databases are updated as follows: DD patents: weekly; DE patents: daily.

The bibliographic data of each DE document are loaded in the patent register, searchable via DPINFO as well as via DEPATIS. When preparing the DE documents for publication the full text of each document is generated. This full text is loaded in the database of DEPATIS together with the facsimile document; this information is updated weekly.

Databases:

The German Patent and Trade Mark Office produces three German language patent databases: PATDPA, PATDPAFULL, and PATDD, distributed worldwide by the host STN (Scientific and Technical Information Network). PATDPA was made available to the public in June 1986, containing the bibliographic data of all kinds of patent documents and utility models published by the GPTO since 1968, as well as all kinds of patent documents published by the EPO and WIPO since 1978 and designated for Germany. The records of PATDPA contain application and publication data along with legal status information and citations, updated by any information published in the German Patent Gazette as well as in the European Bulletin and in the PCT Gazette. German file numbers for granted European patents as well as German translations of European patent specifications abstracts, drawings of the first page, main claims, and supplementary protection certificates (SPC) information were added subsequently. By the end of 2004, PATDPA contained more than 5 million records (587,135 utility model and 4,473,442 patent document records), 614,630 of them with graphical information. This database was supplemented in 2003 by the introduction of the database PATDPAFULL which by the end of the year 2004 contained the searchable full texts of about 1.8 million records: German patents of the past 18 years (1,382,231 records) and the claims of German utility model applications (378,256 records) since 1999. PATDPA and PATDPAFULL are updated on a weekly basis, and each of their records refers to all publication stages. The database PATDD, introduced in June 1992, covers the patent publications based on applications filed with the Patent Office of the former German Democratic Republic (GDR). It contains the bibliographic data, titles, abstracts, and intellectually allotted keywords of patent documents published between 1981 and 1990. PATDD contains about 120,000 records. In 2004, efforts were made to implement a new STN database PATDPASPC to be published in 2005 containing supplementary protection certificate (SPC) information taking effect in Germany.

The German Patent and Trade Mark Office on the Internet:

Since November 1996, the GPTO has presented itself on the Internet (<http://www.dpma.de>). Increasing access rates reveal the attractiveness of the service. For DEPATISnet (<http://depatismet.dpma.de>) see item VI; for Patent Register DPINFO see item II.

A general part lists the ways of contacting the GPTO: addresses, ground plans and telephone numbers. Various e-mail addresses allow to directly contact the GPTO. The information area provides information on the various types of industrial property rights for new users. Several leaflets are available online. The FAQ area gives answers to the questions most frequently asked. The current press releases of the GPTO can be viewed.

The download area provides forms, fact sheets and ordinances/regulations for downloading. Applicants may obtain the necessary application forms directly via the Internet. In addition to the forms, the corresponding fact sheets are available to provide information and assistance. An update page provides specific information on the changes in the data stock.

In the search area the GPTO Web pages can be searched by means of a search engine.

Further links refer to the websites of other patent offices.

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

### **File building**

The DEPATIS (in-house patent information system of the GPTO) project was successfully implemented on 1 January 2003 so that all examiners of the GPTO have been equipped with special DEPATIS PCs. Since access is provided to patent documents in electronic form, the examiners are no longer dependent on the supply of paper documents. The supply, distribution and archiving of paper documents was abandoned after a short transition period. This saves printing of approximately 3 million pages annually.

DEPATIS is a tool for examiners to conduct searches in internal, external, full text and IPC databases and combined searches. When a search has been performed, the result list will be displayed. If required, documents can be printed out on high-performance printers. The core of DEPATIS is an archive with over 46 million bibliographic data records and 30 million documents.

Since 2001, the archive has not only been available to GPTO examiners but also to the public via DEPATISnet (<http://depatismet.dpma.de>). This service is offered free of charge.

The Beginner's mode is suitable for simple queries using provided search fields. The Expert mode assists users in creating complex queries. In this mode, users may use all defined criteria in a free query input field and combine terms to form long and complex queries using Boolean Operators. The Patent family search mode makes it possible to ascertain documents related to a specific document (members of a patent family).

### **Updating**

The archive is updated weekly to include the regularly published German and foreign documents. Data are imported into DEPATIS in the original language (e.g. JP abstracts in English, titles of French documents in French).

Currently the gaps in the holdings of German documents of the DEPATIS archive will be filled. In addition, the upgrade of the full text database with German and foreign documents is ongoing.

At present the full texts of German documents are available from 1978 to 2004. In 2005 we intend to include the full texts of DE documents back to 1877 (for examiners of the GPTO only). In addition we have included the full texts of 8 million US and WO documents as well as several million EP, FR and GB documents. The latter we received from the EPO.

### **Storage, including mass storage media**

DEPATIS has an open client-server architecture. The server components such as the archive system and the search system with tools for efficient full text search and the file server with user-specific data are linked to clients via a high-speed net on the basis of optical fibres.

### **Documentation from other offices maintained and/or considered part of the available search file**

In addition to DEPATIS and external hosts the patent examiners of the GPTO have access to the patent collection of the EPO via EPOQUE/Java.

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

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

At present, the GPTO administers about 43 million documents for the examining work of patent examiners or for providing information to the public, which is one of the statutory tasks of the GPTO. The enormous amount of information is growing each year by more than 1.5 million documents. In order to keep it in a form that can be handled with reasonable effort a patent information system, DEPATIS, was planned at the end of the 80s. To reduce the risks, this big project was implemented in several stages. In the years 1989 to 1994 the feasibility from the technical and operational point of view was tested in a pilot project, followed by the first stage of the production system - the basic stage - in the years 1995 to 1998.

When operation started at the end of 1998, the system was made available to 120 examiners for full use.

After completion of the basic stage, the GPTO planned to install more workstations for examiners as well as further workstations in the public search room of the GPTO in Munich and at the Technical Information Centre in Berlin. Since the end of 2003 each of the 754 examiners of the GPTO has his own DEPATIS PC and can use the full functionality of the DEPATIS system on a Pentium PC with two 18" LCD screens.

The core of DEPATIS is an archive with a capacity of approx. 15 terabytes. In this archive, about 23 million patent documents of the countries most important for examination and about 7,5 million Japanese abstracts (more than 30 million documents altogether) are stored in form of facsimile data in high resolution (300 dpi) for displaying, printing and zooming. The data are stored on magnetic disks. Especially with consideration to the high requirements as to response times, the archive system has a modular structure; if necessary, its performance can rapidly be adapted to new requirements. These measures were necessary to provide the required short flipping rate of less than 0.5 sec for the change from one facsimile page to the next.

The full text database of DEPATIS allows searching within all German application documents ("Offenlegungsschriften"), granted patents and utility models from 1978 onwards. The database also includes documents from US (since 1850), WO (since 1978), EP (since 1986), FR (since 1981) and GB (since 1979). Altogether the database contains the full text of more than 13 million documents. For these and all other documents, the searchable bibliographic data elements may vary, but the document number and the International Patent Classification (IPC) are always available.

The GPTO has used OCR software to convert images of approximately 1 million DE and DD documents issued between 1978 and 1986 missing in the current text file. In 2005 the GPTO will convert the DE backfile from 1977 to 1877 which comprises approximately 2.7 million additional documents.

Together with other data files such as technical dictionaries, IPC indexes, catchword indexes and external databases and due to the specifically developed standardized query language for accessing all these data stocks, an integrated access to all patent documents relevant for examination is available. The results of different searches can thus be summarized without changing the media, multiple citations can be eliminated and the documents displayed on the screen without delay.

DEPATIS has an open client-server architecture. The server components such as

- the archive system containing the document data,
- the search system with tools for efficient full text search
- and the file server with the user-specific data

are linked to the clients via a high-speed net on the basis of optical fibres.

Clients are

- more than 800 examiner PCs, including training stations, with 2 size A 4 LCD screens each for the display of two complete document pages,
- twenty workstations at the public search room of the GPTO,
- ten workstations at the public search room of the technical information centre of the GPTO in Berlin
- several data collections and operator stations.

The implementation in stages was decisive for the success of the DEPATIS project. Interim objectives were set up and monitored continually, a necessary measure for planning and ensuring the transparency of such a large and complex project. Moreover, due to the implementation in stages, the technical progress could be taken into account for the respective subsequent stages.

With the implementation of DEPATIS the GPTO successfully initiated a challenging infrastructure project. Especially due to DEPATIS the GPTO succeeded in taking an important part in the international cooperation of the major examining patent offices and is well prepared to meet the requirements of an exchange of information taking place increasingly by electronic means.

### **External databases**

The online search in external databases and in the Internet is a very effective and valuable supplement to the search in the in-house databases of DEPATIS. In 2004, the examiners of the GPTO accessed these hosts for a total of about 6,500 connect hours and used more than 150 different databases.

For state-of-the-art searches and the examination of patent applications, the GPTO uses the services of the following external hosts:

STN:.....STN International c/o FIZ Karlsruhe (Karlsruhe, Germany)  
EPOQUE/Java:.....EPO Query System  
FIZ Technik:..... Fachinformationszentrum Technik (Frankfurt a.M., Germany)  
QUESTEL-ORBIT:..... Questel (Paris, France)  
EPIDOS – INPADOC:.... European Patent Office (Vienna, Austria)  
DIMDI:.....Deutsches Institut für Medizinische Dokumentation und Information (Köln, Germany)

Details about these online search activities, such as the distribution of the total connect time to the different hosts and to the most important databases, may be seen from the attached table.

In addition to the databases containing technological and scientific information provided by the hosts listed above, the German Patent and Trade Mark Office has access to other information resources like the digital library Sciencedirect via the Internet. Legal information is available via databases of the Juris host (Saarbrücken, Germany).

[Connecthours2004](#) - Connect hours to external databases 2004

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

The German Patent and Trade Mark Office is committed to offer up-to-date-services as a true service provider. This is why the DPMA2000 innovation programme has been established. This programme was set up to introduce full electronic file processing in all IPR areas, ie. relating to patent, utility model, trade mark and industrial design procedures, by implementing future-oriented electronic systems on a step-by-step basis.

Patents and utility models:

Several individual projects relating to an electronic patent and utility model file that had not yet been completed were integrated into the overall "Electronic IP File", the starting point of the project was on 1 October 2004. The project has run in cooperation with IBM Deutschland GmbH, selected as external strategic partner. CSC Ploenzke AG provides project consulting services.

The target of the easy to use Electronic IP File will be the introduction of a full electronic file management and file processing system. To ensure these functions, we will install a document management system and a workflow management system. This will guarantee a full electronic process of IP applications - from the electronic application to the electronic publications.

New electronic trade mark system:

We expect the new electronic trade mark system to enhance efficiency and quality of receipt, examination, registration and administration of trade marks. The international call for bids was won by Hewlett Packard GmbH. They realized the project. 2004 was marked by measures for establishing the new electronic trade mark system. In early 2004, the final user requirements specifications were conclusively fixed. In addition, in the course of 2004 the acceptance test procedures (ATP) for the new electronic trade mark system were developed. This early test phase allowed to verify the system requirements.

We scheduled for the technical approval of the project and test operation phase early summer 2005. The new electronic trade mark system will be operative by June 2006.

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

Concerning DEPATIS and additional equipment used in the GPTO see attached document

[equipment2004](#) - DEPATIS and additional equipment used

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

The German Catchword Index (=Stich-und Schlagwörterverzeichnis) to IPC7 is available as a paper publication. Examiners can use a bilingual version (German / English) of this Catchword Index via DEPATIS.

## **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)**

### **Planning, administration, automation, security, buildings**

In 2003, the German Patent and Trade Mark Office selected ALEPH 500 (TM) as its new library management system, replacing the former in-house system. ALEPH 500 (TM), developed and marketed by Ex Libris Ltd., is a fully integrated library system used worldwide. It is based on a client/server architecture and enables the GPTO to handle all aspects of business. The new system became operational in November 2003. Modules for cataloguing, the OPAC (Online Public Access Catalogue), acquisitions, circulation, serials management, user data management and Inter Library Loan are integrated in the system. The OPAC function is accessible to all examiners of the GPTO.

The collections consist of over 950,000 volumes and 1,501 journals currently subscribed to (multiple copies disregarded). The online catalogue covers the post-1975 non-patent literature.

### **Collecting, acquisitions, preparation**

The libraries in Munich and Berlin are among the largest technical and scientific libraries in Germany. They are a source of information on the state of the art and on industrial property protection and copyright. As reference libraries they offer a vast collection of patent documents, technical and scientific journals and monographic literature. For budgetary reasons the acquisition of non-patent literature is very restricted. Nevertheless the GPTO intends to acquire more publications in electronic format.

### **Collection management, preservation**

The ALEPH system (see above) is used for collection management. It is envisaged to launch a project for the preservation of the old part of the NPL collection in the coming years.

### **Interlibrary lending, resource sharing, networks of patent libraries in the country**

Besides the two patent depository libraries of the German Patent and Trade Mark Office in Munich and Berlin, there were 24 regional patent information centres (patent libraries) in the territory of the Federal Republic in 2004. These centres are run by the individual states ("Länder") of the Federal Republic of Germany. The relationship between the GPTO and the regional patent information centres is determined by an agreement concluded in 1994. In May 2005 a new agreement will be concluded. The patent information centres have access to an enhanced version of DEPATISnet ("DEPATISnet Premium"). In addition to the functionalities of DEPATISnet the Premium version allows, inter alia, to save search profiles and to download complete documents. Further on, the centres receive DE patent documents on CD-ROM (DEPAROM).

Since April 1999 patent and utility model applications and since October 2004 trade mark and design applications have also been accepted at 11 patent information centres. The office library is integrated in the German national network of scientific and research libraries. Upon request of the examiners the library receives, from other network libraries, articles published in journals not subscribed to by the library and monographs. Articles are mostly received in electronic format. In return the GPTO library makes its resources available to other libraries.

### **Information services available to the public (including computerized services and search files contained in libraries remote from your Office and patent information posted by your Office on the World Wide Web)**

DEPATISnet: (<http://depatisnet.dpma.de>)

The German Patent and Trade Mark Office has a vast store of information in the form of several million patent documents in the DEPATIS archive. Thanks to DEPATISnet, this information is available to users via the Internet. DEPATISnet includes all German patents since 1877. In addition, a large number of patent offices around the world, including those of Australia, Japan, the US, the United Kingdom, Italy, Austria, France and Switzerland, have agreed to make their documents available through DEPATISnet. The core of DEPATISnet is the DEPATIS archive containing more than 24 million patent documents published worldwide, and about 7.5 million "Patent Abstracts of Japan". The archive is growing at a rate of more than 1.5 million documents a year.

This enormous pool of knowledge is accessible using highly advanced search tools, together with a search software tailored to the needs of both inexperienced newcomers and patent information experts. Full text searching is available for all German application documents ("Offenlegungsschriften"), granted patents and utility models from 1978 onwards. For all other documents, the searchable bibliographic data elements may vary, but the document number and the International Patent Classification (IPC) are always available.

DEPATISnet opens up a wide range of search options. It features five different search levels (or "modes"), depending on the level of prior knowledge of the user. The search form has been adapted to the requirements of a modern internet search system, making it easy to retrieve the patent data required.

DEPATISnet offers the following main features:

- choice of search mode (beginner, expert, assistant, IKOFAX or patent family)
- customised hit lists, i.e. the results lists comprise data fields selected by the user
- complex search statements using logical or numerical operators, truncation and proximity operators
- patent family retrieval using the special mode or directly from the hitlist
- refined searching in expert or IKOFAX mode for reducing the number of results in a hitlist for a more specific search result
- clear display of bibliographic data in tabular form
- display and page-by-page printout at various levels of quality
- easy navigation within a document with jump function to specific document parts, or "sub-documents" (first page, description, claims, etc)
- full-text searching where full text is available
- searches in the German version of the IPC
- optional encrypted or non-encrypted access

Patent information is very important. It forms the basis for innovation and progress. The DEPATISnet service is proof of the German Patent and Trade Mark Office's commitment to act as a modern service provider for all aspects of industrial property.

Public search rooms:

The general information services at the GPTO headquarters in Munich, the Jena sub-office and the branch office in Berlin (Technical Information Centre, TIC) answer questions of interested persons from the public, mainly from small and medium-sized enterprises (SMEs) and individual inventors, concerning the application procedures of the various industrial property rights, the procedural steps, costs, right of appeal, priorities, term of validity, etc. First free-of-charge consultations with a patent attorney are being arranged for inventors upon appointment by telephone. In 2004 the call centre received 600 calls daily, on the average. In addition to questions answered by phone, inquiries in writing are answered by e-mail and by regular mail. Visitors are received at all three locations.

In the public search rooms in Munich and Berlin visitors have access to electronic and conventional search tools and data collections covering patent information from all over the world. 40 DEPATIS work stations in Munich and 10 in Berlin offer search options to the public which correspond to the options provided to examiners.

Some collections of foreign documents are not or not yet included in DEPATIS. These collections are still available in the public search rooms on paper, microfilm or on CD-ROM. The old numerical and classified collections of patent specifications from 23 countries are kept at the TIC of Berlin. Particularly, the collections from Eastern Europe and from the USSR/ Russia (since 1924) are worth mentioning. As a rule, these documents are not available via DEPATIS.

Furthermore, searches in the German patent database PATDPA (STN) are carried out for a fee.

The GPTO makes more than 46 million patent documents available via different media (DEPATIS, CD-ROM, micro films, paper documents). The DPINFO IP information system is suitable for conducting searches in the patent and utility model register, in the trade mark register and the designs register for the legal and procedural status of IP rights applied for or granted in Germany.

PCs with Internet connection are available in the public search rooms so that customers may access IP information provided on the Internet - including the websites of the GPTO, EPO, WIPO, foreign patent offices and many patent and trade mark registers. Search facilities are available on a self service basis. In the year 2004, we counted about 24,000 visitors in Munich and 23,000 in Berlin; more than 120 groups attended guided tours of the public search rooms. Anybody may use the information provided in the two public search rooms in Munich and Berlin. The staff is pleased to advise visitors when they have questions concerning the use of the information means including the user interfaces of the various electronic media.

Since 1 October 2003, a fee is charged for the use of electronic information facilities in the public search rooms in Munich and Berlin. A one-day ticket is € 4.50, a monthly card € 70, and an annual card € 700. A fee of € 3 per hour is charged for the use of DEPATIS since December 2003. The first hour is free for new users. Fees are waived for schoolchildren and students using the electronic information facilities and DEPATIS for educational purposes.

## **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**



As a result of the "Statement of Principles concerning the changeover to electronic data carriers" of WIPO, the German Patent and Trade Mark Office has sent the patent documents as well as the official publications (Patentblatt (patent gazette) etc.) to its exchange partners on CD-ROM since 2000. These CD-ROM series consist of DEPAROM-ACT, DEPAROM-U, and Patentblatt - CD-ROM. The versions of these CD-ROM products are regularly being improved and extended.

The publications "Blatt für PMZ" and the "GPTO Annual Report" are provided as printed documents. The latter is also published in electronic form.

The GPTO provides 50 foreign patent offices with patent documents on CD-ROM as well as 57 foreign offices with official publications on CD-ROM. The GPTO informs the other patent offices that German patent documents comprising more than 300 pages of manuscript are published only in electronic form in facsimile. Most of these "mega documents" are patent documents with sequence listings.

In 2004 the GPTO publishes its official publications exclusively in electronic form via the Internet. It intends also to present new Internet services in 2004. One of these new services is the so-called "DPMAdatenabgabe - provision of raw data relating to IPR procedures". The access is provided within the scope of the exchange of documents. These raw data and complete documents (e.g. in PDF format) are suitable for automated processing for integration into databases.

### **Medium used for exchange of priority documents**

The German Patent and Trade Mark Office exchanges priority documents in paper form.

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

The GPTO accepts the following modes of filing:

Paper filing:

For all kinds of industrial property rights (patents, trade marks, utility models, designs)

Electronic filing:

Since 15 October 2003, patent applications can be submitted to the GPTO via the Internet or using electronic storage media like CD-R or DVD. The German online filing system is based on the software PaTrAS (Patent and Trade Mark Application System), which was developed in cooperation with several European partners (UK, DK, CH, SE) as the result of the MIPEX II project. The PaTrAS system checks all text data (XML) and drawings (TIFF, JPG, PDF) for compliance with office specific rules. The corresponding PDF files of the XML data are created by PaTrAS. The archive of all application files has to be signed by an advanced signature and sent to the office as an attachment of an email.

Texts must be produced as XML data files which are based on office specific document type definitions (DTD) and schemes. These DTDs describe the structure of usable elements. Correct XML data files can be generated by using special templates for standard word processing systems. These templates are offered by the GPTO.

Graphical data (drawings) have to be created by using standard image software. Accepted file formats for drawings are: TIFF, JPG and PDF. In the case of a patent application only b/w drawings are accepted and checked by PaTrAS.

After validation of all application data (text files, graphical files) by PaTrAS, an archive (type: tar.gz) containing all application files is generated. This archive has to be signed by using an advanced signature. This signed application file can then be sent to a special email address of the GPTO via the Internet. Alternatively, the signed file on CD-R or DVD (DVD±R) can be sent to the office by regular mail.

Future Steps:

The GPTO is planning to release a new PaTrAS version in early 2006. The XML data generated by this new version conform to the WIPO Standard ST.36 for online filing. Apart from patents and EP applications, which are already included in the current software, the new version will provide modules for filing trade marks, utility models and PCT patent applications electronically.

### **Implementation of the Statement of Principles Concerning the Changeover to Electronic Data Carriers for the Exchange of Patent Documents (please provide a status report on the extent to which your Office has changed over to electronic data carriers for the exchange of patent documents)**

Since the year 2000 the GPTO has changed over to electronic data carriers, the DEPAROM CD-ROM products, and implemented the statement successfully.

Within the framework of international exchange the GPTO provides the CD-ROM products DEPAROM ACT (first publications and patent specifications, claims of European patent applications in German translation and international applications in German translation) and DEPAROM-U (utility models) to its exchange partners. Please notice also the above mentioned new Internet service "DPMAdatenabgabe - provision of raw data relating to IPR procedures". Other official publications of the Office in the field of patent information like the "Patentblatt" (patent gazette) are also published on CD-ROM. Now all publications are published in electronic form.

See also item II / Mass storage media used.

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

### **Training courses for national and foreign participants, use of audiovisual means**

According to the federal structure of Germany's regional institutions, the Patent Information Centres (PICs) organise training seminars within their regions. Besides the PICs a number of commercial organisations are active in this field, too. (see also item VIII / Promotional activities)  
The GPTO organises training courses for the staff of the regional PICs on a regular basis.

### **Assistance to developing countries (sending consultants and experts, receiving trainees from developing countries, etc.)**

In 2004 the GPTO has performed 50 state-of-the-art searches for developing countries within the framework of WIPO's search assistance programs. The search requests had been received from the following countries:

Chile 48  
ARIPO 2

See also item VIII / Promotional activities

### **Promotional activities (seminars, exhibitions, visits, advertising, etc.)**

Besides the direct activities of the GPTO mainly regional institutions perform raising-of-awareness activities of IP in Germany, especially among small and medium-sized enterprises (SMEs) and the academic and research sectors. This is due to the division of tasks in the federal system determined by the German Constitution. According to the Constitution primarily the states ("Länder") are responsible for actions in the field of the promotion of the economic growth. The Federal Ministries of Economics and Labour, and of Education and Research and the GPTO support the federal German states in these tasks.

In 2004 the German Patent and Trade Mark Office continued and intensified the technical cooperation with other IP-related institutions worldwide. Cooperation mainly focused on training courses for experts from other Patent Offices and, especially, on providing information to many delegations visiting the GPTO to learn more about the system of IPR in Germany.

A one-week course was held for 3 experts in the field of chemistry and electrical engineering from the Polish Patent Office. They were supervised by their German colleagues whilst gaining insights into other relevant aspects and IP-related procedures like the system of jurisdiction in Germany etc. They also gathered information about DEPATIS, i.e. the German Patent Information System.

Three patent examiners from the technical fields chemistry and electrical engineering from ROSPATENT also attended a two-week training course supervised by their respective German colleagues. They too gathered information about patent administration, quality management and DEPATIS.

A seminar was held for 15 IP experts in the fields of chemistry, biotechnology, mechanics, physics and electrical engineering as well as for members of law school and courts in Moscow. On the basis of a list of questions sent in advance to the GPTO the German experts held a full-day seminar at the GPTO.

The annual programmes of mutual exchange of patent examiners between the GPTO and the Japan Patent Office (JPO) and the UK Patent Office (UKPO) have been continued. Within the framework of these programmes 2 - 3 patent examiners from each of the participating offices visit their counterparts in the other offices, especially to examine common patent applications for one or two weeks. The objective of this programme is to gain information about the process and results of examination of patent applications in other offices and to further the experience of patent examiners.

The project "Assistance in establishing a national system of industrial property protection in the Kingdom of Saudi Arabia" has been run by the GPTO since January 2003. A long-term expert from the GPTO has been working at the Saudi Arabia General Directorate of Patents from the beginning of the project. In 2004 a group of 7 Saudi patent examiners attended a two-week training session at the GPTO. The main focus of this project is patent examination procedures particularly in the field of chemistry.

Six delegations each with 7 to 18 participants from different regional Chinese IP offices and various research institutes undertook study visits to the GPTO in order to learn more about the IP system and information technology in Germany.

A delegation from Tajikistan consisting of members of parliament, research institutes and the Patent Office of the Republic of Tajikistan visited the GPTO in 2004. The purpose of this visit was to learn more about the German system of intellectual property, particularly about the strategies of assistance to small and medium-sized enterprises (SMEs) and also about the work and the role of the Patent Information Centres in Germany.

In 2004 the GPTO again received 40 law students from George Washington University in the United States. The main purpose of that visit was to gain insight into the work of the GPTO.

During his visit to the Patent Office of China (SIPO) the president of the GPTO signed an agreement regarding the continuation of the technical cooperation with the SIPO. He also visited the Patent Office of Japan (JPO) and discussed the latest developments of IPR in Germany with the respective authorities. Both sides were interested in developing closer cooperation.

### **Studies to identify trends in new technology, e.g., by the use of patent statistics, preparation of monographs, etc.**

Patent applications in nanotechnology: Everybody talks about nanotechnology. However, this is not yet reflected in the patent applications. It is only since the year 2000 that nanotechnology has been listed as a special technical field in the International Patent Classification under the organisational category B 82.

A third of the 54 applications filed at the German Patent and Trade Mark Office between 2001 and 2004 were accounted for by three applicants: Infineon Technologies AG (12 applications), Forschungszentrum Karlsruhe GmbH (3 applications), Institut für Polymerforschung Dresden e.V. (3 applications). The other 36 applications were filed by 30 applicants, not showing any specific concentration on certain enterprises. At present, it is not yet possible to compare these figures with the domestic applications in the US, since statistical assessment is possible only for granted patents in the US. Besides, the number of granted patents is not yet significant. In Japan, domestic applicants published 12 patent applications in 2001, 23 in 2002, 51 in 2003 and 82 in 2004.

German Patent and Trade Mark Office, Annual Report 2004, Munich 2005

### **Assistance furnished by offices to facilitate the changing over of receiving offices to electronic data carriers for the exchange of patent documents (see also sub-item 4 of item VI, above)**

Apart from ordinary helpdesk services, provided occasionally, no additional assistance was requested by the exchange partners.

## **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.