

## Statistical Summary of WIPO Questionnaire on Availability of Patent Legal Status Data

A total of 87 replies were received to WIPO Circular C.N 3159. The following summarizes only the Yes/No counts of questions that were to be answered by "Yes" or "No". Answers to questions that were not to be answered by "Yes" or "No" are not included; please refer to the separate evaluation sheets for each such question, as indicated below. This summary is complemented by a more narrative evaluation of the results of the questionnaire in the document "*Evaluation of WIPO Survey on Availability of Patent Legal Status Data*" which will also include some conclusions.

### Register – General

1. Does your national patent legislation explicitly provide for a national patent register? **74** Yes **12** No
2. Is a national patent register already operational? **75** Yes **11** No

If your answer to question 2 is "No", please go to question 17. However, if the planning or the status of implementation of your national register is already advanced enough to answer the questions 3 to 16, then please also answer these questions as far as possible.

3. Has a description or guideline for the national patent register (e.g. its content, conditions of use, etc.) been published?

3.1 In paper	<b>35</b> Yes	<b>35</b> No
3.2 Electronically	<b>47</b> Yes	<b>26</b> No

- 3.3 If your answer to question 3.1 or 3.2 is "Yes", please indicate the publication language(s):  
*(for the answers, please refer to the Excel sheet "Question-3-3")*

- 3.4 If available, please indicate the web site address (URL) for downloading or accessing the publication:  
*(for the answers, please refer to the Excel sheet "Question-3-4")*

If the publication is not available via the internet, you are kindly asked to send a copy to WIPO to Mr. Lutz Mailänder, Head, Patent Information Section (see above contact details).

*(None received)*

### Register - Access Policy

4. Is the register accessible through the internet? **47** Yes **29** No

- 4.1 If "Yes", please indicate the URL:

*(for the answers, please refer to the Excel sheet "Question-4-1")*

- 4.2 If your answer to question 4 is "Yes", please indicate whether the register is updated at periodical or non periodical time intervals:

Daily updates	<b>32</b> Yes
Weekly updates	<b>7</b> Yes
Bi-weekly	<b>2</b> Yes
Monthly updates	<b>5</b> Yes

Updates at non periodical time intervals	<b>2</b> Yes
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4.3 If your answer to question 4 is "Yes", does the access require registration of the user?

2 Yes 46 No

5. Is the register accessible or searchable electronically by the public other than through the internet (e.g. through terminals in the premises of the Office)?

24 Yes 52 No

5.1 If your answer to question 5 is "Yes", please explain how:

*(for the answers, please refer to the Excel sheet "Question-5-1")*

6. Can information on the legal status of an individual patent application or granted patent be retrieved by submitting a (e.g. written) request to your Office?

74 Yes 2 No

6.1 If your answer to question 6 is "Yes", please indicate to whom such a request should be addressed (e.g. the registrar or any other Official of the Office):

*(for the answers, please refer to the Excel sheet "Question-6-1")*

#### Register - Fee Policy

7. Please indicate in the table below the different fee options for accessing the register:

			Current amount of fee if applicable
7.1 Totally free of charge	50 Yes	13 No	N/A
7.2 Fee for individual queries	32 Yes	21 No	
7.3 Lump sum for subscription	6 Yes	32 No	

7.4 If you have ticked more than one "Yes" in this question, please briefly explain the mix of fee options (i.e. when or where they are applicable; e.g. different types of inquiries):

*(for the answers, please refer to the Excel sheet "Question-7")*

#### Register - Publicly Available Content

8. Does the publicly available content of the register include legal status data related to:

8.1 Granted patents 71 Yes 4 No

8.2 Published applications 62 Yes 13 No

8.3 Applications before publication 14 Yes 61 No

If your answer to 8.2 is "No", please also answer the following question.

8.4 Are patent applications published prior to grant? 21 Yes 14 No

*(There have also been answers from IPOs that have answered "Yes" to question 8.2; the answers of those that have answered 8.2 with "No" are the following:*

1 Yes 10 No

9. Can data (e.g. dates) for the following legal events be recorded in the patent register and retrieved by the public if available for a particular patent application or granted patent?

9.1	Request for examination	<b>33</b> Yes	<b>35</b> No
9.2	Entry into national phase of PCT applications*	<b>50</b> Yes	<b>19</b> No
9.3	Non-entry into national phase of PCT applications*	<b>12</b> Yes	<b>56</b> No
9.4	Withdrawal of application	<b>54</b> Yes	<b>17</b> No
9.5	Rejection of application	<b>56</b> Yes	<b>14</b> No
9.6	Appeal to rejection	<b>40</b> Yes	<b>29</b> No
9.7	Grant of patent	<b>73</b> Yes	<b>0</b> No
9.8	Opposition to grant	<b>38</b> Yes	<b>32</b> No
9.9	Request for invalidation/revocation/nullification	<b>45</b> Yes	<b>25</b> No
9.10	Granted patent has been invalidated/revoked/nullified	<b>65</b> Yes	<b>7</b> No
9.11	Granted patent has expired, i.e. no further extension possible	<b>59</b> Yes	<b>14</b> No
9.12	Granted patent has lapsed, i.e. renewal fee not paid	<b>64</b> Yes	<b>9</b> No
9.13	Payment of fees (e.g. renewal)	<b>57</b> Yes	<b>14</b> No
9.14	Any events related to examination other than final decisions, e.g. a search report or examination report has been issued	<b>36</b> Yes	<b>34</b> No
9.15	Change of ownership	<b>69</b> Yes	<b>3</b> No
9.16	Data related to licenses	<b>57</b> Yes	<b>15</b> No
9.17	If your answer to question 9.16 is "Yes", please briefly explain the data (e.g. data related to compulsory licenses, license of right, etc.):		

*(for the answers, please refer to the Excel sheet "Question-9-17")*

#### Register - Sharing of Data with other Intellectual Property Offices or Database Providers

10. From a purely legal (and not technical) perspective, would your Office be able to share legal status information (including those of PCT national phase entries where applicable), for the purpose of including it in databases and making it available to users of patent information with:

10.1	WIPO	<b>67</b> Yes	<b>6</b> No
10.2	Other interested IPO	<b>61</b> Yes	<b>10</b> No
10.3	Commercial patent information providers	<b>43</b> Yes	<b>25</b> No

11. If your answer to question 10.1 is "No", please indicate the legal issues that currently prevent such sharing, and/or conditions that would allow such sharing with WIPO:

*(for the answers, please refer to the Excel sheet "Question-11")*

12. Does your Office already share legal status data on a regular basis with:

12.1	WIPO	<b>26</b> Yes	<b>49</b> No
12.2	Other IPOs, e.g. EPO's INPADOC database	<b>43</b> Yes	<b>31</b> No
12.3	Commercial patent information providers	<b>14</b> Yes	<b>56</b> No

13. If your answer to question 11.1 is "Yes", are there any restrictions or conditions for the inclusion of such data in WIPO's Patentscope® database?

**8** Yes **41** No

13.1 If your answer to question 13 is "Yes", please indicate a contact person for further clarification of any such restrictions or conditions:

*(addresses are relevant only for WIPO)*

14. If your answer to question 10.1 is "Yes" and 12.1 is "No", from a purely technical perspective, would your Office be able to share legal status information with WIPO?

**39** Yes **13** No

14.1 If your answer to question 14 is "Yes" please indicate the respective contact person:

*(addresses are relevant only for WIPO)*

14.2 If your answer to question 14 is "No", please indicate the technical problems or necessary technical developments or any potential support that can be given by WIPO:

*(for the answers, please refer to the Excel sheet "Question-14-2")*

#### Register - Error Correction

The following question applies only to electronic patent registers that are directly accessible by the public, and target only corrections of incidental errors that occurred during data capturing, i.e. errors that had to be corrected with a subsequent update of the register after their detection:

15. Are corrections of erroneous legal status data notified or indicated as such in the electronic register?

**19** Yes **34** No

The following question applies only to Offices that exchange the data with other Offices:

16. Do corrections trigger a separate notification in the exchange data?

**10** Yes **29** No

#### Gazettes or Bulletins

The following questions refer explicitly to patent gazettes or bulletins because they may represent alternative or complementary sources of patent legal status information, or the only sources if a patent register is not operational.

17. Does your patent legislation explicitly provide for a gazette or bulletin?

**78** Yes **7** No

17.1 If "Yes", please indicate the name of the gazette or bulletin:

*(for the answers, please refer to the Excel sheet "Question-17-1")*

17.2 Is the patent related gazette or bulletin part of a general government gazette or bulletin, i.e. a publication that covers also official notifications other than notifications related to intellectual property rights?

**15** Yes **69** No

18. Is the gazette or bulletin published electronically, e.g. in PDF format?

**71** Yes **12** No

18.1 If "Yes", since when has it been published electronically?

*(for the answers, please refer to the Excel sheet "Question-18-1")*

18.2. Is the electronic publication accessible and/or available for download via the internet?

**66** Yes **14** No

18.3 If "Yes", please indicate the URL:

*(for the answers, please refer to the Excel sheet "Question-18-3")*

19. Is the gazette or bulletin published on paper? **45** Yes **38** No

19.1 If "No", up to what date was the gazette or bulletin published on paper?

*(for the answers, please refer to the Excel sheet "Question-19-1")*

20. If your answer to question 18 or 19 is "Yes", please indicate whether the gazette or bulletin is published at periodical or non periodical time intervals:

Weekly publications	<b>22</b> Yes
Bi-weekly	<b>6</b> Yes
Monthly publications	<b>33</b> Yes
Bi-monthly	<b>6</b> Yes
Quarterly	<b>6</b> Yes
Publication at non periodical time intervals	<b>6</b> Yes

If non periodical, please indicate the average number of publications per year:

*(for the answers, please refer to the Excel sheet "Question-20")*

Further explanations:

Please add on a separate sheet any explanations that you may consider necessary with respect to each of the above questions. Please indicate for each explanation to which question it relates.

21. Are further explanations attached to this questionnaire? **20** Yes