Survey Concerning Citation Practices in Intellectual Property Offices

Response ID:154 Data

2. Section 1: Identification page

1. Please enter the ST.3 code of the member state or inter-governmental organization you represent.

BR - Brazil

2. Please enter the name of the office or organization you represent. For instance, International Bureau of WIPO.
If your organization name is the same as your ST.3 code name, you may put "n/a".

National Institute of Industrial Property (INPI)

3. Questions about citation references provided by your Office: Sections 2 to 4

Section 2: Citation reference availability

5. Does your Office publish citation references associated with your Office's patent documents?

Yes
Please comment if necessary:

6. Select one option describing the availability, to the public, of your Office's citation references.

Available to the public

7. In which of the following location(s) associated with patent documents, published by your Office, can citation references be found?

Preliminary search report
Substantive search and/or examination report
Patent description
Please comment on any of the above mentioned locations, if appropriate: Citation information is included in patent description only when mentioned by applicant

8. If citation references are part of the bibliographic front page information, are they included in INID code (56)?

Not applicable

9. Beyond the locations listed as options in question 7 above, select the location(s) outside the patent document where citation references can be found:

10. Are hyperlinks included for the above Internet locations?

No
Please comment if necessary:

11. Does your Office give information about a patent document that cites the specific patent document the user is looking at (i.e., a forward citation)?

No

12. Are hyperlinks to the citing document provided?

No
Please comment if necessary:

13. Does your Office follow the recommendations set out in WIPO Standard ST.14 for the identification of citation references?

Partially (please specify/provide further details): We use ST14 in ISR reports, but in national exam reports we use ABNT standards.
Please comment if necessary:

14. Does your Office provide indications, to the general public, informing about who suggested or decided on including the citation references?

No

If available, where can indications of who created a citation reference be found by the general public?

Please comment if necessary:

4. Section 3: Search Report Information

15. Does your Office prepare international search reports (ISRs) in the capacity as an International Searching Authority under the PCT?

Yes

5. Section 3: Search Report Information

16. Do you have quality control on citation references entered on search reports?

Yes (Please provide examples in detail): 100% of the ISRs issued by INPI undergo a formal quality control check of the completed forms. This review includes verifying the citations in the ISR, whether they are in ST14 format, and whether they are easily retrieved with the information provided.
Please comment if necessary::

17. Do your citation references include online URLs?

Yes

18. Are unique document identifiers used, e.g., DOI?

Yes

If applicable, which unique document identifiers are used?

Digital Object Identifier (DOI)
ISBN and ISSN

6. Section 3: Search Report Information

19. Does your Office prepare Office-specific national/regional search reports (non PCT)?

Yes

7. Section 3: Search Report Information

20. Do you have quality control on citation references entered on search reports?

No
Please comment if necessary::

21. Are relevance indicators stated?

Yes

22. Do your citation references include online URLs?

Yes

23. Are unique document identifiers used, e.g., DOI?

Yes

If applicable, which unique document identifiers are used?

Digital Object Identifier (DOI)
ISBN and ISSN

8. Section 3: Search Report Information

24. Please comment on any major differences between the provision of ISR and other search report citation references if any

In the ISR we use ST14 and for national examination research reports we use ABNT standards.

9. Section 4: Centralizing/Tagging Citation References

25. Do you (intend to) add tags to identify citation references?

No

26. Does your Office have a centralized database containing citation reference identification data elements?

No

If possible, please specify any structural elements on which the database is founded, for example:

Is the information in the database technically and legally exchangeable e.g., with other Offices?

27. Are citation references from your Office searchable by the general public?

No

28. Please add any further comments you may have about any of the questions in section 4 above:

10. Questions about your Office's published documents that may be cited (within a citation reference): Sections 5 to 7

Section 5: Location of published patent documents which can be considered to be an (or the) authentic source

29. Which mediums represents the (or an) authentic legal rendition (authoritative source) of your Office's published patent application?

Website (if multiple website separate each address with a semi- colon ";"): https://busca.inpi.gov.br/pePI/jsp/patentes/PatenteSearchBasico.jsp
SFTP Bulk publication: pctmindoc.inpi.gov

30. Which mediums represents the (or an) authentic legal rendition (authoritative source) of your IPO's published granted patents?

Website (if multiple website separate each address with a semi- colon ";"): https://busca.inpi.gov.br/pePI/jsp/patentes/PatenteSearchBasico.jsp
SFTP Bulk publication: pctmindoc.inpi.gov

31. Regarding the medium indicated above, is there one or more (file) formats that should be looked at (in preference to other formats)?

Yes

If yes, please select all formats that should be considered in preference to other formats

.pdf (Adobe)
.html
.xml

32. Is your Office using commercial providers for publishing patent documents?

No

11. Section 6: Availability of location identifiers

33. Which, if any, text- based identifiers do your published patent documents contain:

Page numbers
Paragraph numbers

34. Which, if any, identifiers of non-textual elements occur within the description part of your published patent document:

Image/figure numbers within the description:
Tables:

12. Section 7: Paragraph number details

35. Does your published patent documents include paragraph numbers?

Yes

13. Section 7: Paragraph number details

36. Paragraph numbers are typically created by:

Applicant / Inventor

37. Paragraph numbers are recreated:

When numbered paragraphs are amended

38. Describe any special treatment you give to long paragraphs:

None

39. Describe how you treat numbered paragraphs that are subsequently amended:

Subsequent paragraphs re-numbered

40. If necessary, please provide additional comment on any part of the questions or answers given above in this section.

14. Section 8: Citing documents based on machine translations

41. Does your Office currently allow to cite machine-translated documents in search or examination reports?

Yes

15. Section 8: Citing documents based on machine translations

42. When citing a document without paragraph numbering, how does your Office identify the relevant passage in the machine translation?

The examiner quotes lines from the translated document, even if they are not numbered.

43. How does your Office ensure that applicants can access the exact machine translation used by your Office?

The exact machine translation is uploaded to the electronic file to an online register

44. Does your Office record or store the machine translation used by the examiner for internal or public reference?

Yes, for internal use only

45. Does your Office have a preferred format for citing machine translations in search or examination reports?

No

46. Has your Office encountered cases where an applicant disputed the relevance of a citation based on a machine translation?

No

47. Should there be a standardized method for referencing the machine translation engine and date of translation in the international search report?

No

48. Should WIPO Standard ST.14 be revised to include recommendation on how references to machine translations should be cited in a patent document?

No

16. General questions about Citation Practices: Sections 9-10
Section 9: Examples of citation references published by your Office, if this information is available.

49. If possible, please provide a patent (application) number and a publicly available internet address that contains one or more typical examples of patent and non-patent literature citation references.

17. Section 10: Additional comments about citation practices

50. If applicable, please make any further comments, e.g., you may wish to comment on difficult aspects of citation practices for your IPO:

e.g., users are confused about the part of a document a citation reference was referring to : It is not common practice at the BR office to tabulate the results of citation practices in a way that allows for easy attribution to the bibliographic data of applications at the time of publication. Generally, citations are only described in technical opinion documents.
e.g., citation references do not refer to the authentic rendering of a patent document : Citations on PCT/ISR (WO2024130365, WO2024092330 and PCT/BR2024/050167). Citations on national phase (BR112023010043-7; BR102016023038-1). PCT/ISR: Available only on Patentscope within the completed documents of the form PCT/ISA/210: (https://patentscope.wipo.int/search/en/search.jsf). National phase: Within the system for viewing patent applications submitted to the BR Office, associated with technical opinion under dispatch 9.1 (https://busca.inpi.gov.br/).
e.g., it is not clear how or whether to state a url as part of a citation reference : Citations on PCT/ISR under form PCT/ISA/210 page 2 box "C - DOCUMENTS CONSIDERED TO BE RELEVANT". Citations on national phase under technical opinion on dispatch 9.1 page 1 numbered item "3 - REFERÊNCIAS PATENTÁRIAS" and/or "4 - REFERÊNCIAS NÃO-PATENTÁRIAS".