Survey Concerning Citation Practices in Intellectual Property Offices

Response ID:176 Data

2. Section 1: Identification page

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

CA - Canada

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".

Canadian Intellectual Property Office (CIPO)

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: Citation references are available in their original context in the description (provided by applicant), examination reports (by examiners) and third party documents (by interested third parties).

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?

Substantive search and/or examination report
Patent description
Other patent document location (Please specify): third party filing of prior art document
Please comment on any of the above mentioned locations, if appropriate:

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:

Separate document
E-Dossier/File wrapper

10. Are hyperlinks included for the above Internet locations?

Not applicable
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?

Yes
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?

Yes

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

Substantive search and/or examination report

Please comment if necessary: Indications as such are optional for inclusion by examiners in examination reports.

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): 25% QC check by supervisor, checklist for examiners

Please comment if necessary::

17. Do your citation references include online URLs?

Sometimes (specify when): When citing online non-patent literature (e.g. website)

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

Sometimes (Specify when):

If applicable, which unique document identifiers are used?

Digital Object Identifier (DOI)
ISBN and ISSN
Other (please specify): scientific articles only

6. Section 3: Search Report Information

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

No

7. Section 3: Search Report Information

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

Are relevance indicators stated?

Do your citation references include online URLs?

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

If applicable, which unique document identifiers are used?

8. Section 3: Search Report Information

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

9. Section 4: Centralizing/Tagging Citation References

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

No

21. 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?

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

Sometimes (please specify the location where the references are searchable e.g., http://www.): only descriptions can be searched for citations https://www.ic.gc.ca/opic-cipo/cpd/eng/search/basic.html, examination reports and third party submissions are not text-searchable

23. 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

24. 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 ";"): Basic Search - Canadian Patents Database
SFTP Bulk publication: IP Horizons SFTP Cloud
APIs of Webservices: CIPO Patent Data Dissemination API
Other (Please specify): IP Horizons: Download intellectual property data

25. 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 ";"): Basic Search - Canadian Patents Database
SFTP Bulk publication: IP Horizons SFTP Cloud
APIs of Webservices: CIPO Patent Data Dissemination API
Other (please specify): IP Horizons: Download intellectual property data

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

No

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

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

No

11. Section 6: Availability of location identifiers

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

Page numbers
Line numbers
Paragraph numbers

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

Image/figure numbers within the description:
Chemical formula numbers:
Tables:
Gene sequences:
Mathematical formulas:
Minutes/Seconds (for referencing videos):
Webpage identifiers (URL with heading/section reference):

12. Section 7: Paragraph number details

30. Does your published patent documents include paragraph numbers?

Yes

13. Section 7: Paragraph number details

31. Paragraph numbers are typically created by:

Applicant / Inventor

32. Paragraph numbers are recreated:

Other (Please specify): Paragraph numbers are entered solely by the applicant and would be recreated whenever they wish to make the change

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

N/A

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

Other (Please specify): Applicant is in control of paragraph numbering so anything they enter is used

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

Everything is client-driven and we do not renumber or change what is received from the client

14. Section 8: Citing documents based on machine translations

36. 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

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

In national examination there is no requirement to give exact pinpoints so the relevant passage may or may not be indicated depending on the preference of the examiner.

For international examination, there is no specific guidance provided. However, these are generally provided through figure numbers, claim numbers, example numbers or paragraph numbers (if available). A copy of the machine translation used is not sent to the applicant with the ISR.

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

Other (Please specify): For international examination, identification of the source of the machine translation is provided as part of the citation. Example: D1: CN 1465217A (HASHIMOTO, A. et al.) 31 December 2003 (31-12-2003) *machine translation provided by Google Translate used for understanding*

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

Yes, for internal use only

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

Yes (Please provide example): *machine translation used, International practice: *machine translation provided by XX used for understanding*

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

No

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

Yes

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

Yes

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

44. 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.

Specify application number and kind code, e.g., WO 2005/110961 A1 : Application #: 3101234. Direct link: https://www.ic.gc.ca/opic-cipo/cpd/eng/patent/3101234/summary.html?type=number_search&tabs1Index=tabs1_1
Specify Internet address and any instructions helpful to find patent (application) number, e.g., IA=IB2005001265&REF=RSS : Go to this link and enter any 7 digit patent number: https://www.ic.gc.ca/opic-cipo/cpd/eng/search/number.html
Specify where in the document the citation references can be found, e.g., page 1, lines 19 and 25, search report at end of document : In this example, citation references can be found under Documents > Examiner Requisition. There may also be citation references provided by the applicant in the Description. In this case there are no third party submissions of citation references.

17. Section 10: Additional comments about citation practices

45. 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 : Additional context (rationale) regarding Section 5 (question 24 and 25 from this online survey): From a Data Dissemination perspective, we consider IP Horizons, the SFTP Cloud, and the Patent API to fall within the scope of this survey, as we

interpret a "medium" to be a platform used to disseminate patent citations. While the Data Dissemination platforms noted above do not provide a standalone patent citation product, citation data is included within patent descriptions, which form part of our bulk data offerings. This is consistent with the nature of IP Horizons and the SFTP Cloud as comprehensive data repositories containing trademark, industrial design, and patent applications filed with CIPO.
e.g., citation references do not refer to the authentic rendering of a patent document : Clients may want relevant citations in all reports (not just a search report) as it is easier for them to work without searching for other documents to find the citations