Survey Concerning Citation Practices in Intellectual Property Offices

Response ID:148 Data

2. Section 1: Identification page

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

CH - Switzerland

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".

Swiss Federal Institute of Intellectual Property

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?

Substantive search and/or examination report
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:

10. Are hyperlinks included for the above Internet locations?

Yes
Please comment if necessary: Citation references in our search reports are hyperlinked to Espacenet (patent literature) or DOI (non-patent literature). Alternatively, links to non-DOI documents.

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?

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?

No

5. Section 3: Search Report Information

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

Do your citation references include online URLs?

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

If applicable, which unique document identifiers are used?

6. Section 3: Search Report Information

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

Yes

7. Section 3: Search Report Information

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

Yes (Please provide examples in detail): Four-eye principle.
Please comment if necessary::

18. Are relevance indicators stated?

Yes

19. Do your citation references include online URLs?

Yes

20. 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

21. 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

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

No

23. 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?

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

No

25. 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

26. 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://www.swissreg.ch
APIs of Webservices: https://www.swissreg.ch/public/api/v1

27. 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://www.swissreg.ch
APIs of Webservices: https://www.swissreg.ch/public/api/v1

28. 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)
.xml

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

Yes (Please provide details): Luminess creates XML files from non-OCR'ed PDF.

11. Section 6: Availability of location identifiers

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

Page numbers
Paragraph numbers

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

Image/figure numbers within the description:
Gene sequences:

12. Section 7: Paragraph number details

32. Does your published patent documents include paragraph numbers?

Yes

13. Section 7: Paragraph number details

33. Paragraph numbers are typically created by:

An external publisher

34. Paragraph numbers are recreated:

During the publication process

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

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

Subsequent paragraphs re-numbered

37. 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

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

Other (Please specify): only as complement to the original document.

15. Section 8: Citing documents based on machine translations

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

We try to find the relevant passage intellectually as well as possible by looking at elements (e.g., numbers or symbols) that are equivalent in the original document and the translation. Or by using techniques such as OCR and manual machine translation to reproduce the orginal machine translation process.

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

Other (Please specify): In general, we do not share machine translations, but refer to the online translation on Espacenet. Machine translation is shared only in cases when this seems inappropriate.

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

Yes, for internal use only

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

No

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

No

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

Yes

45. 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.

46. 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 : CH 720467 A1
Specify Internet address and any instructions helpful to find patent (application) number, e.g., IA=IB2005001265&REF=RSS :
https://www.swissreg.ch/database/resources/ds/doc/urn:ige:doc:700a8a943af443ff72a01308a149b48c4f040f2f
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 : Search report

17. Section 10: Additional comments about citation practices

47. 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 : The use of category & is often unclear
e.g., citation references do not refer to the authentic rendering of a patent document : How to cite a document that is published both, on paper and online?