Survey Concerning Citation Practices in Intellectual Property Offices

Response ID:128 Data

2. Section 1: Identification page

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

DE - Germany

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".

German Patent and Trademark Office

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
Bibliographic data
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)?

Yes

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:

E-Dossier/File wrapper

10. Are hyperlinks included for the above Internet locations?

Yes
Please comment if necessary: DPMAregister provides hyperlinks for the cited documents, so that they can be accessed directly.

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)?

Yes

12. Are hyperlinks to the citing document provided?

Yes
Please comment if necessary: DEPATISnet provides hyperlinks for the citing documents on request, so that they can be accessed directly

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): ST.14 paragraph 14 (a), elements (iV) and (V) not provided
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
Other (Please specify where an indication can be found): DEPATISnet differs between documents cited by applicant and documents cited in scope of Search or

examination

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?

No

Please comment if necessary::

18. Are relevance indicators stated?

Sometimes (specify when): in case of search reports always, in case of examination report only sometimes

19. Do your citation references include online URLs?

Yes

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

No

If applicable, which unique document identifiers are used?

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?

Yes

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

WIPO Standard ST.36:

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

Yes

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

Yes (please specify the location where the references are searchable e.g., http://www.): https://www.dpma.de/recherche/dpmaregister/index.html

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.dpma.de/recherche/dpmaregister/index.html

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.dpma.de/recherche/dpmaregister/index.html

28. 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

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

Yes (Please provide details):

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:
Chemical formula numbers:
Tables:
Gene sequences:
Mathematical formulas:
Webpage identifiers (URL with heading/section reference):

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?

Yes

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?

Reference is always the original document, which is also used in the citations. The machine translation is provided only as add on to the applicants. Text passages are referenced according to the available information in the original document like page numbers, line number, etc.

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

The exact machine translation is sent directly to the applicant

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?

No

45. 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.

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 : DE1020242080306A1
Specify Internet address and any instructions helpful to find patent (application) number, e.g., IA=IB2005001265&REF=RSS :
https://register.dpma.de/DPMAregister/pat/register?AKZ=1020242080306
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 : refer to INID code 56

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: