Survey Concerning Citation Practices in Intellectual Property Offices

Response ID:143 Data

2. Section 1: Identification page

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

NZ - New Zealand

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".

Intellectual Property Office of New Zealand (IPONZ)

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: Citation references can be found in a Patent Examination Report, if cited against the application.

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?

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)?

Not applicable

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):
Please comment if necessary: We have adopted the patent document, journal article, and documents retrieved from the internet citation formats from ST.14. We have not adopted other formats.

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)?

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

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

No

18. 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?

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

No

20. 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

21. 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 ";"):

22. 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 ";"):

23. 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

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

No

11. Section 6: Availability of location identifiers

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

Page numbers
Line numbers
Paragraph numbers

26. 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:
Computer programs:
Webpage identifiers (URL with heading/section reference):

12. Section 7: Paragraph number details

27. Does your published patent documents include paragraph numbers?

Yes

13. Section 7: Paragraph number details

28. Paragraph numbers are typically created by:

Applicant / Inventor

29. Paragraph numbers are recreated:

When numbered paragraphs are amended

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

There is no restriction on the Applicant.

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

Subsequent paragraphs re-numbered
New paragraph given an extra figure but subsequent paragraph numbers unchanged

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

In our office, the Applicant/Inventor creates and recreates the paragraph numbering. If a new paragraph is inserted, Applicants will often give the newly inserted paragraph a paragraph number composed of the preceding paragraph number with a letter added to the end. They will then leave the remaining paragraph numbers unchanged (e.g. [0008], [0008A], [0008B], [0009] etc.).

Other times, the Applicant/Inventor will renumber all subsequent paragraphs when a newly inserted paragraph is added.

14. Section 8: Citing documents based on machine translations

33. 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

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

Our office references the paragraph or lines in the original document, where possible.

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

The exact machine translation is not currently shared

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

Yes, for internal use only

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

No

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

Yes (Please provide details):

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

Other (Please specify): We would consider the merits of any proposal depending on what was proposed.

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

Other(Please specify): It depends on any proposal as noted under the previous question.

16. General questions about Citation Practices: Sections 9-10

Section 9: Examples of citation references published by your Office, if this information is available.

41. 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 : NZ 805055 A1
Specify Internet address and any instructions helpful to find patent (application) number, e.g., IA=IB2005001265&REF=RSS : URL: https://www.iponz.govt.nz/manage-ip/ Select Search patents, then enter 805055 in the Case Number(s) field, then hit enter, then navigate to documents tab, and download the Patent Examination Report 1 document.
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 : Bottom of page 2 of the Patent Examination Report 1 document.

17. Section 10: Additional comments about citation practices

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