Survey on Intellectual Property Data Exchange

Response ID:193 Data

2. 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".

DPMA

3. Types of IP data exchanged

5. Does your Office provide or collect IP data?

Yes, providing and collecting

6. In what context is IP data exchange performed?

Bilateral agreements
Multilateral agreements
Direct upload/download of bulk data

4. Types of IP data exchanged

7. Select the IP domains for which your Office provide or collect data.

	Provide	Collect	Both, provide and collect	Not applicable
Patents			X	
Trademarks			X	
Industrial designs			X	
Geographical indications			X	

Other (please specify):

8. What types of IP data does your Office provide or collect?

Patents

	Provide	Collect	Both provide and collect	Not applicable
Bibliographic data (including classification information)			X	
Full-text publication data (including, description and claims)			X	
Full-image publication data (including bibliographic data, abstract, description and claims)			X	
Drawings (2D images, 3D models or 3D images)			X	
Citation information from search and/or examination			X	
Legal status data			X	
Sequence listing data			X	
Office actions			X	
Examination reports/Search report			X	
Statistical data (Added value data)				X

Other (please specify):

Trademarks

	Provide	Collect	Both provide and collect	Not applicable
Bibliographic data (including classification information)			X	
Full-text publication data			X	
Mark representation (2D images, 3D models, 3D images, audio or video)			X	
Legal status data			X	
Examination reports/Search reports				X
Office actions				X
Statistical data (Added value data)				X

Other (please specify):

Industrial Designs

	Provide	Collect	Both provide and collect	Not applicable
Bibliographic data (including classification information)			X	
Full-text publication data			X	
Industrial design representation (2D images, 3D models, 3D images, audio or video)			X	
Legal status data			X	
Examination reports/Search reports				X
Office actions				X
Statistical Data (Added value data)				X

Other (please specify):

Geographical Indications

	Provide	Collect	Both collect and provide	Not applicable
Bibliographic data (including classification information)			X	
Full-text publication data			X	
Geographical indication representation (labels or images)			X	
Legal status data			X	
Office actions				X
Statistical Data (Added value data)				X

Other (please specify):

5. Types of IP data exchanged

9. Which type of file formats are used when your Office provides and/or collects IP data?

Document and archive format

XML
JSON
PDF
XLS/XLSX
CSV
ZIP

2D images

JPEG
TIFF
PNG

Audio, video and multimedia

MP3
MP4

3D model and 3D images

OBJ
STL
X3D

6. Types of IP data exchanged

10. Please indicate the data format related to WIPO Standards implemented by your Office in providing or collecting IP data

WIPO Standard ST.96: Recommendation for the processing of intellectual property information using XML

Not applicable

WIPO Standard ST.97: Processing of Intellectual Property information using JSON

Patents

Other WIPO Standards

WIPO Standard ST.26: Recommended standard for the presentation of nucleotide and amino acid sequence listings using XML
WIPO Standard ST.27: Recommendation for the exchange of patent legal status data
WIPO Standard ST.36: Recommendation for the processing of patent information using XML
WIPO Standard ST.66: Recommendation for the processing of trademark information using XML
WIPO Standard ST.86: Recommendation for the processing of industrial design information using XML
WIPO Standard ST.87: Recommendation for the exchange of industrial design legal status data

7. Reason for collecting IP data

11. Why does your Office collect IP data from other Offices?

For internal use

Examination purposes (e.g., prior art searches, examination)
Training AI/machine learning models used by our Office

For public dissemination

Publishing on our Office's free of charge public search tools/databases

For external distribution

Not applicable

8. IP data delivery methods/means

12. Which methods and/or means does your Office currently use to provide IP data?

API
SFTP/FTP/FTPS
Bulk download from Office website

9. Challenges

13. What challenges does your Office face in relationto providing IP data to other Offices?

Organizational and technical challenges

Not applicable

Legal and policy challenges

Not applicable

Financial challenges

Not applicable

14. What challenges does your Office face in relationto collecting IP data to other Offices?

Organizational and technical challenges

Not applicable

Legal and policy challenges

Not applicable

Financial challenges

Not applicable

10. Proposed solutions

15. What following proposed solutions could help your Office address the challenges your Office selected above?

Other proposed solutions (please specify): not applicable

11. Proposed solutions

. What recommendations should be included in the new WIPO standard on the recommendation for the exchange of IP data and its use?

Technical recommendation

Legal and policy recommendations on IP data use

Procedural and operational guidance

12. Legal and contractual framework for data exchange

16. Does your Office or your country have any national and/or regional laws or regulations that govern the transfer by your Office of IP data (including hosting

or redistribution) outside of your jurisdiction?

Yes (please specify the relevant law, regulation, policy, national practice, strategy, or rule that the Office is required to comply with, including the title, reference number, and/or URL to the source of information): The applicable laws or regulations depend on the circumstances of the individual case. Generally, both national German law (e.g. German Patent Act, IT security rules) and EU law (e.g., in case of personal data, the General Data Protection Regulation GDPR) may apply to such a transfer.

17. Does your Office have formal written agreements (such as contracts/MoU/MoC/ToU/License Agreement) for data exchange with other IP Offices?

Yes, either bilateral contract/MoU/MoC/ToU is required

18. If possible, please provide template(s) of bilateral contract/MoU/MoC/ToU/License Agreement that your Office uses

19. Does your Office have formal written agreements for the provision of data to third parties? *(such as: MoU, MoC, ToU, contract, license agreement)*

Yes, required for any third parties

13. Conditions for provision, use and dissemination of IP data

20. How does your Office currently authorize the use and dissemination of exchanged IP data?

Determined by two Offices involved in the data exchange cooperation through consultation
Permitted by the laws or regulations of two Offices involved in the data exchange cooperation or their countries and/or regions

21. How does your Office implement the reciprocity principle in practicing IP data exchange with other IP offices?

Bilaterally agreed by two sides

22. What reciprocity policy re-distribution would your Office support?

Other (please specify): Our Office's approach to re-distribution rights would depend on the specific terms and context of each exchange arrangement

23. Would your Office support a recommendation that Offices provide their IP data free of charge or at marginal cost to the general public and any third party?

Yes, our Office supports providing IP data at a marginal cost (please provide details):

14. Conditions for provision, use and dissemination of IP data

If your Office does not support free or marginal cost data provision, what barriers exist to implementing such recommendation?

15. Conditions for provision, use and dissemination of IP data

24. What level of internal use does your Office permit when sharing IP data with partner Offices?

Unrestricted internal use, partner Offices may use the data for any internal purpose

16. Conditions for provision, use and dissemination of IP data

If permissible for certain applications or uses, which of the following internal uses are permitted?

17. Conditions for provision, use and dissemination of IP data

25. Does your Office permit partner Offices to provide IP data shared with them (including in bulk form) to third parties?

Permissible only under certain conditions

18. Conditions for provision, use and dissemination of IP data

26. Under what conditions would the provision of such data to third parties be permissible?

When the scope of third parties and the scope of data have been documented in a data exchange agreement/MoU or approved in writing

Please provide reasons why your Office does not permit the provision of such data to third parties

19. Data quality and error correction

27. Does your Office have mechanisms for checking data for assuring the quality of IP data before sharing them?

Yes

28. Which methods do you use on mechanisms for checking data for assuring the quality of IP data?

Automated validation checks (please provide details, tool name, set of business rules, if possible):

20. Data quality and error correction

29. Would your Office agree to partner Offices using their quality assurance mechanisms to detect errors in your IP data and providing them to your Office, for corrections at the source?

Yes

30. Would your Office permit partner Offices to correct errors in your IP data before they use internally, publish or share it?

Not permitted: Partner Offices must not alter our IP data in any way and must report errors and await corrected data from my Office

Please provide details of permissible corrections

31. What would be the timeframe to make the corrections?

32. Is your Office able to make the corrections, or does the applicant need to be part of this process?

No, our Office can't make the corrections without applicant/IP right holder permission (please explain):

33. How will these corrections be tracked and managed?

Corrections are managed by data correction processes

21. Data quality and error correction

34. Does your Office apply any quality assurance mechanisms to the datacollected from other Offices?

Yes (please provide details): automatical validation

22. Update frequency

35. What update frequency can your Office as providing Office realistically support?

	Real-time	Daily	Weekly	Monthly	Quarterly	Annually	Not applicable
Patents		X					
Trademarks		X					
Industrial designs		X					
Geographical indication		X					

Other (please specify):

36. Please provide any additional information or comments.