Survey on Intellectual Property Data Exchange

Response ID:174 Data

2. Identification page

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

HK - Hong Kong, China

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 Department

3. Types of IP data exchanged

5. Does your Office provide or collect IP data?

Not currently providing nor collecting but planning to exchange IP data

In what context is IP data exchange performed?

4. Types of IP data exchanged

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

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

1. 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)				
Full-text publication data (including, description and claims)				
Full-image publication data (including bibliographic data, abstract, description and claims)				
Drawings (2D images, 3D models or 3D images)				
Citation information from search and/or examination				
Legal status data				
Sequence listing data				
Office actions				
Examination reports/Search report				
Statistical data (Added value data)				

Trademarks

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

Industrial Designs

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

Geographical Indications

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

5. Types of IP data exchanged

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

Document and archive format

2D images

Audio, video and multimedia

3D model and 3D images

6. Types of IP data exchanged

. 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

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

Other WIPO Standards

7. Reason for collecting IP data

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

For internal use

For public dissemination

For external distribution

8. IP data delivery methods/means

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

9. Challenges

6. What challenges does your Office face in relation to providing IP data to other Offices?

Organizational and technical challenges

Not applicable

Legal and policy challenges

IP data should be shared in compliance with applicable personal data protection requirements
Legal concerns about ownership, redistribution and attribution (e.g: the partner Office redistributes, changes, or commercially use the received data in violation of or exceeding the terms which were bilaterally agreed or approved in written by both sides)
IP data is shared on condition that it is used for legitimate purposes
Legal concerns about hosting data outside the geographic area of my Office's jurisdiction (e.g., my Office cannot share IP data due to legal restrictions on hosting their IP data outside of my Office's geographic jurisdiction)

Financial challenges

Other (please specify): System enhancements required for joining or developing data exchange infrastructure will be subject to funding availability.

7. What challenges does your Office face in relation to 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

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

Build a global platform to be used as a hub for data exchange
Collect and share best practices for data exchange
Develop a new WIPO standard on the recommendation for the exchange of IP data and its use

11. Proposed solutions

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

Technical recommendation

Recommendations on data formats (e.g., XML, JSON, and other unified formats)
Recommendations on means and methods of IP data exchange
Recommendations on IP data security and privacy protection during data exchange

Legal and policy recommendations on IP data use

Recommendations on authorization for internal use of exchanged IP data

Procedural and operational guidance

Recommendations on cost structure (free-of-charge or marginal cost recovery)
Recommendations on templates or examples of IP data exchange agreements and/or Memorandums of Understanding (MoU)/Memorandum of Cooperation (MoC)/Terms of Use (ToU)

12. Legal and contractual framework for data exchange

10. 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?

No

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

Not applicable, our Office does not exchange IP data

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

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

Not applicable, our Office does not exchange IP data

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

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

Not applicable

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

Not applicable, our Office does not exchange IP data

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

Other (please specify): Our Office is not involved in IP data exchange currently. Having said that, our Office is inclined to support "Exchange with no re-distribution rights"

16. 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?

Uncertain (please specify): Our Office is not involved in IP data exchange currently and will not consider providing IP data to the general public or third party other than IP Offices.

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

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

Not applicable, our Office does not share IP data

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

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

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

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

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

19. Data quality and error correction

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

Not applicable, our Office does not share IP data

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

20. Data quality and error correction

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?

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

Please provide details of permissible corrections

What would be the timeframe to make the corrections?

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

How will these corrections be tracked and managed?

21. Data quality and error correction

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

Not applicable, our Office does not collect IP data

22. Update frequency

20. 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):

21. Please provide any additional information or comments.