

## **ID5 Project Proposal**

**Title:** Study of Design Non-patent Literature Data Resources among ID5 Offices

**Lead Office:** China National Intellectual Property Administration / Japan Patent Office

**Introduced:** 2018 ID5 Annual Meeting

---

### **Background**

The quality of design search and examination depends not only on available design patent literature data resources, but also on available design non-patent literature data resources<sup>1</sup>, especially Internet data. In recent years, Internet data resources have been exploding. The image data from the Internet has far exceeded the patent literature data, playing an indispensable role in the design search and examination. Design Non-patent literature data resources, especially Internet data, are becoming more and more important to the stability of design rights.

The aim of the project is to conduct a comparative study of design non-patent literature data resources among ID5 Offices. By comparing the practice and experience of accessing, collecting, using and maintaining design non-patent literature data resources, the five offices can learn from each other and explore the best practice, so as to help the examiners make effective use of the design non-patent literature data resources and improve the quality and efficiency of examination.

### **Project Definition**

The project aims at information sharing and comparative study of design non-patent literature data resources among the five partner offices, and the project will be studied from four aspects:

---

<sup>1</sup> Non-patent literature resources refer to data resources other than design literature, such as data collected from Internet, books or magazines, etc.

① Collection Scope of design non-patent literature data

- Whether your office collects design non-patent literature or not? Whether your office has a design non-patent literature database?
- Source of design non-patent literature data;
- Criteria and processes for filtering resource requirements;
- The proportion of Internet data and non-internet data.

② Collection methods of design non-patent literature data

- The office collects and processes design non-patent literature data, and then establish its own database;
- The office authorizes the third party to collect design non-patent literature data, and then establishes its own database;
- The office has access to the third party's database which could be built in the office or in the third party. Yet the office doesn't maintain the database. Which commercial companies do you cooperate with to achieve the purpose of accessing and using the Internet data?
- Other methods;
- Data collecting standard.

③ Processing and saving of design non-patent literature data

- Data processing standard, including document format, dpi, size and etc.
- Data classification standard, for example, using Locarno Classification, National Classification, National Economy Industry Classification, etc.
- The method/mechanism of securing the date of collection/disclosure of each image in the data processing procedure.

④ Maintaining and applying of design non-patent literature data

- Does the Internet data integrate with the patent literature data? (That is, sharing the same system, the same interface and the same index);
- Are the examiners allowed to make free use of the Internet for the purpose of prior design search and to cite Internet information as a ground of refusal other than the pre-collected data stored in the database?

- Are the examiners given the permission of integrating their collected Internet data into the current system? If yes, what is the mechanism for identifying and uploading the related data?
- When the examiners use the Internet data to do the examination work, the comparative study in the security issue of linkage between the internal and external networks;
- Whether to provide design non-patent literature data to the public.

### **Project Scope and Exclusions**

The project aims to enhance each office's understanding of access, collection, use and maintenance of design non-patent literature data resources. The project does not seek to develop a common database, nor does it seek for data exchange and sharing.

#### *In scope:*

- Create a report of design non-patent literature data resources of each partner office, including the application status, matters of common concern of the five offices, especially the best practice of Internet data application.

#### *Out of Scope:*

- The project does not seek synergy among the five offices on data scope, collection methods, application rules etc.
- The project does not seek to develop a common database, nor does it seek for data exchange and sharing.

### **Desired Outcome**

- Expanding cooperation to enhance mutual understanding and trust among the five partner offices;
- To clarify the design non-patent literature data resources of the five offices, especially the application status of Internet data resources;
- To promote the offices learn from other offices' practical experience and explore the best practice.

### **Proposed Project Timeline (2018-2020)**

- The lead office submits the draft proposal;
- Agreement on project brief;
- Information collection of accessing, collecting, using and maintaining design non-patent literature data resources;
- Complete the comparative report of design non-patent literature data resources.