

ANNUAL TECHNICAL REPORT OF THE NETHERLANDS INDUSTRIAL PROPERTY OFFICE FOR THE YEAR 1998.

I. Evolution of patent activities.

For the Netherlands Industrial Property Office 1998 was marked as a year of further implementation of its target group oriented activities, presented in its 'Strategy Statement for the Netherlands Industrial Property Office's non-legal tasks, 1997 - 2002'.

Facts: In 1998 the number of filings stabilised, with a total of 2,997 applications. This number corresponds with the forecast of 3,000 applications per annum. In September 1998 the NIPO received the 10,000th patent application under the new Act.

Of the 2,997 applications in 1998, 2,985 were filed under the (new) Patent Act 1995 with the aim of obtaining what is referred to as the registration patent. In total, 2,372 (79%) of the filings were of Dutch origin. 37% of the applications came from small and medium sized enterprises, more than 21% from private individuals, 12% from (large) companies and more than 20% from abroad.

Approximately 73% of the applicants opted for a twenty year patent (with novelty search), a comparable percentage with previous years. In 1998 the NIPO conducted 463 novelty searches, while the EPO carried out an additional 1,936 commissioned by the NIPO.

A total of 3,066 patents were granted, 440 of which were under the Patent Act 1910.

Changes in the Law. At the instigation of the European Commission, the Patent Law 1995 has been changed to state that applicants living outside of the Netherlands no longer have to opt for compulsory domicile with a patent agent in the Netherlands.

Supplementary Protection Certificates: A total of 50 applications for a Supplementary Protection Certificate (SPC) were submitted to the Office in 1998. Of these 50 applications 45 related to a certificate for medicinal products (46 in 1997). The applications for an SPC for plant protection products attracted much less interest with a total of only 5 applications in 1998.

II. Matters concerning the generation, reproduction, distribution and use of primary and secondary sources of patent information.

In accordance with the Patent Law 1910 NIPO publishes:

A-documents, patent applications laid open to public inspection;

B-documents, patent applications after examination;

C-documents, grant of patents.

Publications according to the Patent Law 1995 are:

A-documents, registered patent applications;

C6-documents, 6 year (unexamined) grant of patents;

C20-documents, 20 year (examined) grant of patents.

The Office monthly publishes the patent gazette "De Industriële Eigendom" and the official journal "Bijblad bij De Industriële Eigendom". The latter contains jurisprudence on industrial property rights.

October 1998 the patent information system PION (Patent Information On Line) was introduced in the Library of NIPO. A selected group of external users became authorised for use by Internet. PION provides access to 8.500.000 patent publications.

III. Matters concerning abstracting, classifying, reclassifying and indexing of technical information contained in patent documents

Nothing new to report since the 1997 report, see also under IV. Search file establishment and upkeep.

IV. Search file establishment and upkeep

National patent documents, starting with the year 1912 up to 1973, classified according to IdT (Dutch classification system Indeling der Techniek) are still part of the search files. From 1973 onwards national documents are accessible in classified order according to IPC.

Patent documents of thirty countries with which the NIPO exchanges documents, are kept in numerical order. These documents are published on paper, microfilm, microfiche and cd-rom.

In 1998 a start was made with the restoration of the collection patent documents on hard copy, dating before 1920, because of its historical value. A decision was taken in discussions that included the user commission to start reorganizing the patent collections by deleting the duplications on micro-media. Decisions making about reorganizing the hard copy collections will follow during the course of 1999, whilst awaiting the experiences in use of PION.

V. Activities in the field of computerized and other mechanized search systems.

Patent Information On Line project: (see also under VIII)

On 26 November 1998 the Patent Information On Line (PION) project was officially put into production. The system has now 11 jukeboxes that permit to put 6,600 cd-rom disks on line. At the end of 1998 the system was loaded with information of more than 8,5 million patents from 11 country collections. The system can be accessed via NIPO's web-site, but access is limited to authorized persons.

DVD

Starting with the year 1999 and onwards a (partially) migration to DVD-disks is foreseen.

Register+

Work on this new version of the public accessible Dutch patent register of bibliographic data has started. It is expected that this new version of the Dutch patent register will be available to the public at the end of 1999. Accessible through NIPO's web-site there will be some linking at document level with the PION-system.

Automation of library systems

The implementation of the desired functionality in the software package Cuadra Star envisioned some delays with the result that the system is still not fully operational.

VI. Administration of the industrial property office library and services available to the public

The Library acquires and administers patent and non-patent literature. In the field of science and technology, books are stored according to the IPC classification. A unique collection of international (law)books on intellectual property is available. In 1998 a start was made to classify this collection according to the Thimann classification.

Facts. In 1998 around 570 new books were acquired, 415 current periodicals subscriptions were available, document supply service of 722,000 photocopies were sent to customers, while 747,100 photocopies and prints were made by visitors in the library.

In 1998 the Library received 7,600 external visitors in total, a slight fall of 3% compare to 1997. Although the number of regular visitors is quite stable, it is evident from surveys among individual visitors that the number of new visitors is decreasing. It is expected that this will continue in coming years as PION and other digital forms of information are offered more locally.

The number of contacts with the public information service in 1998 rose by almost 6% to 9,697 in comparison with 1997. For the first time these figures also include the requests for information via e-mail, available from February 1998. Noticeable is the rise in the number of contacts with private individuals and companies, while contacts with patent agents fell.

VII. Matters concerning mutual exchange of patent documentation and information

See under V. Activities in the field of computerized and other mechanized search systems.

VIII. Other relevant matters concerning education and training, and promotion of, the use of patent information, including technical assistance to developing countries

In 1997 the 'Strategy memorandum for the Netherlands Industrial Property Office's non-legal tasks 1997 - 2002' was presented. This memorandum puts into words the Office's knowledge distribution task. The goals that NIPO wants to achieve are encouraging the use of:

- * patents as a means of knowledge protection,
- * patent information as a source of inspiration,

by the business community (in particular SMEs), the knowledge infrastructure (large technological institutes, universities and higher vocational education institutes) and the government. The business community target group is approached both directly and indirectly (via innovation service providers – such as Syntens and Senter - and other intermediaries such as sector organisations).

For these target groups the Strategy memorandum formulates objectives and activities that will be implemented in the period 1997 – 2002. This section contains the reporting of the NIPO's 'knowledge dissemination' activities, preceded by the developments in electronic commerce in relation to industrial property rights.

Exchanging Patent information

E-commerce is also in the ascendancy in the world of patents. More use is made of the electronic super highway due to the arrival of patent databases and electronic filing, payment and delivery of documents. Examples of this are the Patent Information On line system and our participation in the Message based Industrial Property information Exchange project. Special points for attention here are the security measures and methods.

PION

The NIPO's Patent Information On line (PION) system went live on 1 October 1998. PION can be reached via the Office's website (www.bie.minez.nl). With the assistance of PION the non-specialised user can now gain access to the technical knowledge from the patent literature using Internet technology. Non-specialised users include SME's, education institutes, large technological institutes and government bodies.

NIPO developed the PION system, which for the time being is only accessible to a restricted group of expert intermediaries affiliated to the government, in close cooperation with IBM Netherlands. NIPO is aiming at gradual growth in the number of external users. Account does however have to be taken here of the system's technical capacity and the copyright that rests on the cd-roms (which only enables use via government bodies). At the end of 1998 there were connections at:

- four universities,
- three higher vocational education institutes,
- fifteen Syntens establishments,
- fifty Senter consultants.

PION can also be consulted in the Office's reading room. The technical knowledge from more than eight million patent publications (on 6,600 cd-rom disks) from the eleven most popular collections is accessible to everyone via this system. Almost 184,000 search actions were carried out via PION in the period October 1998 – February 1999.

In the coming years the NIPO will ensure that the PION system will become as widely accessible as possible within the preconditions mentioned. Work is also being done on finding the best possible solution to the restrictions of these preconditions.

On 19 October 1998 the European Patent Office (EPO) launched the Esp@cenet system; Europe's network of patent databases will be available on Internet in the summer of 1999. NIPO will join the network in order to make this system accessible to the Dutch public.

Patent register

Now that the PION system has been commissioned, the digitised patent register containing bibliographic data (including status information) about Dutch patents and patent applications will also be made accessible to the non-specialised user. Only specialised users, such as patent agents, may consult the present digital register, OCTET. Development of the new system was put out to tender in Europe at the end of 1998 and is expected to be complete in 1999.

MIPEX

Since 1996 the NIPO has participated in an international computerisation project with the aim of developing an extranet for transactions and message traffic in the area of industrial property between national patent and trademark offices and their clients. The European Commission subsidises this project, referred to as MIPEX. The NIPO was an associate partner in the project's first phase, which lasted from 1996 to 1998. The Office became a full partner in the second phase - started on 1 January 1999.

The result produced from the first phase was a secure network between the partners using Internet technology. The emphasis in the project's second phase (1999 – 2000) will be on extending the number of partners, the facilities, the number of applications on the network and network management. The Netherlands has special responsibility in this project for making databases accessible on the network (patent administration systems, registers and publications). The entire system is expected to be operational in 2006.

The EPO is currently developing a system comparable to MIPEX, called EPO-line. The NIPO is monitoring this with particular interest.

Target group oriented activities

Various activities were carried out in 1998 for and with the NIPO's three primary target groups – these being the business community, the knowledge infrastructure and the government. In coming years the emphasis will be placed on cooperation with the target groups and unlocking knowledge for them.

Business community

Cultivation of a number of innovative sectors and their intermediary organisations is central to reaching the SME target group within the business community in particular. This applies especially to the sectors that have a Sector Technology Centre (STC) at their disposal. These STCs often function as an important knowledge and meeting-centre for the affiliated companies, and offer an efficient platform for further implementation of the task to unlock knowledge.

Techno starters

It seems that the start-up companies often account for these innovations. This knowledge inspired the Office to develop focused information activities for (techno) starters. For example, the Office has submitted a collaboration plan to the Twinning Network. The aim of this network, initiated among others by the Ministry of Economic Affairs, is to coach prospective employers in information and communications technology when setting up their own enterprise.

In 1998 the NIPO also participated as coach in the New Venture '98 project. This business planning competition was organised by the consulting firm McKinsey. The Office coached thirty-five potential employers with the aim of using the patent system as a management tool. In addition the NIPO organised a seminar for the participants in New Venture'98 in collaboration with McKinsey. The theme of this was 'Innovation and product protection'.

Metaalunie information project

In 1998 the NIPO organised a project for members of the Metaalunie (sector organisation for SMEs in the metal industry), in which the almost 10,000 members were informed about the theme 'Patents: a cast-iron tool for innovation', based on an information session, a brochure and a cycle of surgeries.

Knowledge infrastructure

The knowledge infrastructure target group encompasses large technological institutes (LTIs), universities and high schools. The NIPO considers the creation of patent awareness in this target group as very important. The Office is aware of the problems that these universities have with the patent system and will try to solve these in consultation with them. Various activities were carried out for universities and high schools in 1998, varying from contributing to research, through organisation of symposia, to issuing relevant information material. Huge interest exists for the patent system within the LTI sub-target group. In 1998 the Office lacked the manpower to approach this target group and this will be corrected in 1999.

Research into university patent policy

The Ministry of Economic Affairs and the Economic Research Foundation conducted research into the university patent policy among universities in 1998, under the title of 'University knowledge protection and exploitation policy'. The aim of this research was to obtain insight into how universities work with their new scientific knowledge. The NIPO took part in the monitoring commission and worked with the Association of Cooperation Netherlands Universities in organising a study afternoon on this subject. This policy was also compared with that of foreign universities, particularly in Belgium, Israel, the United States and the United Kingdom.

The patent system is not enjoying much popularity among researchers at the moment. Important causes of this include lack of knowledge, dissatisfaction with the return on patents, a fragmented organisation in relation to knowledge protection and utilisation and a low perception of the social and economic status of a patent. It is understandable that alongside the lack of knowledge, the costs associated with patenting and the limited affinity of research with commerce both play a part. The universities also give a relatively low priority to obtaining patent in respect of a scientific publication.