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DEVELOPMENT OF CLASSIFICATION TOOLS FOR TRADITIONAL KNOWLEDGE

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1. The Annex to this document contains a report of the WIPO Task Force on Classification of Traditional Knowledge which has been created by the Committee of Experts at its thirtieth session held in February 2001.

2. The Committee of Experts is invited to consider the report of the Task Force and take a decision with regard to the development of classification tools for traditional knowledge.

[Annex follows]

ANNEX

CLASSIFICATION TOOLS FOR TRADITIONAL KNOWLEDGE

Report of the WIPO Task Force on Classification of Traditional Knowledge

INTRODUCTION

1. At the thirtieth session of the Committee of Experts of the IPC Union, held in February 2001, the Delegation of India made a presentation of the governmental project for establishing a Traditional Knowledge Digital Library (TKDL) relating to traditional Indian medicine and explained the structure of the Traditional Knowledge Resources Classification (TKRC) developed for providing efficient access to traditional knowledge data.
The Committee agreed that TKRC should be studied in detail with a view to investigating its information aspects and its relationship to the IPC and decided to create, to this end, a Task Force composed of the following members: China (CN), India (IN), Japan (JP), United States of America (US) and the European Patent Office (EP). The Committee appointed the International Bureau of WIPO (IB) as coordinator of the Task Force (see document IPC/CE/30/11, paragraphs 47 to 53).

2. The Committee agreed that the mandate of the Task Force would be to elaborate advice on the future development of TKRC, in particular with a view to its expansion to documentation of other countries, and to investigate how its proper relationship to the IPC should be established. The Committee requested the Task Force to submit a report of its work to the next session of the Committee.

WORK CARRIED OUT BY THE TASK FORCE

3. The established work program of the Task Force included the following actions:

- study of TKRC as a classification and search system;
- study of traditional medicine databases developed in China;
- consideration of the need for developing the IPC in the field of medicine;
- consideration of the need for further developing TKRC;
- elaboration of revision proposals with regard to the IPC and TKRC.

4. In submitting their proposals and comments, the Task Force members were directed by the list of actions with respective deadlines which were indicated in the work program. The present report summarizes the work carried out by the Task Force so far.

5. IN made available to the Task Force members the "Report of the Task Force on Traditional Knowledge Digital Library (TKDL)" completed by the Indian Government. The Report describes the objectives, principal stages and expected benefits of the governmental project for establishing a Traditional Knowledge Digital Library and explains in detail the structure of the Traditional Knowledge Resources Classification (TKRC) elaborated for providing efficient access to TKDL. An extract of TKRC is shown in Appendix I to this report.

6. In view of the volume of the material included in the "Report of the Task Force on Traditional Knowledge Digital Library (TKDL)" and in order to facilitate the study of TKRC, IB prepared a brief summary of the report and distributed it to the Task Force members. The members also reviewed a prototype Traditional Knowledge Digital Library developed in India.

7. IN also made available a brief report on the present status of TKDL project. It is included in Appendix II to this report.

8. CN submitted a report on databases related to traditional Chinese medicine (TCM), containing a comprehensive introduction to the Patent Literature Database and the Non–Patent Literature

Databases. In order to facilitate the study of the databases, CN prepared demonstration modules in English, including the English–language user interface, and provided free access to the databases for the Task Force members until January 1, 2002. The development of these databases and availability of accessing the data was very much appreciated by the Task Force members.

9. CN also submitted the report on their study of TKRC where CN welcomes elaboration of TKRC as a classification tool for traditional Indian medicine, indicating however that applicability of TKRC to traditional Chinese medicine (TCM) would be problematic. CN describes in detail an internal classification scheme for traditional medicine elaborated by the Chinese Intellectual Property Office (SIPO). An extract of this scheme, representing further extension of the IPC and based on taxonomic names, is shown in Appendix III to this report. In order to facilitate the use of botanical classification, an IPC Classification Database for TCM has been established by SIPO and made available through the Patent Literature Database.

10. In its comments, EP indicates that a standard document format for registering (non–patent) traditional knowledge (TK) information would facilitate recording of the TK data in the databases. Concerning TKRC, EP feels that it could be difficult for use by non–experts in Indian TK. However, it would also be difficult to find a useful and universal basis for classification of TK information. With regard to Internet–based searches and databases, EP proposes to have the existing searchable TK resources on the Internet to be accessible from a central collection, for example, from the WIPO Web site.

11. JP appreciates the contribution of China and India to the collection and classification of traditional medicine information and to the provision of access to the TK data. Concerning TK classification, JP feels that TK information should be classified on the basis of the IPC which is the only one international patent classification. JP agrees to consider further subdivision of relevant areas of the IPC, such as group A 61 K 35/78 and subclass A 61 P covering medicinal plant preparations.

12. In its comments, US agrees with EP that TKRC might be too difficult for non–Indian traditional knowledge users. US feels that further subdivision of the IPC group A 61 K 35/78 would be useful and proposes to consider, for that purpose, the CN scheme for medicinal plant materials and the respective scheme in the US Patent Classification System (subclass 424–725) and to decide on the feasibility of using either one of them or a combination of both. US also agrees with the EP suggestion to create a virtual library of TK by providing access to TK resources on the Internet from a central point.

ACTIVITIES OF THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE

13. The recently established Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) is considering, among other tasks, the task relating to the effective integration of traditional knowledge documentation into searchable prior art. At its second session, held in December 2001, the IGC has approved, in principle, certain activities relating to this task including the following activity: "Study the feasibility of electronic exchange of public domain traditional knowledge documentation data, including through the establishment of international online traditional knowledge databases and digital libraries, taking into account differences in the needs of different stakeholders and the specificity of traditional knowledge in different regions, languages, media and legal contexts."

14. Integration of traditional knowledge documentation into searchable prior art requires elaboration of efficient traditional knowledge classification tools facilitating access to traditional knowledge information. In this regard, the work carried out by the IPC Committee of Experts on classification of traditional knowledge and the activities planned by the IGC on the inclusion of traditional knowledge documentation into prior art are closely interrelated.

PROVISIONAL CONCLUSIONS

15. The material accumulated and studied by the Task Force and various proposals made by the Task Force members would lead to the conclusion that the most efficient way of developing classification tools for traditional knowledge would be their integration into the IPC on the basis of its revision, in particular in the area of traditional medicine. The material for such revision could be provided by TKRC and other classification systems for traditional knowledge available in various countries, for example, in China and the United States of America. In order to be efficiently used for the classification and search of the traditional knowledge data worldwide, such revision of the IPC should be made to a limited extent only.

16. The IPC, being the only patent classification system applied worldwide, has also a potential for application to non–patent literature, including traditional knowledge documentation, and may accommodate in its structure classification tools for traditional knowledge. Given the urgency of the matter, the necessary revision of the IPC should be carried out in time for the inclusion of revision results in the next edition of thew IPC which will enter into force on January 1, 2005.

17. In order to enhance the applicability of the IPC to the traditional knowledge area, the possibility of linking the IPC to traditional knowledge resources classifications which may be developed in various countries should be borne in mind.

18. In view of the close relationship of the tasks relating to traditional knowledge documentation carried out by the IPC Committee of Experts and the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, cooperation should be established between the two Committees.