EUROPEAN CASE LAW IDENTIFIER (ECLI) SITEMAP

User manual

Version 1.0 – April 2018

Summary

This document is intended for users of the EPO's ECLI sitemap and provides a
description of the ECLI sitemap metadata and main operations.

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1. DOCUMENT INFORMATION

Contact for enquiries
See section 7

Document history			
Version	**Date**	**Changes**	**Authors**
0.1	03.04.2018	First draft	Ignacio Muñoz Ozores Ben Tiezte
1.0	11.04.2018	First final	Ignacio Muñoz Ozores

2. TERMS AND ABBREVIATIONS

Abbreviation	Description
ECLI	European case law identifier
EPO	European Patent Office
Decisions	Decisions of the EPO boards of appeal

3. BACKGROUND

The EPO publishes decision metadata on the ECLI sitemap to facilitate searches using the ECLI search engine hosted on the European e-Justice Portal.

The ECLI sitemap is accessible free of charge here --> www.epo.org/law-practice/case-law-appeals/sitemap/robots.txt

The ECLI sitemap is updated on a daily basis.

4.   REFERENCES

- ECLI Implementation: Providers Developer Guide (version 1.09), 11.12.2013

The XML structure of the data exchanged between each ECLI provider and the EU's DG Justice and Consumers is detailed in this document. Each provider must generate XML extracts from its case law database and map metadata to an ECLI sitemap.

This document provides complementary information on the ECLI metadata elements and the ECLI sitemap.

5.   METADATA OVERVIEW

The following table provides a list of the metadata available, indicating for each of them

- if **mulitple definition** of the metadata is allowed
- if the metadata is **mandatory** (at least one occurrence)
- if the metadata is **multilingual** (the use of the "lang" is supported).

METADATA OVERVIEW			
Metadata	Multiple definition	Mandatory	Multilingual
abstract	X		X
accessRights		X	
coverage	X	X	X
creator	X	X	X
date		X	
description	X		X
identifier	X	X	X
isReplacedBy			
issued			
isVersionO		X	

f			
language	X	X	
publisher	X	X	X
references	X		X
subject	X		X
title	X		X
type		X	X

Table 1: Metadata overview

5.1. MANDATORY ECLI METADATA ELEMENTS

5.1.1. Dcterms:Identifier

A URL where this instance document – or information on it – can be found. It may be in the form of a web-based resolver combined with the ECLI, or any other URL.

Element: `<ecli:identifier>…</ecli:identifier>`

A separate element should be provided for each different language version of the translated decision.
An element should not be provided for the original language version.
The element should provide a URL pointing to the HTML version of the decision stored in the EPO boards of appeal database.
The element should provide a URL pointing to the PDF version of the decision stored in the EPO boards of appeal database.

Element type: Specific

Multiple definitions: Supported. Needed to support the provision of links to multiple instance documents and/or their manifestations (e.g. PDF, XML, ODF, DOC, etc.) in one or more languages.

Attributes:

lang – Required. Specifies the language of the linked instance document or its manifestation. Possible values are "en", "de", "fr".

format – Required. Defines the file type of the linked instance document. Possible values include text/html. See Appendix D, ECLI Implementation : Providers Developer Guide (version 1.00).

type – Optional. Defines the instance document type. Possible values: nonauthorised, summarised. Not to be provided.

Example:

```
<ecli:identifier lang="en" format="text/html"
>http://www.epo.org/law-practice/case-law-
appeals/recent/g910001dp1.html</ecli:identifier>
<ecli:identifier lang="en" format="text/pdf"
>http://www.epo.org/law-practice/case-law-
appeals/pdf/g910001dp1.pdf</ecli:identifier>
```

5.1.2.   Dcterms:IsVersionOf

The form of this element must be the following: the EPO ECLI and two other elements ("country" and "court").

Element:

The "country" and "court" elements are mandatory and should match the second and third parts of the ECLI value defined.

```
<ecli:isVersionOf>
<ecli:country>...</ecli:country>
<ecli:court>...</ecli:court>
</ecli:isVersionOf>
```

Multiple definitions: Prohibited

Attributes:

value – Required. Specifies the ECLI number. Multiple declarations not allowed.

Example:

```
<ecli:isVersionOf value="ECLI:EP:BA:2002:D000300.20020503">
<ecli:country>EP</ecli:country>
<ecli:court>BA</ecli:court>
</ecli:isVersionOf>
```

5.1.3.   Dcterms:Creator

The full name of the court. The name "Boards of Appeal of the European Patent Office" should be included.

Element type: Specific

Element:

```
<ecli:creator>…</ecli:creator>
```

Attributes:

lang – Required. Specifies the language of the linked instance document or its manifestation. Possible values are "en", "de", "fr".

Example:

```
<ecli:creator lang="en">Boards of Appeal of the European Patent
Office</ecli:creator>
```

Translations:

```
Boards of Appeal of the European Patent Office
Beschwerdekammern des Europäischen Patentamts
Chambres de recours de l'Office européen des brevets
```

Coding instructions

ECLI providers are required to validate the creator against a list of possible courts. This list should comply with the list of courts established by the national ECLI co-ordinator and published on the ECLI information page on the European e-Justice Portal.

5.1.4. Dcterms:Coverage

The country in which the court or tribunal has its seat. It may also contain a part of a (federal) state to specify the territorial jurisdiction.

Element type: Specific

Element:

"European Patent Office" should be indicated

`<ecli:coverage>…</ecli:coverage>`

Attributes:

lang – Required. Specifies the language of the linked instance document or its manifestation. Possible values are "en", "de", "fr".

Example:

`<ecli:coverage lang="en">European Patent Office</ecli:coverage>`

Translations:

```
European Patent Office
Europäisches Patentamt
Office européen des brevets
```

5.1.5. Dcterms:Date

The date of the decision, in conformance with ISO 8601.

Date on which the judgment was rendered, i.e. not the date on which the document was produced, or the date on which the judgment was published, or the date on which the judgment was sent to the parties involved.

EPO decisions should provide the date in tags <DAT> (HST file).

Element:

`<ecli:date>…</ecli:date>`

Example:

`<ecli:date>2012-07-23</ecli:date>`

5.1.6.　Dcterms:Language

Procedurally authoritative language, i.e. this is the language of proceedings.

Element:

The language must be abbreviated in accordance with the Interinstitutional style guide. For languages not included in this style guide, ISO 639 must be used. Possible values are "en", "de", "fr".
The language of the decision should be the language of the proceedings on which the decision is provided. Only one language is the authoritative language for a decision.

```
<ecli:language>…</ecli:language>
```

Attributes:

lang – Prohibited.
languageType – The element **must** appear with an attribute with a value authoritative. The value "authoritative" must always be used as is (i.e. left in English).

Example:

```
<ecli:language languageType="authoritative">en</ecli:language>
<ecli:language languageType="authoritative">fr</ecli:language>
```

Note:

The usage of this element is not compliant with (II) of the Council conclusions. Specifying the language of the instance document is superfluous at this level as we have to deal with multiple language occurrences in instance documents and this is made possible by the language attribute. For the purposes of implementation, this element must be used to list the procedurally authoritative languages. Note that this does not relate in any way to the authenticity of a linked instance document.

5.1.7.　Dcterms:Publisher

The body responsible for publishing the relevant instance of the judgment.

Element type: Specific

Element:

Multiple definitions allowed in order to specify a publisher per language. Multiple declarations for the same language are prohibited.

```
<ecli:publisher>…</ecli:publisher>
```

Attributes:

lang – Required. Necessary for specifying the publisher's name in a specific language. Possible values are "en", "de", "fr".

Example:

```
<ecli:publisher lang="en">European Patent Office</ecli:publisher>
<ecli:publisher lang="de">Europäisches Patentamt</ecli:publisher>
<ecli:publisher lang="fr">Office européen des brevets</ecli:publisher>
```

Translations:

European Patent Office
Europäisches Patentamt
Office européen des brevets

5.1.8. Dcterms:AccessRights

This field can be "public" or "private". If it is "public" the document on the given URL must be accessible by all, otherwise the value "private" must be used, irrespective of whether the non-public character access is due to commercial or other reasons.

Element:

DG 3 decisions should always feature the value "public". This value is always to be used as is (i.e. left in English). Multiple definitions prohibited.

```
<ecli:accessRights>…</ecli:accessRights>
```
Example:

```
<ecli:accessRights>public</ecli:accessRights>
```

5.1.9. Dcterms:Type

Type of decision rendered based on a defined list of values. The field defaults to "judicial decision" to distinguish the decision from other types of document.

Element type: Common

Element:

Multiple definitions prohibited.

"Type" must have one of the following values:

- judicial decision
- judgment
- court order
- conclusion
- opinion
- request/reference for a preliminary ruling (Vorabentscheidungsersuchen in German) [request issued by the German Federal Financial Court in Munich].

Decisions of the boards of appeal will always use the value "Judicial decision".

```
<ecli:type>…</ecli:type>
```

Attributes:

lang – Required. Designates the language of the value used. Possible values are "en", "de", "fr".

Example:

```
<ecli:type lang="en">Judicial decision</ecli:type>
<ecli:type lang="de">Gerichtsentscheidung</ecli:type>
<ecli:type lang="fr">Décision</ecli:type>
```

Translations:

```
judicial decision
gerichtsentscheidung
```

Note:

- Opinion.

It should be stressed here that only judicial documents having legal relevance in a particular case/lawsuit are considered to fall within the definition of case law, and hence should be assigned an ECLI; other judicial documents must not. Therefore, documents such as press releases (not having legal relevance) and rules of court (not written for a particular case) must not be assigned an ECLI.
Although the assignment of ECLIs must be restricted to case law documents, the variety of case law document types is wide, and this element is meant to make a rough distinction. It should be stressed that this element only refers to the type of document, not to the type of procedure.

The types can be defined as follows:
- Judicial decision: this is the default type. Because dcterms:type is a mandatory element, it must have a default in case no other type is defined. In other words, in the context of ECLI, "judicial decision" means the document is one of the other four types defined; outside the ECLI context, however, it describes a nothing but a judicial decision;
- Judgment: any (final or non-procedural) decision in a contentious procedure, irrespective of the field of law. The contentious character of the underlying procedure is the decisive feature;
- Court order: any judicial decision in a non-contentious procedure, or a procedural decision in a contentious procedure;
- Conclusion: opinion rendered by an advocate-general in any type of procedure;
- Opinion: non-binding advisory document written by a court, based on a legal norm requiring or permitting the court to render such an advice.

Providers are free to specify a type in any of the languages based on the defined list of values.

5.2. OPTIONAL ECLI METADATA ELEMENTS

5.2.1. Dcterms:Title

This field contains the title text of the application as written on the cover form of a decision (EPO Form 3030). Decisions provide the title (in HST file --> <TLE>).

The title field must not be a replication of other fields. Preferably the name of the parties or an alias should be used, according to national practice and data protection rules.

Decision appeal case numbers should be provided here (in HST file --> <CSN>).

Element type: Specific

Element:

Multiple definitions allowed in order to specify a title per language. Multiple declarations for the same language are prohibited.
Title in only one language version may be provided if the other language versions are not available.

`<ecli:title>…</ecli:title>`

Attributes:

lang – Required. Indicates the language in which the title appears. Possible values are "en", "de", "fr".

Example:

```
<ecli:title lang="en">A title</ecli:title>
```

5.2.2. Dcterms:Subject

It is used to indicate the field of law. It should contain one or more items from a defined list of accepted values. The EPO should provide the correct translations per language.

Decisions provide both subjects: "patent law" and "intellectual property law".

XSD validation: no strict validation.

Element:

Multiple definitions allowed so that one or more subjects may be specified per language.
The following values should be used for DG 3 decisions: patent law, intellectual property law.

```
<ecli:subject>…</ecli:subject>
```

Attributes:

lang – Required. Possible values are "en", "de", "fr".

Example:

```
<ecli:subject lang="en">Patent law</ecli:subject>
<ecli:subject lang="en">Intellectual Property law</ecli:subject>
```

Note:

- A provider who wants to use a value not in the list predefined for the Subject field is asked to contact the Commission in advance so that the value may be assessed and possibly added to the list with translations into all other EU official languages.

Translations:

```
Patent law
Patentrecht
Droit des brevets


Intellectual Property law
Geistiges Eigentum
Droit de la propriété intellectuelle
```

5.2.3. Dcterms:Abstract

This field contains an abstract or summary of the case. It is not a description, classification or interpretation.

Element type: Specific

Element:

Should display abstract/summary currently displayed under Headnotes (<HDN>), without the keywords. The headnote gives a summary of the decision for the publication of the decision in the Official Journal. Multiple definitions allowed in order to specify one abstract per language. Multiple declarations for the same language are prohibited.

```
<ecli:abstract>…</ecli:abstract>
```

Attributes:

lang – Required. Possible values are "en", "de", "fr".

Example:

```
<ecli:abstract lang="en">A short abstract</ecli:abstract>
```

5.2.4. Dcterms:Description

This field contains descriptive elements in the form of keywords.
Decisions should provide text under <KEY> (in HST file).

Element type: Specific

Element:

Keywords should be provided in this element.
Multiple definitions allowed so that one or more description elements may be specified per language.

```
<ecli:description>…</ecli:description>
```

Attributes:

lang – Required. Possible values are "en", "de", "fr".

Example:

```
<ecli:description lang="en">Text 1</ecli:description>
<ecli:description lang="de">Text 2</ecli:description>
<ecli:description lang="en">Text 3</ecli:description>
```

5.2.5. Dcterms:Issued

The date of publication of the decision's instance document. The date must be written in conformance with ISO 8601.

This date must be the date of the first instance document of the ECLI when it was first released (by this publisher). This date should be left unchanged in language versions that are added later or renewed versions.

<DDO> element will be provided.

<ecli:issued>2004-06-18</ecli:issued>

As the sitemaps should also be grouped by publication date and referred to using sitemap index files, I will use this field for this purpose too. But this publication date is not identical to a modification timestamp. Could it then be problematic if these site trees are used to index incrementally?

5.2.6.   Dcterms:References

References to other (legal) documents. If these references are to other national judgments, ECLI must be used, providing the referred document has an ECLI, otherwise it should contain other references.

Element type: Specific

Element:

Multiple definitions allowed so that one or more references may be specified per language.

```
<ecli:reference>…</ecli:reference>
```

Attributes:

type – Optional. Takes a value of either ECLI, ELI, CELEX, PATENT, PATENT_APPLICATION or OTHER (OTHER is assumed if attribute is not declared);
lang – Optional. Only to be used if the reference is not language-neutral.
relation – Optional. Indicates the relationship between referring and referred documents. If used, the only possible values are:
     - **citing**: the current judgment cites the judgment, law, CELEX or other document which is in the reference
     - **citedBy**: the current judgment is cited by the judgment, CELEX or other document (e.g. scholarly writing)   which is in the reference
     - **followedBy**: this judgment is at a later stage in the proceedings followed by the case law document which is
      in the reference
     - **preceededBy**: this judgment is at an earlier stage in the proceedings preceded by the case law document   which is in the reference

Example:

```
<ecli:reference type="OTHER">EP96103986</ecli:reference>
<ecli:reference
type="PATENT_APPLICATION">https://register.epo.org/espacenet/application?numb
er=EP00403576
</ecli:reference>
```

Note:

- Patent application number <APN> should be provided for decision data, see example above.

6.   SITEMAP SOLUTION

The sitemap protocol[1] consists of a set of XML files that inform a search engine, or a crawler, about pages on the site. In our case, the XML sitemap files will inform about the location of ECLI documents, not pages. In its simplest form, a sitemap is an XML file that lists URLs for a site along with additional metadata about each URL (when it was last updated, how often it usually changes, and how important it is relative to other URLs on the site) so that search engines can crawl the site in a more intelligent way.

The protocol specifies the format of the XML file so crawlers know how to parse such a file. It is also possible to have multiple sitemap files per site. A sitemap index is created when several sitemap files are to be exposed to search engines. The sitemap index is also a UTF-8 encoded XML file.

The location of the sitemap index file is registered in a file called "robots.txt", which is the standard entry point for any crawler. Multiple sitemap index files can be registered in this file. Indeed, every sitemap index file produced must appear in the robots.txt file: new entries should be appended (do not generate a new one every time new sitemaps are published).

This way, if for any reason the crawler needs to process old sitemap indexes, all the required information is still available. The providers will ensure the availability of all these sitemap indexes.

In order to avoid the size of the robots.txt file from becoming too large, the list of available sitemap indexes should be limited to those where the processing date is not older than one year.

The content of both XML sitemap index and XML sitemap is validated by external XSDs [R01].

Operations to manage the lifecycle of the documents will be defined in Appendix 2 – Operations

6.1.   SITEMAP OPERATIONS

Operations to manage the lifecycle of the ECLI documents.

(1)   Creating a document

When the ECLI sitemap provider publishes new decisions (on a daily basis), the following actions must be performed:

- Create the necessary folder structure to match the URL format used in the robots.txt file (see Appendix 2).

---

[1] Sitemap protocol: http://www.sitemaps.org/protocol.html

- In the folder specified in the previous step, create a new XML sitemap with the ECLI metadata of the new document.

- Validate the XML sitemap against the XML schema definition [R01] and, optionally, any local validation rules.

- Create a new sitemap index containing the sitemap.

  Update robots.txt to reference the new sitemap index.

(2) Updating a document[2]

The procedure for modifying an existing ECLI document's metadata is the same as described in section (1) **Creating a document**. The robots.txt file must also be updated.

With this approach, crawlers will only download the sitemap content of the updated documents and request new indexation for updated documents only.

7.   CONTACT DETAILS

Customer support: **epal@epo.org**
ECLI co-ordination at the European Patent Office is performed by the ⬈ Publication department.

8.   APPENDIX 1. – EXAMPLES

Sitemap protocol

```
User-agent: *
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1979/03/01/sitemap_1979-03-01.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1979/03/02/sitemap_1979-03-02.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1979/12/19/sitemap_1979-12-19.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1980/01/17/sitemap_1980-01-17.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1980/01/31/sitemap_1980-01-31.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1980/06/13/sitemap_1980-06-13.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1980/07/17/sitemap_1980-07-17.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1980/07/18/sitemap_1980-07-18.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1980/08/12/sitemap_1980-08-12.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1980/09/17/sitemap_1980-09-17.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1981/02/03/sitemap_1981-02-03.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1981/03/11/sitemap_1981-03-11.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1981/03/25/sitemap_1981-03-25.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1981/03/26/sitemap_1981-03-26.xml
Sitemap: https://www.epo.org/law-practice/case-law-appeals/sitemap/1981/04/06/sitemap_1981-04-06.xml
```

XML sitemap file

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[2] This section is applicable only to the modification of metadata of an existing ECLI, not when the ECLI is superseded by a new court decision altogether. For this particular case, the procedure is to create a new ECLI document, and to use the "isReplacedBy" metadata.

```xml
- <url>
    <loc>http://www.epo.org/law-practice/case-law-appeals/ecli/ECLI:EP:BA:2017:T152813.20171215</loc>
  - <ecli:document>
    - <ecli:metadata>
        <ecli:identifier lang="fr" format="text/html">http://www.epo.org/law-practice/case-law-appeals/recent/t131528fu1.html</ecli:identifier>
        <ecli:identifier lang="fr" format="application/pdf">http://www.epo.org/law-practice/case-law-appeals/pdf/t131528fu1.pdf</ecli:identifier>
      - <ecli:isVersionOf value="ECLI:EP:BA:2017:T152813.20171215">
          <ecli:country>EP</ecli:country>
          <ecli:court>BA</ecli:court>
        </ecli:isVersionOf>
        <ecli:creator lang="fr">Chambres de recours de l'Office européen des brevets</ecli:creator>
        <ecli:coverage lang="fr">Office européen des brevets</ecli:coverage>
        <ecli:date>2017-12-15</ecli:date>
        <ecli:language languageType="authoritative">fr</ecli:language>
        <ecli:publisher lang="fr">Office européen des brevets</ecli:publisher>
        <ecli:accessRights>public</ecli:accessRights>
        <ecli:type lang="fr">Décision</ecli:type>
        <ecli:title lang="fr">Appareil électrique de traitement d'aliments, doté de moyens automatiques de réglage de vitesse, et outil destiné à un tel
          appareil</ecli:title>
        <ecli:subject lang="fr">Droit des brevets</ecli:subject>
        <ecli:subject lang="fr">Droit de la propriété intellectuelle</ecli:subject>
        <ecli:description lang="fr"><div>Activité inventive - requête principale (non)</div><div>Activité inventive - requête subsidiaire (oui)
          </div><div>Observations des tiers au stade du recours</div><div>Observations des tiers - recevabilité (non)</div></ecli:description>
        <ecli:issued>2018-02-14</ecli:issued>
        <ecli:reference relation="citedBy" type="ECLI">ECLI:EP:BA:1993:G000991.19930331</ecli:reference>
        <ecli:reference relation="citedBy" type="ECLI">ECLI:EP:BA:1993:G001091.19930331</ecli:reference>
        <ecli:reference relation="citedBy" type="ECLI">ECLI:EP:BA:1993:T058089.19930428</ecli:reference>
        <ecli:reference relation="citedBy" type="ECLI">ECLI:EP:BA:1991:T058089.19910829</ecli:reference>
        <ecli:reference relation="citedBy" type="ECLI">ECLI:EP:BA:1994:T095191.19940310</ecli:reference>
        <ecli:reference relation="citedBy" type="ECLI">ECLI:EP:BA:2015:T175611.20150114</ecli:reference>
        <ecli:reference type="PATENT_APPLICATION">06291609</ecli:reference>
      </ecli:metadata>
    </ecli:document>
  </url>
```