



# Accelerated examination of patent applications

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# Section 19 Israel patent Law

19A (a) An applicant who provides a reasonable explanation for this may submit the Commissioner with a justified application along with an affidavit supporting the facts, in order to conduct an accelerated examination; any of the following, among others, shall constitute a reasonable justification :

- 1) The applicant's advanced age or medical condition;
- 2) A notice by the Commissioner on a possibility to expedite the examination due to an examination of a parallel application under the conditions and in the states the Commissioner notified thereof;
- 3) Another person had started exploiting the invention under the claim of the patent application, without the consent of the patentee, or there is an established concern that he may do so;
- 4) The passing of time since filing the application to the Office under section 15 or since the date of entry into the national stage under section 48D is unreasonably lengthy, and more specifically significantly lengthy time has passed as contrasted with the beginning of examination of other application of the same type.
- 5) Public interest;
- 6) Extenuating circumstances which provide justification.

# Accelerated examination of patent applications

01

Acceleration of examination  
based on applicant needs  
(**Expedited examination based  
on future claim of priority** )/  
third party needs

02

Acceleration of examination  
based on green inventions.

03

Patent Prosecution Highway  
– PPH (GPPH, PCT-PPH)  
\* (even in case of negative written  
opinion)

04

Allowance based on a  
corresponding patent  
[Section 17 (c) of IL Patents law].

# Acceleration of examination under Section 19a



## Applicant needs

- ✓ Advanced age or medical condition of the applicant (No FEE)
- ✓ Exploiting claimed invention without applicant consent
- ✓ Unreasonably long pendency for examination
- ✓ Public interest

Fee: 1000 NS



## Third party needs

- ✓ Delay in development or production of a certain product/process caused by the examined application
- ✓ Unreasonably long pendency for examination
- ✓ Public interest

Fee: 15,000 NS

# Expedited examination based on future claim of priority

- ☑ An applicant may request for an accelerated examination after declaring to **claim priority in an international application** from the IL application.
  - **Commissioner's Notice (28/112010)**
- ☑ The applicant receives a search and examination report within 3 months from date of approval to his request.
  - **Office Action >>>Search Report>>option Interview with applicant (personal, telephone, email)**
- ☑ The search and examination reports may be prepared upon applicant's request in **English**.

## TIMELINE



# Expedited examination of green inventions



## Commissioner Circular M.N.76 (now 034/2017)

- ✓ New classification for “green inventions”
- ✓ Applicant sends a request, explaining how his invention improves the environment
- ✓ Search and examination reports issued within 3 months



## Improving the environment includes:

- ✓ Tackling factors contributing to global warming
- ✓ Reducing air or water pollution
- ✓ Promoting non-polluting agriculture
- ✓ Promoting alternative energy

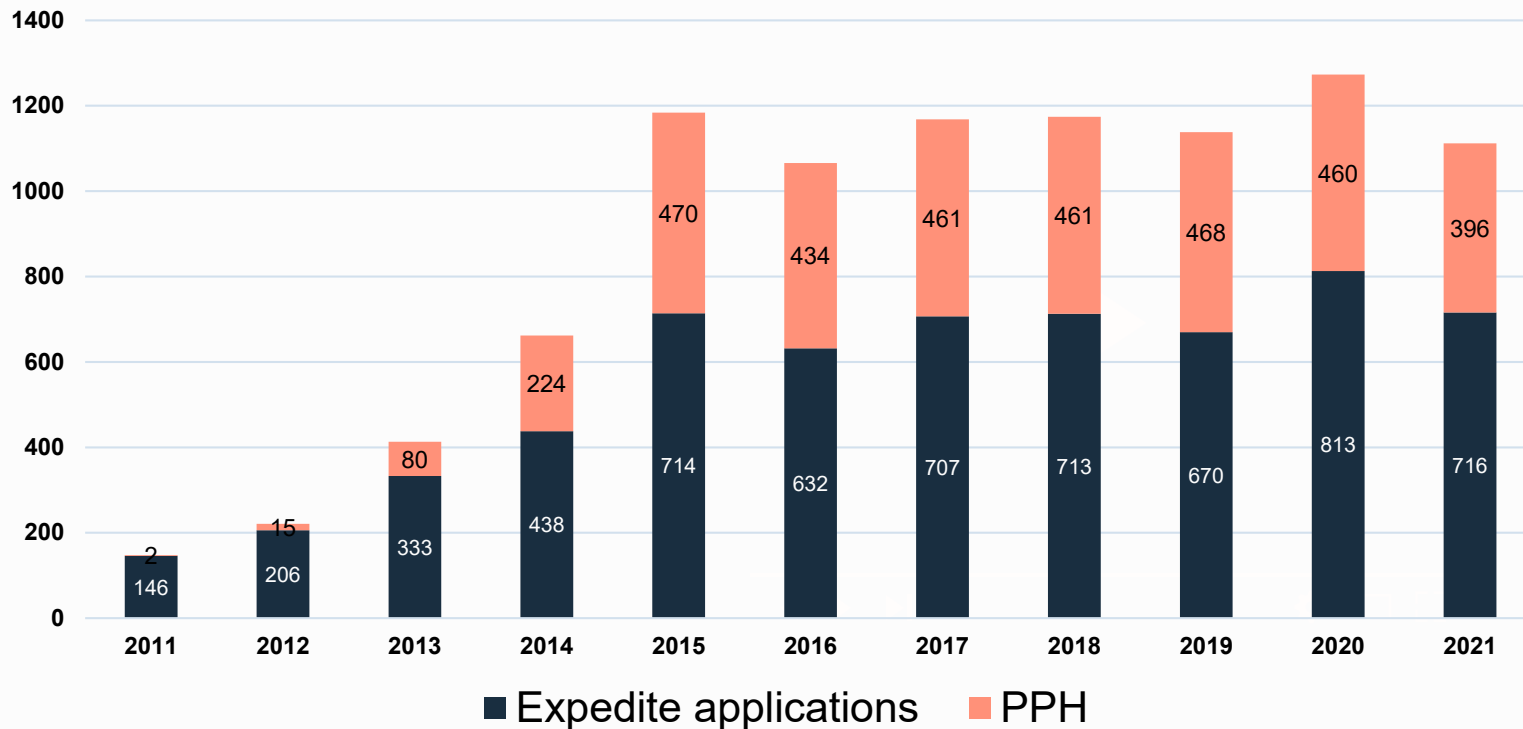


# Expedited examination of green inventions

- **Commissioner notice -**

- **On April 22, 2020** The Israel Patent office has announced that it would accelerate examination of patent applications aimed at the diagnosis, treatment, prevention, or eradication of **the Coronavirus**.
- These applications will be considered as “green” applications, and **Search and examination reports issued within 3 months** of the application being classified as “green”.

# Number of Expedited applications 2011-2021





# Advanced Examination of Applications, 2016-2021

