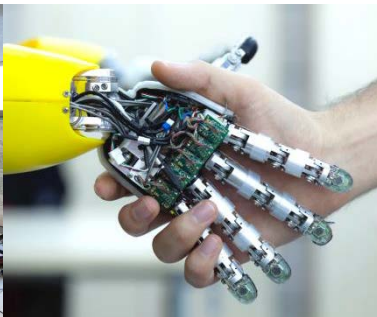
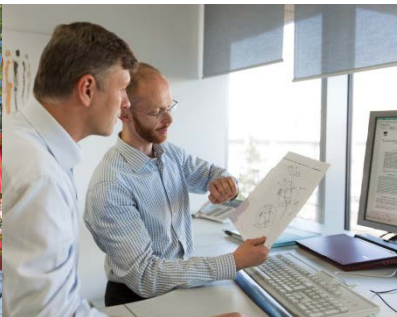




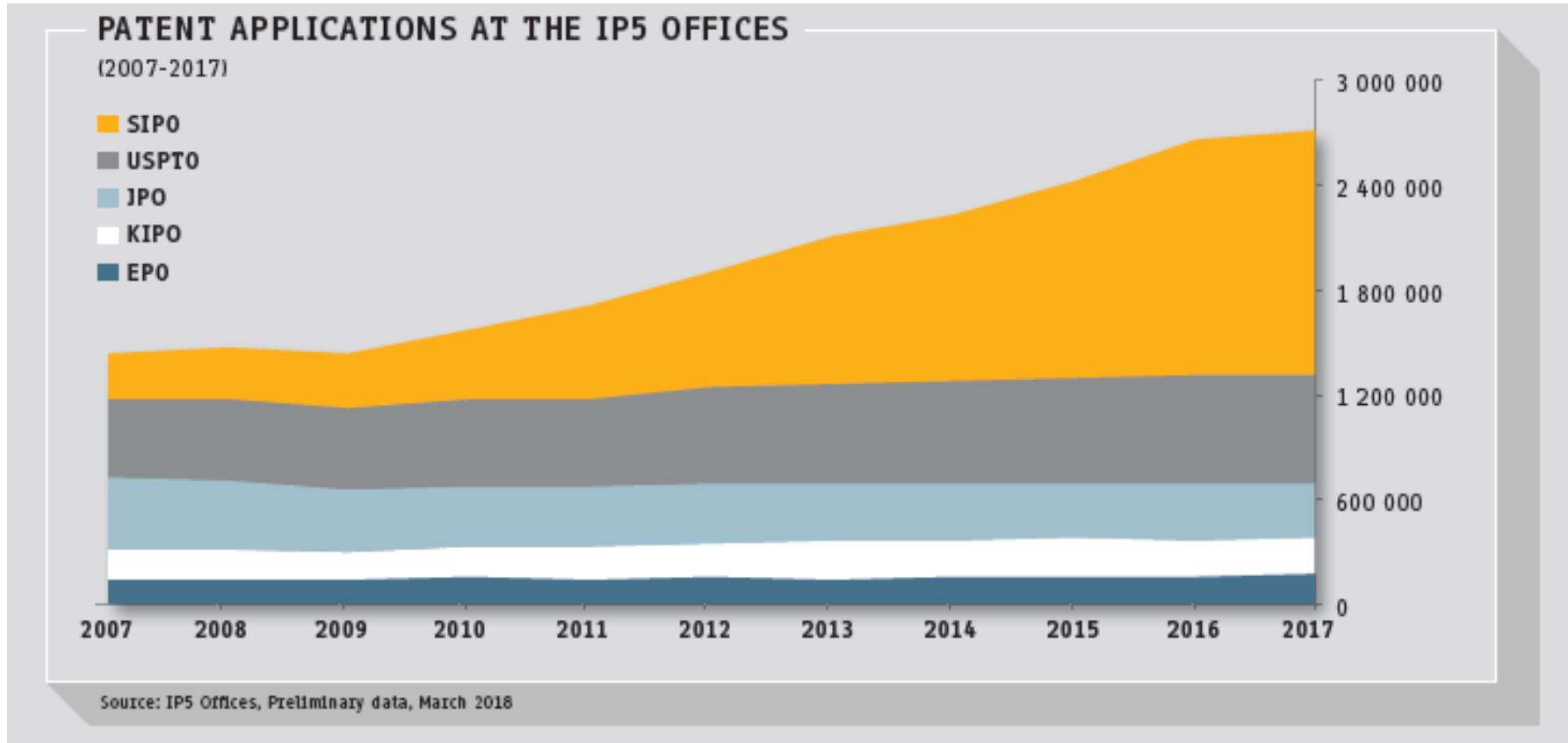
Europäisches
Patentamt
European
Patent Office
Office européen
des brevets

Cooperation between patent offices in search and examination

29th Session Standing Committee on the Law of Patents
WIPO, Geneva, 3 – 6 December 2018



Evolution of applications at the IP5 offices



The PPH – the basic concept

- Scheme enabling an applicant whose claims have been determined **patentable/allowable** in the OEE*
 - to have the **corresponding** application filed with a PPH partner office (OLE**) processed in an **accelerated manner**
 - **simplification** of entry requirements into accelerated prosecution schemes
 - while at the same time allowing the offices involved to **exploit** available work results

- acceleration of procedure through **utilisation** of work results
- files are treated with the **highest** priority
- **no recognition** of work results
- **discretion** as to the extent of reliance

* Office of Earlier Examination

** Office of Later Examination

The EPO PPH programmes

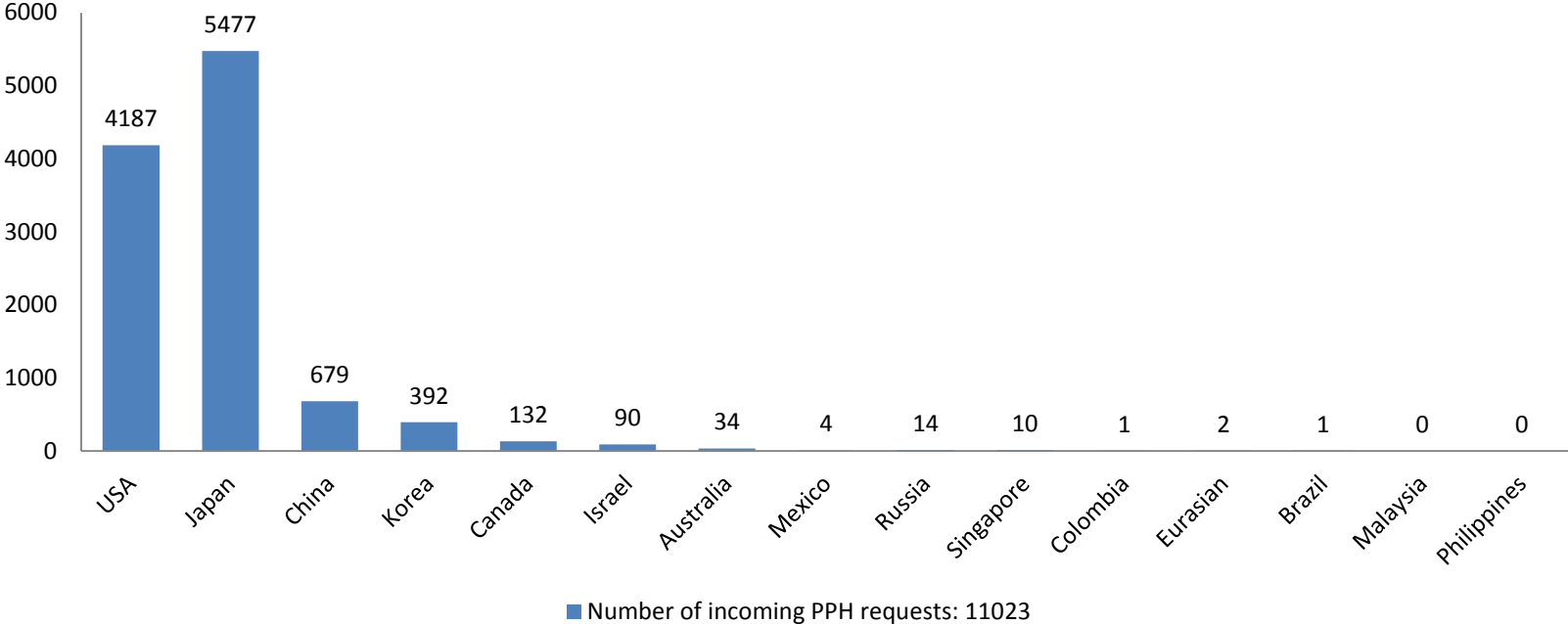
- EPO work products can be used at other PPH Offices (IP5 + Australia (AU), Canada (CA), Colombia (CO), Mexico (MX), Singapore (SG), Israel (IL), Russia (RU), Malaysia (MY), the Philippines (PH), EAPO, Brazil (BR))

EP

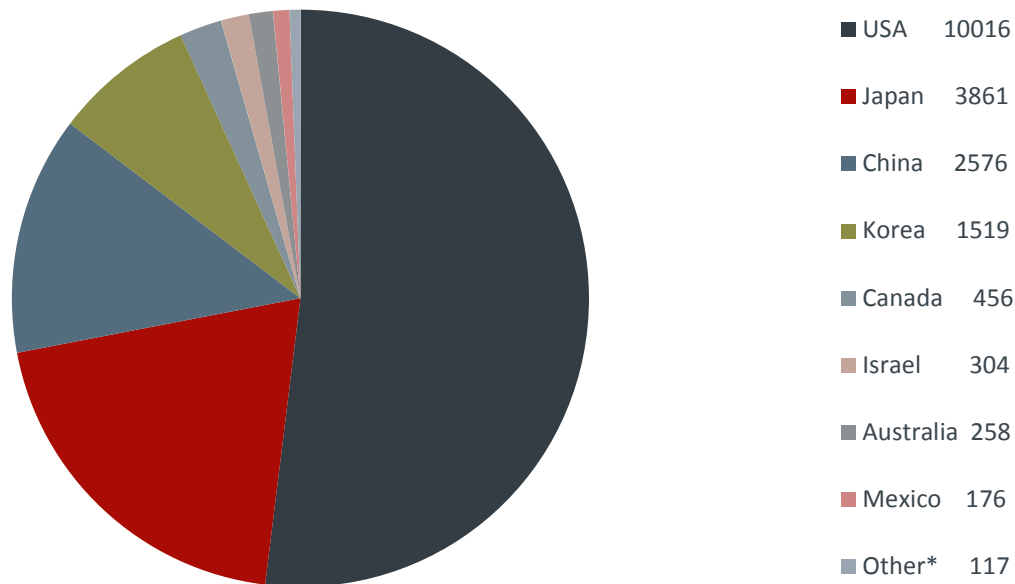
Search and/or examination reports produced by EPO accelerate applications at:

JP US KR CN CA IL MX SG AU CO RU MY PH EAPO BR

Status of PPH pilot programme: Q3 2018



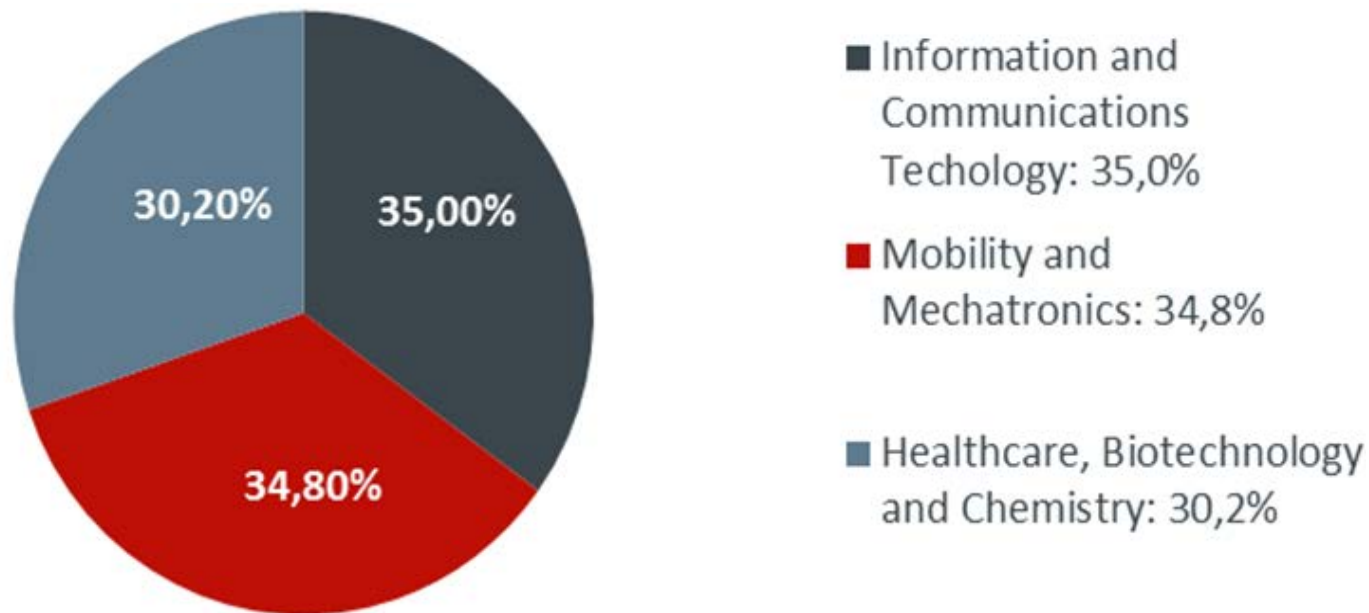
Outgoing PPH requests



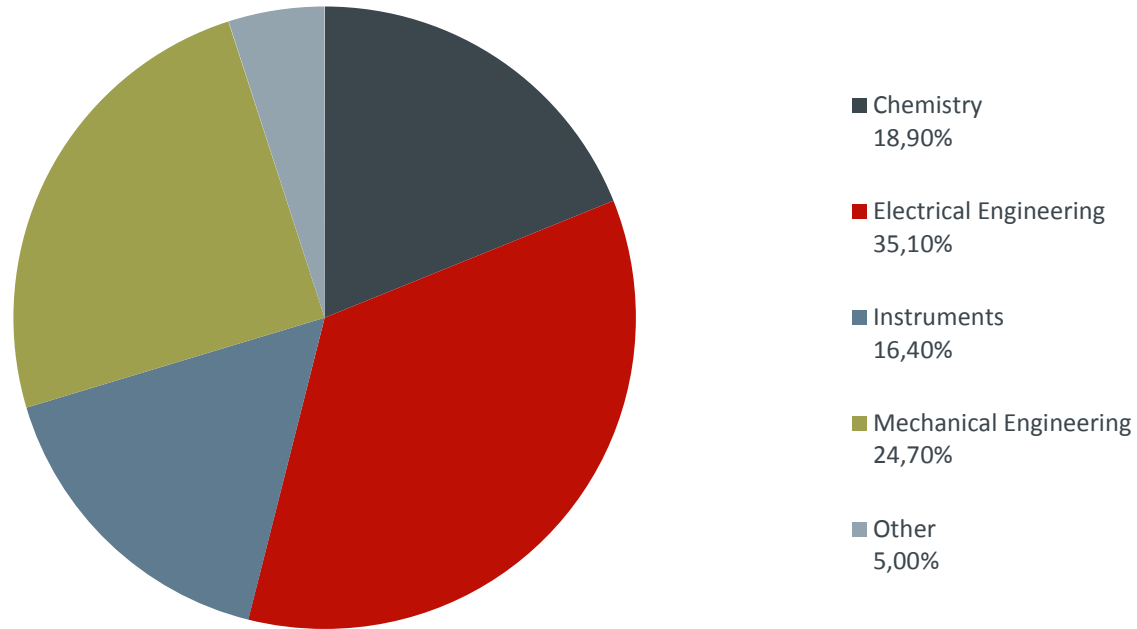
- ca. **19.300** PPH requests filed on the basis of EPO work products
- EPO **WO-ISAs**

* Russia (ROSPATENT); Singapore (IPOS); Colombia (SIC)

Distribution of PPH requests: EPO DG1 sectors



Distribution of PPH requests: WIPO IPC sectors



IP5 PPH metrics

- Quantification of PPH benefits
- Need for harmonised PPH metrics
 - currently available information sub-optimal
 - support users awareness about what to expect from offices when requesting PPH
- Key issue
 - thorough understanding of the relevant procedures that impact on the metric definitions
- Work to be completed in the course of 2019

Metric definitions under review

- Number of PPH requests filed
- Pendency to First Office Action
- Pendency to Final Office Action
- Number of Office Actions up to Final Decision
- Positive First Action Rate at OLE
- Grant Rate

PCT CS&E: the concept

- A single PCT search performed by the main ISA in collaboration with “peer” ISAs which provide contributions and feedback
- Improve the functioning of the PCT
 - examiners with complementary skills from different ISAs with different working languages working together on one PCT application
- Achieve even higher global documentation coverage
- Written opinion based on patentability assessment of all five offices

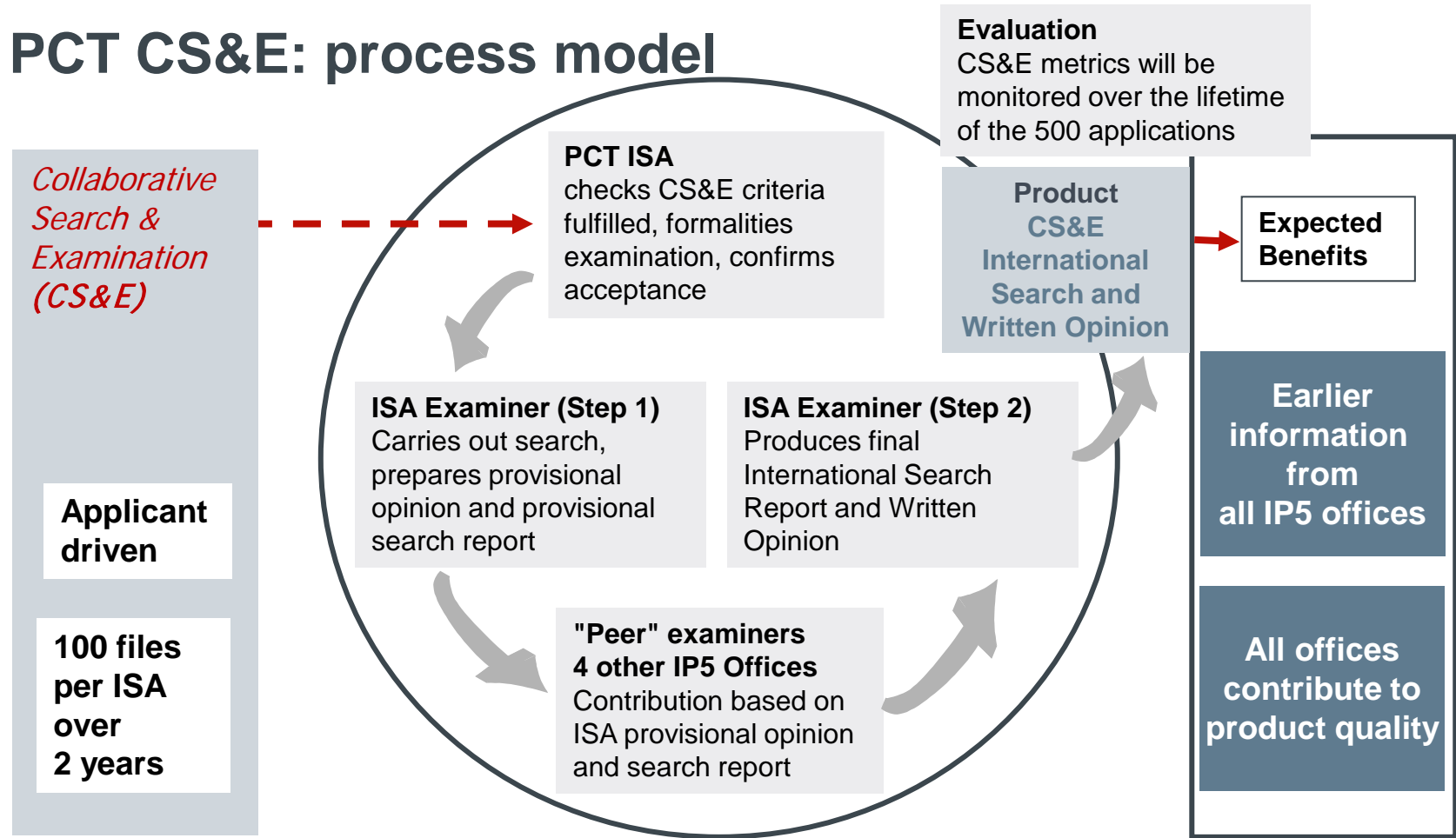
PCT CS&E: the pilot

- Applicant-driven
- English and non-English languages
- You participate in the pilot project with no additional costs
 - standard fees
- All five offices contribute equally with each treating over two years:
 - 100 international applications as main ISA
 - 400 international applications as “peer ISA”
- A common set of quality and operational standards
- Secure IT infrastructure for exchanges among offices

PCT CS&E: the benefits

- Improving efficiency, certainty & patent protection
- Greater legal certainty
 - High quality search
 - Assess patentability of inventions in different countries at an earlier stage
- Cost effective
 - Opinion based on 5 different ISAs
 - clearer picture as to the patentability of inventions
 - decide upon whether to proceed with the national phase, and if so in which countries

PCT CS&E: process model





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Thank you for your attention!

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