Collaborative Search Pilot Program (CSP)

June 25, 2015
Work Sharing Programs

Patent Prosecution Highway (PPH) – Serial Interoffice Prosecution

– Second Office acts on application after First Office Completes examination
New Pilot Comparisons

New Pilot Efforts – Examination in accordance with First Action Interview Program

JPO Pilot – **Serial** Search and Evaluation Prior to Examination

1. Earliest Filing
2. First Office Initial Search and Evaluation
3. Second Office Search and Evaluation
4. PIC (USPTO) or First Action (JPO) to Applicant
5. Reevaluation and PIC (USPTO) or First Action (JPO) to Applicant
6. First Office Applicant Evaluation

KIPO Pilot – **Parallel** Search and Evaluation Prior to Examination

1. Earliest Filing
2. KIPO Search Report
3. Applicant Evaluation
4. KIPO Examination
5. USPTO First Action Interview Process
New Collaborative Search Pilots

- Pilots with JPO and KIPO
- Parallel Pilots testing prosecution efficiencies taking different approaches to initial search and examination
  - JPO – **Serial search** on substantially similar claims prior to Pre Interview Communication
  - KIPO – **Parallel search** on substantially similar claims
    - Both office’s searches sent to applicant for consideration in response to Pre Interview Communication
Collaborative Search Pilots

- Applications made special for first action
- Based on First Action Interview Program
  - Claim Limits – 3 Independent/20 Total
  - Claim Matching – claims must correspond (slight difference between JPO and KIPO)
- Applicant Requirements:
  - Petition in both offices
    - Applicant consents to permit the USPTO and its partner offices to share information with partner offices under portions of 35 USC 122
      - (a) for sending to KIPO search results from unpublished US Applications
      - (c) & (e) for receiving KIPO/JPO search results and commentary in published US applications
- Pilot Duration is Two Years
  - JPO Pilot begins August 1, 2015
    - 200 applications per year per office of first search
  - KIPO Pilot begins September 1, 2015
    - 200 applications for each office of earliest priority
Potential Benefits

• Greater consistency in examination across Offices leading to more certainty of IP rights

• Your application will be taken out of turn resulting in expedited search results and final disposition

• It’s FREE to file Petition
More Information Needed?

Please contact us anytime at CSP@USPTO.GOV

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