



UNITED STATES PATENT AND TRADEMARK OFFICE

International Worksharing Update and Status of IP5 Foundation Projects

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Focus of Discussion

- International Worksharing
 - Patent Prosecution Highway (PPH)
 - Patent Cooperation Treaty (PCT)
- IP5 Foundation Projects



Patent Prosecution Highway

- Basic Principle
 - When claims are determined to be allowable in the Office of First Filing (OFF), the corresponding application in the Office of Second Filing (OSF) is amended to contain only the allowed claims and is advanced out of turn

- Purpose
 - OSF can utilize the search and examination results of the OFF thereby avoiding duplication of work and expedite the examination process in the OSF



PPH Statistics – Nearly 2,000 to Date

PPH Partner	Type	Start Date	End date	Requests Received (10/1/09)
JPO (Japan)	Pilot	7/3/06	1/3/08	278
JPO (Japan)	Full	1/4/08	Permanent	1,222
UKIPO	Pilot	9/4/07	9/4/08 (extended until further notice)	68
KIPO (Korea)	Pilot	1/28/08	1/28/09	134
KIPO (Korea)	Full	1/28/09	Permanent	195
CIPO (Canada)	Pilot	1/28/08	1/28/09 (extended until 1/28/11)	19
IPAU (Australia)	Pilot	4/14/08	4/14/09 (extended until further notice)	22
EPO	Pilot	9/29/08	9/29/09 (extended until 9/30/10)	17
DKPTO (Denmark)	Pilot	11/3/08	11/3/09	7
IPOS (Singapore)	Pilot	2/2/09	2/2/10	1
DPMA (Germany)	Pilot	4/28/09	4/28/10	10
Finland	Pilot	7/6/09	7/6/10	0



Patent Prosecution Highway

- Overall Allowance Rate
 - PPH cases: 95%
 - Non-PPH cases: ~40%

- Actions per final disposal (i.e., per invention)
 - PPH cases: 1.7
 - Non-PPH cases: 3.4

- The reduction in the number of office actions required has significantly reduced the overall pendency of PPH cases



Patent Cooperation Treaty

Importance of the PCT System

- We consider the PCT system an important vehicle for worksharing programs
- As such, we have made considerable efforts to improve timeliness and quality of our PCT work
 - 75% under 16 months and 85% under 18 months for Calendar '09
- Forthcoming pilot using ISRs in PPH framework



IP5 Foundation Projects



Search Strategy

Documented Search Strategy Approach
USPTO



Search & Exam Tools

Common Search & Exam Environment
USPTO



Common Documentation

Common Prior Art Data Set
EPO



Common Classification

Shared Approach to Patent Classification
EPO



Training Policy

Standardized Examiner Training
KIPO



Machine Translation

Mutual Access to Translated Information
KIPO



One Portal Dossier

One-Stop Access to Dossier Information
JPO



Common Application Format

Common Electronic Application Filing Format
JPO



Common Rules & QC

Common Rules for Exam Practice & Quality
SIPO



Common Statistics

Common Statistical Parameters
SIPO



WG1 Common Hybrid Classification

- Trilateral working group expanded and met as IP5 WG
- Potential pilots identified
- Meeting next week in Japan to select and kick-off pilot projects
- USPTO hosting next meeting March 2010



WG2

IT-Supported Business Processes

- One Portal Dossier Common Documentation
- Common Search and Examination Support Tools
- Common Approach to Sharing and Documenting Search Strategies
- Common Application Format
- Mutual Machine Translation



WG3 Examination Practice-Related Projects

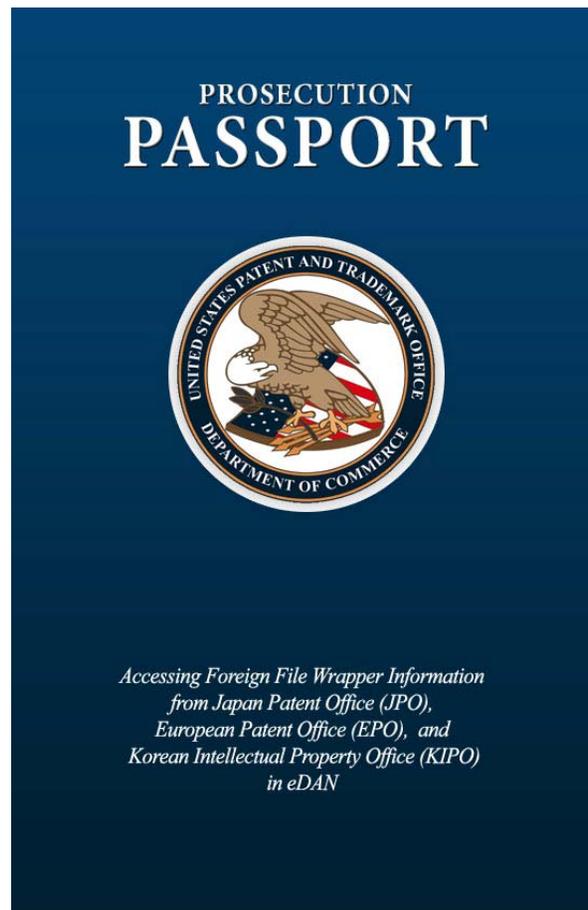
- Common Statistical Parameters
- Common Rules for Examination and Quality Control
- Common Training Policy

Next Steps

- EPO hosting WG2 prior to end of 2009
- SIPO hosting WG3 December 10-11, 2009
- Virtual Deputy Heads of Office meeting early in 2010



Prosecution Passport



- Guides access to the file wrapper of foreign priority applications
- Aims to increase awareness of the tools currently available
- Access increased by approximately 150% since start of campaign
- Feedback provides USPTO with valuable information on examiner needs and expectations for tools of the future – One Portal Dossier



Thank you!