Patent Public Advisory Committee
Quarterly Meeting

International Update

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Monthly Design Filings

Design Filings (All)

Chinese Design Filings (All)
FY17 Serialized Filings by Foreign Priority

No foreign priority: 62%

With Foreign Priority

Japan 13%
South Korea 5%
China 4%
EPO 4%
Germany 3%
OTHER 3%
Great Britain 2%
France 1%
Italy 1%
India 1%
Taiwan 1%
Share of FY17 Serialized Filings by Country of Foreign Priority

- Japan: 38%
- South Korea: 14%
- China: 12%
- EPO: 10%
- Germany: 9%
- Great Britain: 5%
- Taiwan: 4%
- France: 4%
- Italy: 2%
- India: 2%
- Japan: 38%
- South Korea: 14%
- China: 12%
- EPO: 10%
Chinese Share of Filings

Chinese Share of Filings

Percent of Serialized from China

Percent of Design from China
Serialized Filing Comparison, FY17 vs FY18
Serialized Chinese Filing Comparison, FY17 vs FY18
IP5 Heads of Office Meeting
IP5 Collaborative Search & Examination Pilot
PCT CS&E Pilot Overview

• Began July 1, 2018 by the IP5 Offices
• Explores a collaborative approach to international searches under the PCT with two goals
  – Assess expected efficiency gains
  – Determine the users’ interest for this approach
PCT CS&E Process Model

CS&E: Process model

PCT ISA checks CS&E criteria fulfilled, formalities examination, confirms acceptance

ISA Examiner (Step 1) Carries out search, prepares provisional opinion and provisional search report

"Peer" examiners 4 other IP5 Offices Contribution based on ISA provisional opinion and search report

ISA Examiner (Step 2) Produces final International Search Report and Written Opinion

Evaluation CS&E metrics will be monitored over the lifetime of the 500 applications

Product CS&E International Search and Written Opinion

Expected Benefits

Earlier information from all IP5 offices

All offices contribute to product quality

Applicant driven

100 files per ISA over 2 years

Collaborative Search & Examination (CS&E)
PCT CS&E Pilot Participation

• Applicant driven
  – Must request participation when filing PCT
  – Number of applications per applicant will be limited

• Number of applications accepted
  – 100 as main ISA (50 per year, per office)
PCT CS&E Pilot

• Current Status (as of July 27, 2018)
  – 18 applications received at USPTO as receiving Office (RO/US) with Request to Participate in CS&E Pilot
    • 6 for ISA/US
    • 6 ISA/EP
    • 1 ISA/JP
    • 2 ISA/KR
    • 3 ineligible for pilot
  – 1 application received by ISA/US from the International Bureau as receiving Office (RO/IB) with Request to Participate in CS&E Pilot
How to Learn More

**Patents**

- **Getting started**
  - Patent basics
  - Process overview
  - Legal assistance and resources
  - Inventor and entrepreneur resources
  - International cooperation
  - Patent FAQs

**International cooperation**

- **Featured programs and services**
  - Global Dossier
  - Cooperative Patent Classification (CPC)
  - Collaborative Search Pilot
  - Patent Prosecution Highway
  - Patent Cooperation Treaty
  - Hague Agreement
  - Priority Document Exchange (PDX)
  - IPR Toolkits
  - Patent FAQs

- **PCT Collaborative Search & Examination Pilot**
  - Examiners from the IPS offices collaborating on the search and examination of a single international application, resulting in an international search report (ISR) and written opinion (WO) from the chosen International Searching Authority (ISA) based on contributions from all participating offices.
Access to Relevant Prior Art Initiative
Initiative Objectives

• Leveraging electronic resources to retrieve information (e.g., prior art, search reports, etc.) from relevant sources (e.g., related U.S. applications, counterpart foreign and PCT applications).

• Automatically import information into the file wrapper of a U.S. patent application under examination at the earliest point.
  - Potentially reduce applicant’s burden under the duty of disclosure.
Access to Relevant Prior Art: Phase 1

- Automatically imports references from immediate U.S. parent applications into pending U.S. applications
- New automated tool for examiners developed to provide a master reference list and enhanced searching and filtering functionality
- Federal Register Notice on Phase 1 to be published in September
- Targeted start date: November 1, 2018
Access to Relevant Prior Art: Phase 1

- Initial implementation will be a targeted release and will not be a corps-wide release
  - Details and scope of the implementation will be announced later this summer
- Subsequent phases of the project will focus on importing from additional sources, such as counterpart foreign and PCT applications
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