Patent Public Advisory Committee Quarterly Meeting

International Update

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November 8, 2018
USPTO-Hosted Information Communication Technology (ICT) Roadmap Meeting
6th ICT Roadmap Meeting

- Hosted by USPTO at WIPO
  - October 11-12, 2018
  - 26 Participating IP Offices

- Topics of Discussion and Future Collaboration Areas included:
  - Improving mechanisms of data exchange and dissemination between IPOs and to the public
  - Identifying transformative technologies that benefit patent business processes
Meeting Outcomes

• Identified areas of possible collaboration between IP Offices

• Discussions on standardization of data exchange mechanisms and format
  – Application Programming Interfaces (APIs)
  – XML conversion
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
Access to Relevant Prior Art: Phase 1

• Began November 1, 2018
• Initial implementation is a targeted release and will not be a corps-wide release
  - November 1: Released to Art Unit 2131
  - January 1, 2019: Release to Art Units 1616, 1731, 2431, 2675, 2879, 2922, 3635, and 3753
• Subsequent phases of the project will focus on importing from additional sources, such as counterpart foreign and PCT applications
Prior Art Access Contacts

E-mail: PriorArtAccess@USPTO.gov
Website: https://www.uspto.gov/patents-getting-started/access-prior-art-project

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IP5 PCT Collaborative Search & Examination Pilot Update
IP5 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
Concept

• Collaboration of examiners from different International Authorities in different regions and with different working languages on one international application

• International Search Report (ISR) and Written Opinion (WO) under PCT Chapter I remains the opinion of the chosen International Search Authority (ISA), but is based on contributions from all participating Offices
Purpose of IP5 PCT CS&E

• Better test user interest, operational and quality standards, and an electronic collaboration tool or platform
• Two previous pilots provided information and allowed the USPTO to refine the operational working model
• Determine what effect collaboration has on the quality of the work products and subsequent effects on the national phase
IP5 PCT CS&E Pilot Statistics

- 61 applications filed with Receiving Office (RO)/US accepted into pilot
  - 31 for ISA/US
  - 20 ISA/EP*
  - 1 ISA/JP
  - 9 ISA/KR
- 121 total applications accepted by IP5 ISAs
  - JP – 3
  - CN – 28
  - KR – 18
  - US – 32
  - EP – 40*

*EPO has filled its quota of English applications
IP5 PCT CS&E Pilot Statistics

CS&E Requests as Main ISA (ISA/US)

- **40** Total Requests
- **32** Requests Accepted
- **3** Requests Denied

**Receiving Office**
- **38** RO/US
- **2** RO/IB

**Provisional SR Uploaded**
- **13**

**Technical Fields:**
- 9 Chemical
- 7 Mechanical
- 7 Physical Sciences and other miscellaneous electrical technologies
- 7 Computers (hardware & software)
- 4 Communications
- 3 Surgery
- 1 Business Methods
- 1 Biotechnology

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