Patent Public Advisory Committee Quarterly Meeting

IP5 PCT Collaborative Search and Examination Pilot

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IP5 PCT CS&E pilot overview

• Started by the IP5 offices on July 1, 2018.

• Explores a collaborative approach to international searches under the PCT with two goals.
  – Assess expected efficiency and quality gains.
  – Determine the users’ interest for this approach.

• Complete information: https://www.uspto.gov/patents-getting-started/international-patent-cooperation
IP5 PCT CS&E process model

CS&E: Process model

Collaborative Search & Examination (CS&E)

Applicant driven

100 files per ISA over 2 years

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

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

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

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

uspto
IP5 PCT CS&E pilot limits and statistics

• 50 applications per main International Searching Authority (ISA) per year.
  – Two-year operational period.
    • July 1, 2018 – June 30, 2019
    • July 1, 2019 – June 30, 2020
• 10 applications per main ISA per applicant.
• Some ISAs set limits based on technology.
  – Not ISA/US
• 188 total applications accepted by IP5 ISAs (as of Jan. 22, 2019).
  – EP – 41 (first year limit for English applications reached)
  – JP – 13
  – CN – 42
  – KR – 42
  – US – 50 (first year limit reached)
Questions and Comments

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