

Collaborative Search Pilot Program (CSP)

Introduction

Collaborative evaluation of patent application claims has the potential to provide a higher probability of finding the best prior art, particularly when the evaluation is conducted in different prior art repositories. The USPTO is entering two pilots, one with JPO and a second with KIPO, to determine whether collaborative search and its evaluation to commonly filed claims prior to final determination can improve the examination process and provide more consistent results across offices. Additionally, the pilots will determine whether the offices can control, to a sufficient extent, the sharing of search information between offices such that applications are not receiving an unnecessary delay in examination. These pilots are slightly different in when, during the examination process, examination information is passed between the Offices.

The differences between the JPO pilot and the KIPO pilot is that in the JPO pilot, the information exchange happens prior to the examiner fully forming the FAI based search report (also known as the Pre-Interview Communication (PIC) form) so that the FAI search contains both Office's input, whereas in the KIPO pilot, the USPTO's FAI based search report (PIC) is conducted independent of the KIPO work and both work items are provided to the applicant for their consideration. These differences will help us determine whether it is necessary for our examiners to consolidate the art and proposed rejections for the applicant for their consideration (JPO pilot) or whether it is sufficient for two independent views on the claims for the applicant to determine their next course of action (KIPO pilot).

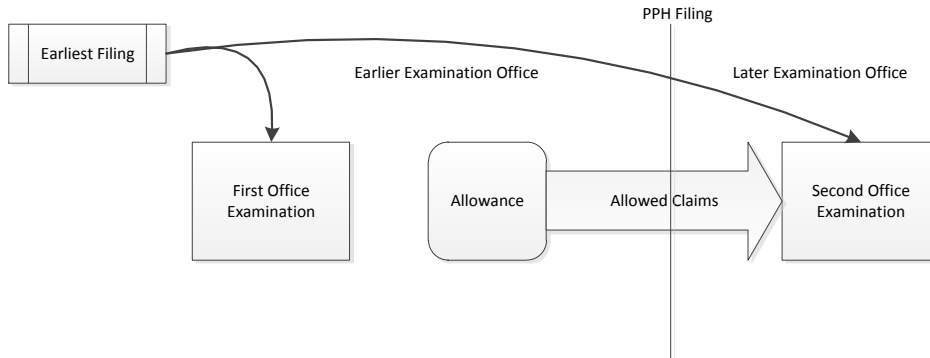
The KIPO pilot is not dependent on a first/second office designation as is the JPO pilot, so both offices can work in parallel and the USPTO will provide two work products to the applicant upon receipt of the work from KIPO.

The USPTO's CSP pilots' procedure is based upon the First Action Interview (FAI) program (see http://www.uspto.gov/patents/init_events/faipp_full.jsp), which bifurcates the search from substantive examination. The FAI program is designed to give applicants the examiner's search results, followed by an optional interview prior to full examination of the claims. This then gives the applicant a proactive understanding of the examiner's position regarding the art to be applied to the claims, leading to more efficient prosecution. The most significant modification to the FAI pilot program for use in CSP is applications will be accelerated.

We encourage you to use these pilots in order to help us shape the future for collaboration between Offices. If you have any questions or need additional information, please contact CSP@USPTO.GOV.

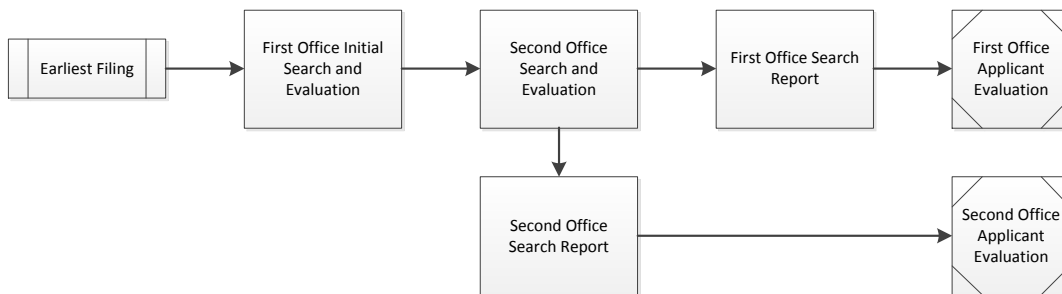
General Principles – Comparison with Patent Prosecution Highway (PPH)

Patent Prosecution Highway (PPH) -Serial Examination After First Office Completion

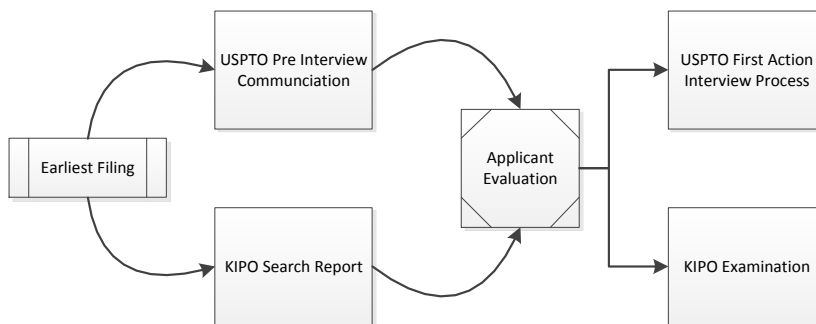


New Pilot Efforts – Examination in accordance with First Action Interview Program

JPO Pilot – Serial Search and Evaluation Prior to Examination



KIPO Pilot – Parallel Search and Evaluation Prior to Examination



Petition Flow: Parallel Processing

