

**UNITED STATES
PATENT AND TRADEMARK OFFICE**





THE

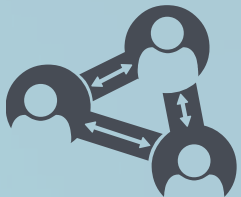
COLLABORATIVE SEARCH

PILOT PROGRAM

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**USPTO is collaborating with other IP
Offices in the coordination and
sharing of search results.**

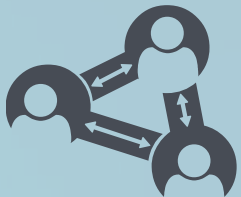


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Offices and Applicants want:

- **Faster and less expensive examination of patent applications**
- **More certainty as to intellectual property rights granted**
- **More consistent results across Offices**

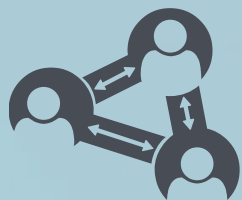


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The Collaborative Search Pilot Program (CSP) achieves this through work sharing

- Increase Quality
 - 🌐 Multiple examiners searching an invention may increase search quality by sharing results
- Reduce Pendency
 - 🌐 Collaborating with others or providing a better starting point can reduce time devoted to examination
- Increase Consistency
 - 🌐 Examiners using same art often come to similar conclusions
- Increase Certainty
 - 🌐 Applicants can have more confidence in resulting work product

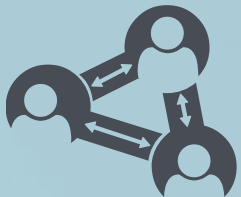


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How Does CSP Achieve these Benefits?

- CSP provides faster examination by
 - 🌐 Expediting examination and first office action on merits in multiple offices
 - 🌐 Coordination of the timing of initial examination
 - Parallel prosecution in multiple offices
- CSP provides cheaper examination for both applicant and office by
 - 🌐 Reducing number of actions to complete examination by
 - Getting a search on common claims from examiners in different offices prior to examination – yielding a more complete prior art search before the examiner
- CSP provides more certainty by
 - 🌐 Providing best art from different search databases, often in different languages, at the start of prosecution
- CSP provides more consistent results by
 - 🌐 Providing similar actions in multiple offices using common art



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Initial Collaborative Search Pilot (CSP) Program

August 2015 – September 2017

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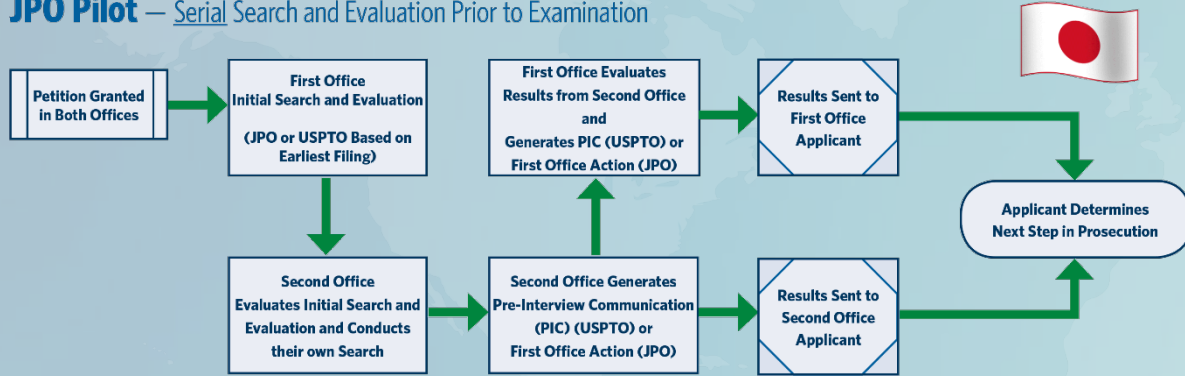


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Initial Collaborative Search Pilots Two Different Approaches

2

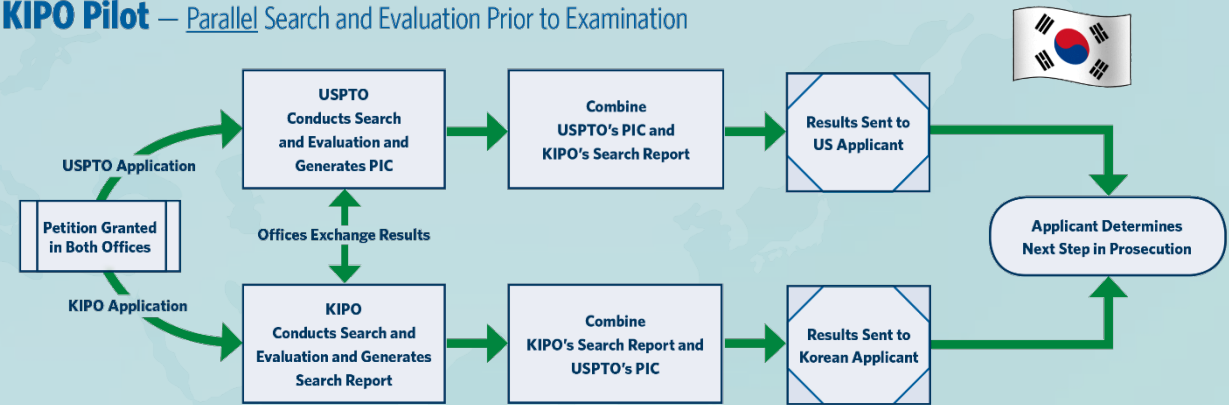
JPO Pilot — Serial Search and Evaluation Prior to Examination



Corresponding applications must be filed in both the JPO and the USPTO no earlier than 3/16/13 and have not yet been examined.



KIPO Pilot — Parallel Search and Evaluation Prior to Examination

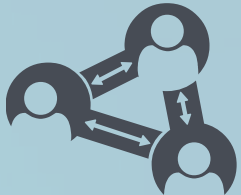


Corresponding applications must be filed in both the KIPO and the USPTO no earlier than 3/16/13 and have not yet been examined.



Evaluation Question: Will a serial search yield a different art set than a parallel search?

Evaluation Question: Will applicants provide, evaluate, and comment on references from parallel searches without USPTO examiner review?

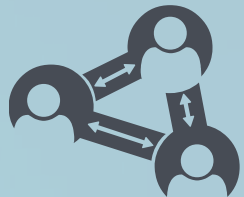


Initial CSP Pilot Stats (2015-2017)

	JPO	KIPO	Total/AVG
Applications with Petitions	72	112	184
Granted Petitions	67	89	156
Completed Applications	30	47	77
Allowance Rate*	97%	91%	94%
Average Pendency to FA (from Petition Grant)*	92 days	60 days	72 days
Average Pendency to Final Disposal (from petition grant)*	236 days	319 days	287 days

* Completed applications

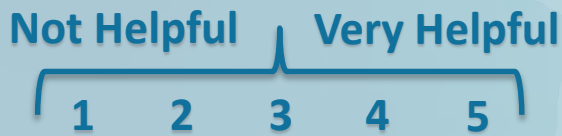
Data as of November 17th, 2017



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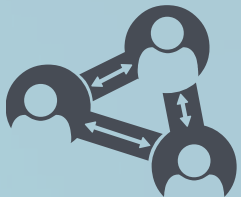


Initial CSP - Impacts of Work Sharing on Examination



- **29%** of USPTO examiners modified their search strategy as a result of JPO search
- **100%** of USPTO examiners gave a score of at least 3 out of 5 on helpfulness of initial JPO search; **37%** gave a score of 5 out of 5
- **88%** of JPO examiners gave a score of at least 3 out of 5 on helpfulness of supplemental USPTO search; **42%** gave a score of 5 out of 5

Data as of November 17th, 2017

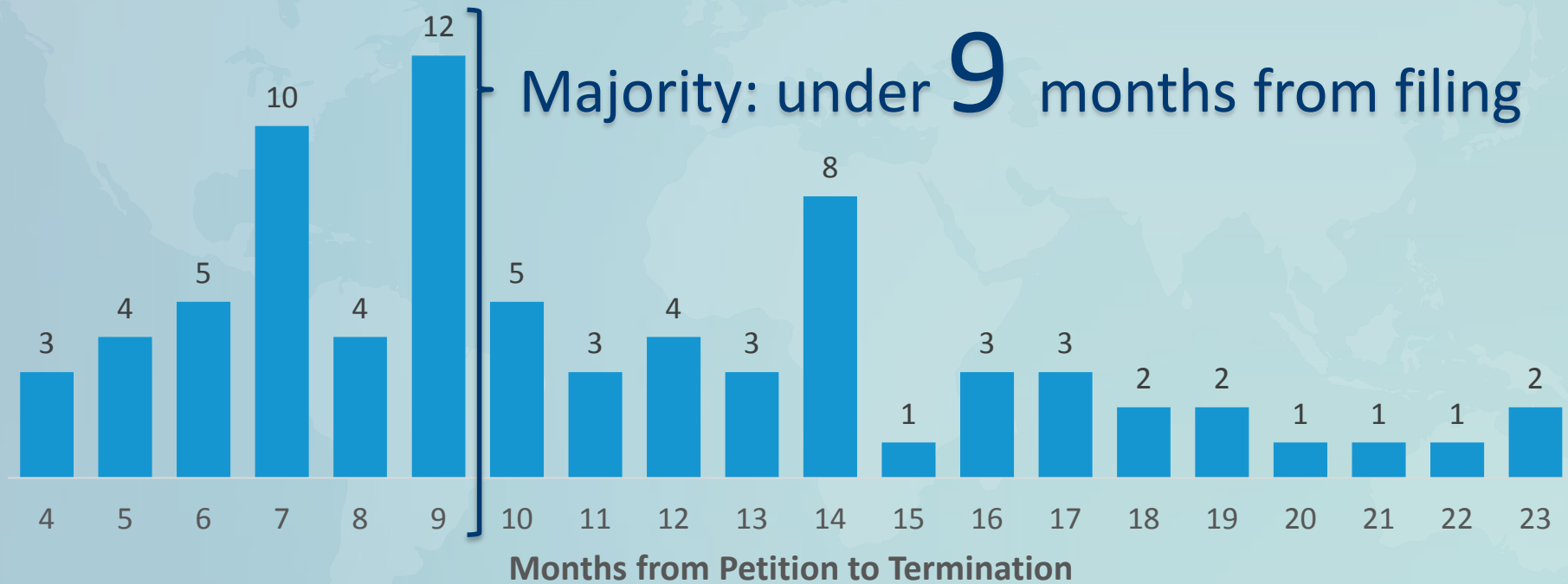


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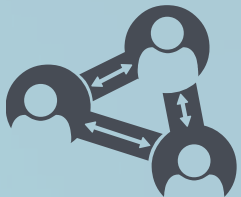


Initial CSP – Timeliness to Termination

Timeliness: Petition Filed to Termination



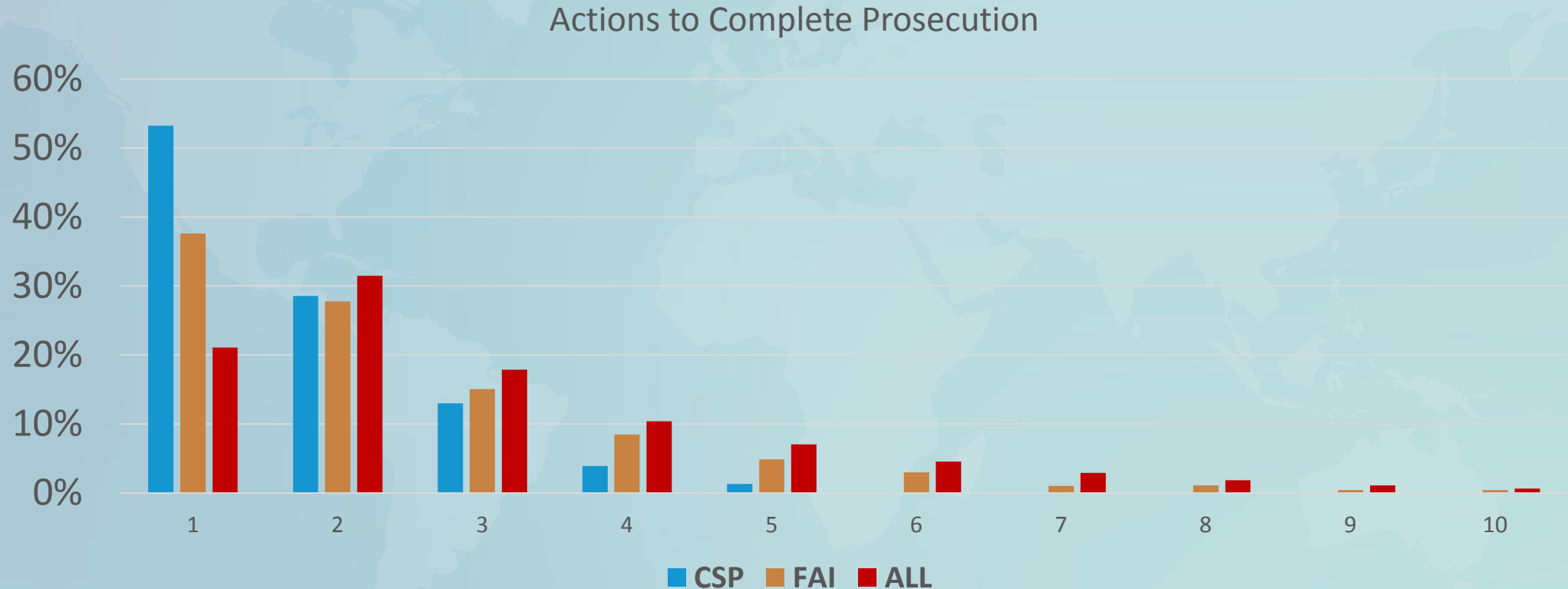
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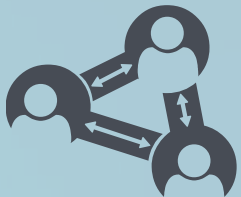
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Initial CSP – Actions to Complete Prosecution



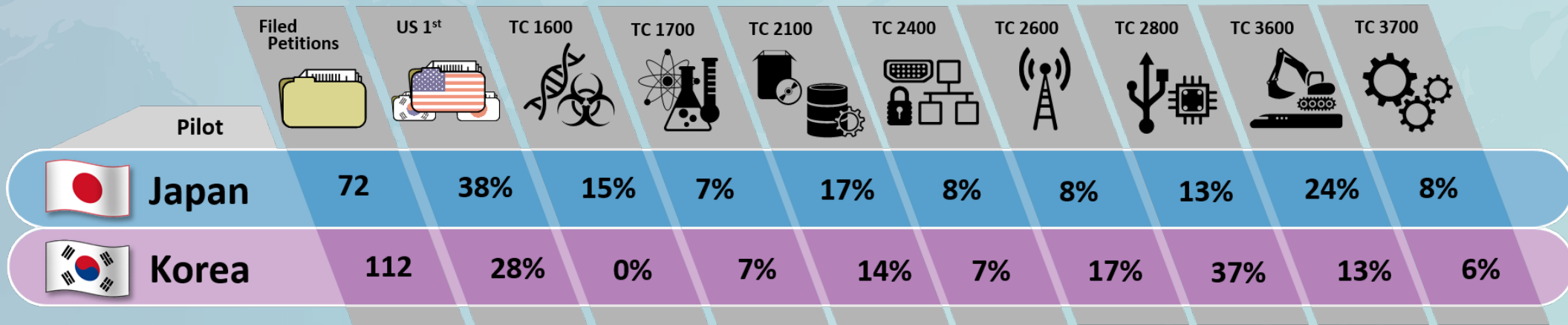
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Initial CSP – Technology Stats



TC 1600 - Biotechnology and Organic Chemistry

TC 1700 - Chemical and Materials Engineering

TC 2100 - Computer Architecture and Software

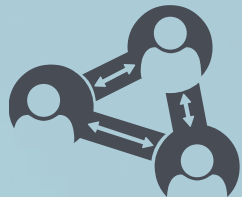
TC 2400 - Network, Multiplexing Cable, and Security

TC 2600 - Communications

TC 2800 - Semiconductors/Memory, Optics/Photocopying, Electrical Circuits & Systems and Printing/Measuring & Testing

TC 3600 - Transportation, Construction, Agriculture, Electronic Commerce and National Security

TC 3700 - Mechanical Engineering, Manufacturing, and Medical Devices/Processes



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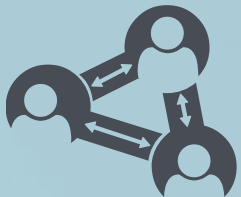
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Data as of November 28th, 2017



Findings and Interpretations from Initial CSP

- 🌐 Unequal use by applicants in each priority Office
- 🌐 Many applicants did not provide reference evaluation
- 🌐 Examiners focused on internal search resources
- 🌐 Inconsistent timing of activities between offices
- 🌐 USPTO's First Action Interview (FAI) program was burdensome to applicants and examiners in conjunction with CSP



A stylized world map in shades of teal and blue, serving as a background for the text.

Expanded Collaborative Search Pilot (CSP) Program

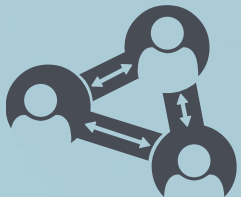
November 1, 2017 - October 31, 2020

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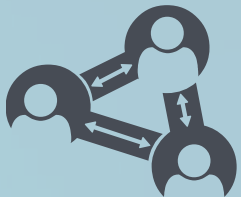
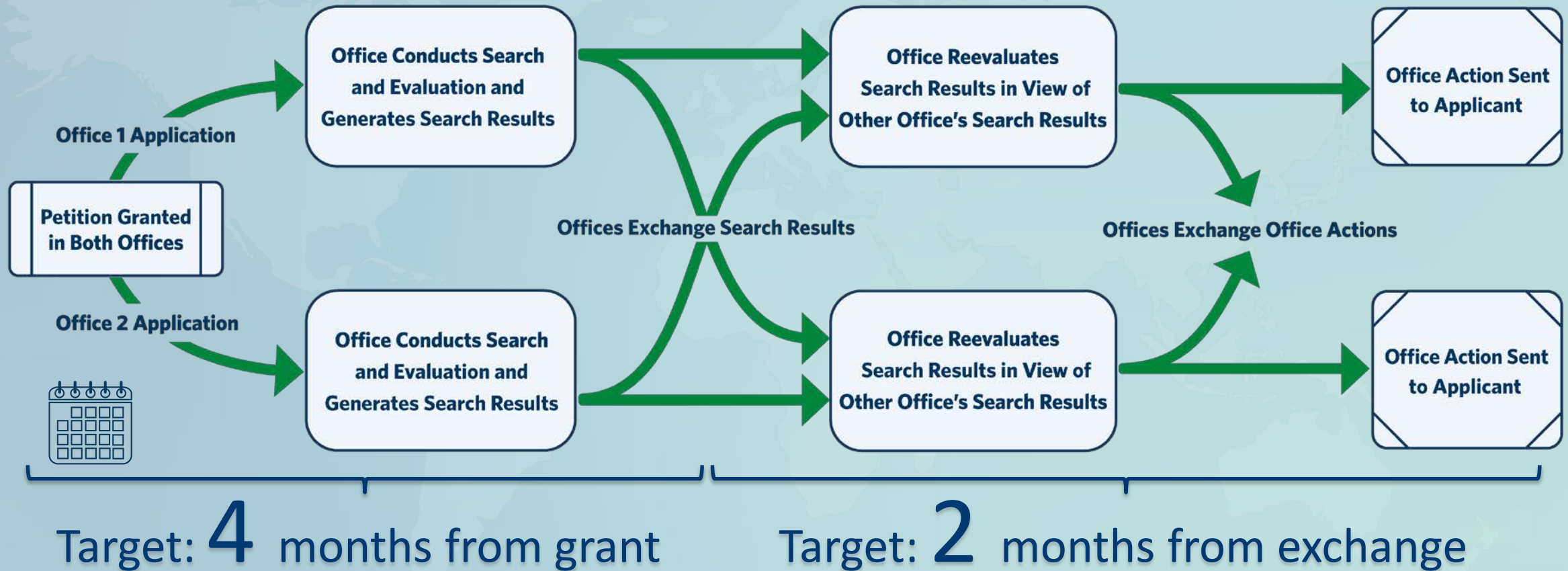


Improvements in the Expanded CSP Processes

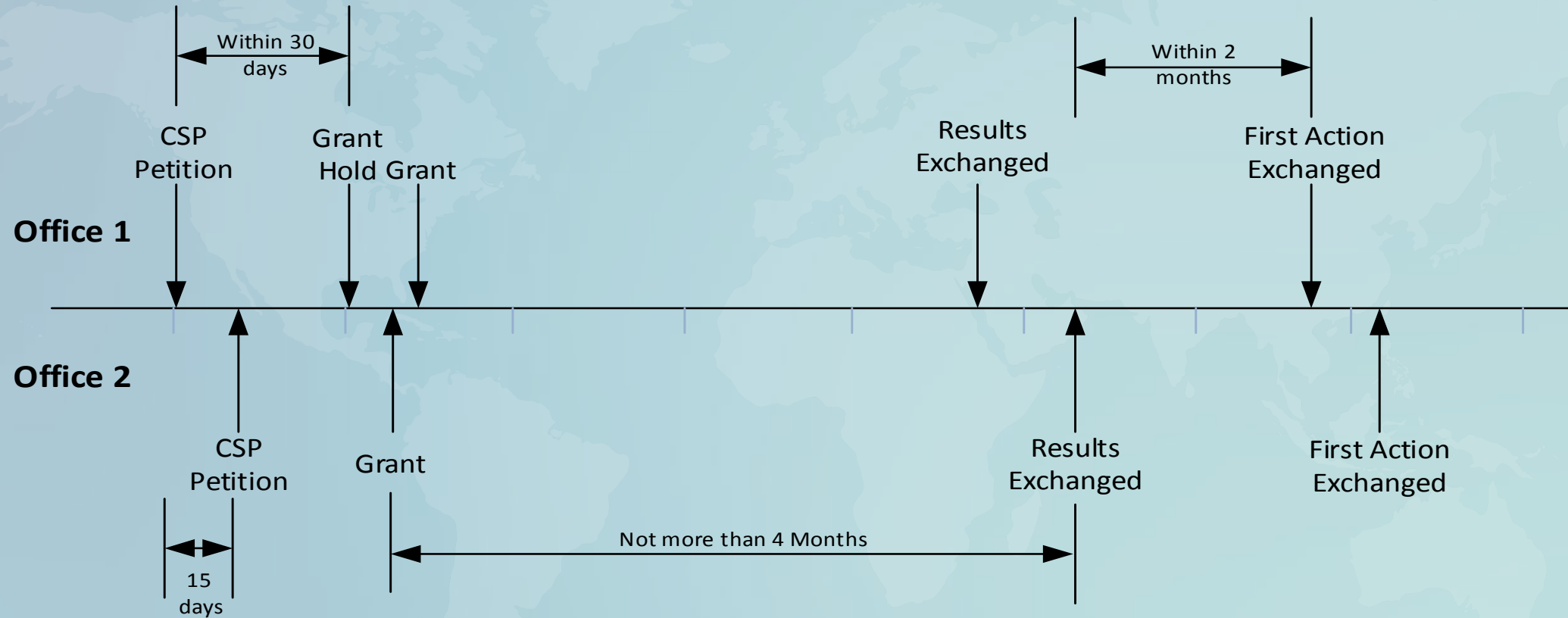
- One common process allows for multi-office collaboration
- Fixed time-frames reduce unnecessary delays
- Remove dependency of First Action Interview (FAI) Program with CSP
 - 🌐 Simplifies examiner and applicant processes
 - 🌐 Reduces delay to receipt of First Action on Merits (FAOM)
 - 🌐 Changes to USPTO's Office Correspondence (OC) system allows for reduced administrative burden and processing
- Parallel search and evaluation prior to FAOM
 - 🌐 Permits examiner to fully consider action of partner Office(s)
 - 🌐 Takes advantage of partner office(s) search expertise in different languages



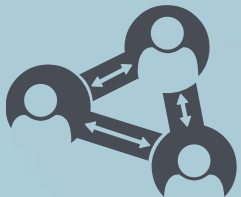
The Expanded CSP Process – A Parallel Search



Expanded CSP Timing



Anticipated timing agreed upon by partnering IP Offices



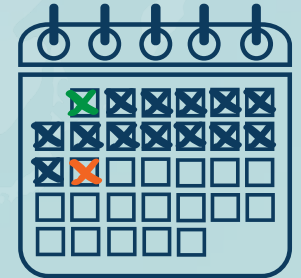
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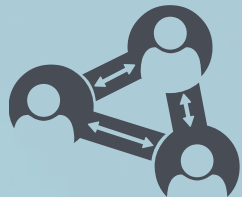
When and How to file for Expanded CSP

Filing CSP petitions

- 🌐 File USPTO petition via EFS Web
- 🌐 File petitions in requested Offices within 15 days of earliest petition.
- 🌐 USPTO Petition includes waivers of 35 U.S.C 122 to permit sharing information with the requested office.






If CSP petition is granted, USPTO Examiner will consider references cited in exchanged search result and provide a copy in FAOM, if possible.

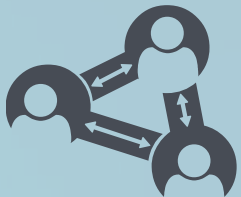


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Expanded CSP Requirements

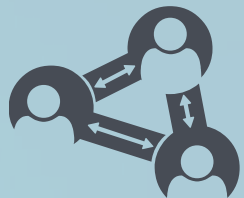
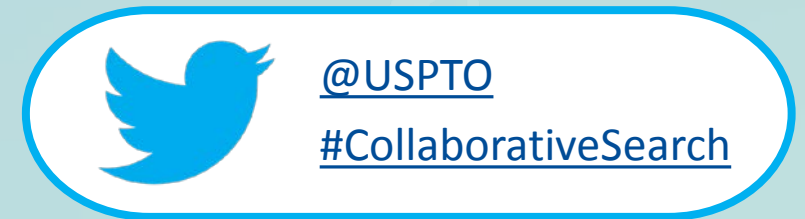
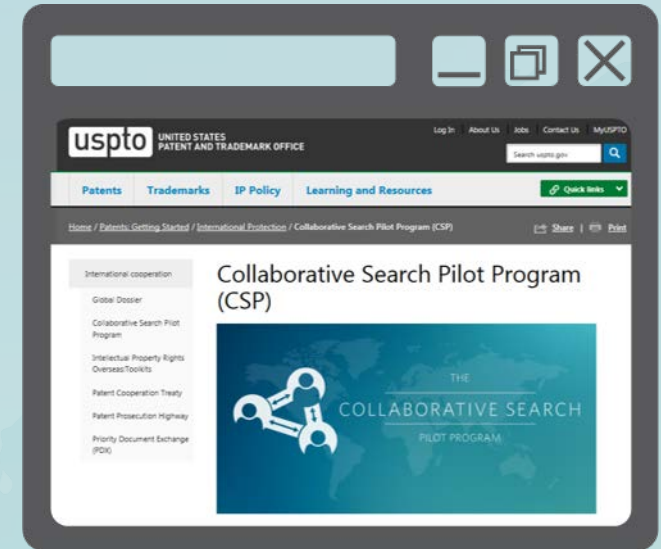
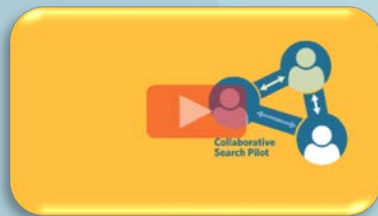
- Application Eligibility
 -  National utility applications that **have not started examination** in the offices in which a request is filed are eligible for examination under the Expanded CSP program.
 -  Applications must share a common earliest priority date and the disclosures must support the claimed subject matter as of a common date. Earliest priority date is March 16, 2013.
- No-cost petition filed in USPTO; Request or petition in partner Offices
 -  Applications must have corresponding Independent Claims.
 - Corresponding claims must be listed on petition form.
 - No more than 3 independent and 20 total claims permitted.
 - No multiple dependent claims in US application.



CSP Marketing

For more information please visit www.uspto.gov/CollaborativeSearch or email USPTO at CSP@uspto.gov.

- On-site and video presentations with your clients
- Info cards
- Forums, conferences, etc.
- Video



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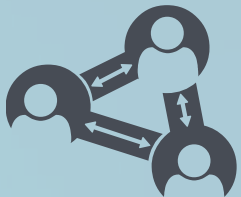
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