Patent Quality Chat:
Future Information Disclosure Practice in a Global Dossier Environment

Patent Quality Chat
Webinar Series 2016 (10 of 12)
September 13, 2016
To send in questions or comments during the webinar, please email:

PatentQualityEventParticipationBox@uspto.gov
Email questions to PatentQualityEventParticipationBox@uspto.gov
Enhanced Patent Quality Initiative

High-quality patents enable certainty and clarity of rights, which fuels innovation and reduces needless litigation. To ensure we continue issuing high-quality patents well into the future, we established the Enhanced Patent Quality Initiative (EPQI). We are strengthening work products, processes, services, and how we measure patent quality at all stages of the patent process.

Updates

• **Post-Prosecution Pilot (P3)**, which launched on July 11th, explores a new after final program that combines features of the Pre-Appeal Brief Conference and After Final Consideration 2.0 pilot programs and adds in new features requested by our stakeholders. For more information please visit the P3 webpage.

• The **Post Grant Outcomes** Program launched a pilot aimed at putting related AIA trial proceedings, including their prior art, in front of the examiners of pending related applications. More information is on the Pilot webpage.

2016 Patent Quality Chats
NEXT: September 13, 12-1 pm ET

Post-Prosecution Pilot
After final pilot program aimed at reducing the number of issues taken up on appeal.

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Patent Quality Chat:
Future Information Disclosure Practice in a Global Dossier Environment

Mark Powell
Deputy Commissioner for International Patent Cooperation

Robert Bahr
Deputy Commissioner for Patent Examination Policy

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Global Dossier Initiative
Global Dossier

Global Dossier is a set of business services modernizing the global patent system and delivering benefits to all stakeholders.

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Global Dossier Services

- **Current Services**
  - **Public Access**: provides access to a user-friendly online interface, which will make it easier for patent applicants to quickly and easily view, monitor, and manage intellectual property (IP) protection around the world by providing access to the dossiers of related applications filed at participating offices.
  
  - **International Patent Family**: provides examiner access to work done by examiners on related applications at other offices.

- **Upcoming Future Services**
  - **Document Sharing Functionality**: sharing documents between office, such as prior art exchanges and supporting documents. Viewed as a first step towards cross-filing.
  
  - **WIPO CASE Linkage**: provides examiners and the public with access to additional participating offices outside of the IP5.

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Stakeholder Input on Global Dossier

  - IdeaScale is one of the ways that OIPC will be gathering stakeholder input and feedback on Global Dossier.
    - Vote and comment on the various ideas
    - Provide additional suggestions for services and features that would improve the ability to monitor and manage related cases around the world

- Focus Sessions
  - Conducted to gather input and feedback on services

- Contact the Global Dossier Team
  - GlobalDossier@USPTO.gov

Email questions to [PatentQualityEventParticipationBox@uspto.gov](mailto:PatentQualityEventParticipationBox@uspto.gov)
Global Dossier Contacts

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Access to Relevant Prior Art
Project Background

- Patentability decisions are based on information from various sources
  - Information disclosure statement
  - Examiner’s search results
  - Information previously considered in a domestic parent application

- Work sharing has resulted in new sources of information from counterpart foreign applications
  - Global Dossier
  - Common Citation Document
  - WIPO CASE
  - PatentScope

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Project Scope

− Study how the USPTO can increase examination efficiency and quality by leveraging electronic resources to retrieve information (prior art, search reports, etc.) from applicant’s other applications.

− Explore whether or not automatically importing relevant prior art and other information into the U.S. application file at the earliest point in examination would reduce the burden of duty of disclosure for applicants.

− Consider if patent issuance can be streamlined by eliminating unnecessary information from the first page of a U.S. patent.

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Anticipated Benefits

- Quality and efficiency of examination is increased
- Examiner access to relevant prior art and supplemental information in a conveniently searchable manner
- Decreased applicant expense of submitting information and information disclosure statements
- Reduced burden for applicant compliance with duty to disclose information material to patentability
- Streamlined patent issuance

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Considerations (1)

- Besides domestic parent and counterpart foreign applications, what sources of information should be monitored?

- What is the most convenient way to bring an application to the USPTO's attention that should be monitored for information during the examination of a U.S. application?
Considerations (2)

- What information should be provided to examiners while ensuring they are not overburdened?

- If information is automatically imported into a U.S. application under examination, what information should be documented?

- Considering the availability of application information in PAIR, what information needs to be on the first page of a U.S. patent?

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Project Update

– External User Initial Focus Sessions at Regional Office Locations – June 2016

– Federal Register Notice – August 29, 2016


– Examiners Focus Sessions – 1st Quarter FY 17

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Roundtable

- September 28, 2016 – 1:00 pm – 4:00 pm
  • Deadline for registration: September 21, 2016
  • Deadline for requesting to present at the roundtable: September 14, 2016
  • Deadline for submitting copy of presentation (if selected as a presenter): September 21, 2016

For additional information, including registration instructions, please visit: http://www.uspto.gov/patent/initiatives/patent-application-initiatives/roundtable-importing-prior-art-automatically

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Let’s Chat about
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Thank you for joining us today!

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Next Patent Quality Chat:
Tuesday, October 11th
On the Patents Ombudsman Program