



Cooperation Arrangement between the United States Patent and Trademark Office and the Saudi Authority for Intellectual Property of the Kingdom of Saudi Arabia on the Patent Prosecution Highway

The United States Patent and Trademark Office (USPTO) of the United States of America and the Saudi Authority for Intellectual Property (SAIP) of the Kingdom of Saudi Arabia (collectively, the Offices):

CONSIDERING the Memorandum of Understanding on Bilateral Cooperation in the Area of Intellectual Property between USPTO and SAIP signed at Geneva, Switzerland, on September 27, 2018;

DESIRING to promote inter-office cooperation and enhance leadership in cooperative worldwide efforts in the patent field;

Intend to Proceed as Follows:

I. Background

Beginning in July 2006, the USPTO has partnered with several other offices in Patent Prosecution Highway (PPH) programs. The PPH program enables an applicant who receives a positive ruling on patent claims from one participating office to request accelerated prosecution of corresponding claims in another participating office, which allows the applicant to obtain a patentability decision in the second office more quickly. Furthermore, the PPH program promotes patent application processing efficiency by allowing the examiner in the office of later examination (OLE) to reuse the search and examination results from the office of earlier examination (OEE), thereby reducing workload and duplication of effort.

On January 6, 2014, the USPTO began participating in the Global PPH and IP5 PPH ("Global/IP5 PPH") pilot programs, which consolidated and replaced numerous earlier PPH programs in which USPTO had participated, thereby streamlining and simplifying the PPH process for both applicants and Global/IP5 PPH participating offices.

Following discussions between the USPTO and the SAIP, the Offices intend to begin a PPH pilot program between the USPTO and the SAIP. The SAIP is not currently a Global/IP5 PPH participating office and intends to partner with the USPTO in the



PPH on a bilateral basis only.

II. Trial Period for the PPH Pilot Program with the SAIP

The PPH pilot program is intended to commence on January 1, 2020, and to run for a period of three years ending on December 31, 2022 (the "trial period"). During the trial period, the Offices intend to continually evaluate the PPH pilot program to determine whether and, if so, how the program should be modified. The trial period may be extended upon mutual written decision by the Offices, and either Office may discontinue the PPH pilot program early for any reason, including if the volume of participation exceeds a manageable level. In the event an Office decides to discontinue its participations in the PPH pilot program, that Office should endeavor to provide 30 days' advance notice to the other Office. The USPTO intends to publish in the Official Gazette notices in the event of the extension or discontinuation of the PPH pilot program. Unless the SAIP becomes a Global PPH participating office, any extension or discontinuation of the Global/IP5 PPH program should have no effect on the duration of this PPH pilot program.

III. Participation in the PPH Pilot Program between the SAIP and the USPTO

Any request by an applicant to participate in a PPH in the USPTO based on SAIP work product is subject to the same requirements and procedures as, and the Offices intend for such requests to receive equivalent treatment to, a request made under the Global/IP5 PPH pilot program, as it may be modified from time to time. The current requirements and procedures of the Global/IP5 PPH pilot program are set forth in the "*Implementation of the Global and IP5 Patent Prosecution Highway (PPH) Pilot Programs with Participating Offices*, 1400 OFF. GAZ. PAT. OFFICE 172 (March 18, 2014)", Attachment A. The PPH pilot program between the USPTO and the SAIP is intended to reflect any modifications to the requirements or procedures of the Global/IP5 PPH pilot program. The USPTO intends that to request accelerated examination under the PPH for applications submitted to the USPTO, patent applicants may use the request form that is available from the USPTO Web site at http://www.uspto.gov/patents/init_events/pph/. It is envisioned that the form to request accelerated examination for applications submitted to SAIP will be available on the SAIP web site.

This Cooperation Arrangement is not intended to give rise to rights or legally binding obligations under international law or the domestic law of any country.

Signed in duplicate at Geneva on 2 October 2019, in the English language.



**For the United States Patent and
Trademark Office of the United
States**

A handwritten signature in black ink, appearing to read "Andrei Iancu".

Andrei Iancu

Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark
Office

**For the Saudi Authority for
Intellectual Property of the
Kingdom of Saudi Arabia**

A handwritten signature in black ink, appearing to read "Dr. Abdulaziz AlSwailem".

Dr. Abdulaziz AlSwailem
Chief Executive Officer