

Addition of the State Intellectual Property Office of the People's Republic of China as Participating Foreign Intellectual Property Office in Electronic Exchange of Priority Documents

The State Intellectual Property Office of the People's Republic of China (SIPO) announced that it joined the World Intellectual Property Organization (WIPO) Digital Access Service (DAS) as both a DAS depositing Office and a DAS accessing Office on March 1, 2012 (see the February 12, 2012 announcement at the WIPO Web site <http://www.wipo.int/patentscope/en/pdocforum/participating.html>). Through the WIPO DAS, the SIPO has the ability to exchange priority documents electronically with the USPTO.

The SIPO in its capacity as a DAS depositing Office:

On June 1, 2012, the USPTO begins automatic attempts to retrieve priority applications filed with the SIPO to which foreign priority is claimed in U.S. nonprovisional applications filed under 35 U.S.C. 111(a).

Applicants will need to contact the SIPO to obtain information about how to specifically request the SIPO to make an application available to the WIPO DAS digital library for access by the USPTO, which applications are eligible, and any associated costs.

Successful electronic retrieval of a SIPO priority document by the USPTO requires proper identification of the priority application including the participating office, the application number (see below for proper format of SIPO documents), and the priority application filing date on the Oath or Declaration, or Application Data Sheet (ADS). Additionally, the SIPO priority document must be registered into the WIPO DAS and steps taken to permit access to the priority document by the USPTO.

Format for priority applications filed with the SIPO:
CN yyyy-nnnnnnnn.n (e.g., CN 2011-20167071.2)

The SIPO in its capacity as a DAS accessing Office:

Applicants may indicate to the SIPO when a prior U.S. application is accessible to the SIPO via the WIPO DAS.

For information about how to make a U.S. priority application available to the SIPO in its capacity as a WIPO DAS accessing Office, please see *Access to U.S. Priority Applications by the WIPO via the WIPO Digital Access Service*

(http://www.uspto.gov/patents/process/file/pdx/permitting_access.pdf)