

USPTO and JPO to Implement Patent Prosecution Highway on Full-Time Basis

Pilot Feasibility Study Shows Work-Sharing Gains, Efficiency Improvements

The United States Patent and Trademark Office (USPTO) and the Japan Patent Office (JPO) announced today that they will implement the Patent Prosecution Highway (PPH) on a full-time basis, beginning January 4, 2008. A pilot feasibility study of the PPH, which began July 3, 2006, is scheduled to end on January 3, 2008.

"The pilot project shows that the PPH offers significant potential for our offices to make inroads in reducing our backlogs, eliminating redundant work, and examining more efficiently," said Jon Dudas, Under Secretary of Commerce for Intellectual Property and Director of the USPTO. "By leveraging work done by other offices, USPTO can make better use of its resources to speed up processing and improve quality. While we certainly have a long way to go to achieve our vision of work-sharing on a global scale, implementation of the PPH is an important first step in building up the office-to-office network of cooperation that will be necessary to make that vision a reality."

"The results of the pilot project between Japan and the United States show that the PPH is an effective scheme for streamlining patent prosecution and supports Japanese and U.S. industries to acquire patents expeditiously and obtain high quality patents," said Masahiro Koezuka, Commissioner of the JPO. "This implementation on a full-time basis between the two countries is expected to further contribute to the realization of a global patent prosecution highway network."

Implementation of the PPH is a cornerstone of the January 2007 cooperation initiative between the United States Department of Commerce and Japan's Ministry of Economy, Trade and Industry on enhanced intellectual property rights protection. The initiative calls for the USPTO and the JPO to demonstrate leadership by taking a proactive approach to streamlining practices and procedures under the international patent system to promote expeditious, inexpensive and high-quality patent protection throughout the world.

Under the PPH, an applicant receiving a ruling from either the JPO or the USPTO that at least one claim in an application is patentable may request that the other office fast track the examination of corresponding claims in corresponding applications. By basing the prosecution in the second office on patentable results from the first office, applicants can expect to obtain patents in both offices faster. Updated requirements for participation in the USPTO-JPO PPH at the USPTO will soon be made available at:

www.uspto.gov/web/patents/pph/pph_jpo.html.

Requirements for participation at the JPO can be found at:

http://www.jpo.go.jp/cgi/linke.cgi?url=/torikumi_e/t_torikumi_e/patent_highway_e.htm.