
Patent Prosecution Highway

JAPAN PATENT OFFICE

Part I. Abstract of Patent Prosecution Highway

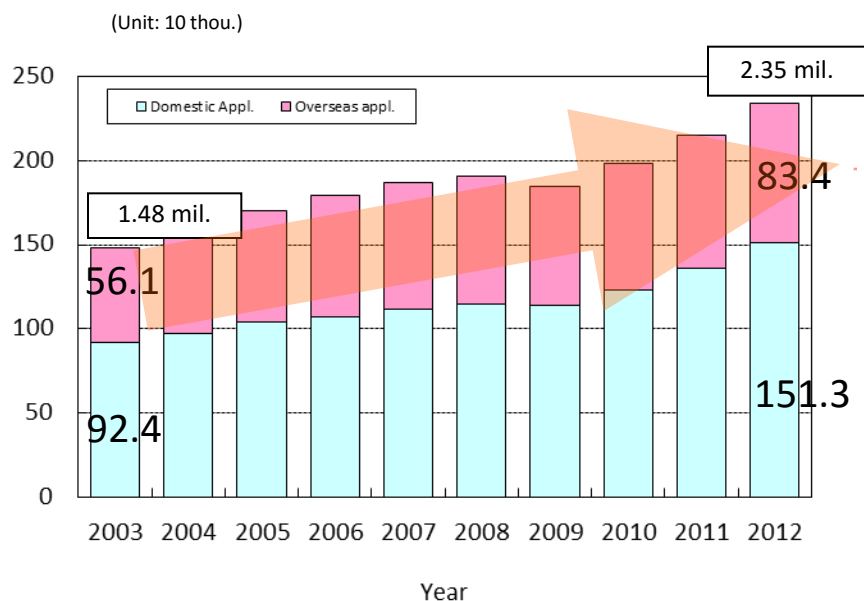
- I. Background
- II. The scheme of Patent Prosecution Highway (PPH)
- III. The Benefit of the PPH
- IV. Types of the PPH scheme
- V. Various data of the PPH

Part II. Global PPH

- I. Background
- II. The scheme
- III. The procedure

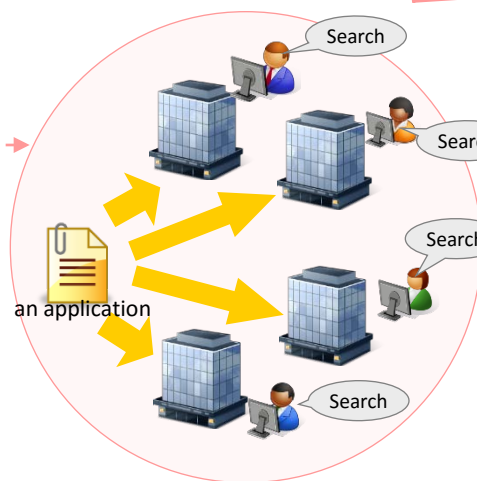
Growing Demand for Work Sharing

Changes in Patent Appl. Filed in the Whole World



Source: WIPO Industrial Property Statistics

The number of applications filed in many offices is increasing.

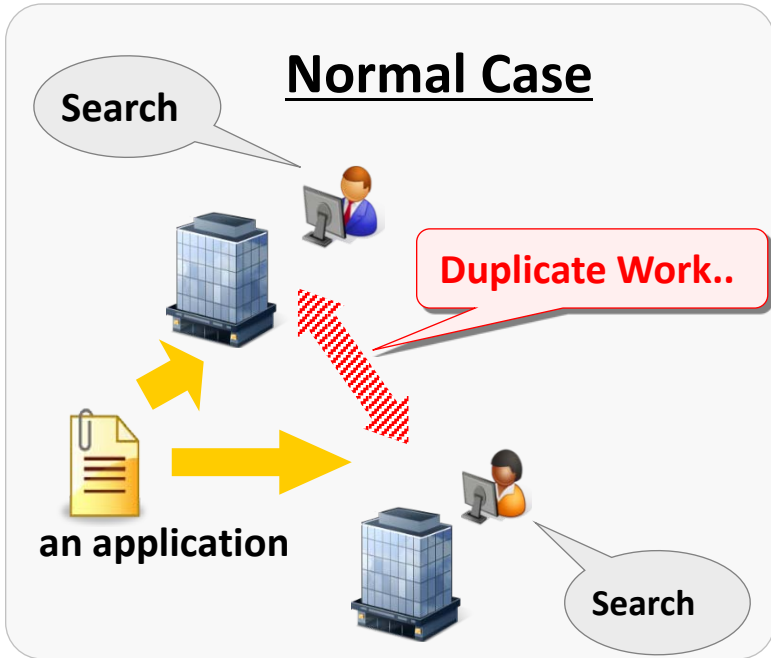


Increasing duplicate work!

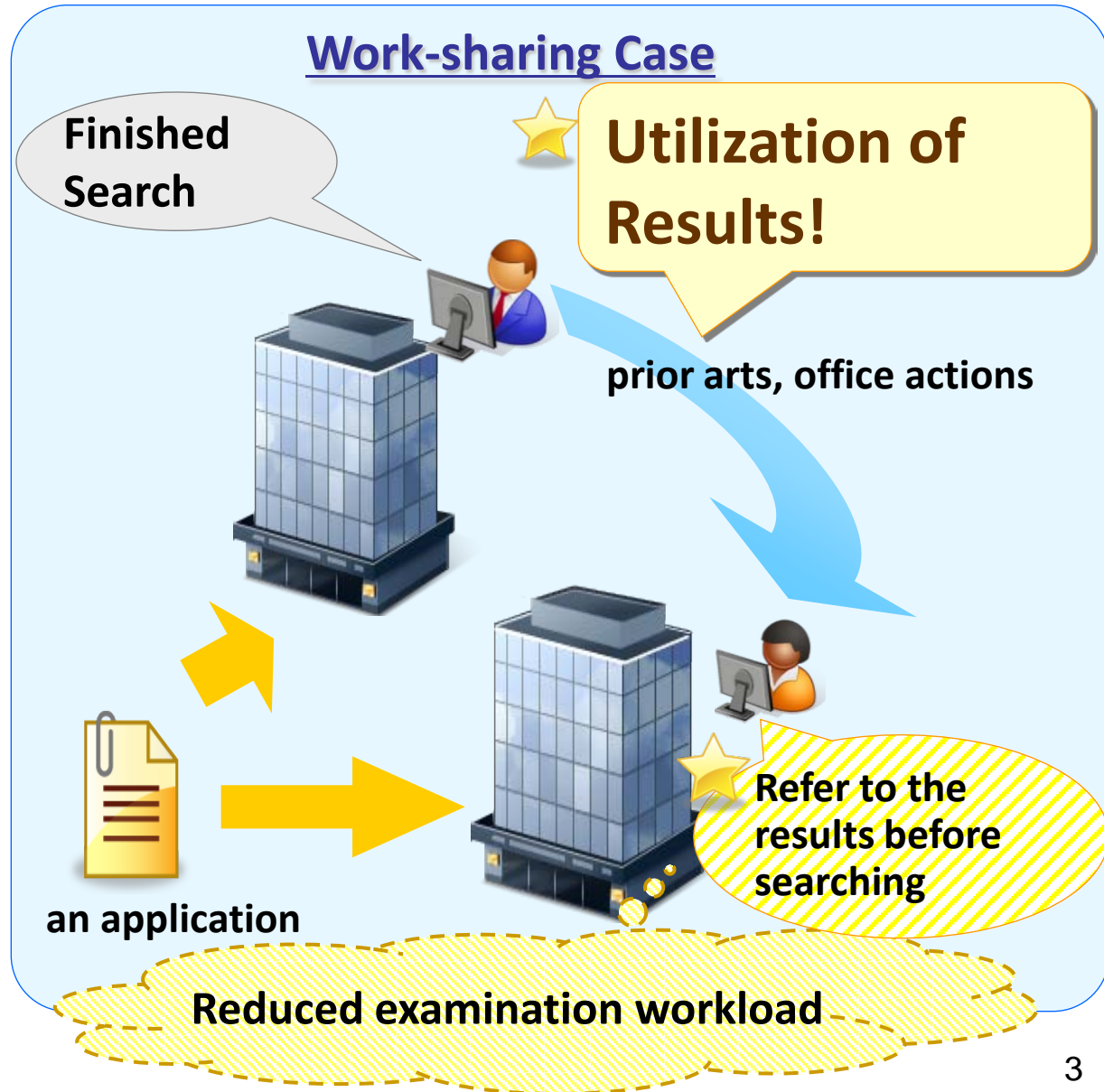
Growing Demand for Work Sharing

Efficiency of Work sharing

Normal Case

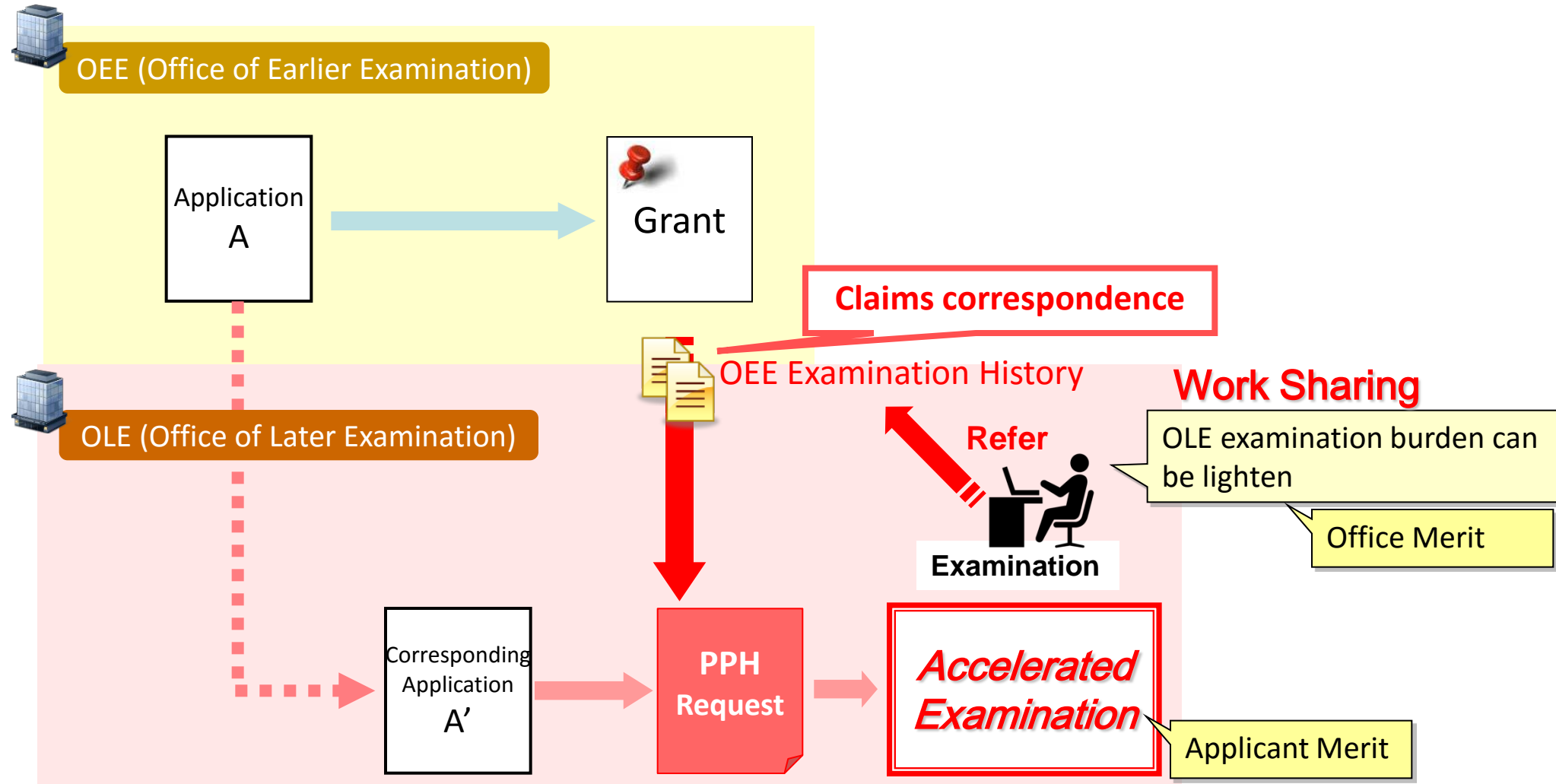


Work-sharing Case



II. The scheme of Patent Prosecution Highway (PPH)

The **PPH** is a framework in which an application determined to be patentable in the Office of Earlier Examination (OEE) is eligible to have ***an accelerated examination*** in the Office of Later Examination (OLE) with a simple procedure upon an applicant's request.



Points of the PPH scheme

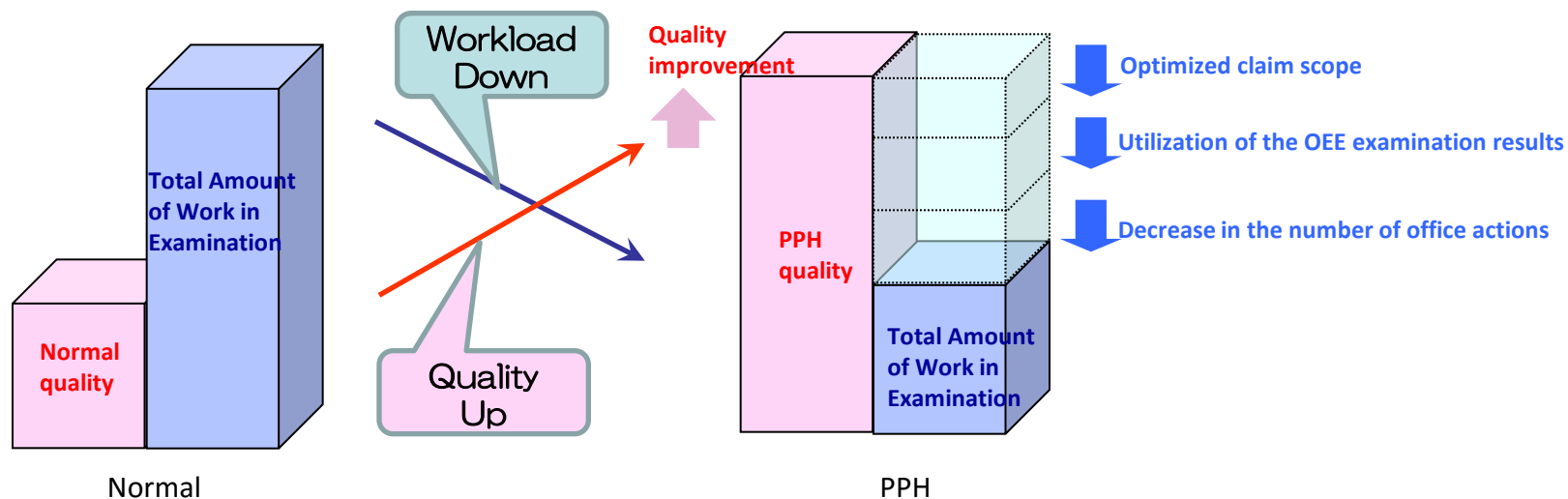
- ✓ Utilization of OEE examination results of application determined to be patentable.
- ✓ OLE claims correspondence to OEE claims determined to be patentable.
- ✓ Accelerated examination by OLE examiner.
- ✓ Workload reduction without sacrificing OLE examiner's right making a final judgment about patentability.

Benefit

Easing Examination Burden

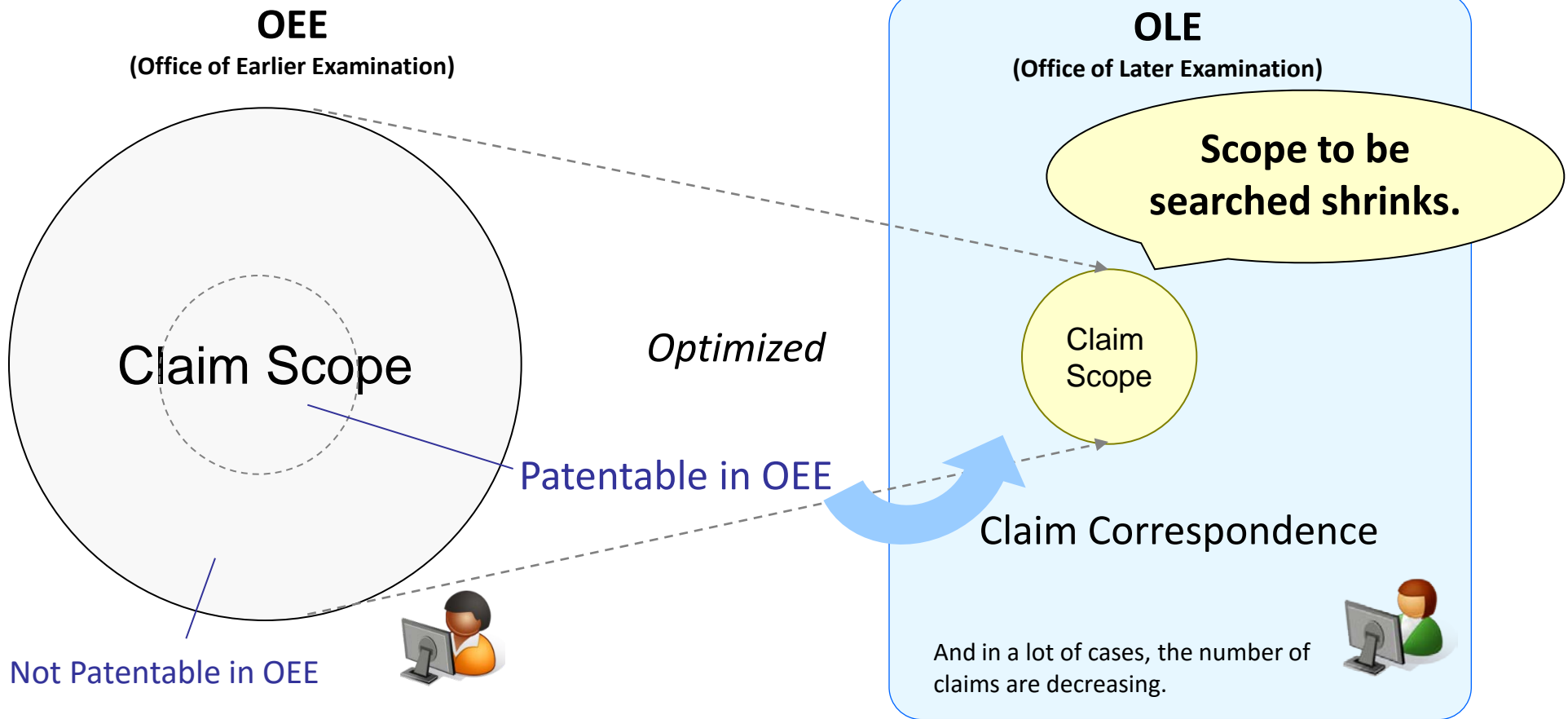


- A. Optimized claim scope
- B. Utilization of OEE search/examination history
- C. Decrease in the number of office actions
- D. Quality improvement



Benefit for IPOs

A. Optimized claim scope

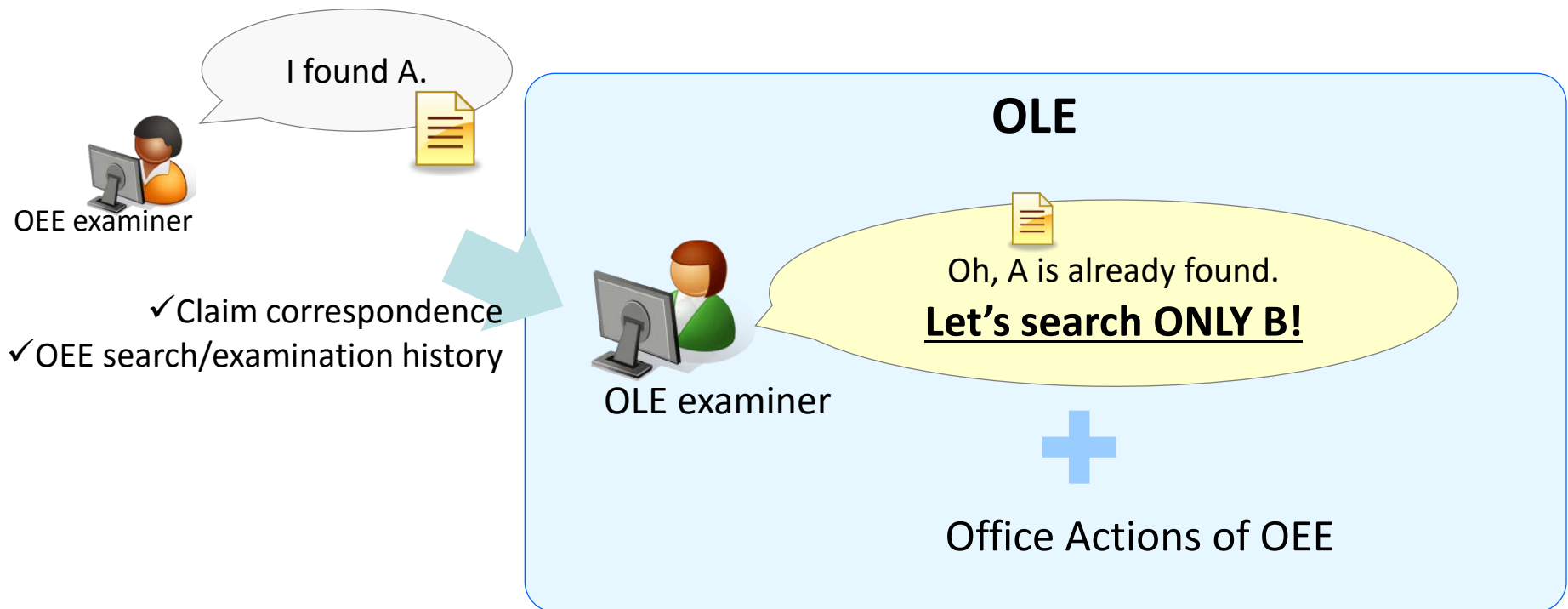


Benefit for IPOs



B. Utilization of OEE search/examination history

Example: Claims consists of parts A and B.

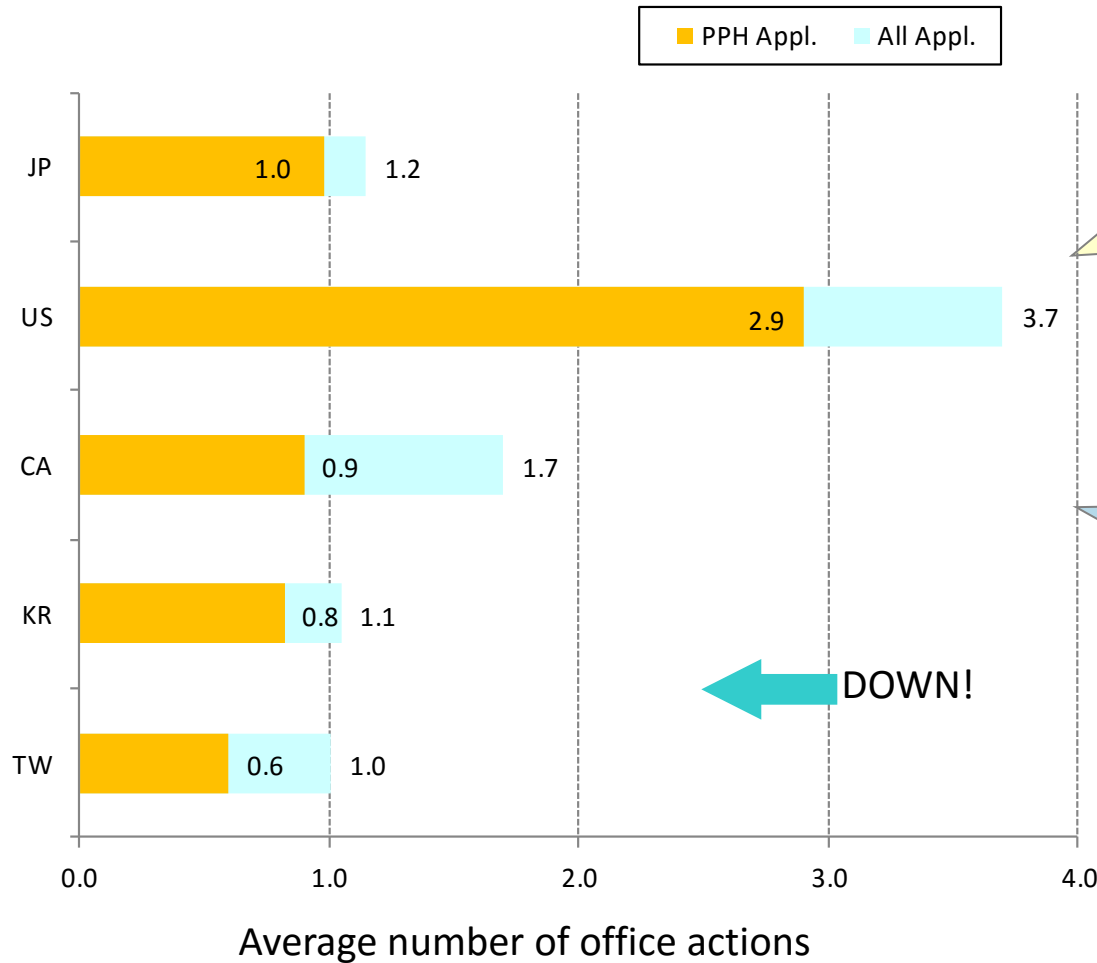


III. The benefit of the PPH

Benefits for IPOs and Users

C. Decrease in the number of office actions

PPH - Average number of office actions



For Users:
Decrease in the number of office actions reduces applicant *cost* (e.g. attorney and translation fee).

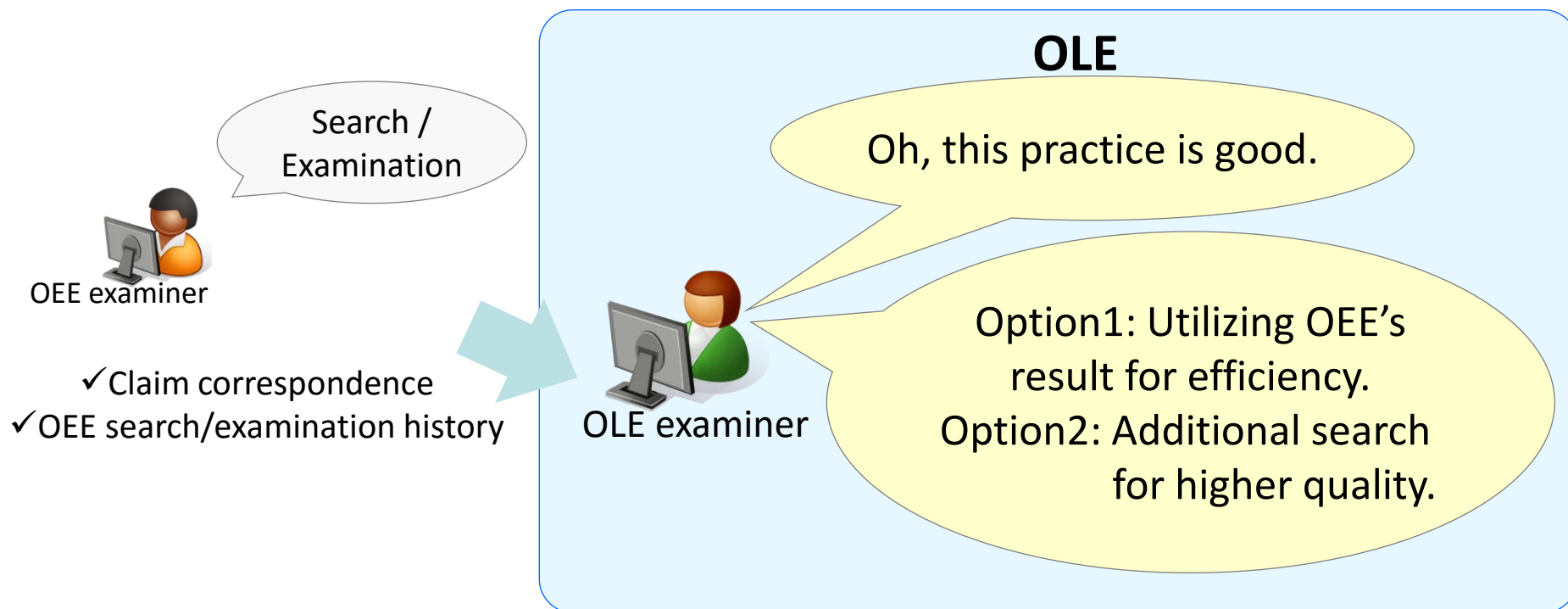
For IPOs:
Decrease in the number of office actions saves examination time.

III. The benefit of the PPH

Benefits for IPOs and Users

D. Quality Improvement

- ✓ In PPH scheme, the OLE can make additional search based on the OEE results. Therefore, examination quality of the OLE is guaranteed for at least the OEE level.
- ✓ In addition, the OLE examiners can learn the OEE examination/search practices via submitted OAs and cited prior arts.



III. The benefit of the PPH

1. High Grant Rate

- More PPH applications tend to be granted in each country and region.

2. Reduced Examination Period

- Average pendency from PPH request to First office action and Final decision is decreasing.

3. Cost saving

- High First Action Allowance Rate reduces costs to applicants (e.g. attorney and translation fees)

Grant Rate

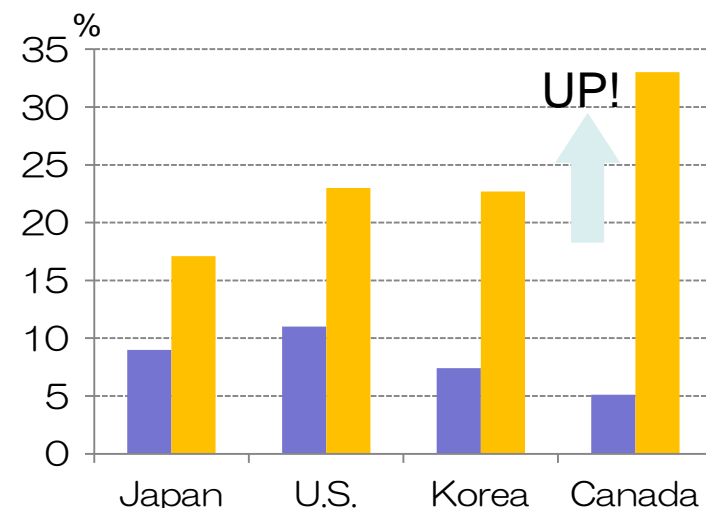
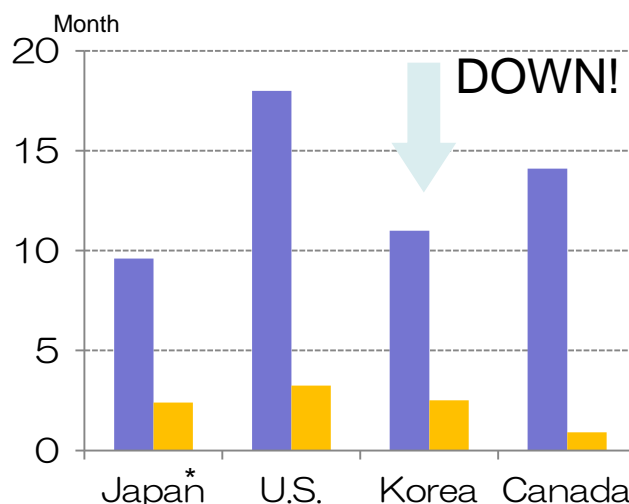
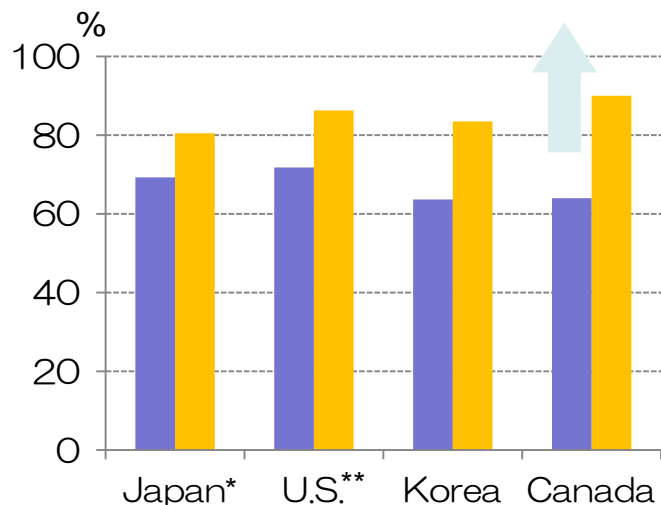
UP!

Average Pendency from PPH request to FA

DOWN!

First Action Allowance Rate

UP!



*JP applications period : Jan. -Dec.2014
 **US period : Jul.-Dec. 2014

*JP applications period : Jan.-Dec. 2014.

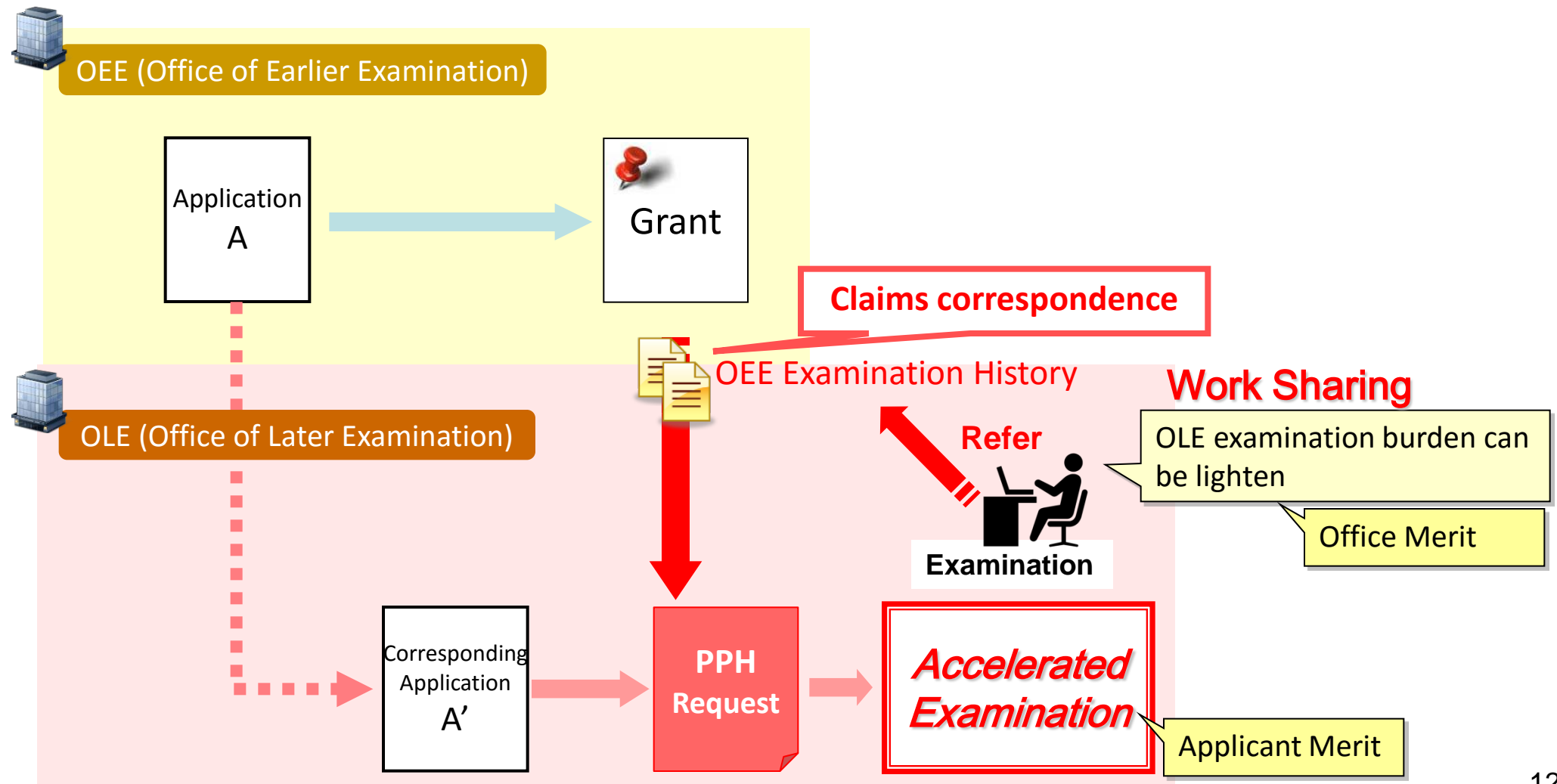
Period : Jan.- Jun. 2015

■ All applications ■ PPH applications

※US PPH-Figures include PCT-PPH

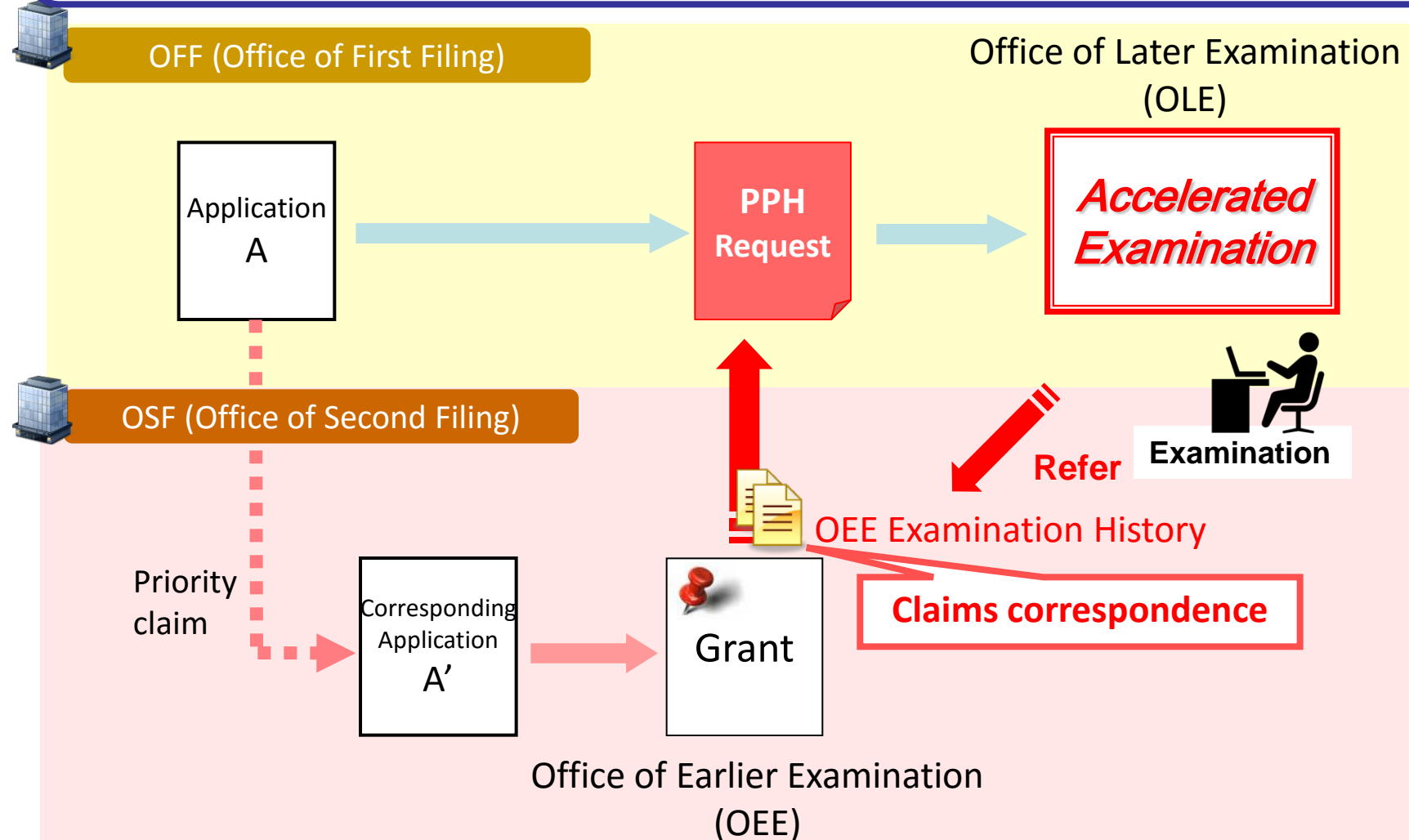
IV. Types of the PPH scheme

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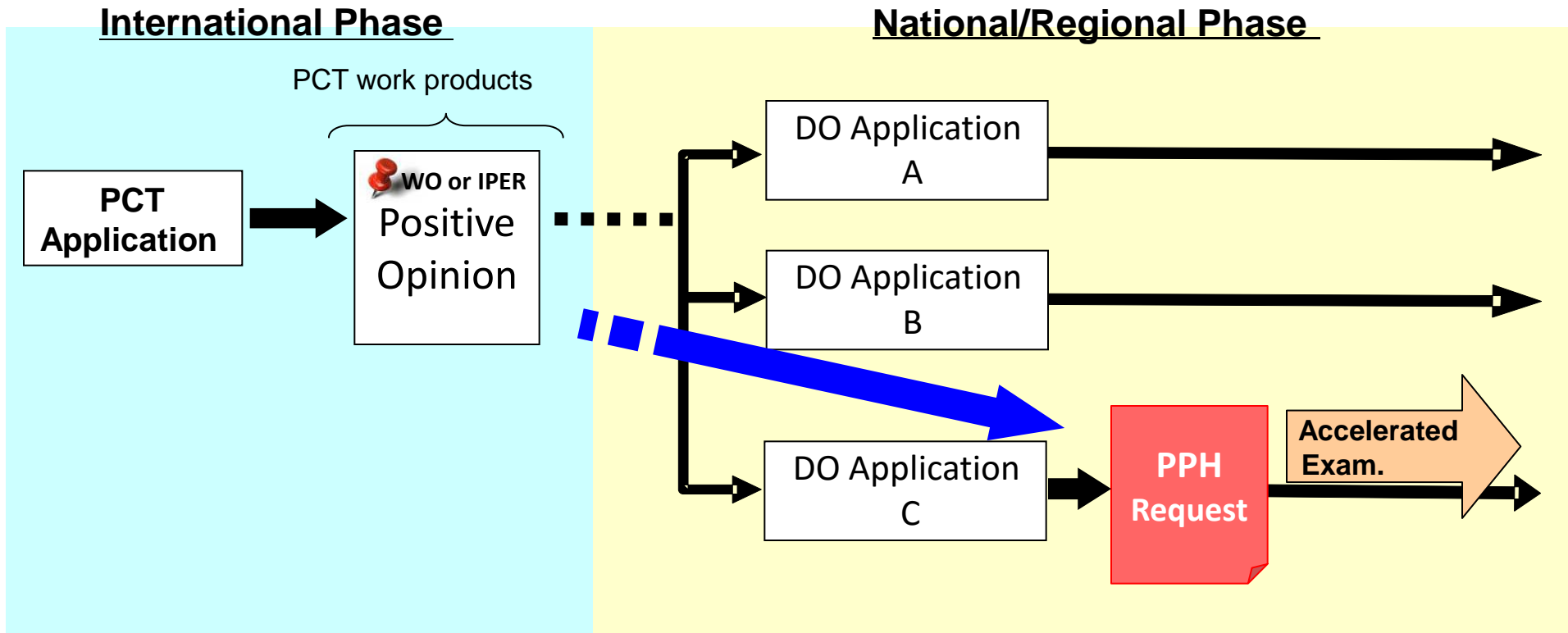
IV. Types of the PPH scheme

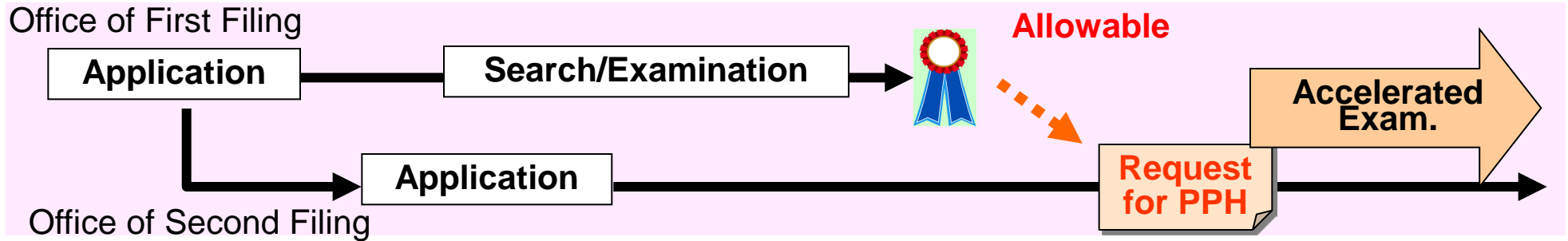
- ✓ Under this pilot program, PPH request is eligible, whether or not the office which provides the examination results is the Office of First Filing (OFF).
- ✓ This PPH scheme is called “PPH MOTTAINAI”.



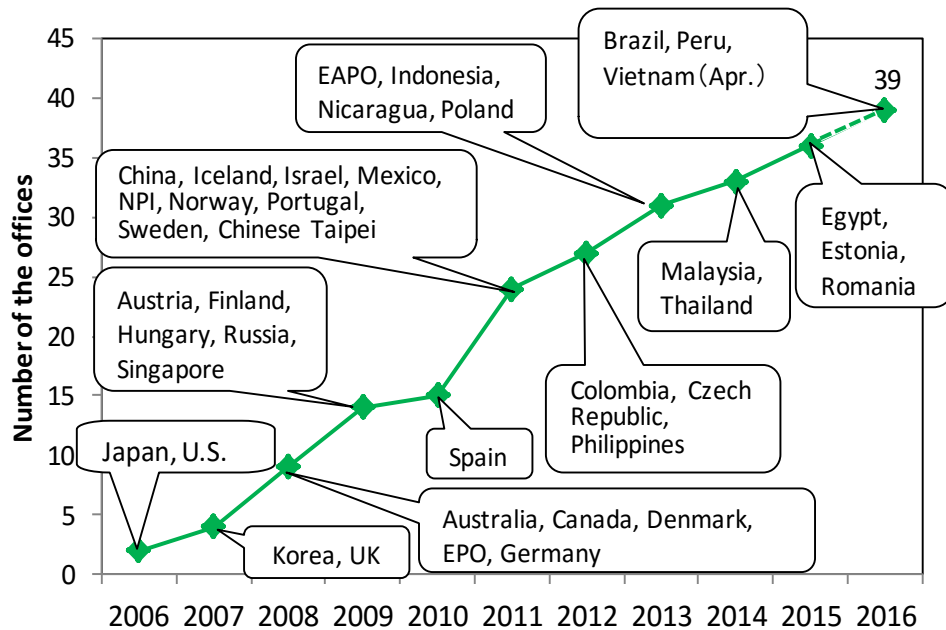
IV. Types of the PPH scheme

✓ PCT-PPH is the PPH based on a PCT international work product.

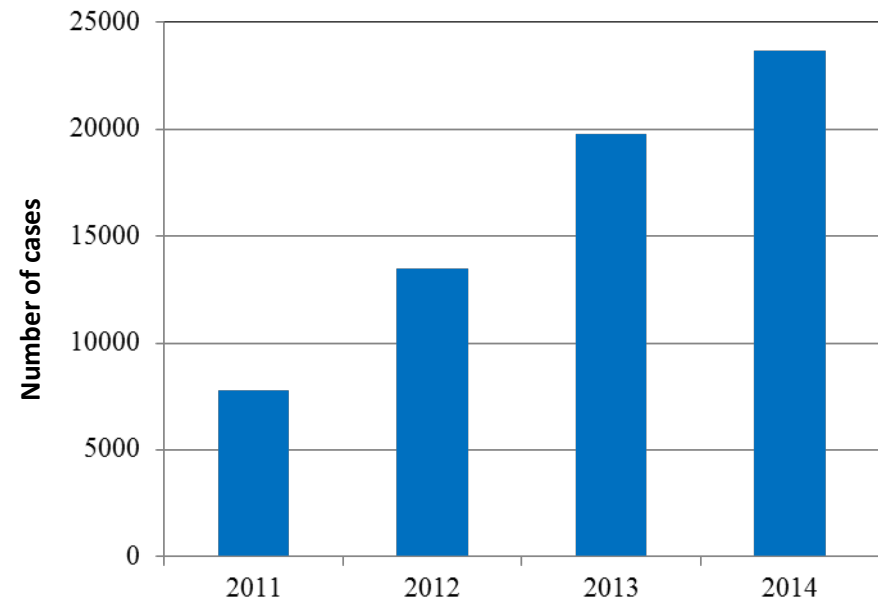




The number of PPH member offices



The number of filings utilizing PPH system in the world



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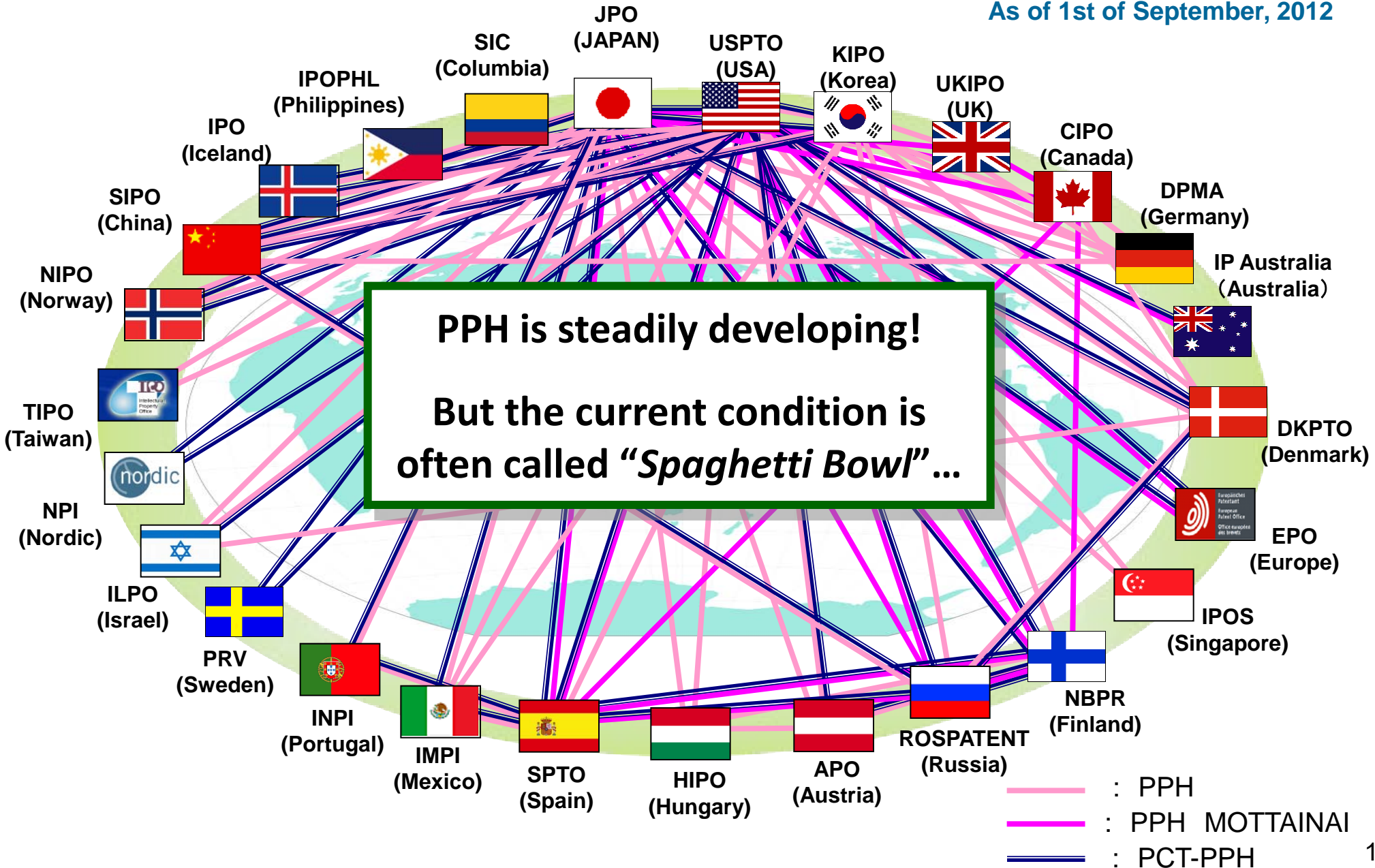
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I. Background

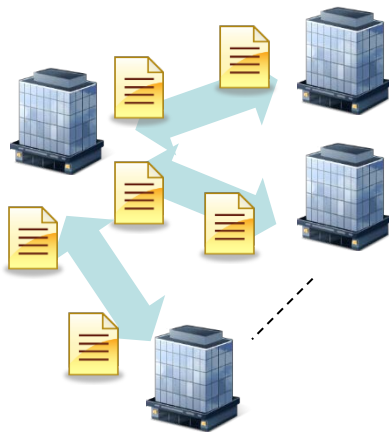
As of 1st of September, 2012



- Bilateral PPH arrangement has been increasing, and as a result, bundles of Bilateral Arrangements and Guidelines existed.
- Users have requested PPH requirement or procedures to commonalize.

Current Condition..

(Bundles of Bilateral Arrangements and Guidelines)



Sometime
in the future...

Plurilateral PPH

- ✓ One PPH arrangement
- ✓ One guideline



I. Background

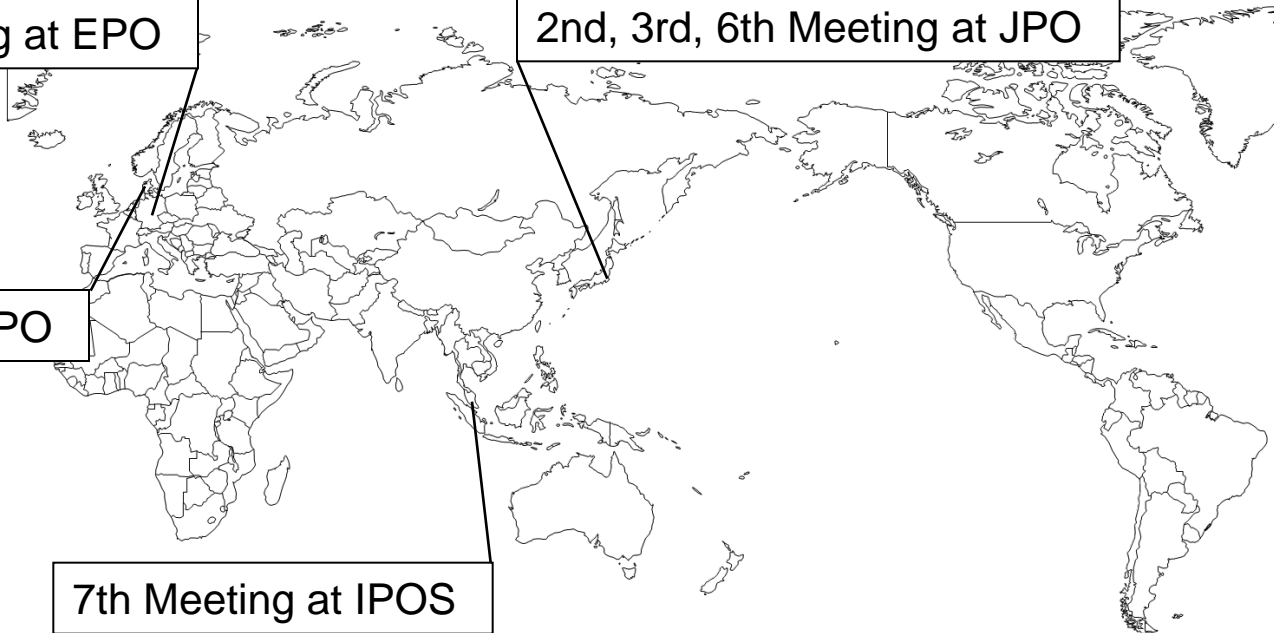
- PPH participating offices have discussed about various approach in order to enhance the usability at Plurilateral Patent Prosecution Highway Working Level Meeting.
- This Meeting was held seven times until now, and 26 countries or authorities participated at the 7th Meeting.
- Discussion about Global PPH was performed at Plurilateral Patent Prosecution Highway Working Level Meeting.

4th, 5th Meeting at EPO

2nd, 3rd, 6th Meeting at JPO

1st Meeting at DKIPO

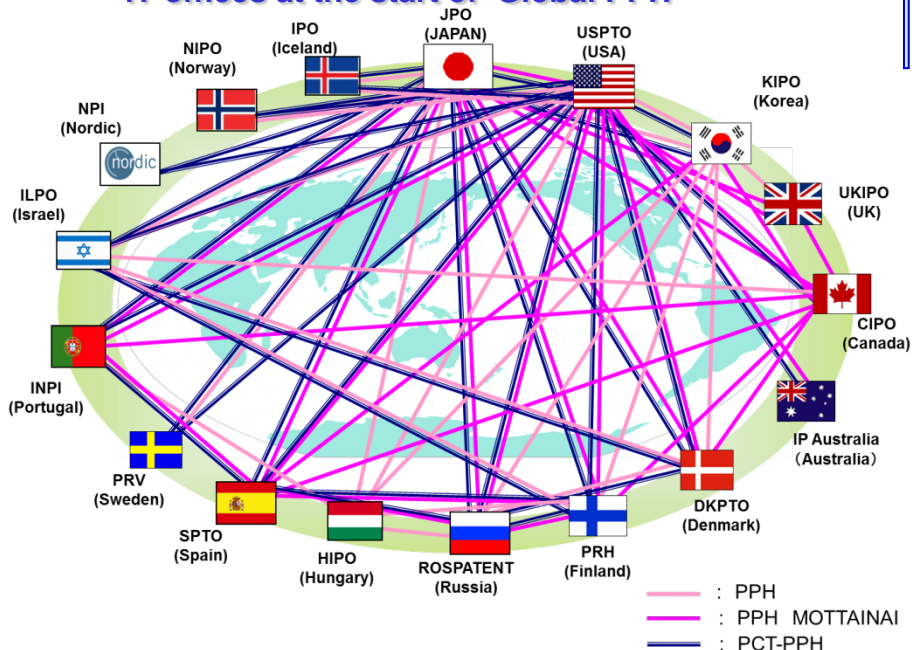
7th Meeting at IPOS



II. Scheme

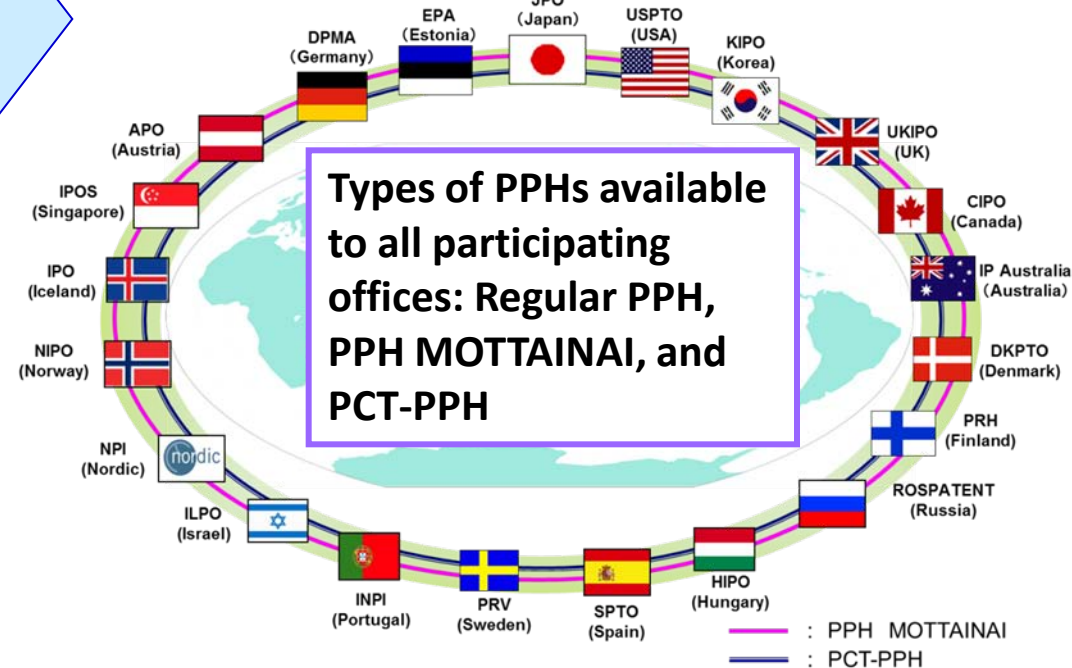
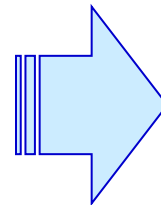
- The launch of a “Global PPH” pilot program within the framework of multiple countries: this program was created by making use of common factors found in the PPH. It commenced on January 6, 2014.
- The Global PPH pilot program enables participating offices to effectively use all types of PPH systems (regular type PPH, the PPH MOTTAINAI, and the PCT-PPH), enhancing user-friendliness.
- The JPO works as the secretariat of Global PPH. (E-mail:PA2260@jpo.go.jp)

Before launching Global PPH 17 offices at the start of Global PPH



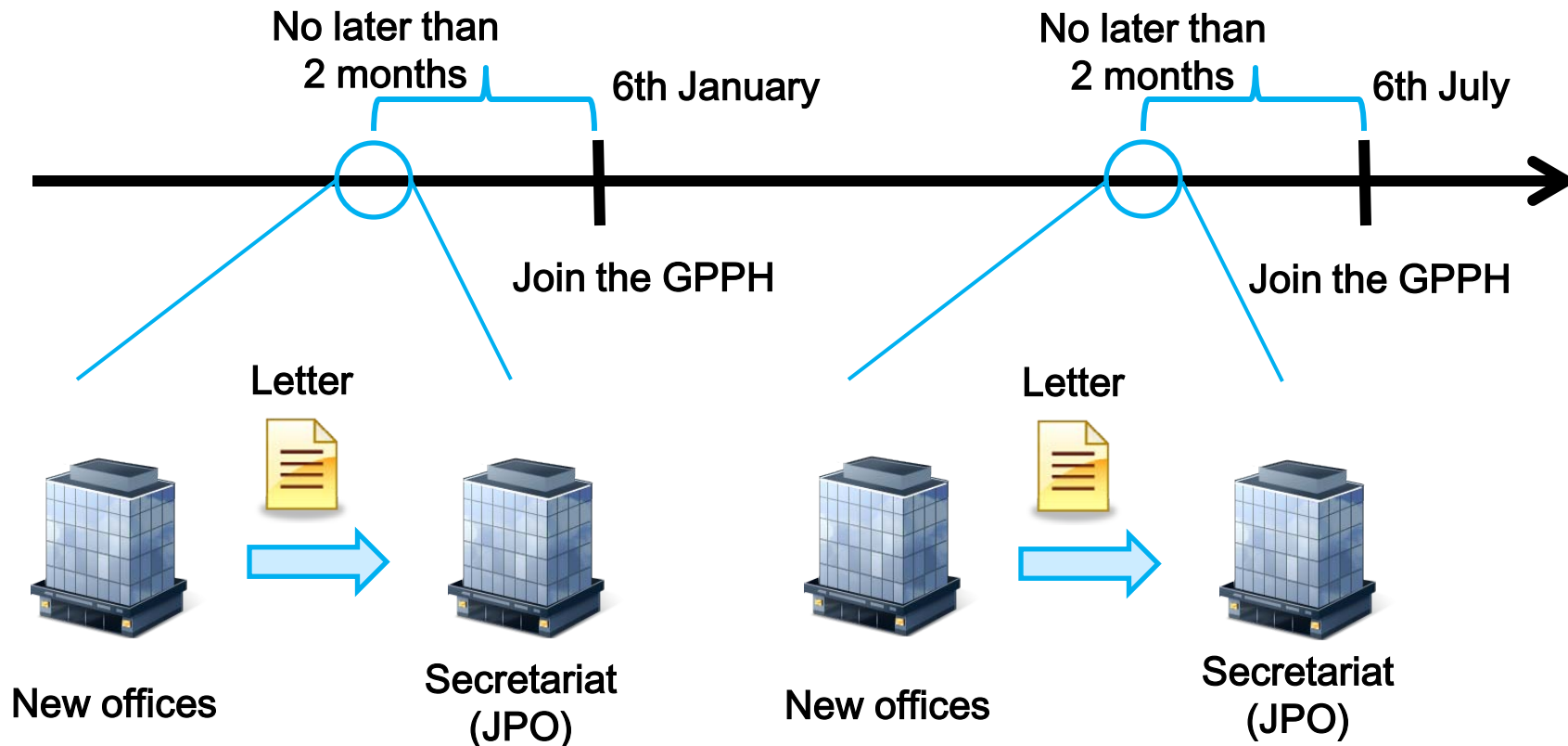
Global PPH (From January 6, 2014)

As of 6th of July, 2015



III. Procedure

- New offices wishing to join the GPPH pilot can apply to join on the 6th January or on the 6th July.
- In order to be eligible to join, an office must declare its interest in joining the GPPH to the Secretariat no later than two months before the above dates.
- Requests to join the GPPH should be accompanied by the standard letter, provided on the Office's headed paper and signed by the Head of Office.



V. Global PPH (GPPH) ~ c. Procedures

- Where two participating offices have a pre-existing bi-lateral PPH arrangement, the guidelines of the Global PPH pilot will take precedence over those of the existing bi-lateral arrangement for the duration of the pilot.

Bi-lateral PPH



Office A



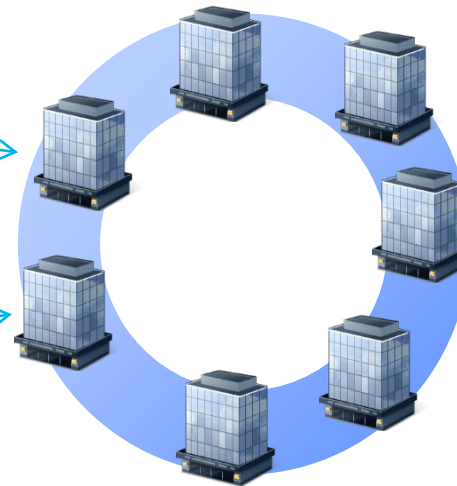
Office B

Participating

Using the bi-lateral
PPH guideline

Participating

Global PPH



Using the Global
PPH guideline

- PPH has a lot of benefits.
- By launching Global PPH, usability for users has increased.
- JPO promotes international cooperation to expand Global PPH.

Thank You!