



# **Work Sharing Initiative**

**- JPO's view -**

**Taizo Hara  
Japan Patent Office**

**Sep. 6, 2012**



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*Growing Demand for Work Sharing*

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*Work Sharing Initiative - PPH -*

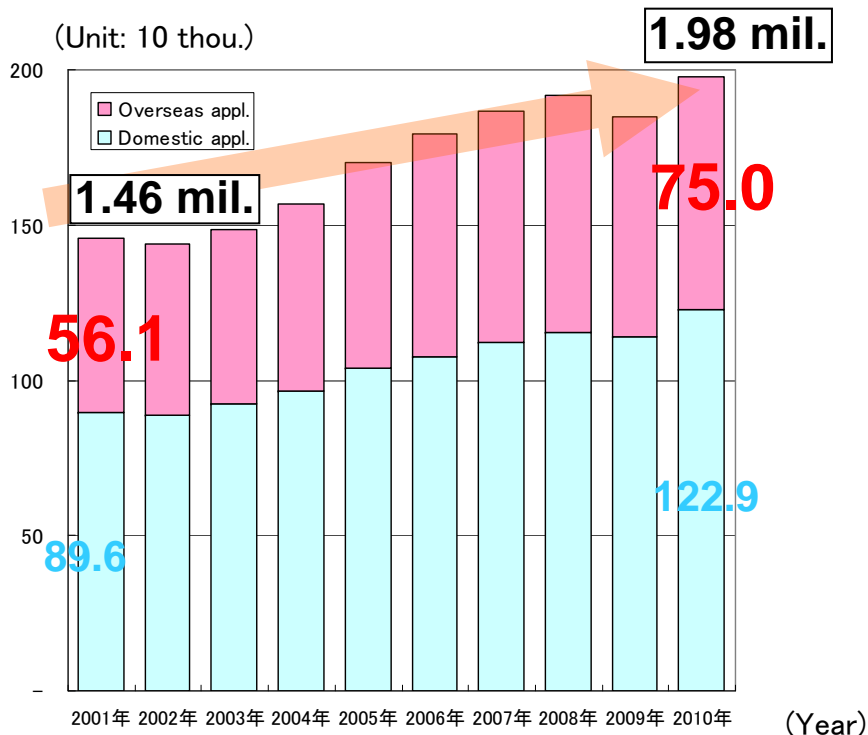


## ➤ *Growing Demand for Work Sharing*

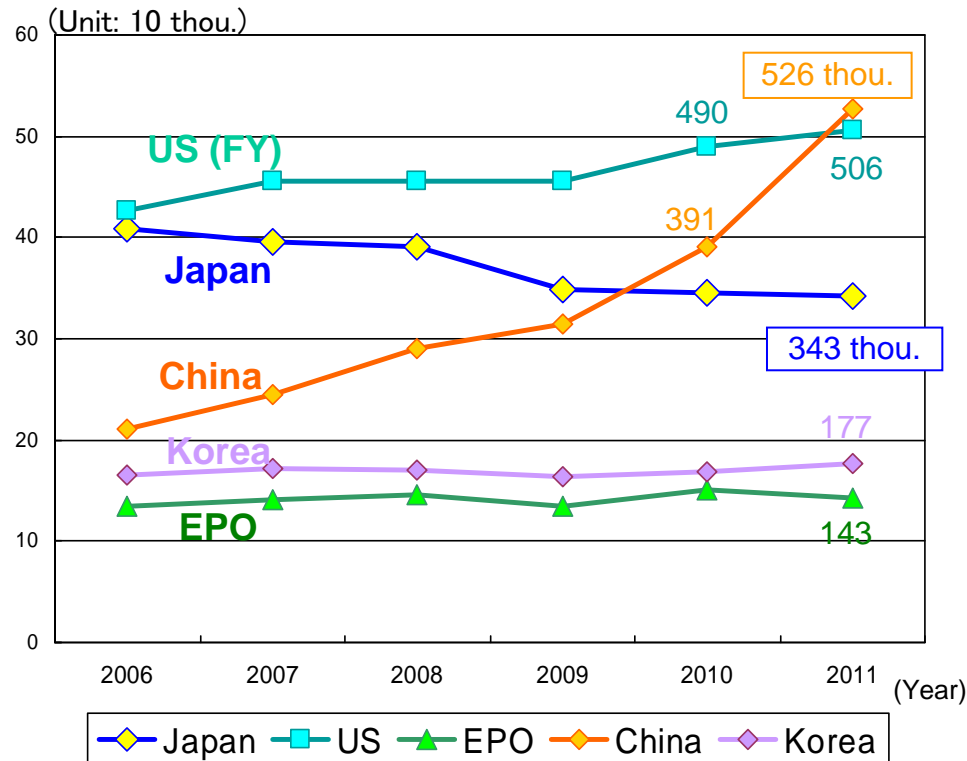
# Patent Applications in the World

- The number of patent applications in the world is increasing along with the globalization of business. In particular, the number of applications filed abroad is significantly increasing.
- The number of applications filed in Japan is staying at around 340 thousand from 2009 onward.

Changes in Patent Appl. Filed in the Whole World

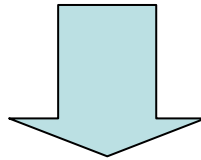


Changes in Patent Appl. Filed in Japan, US, Europe, China and Korea





*To cope with increase of  
global patent applications...*



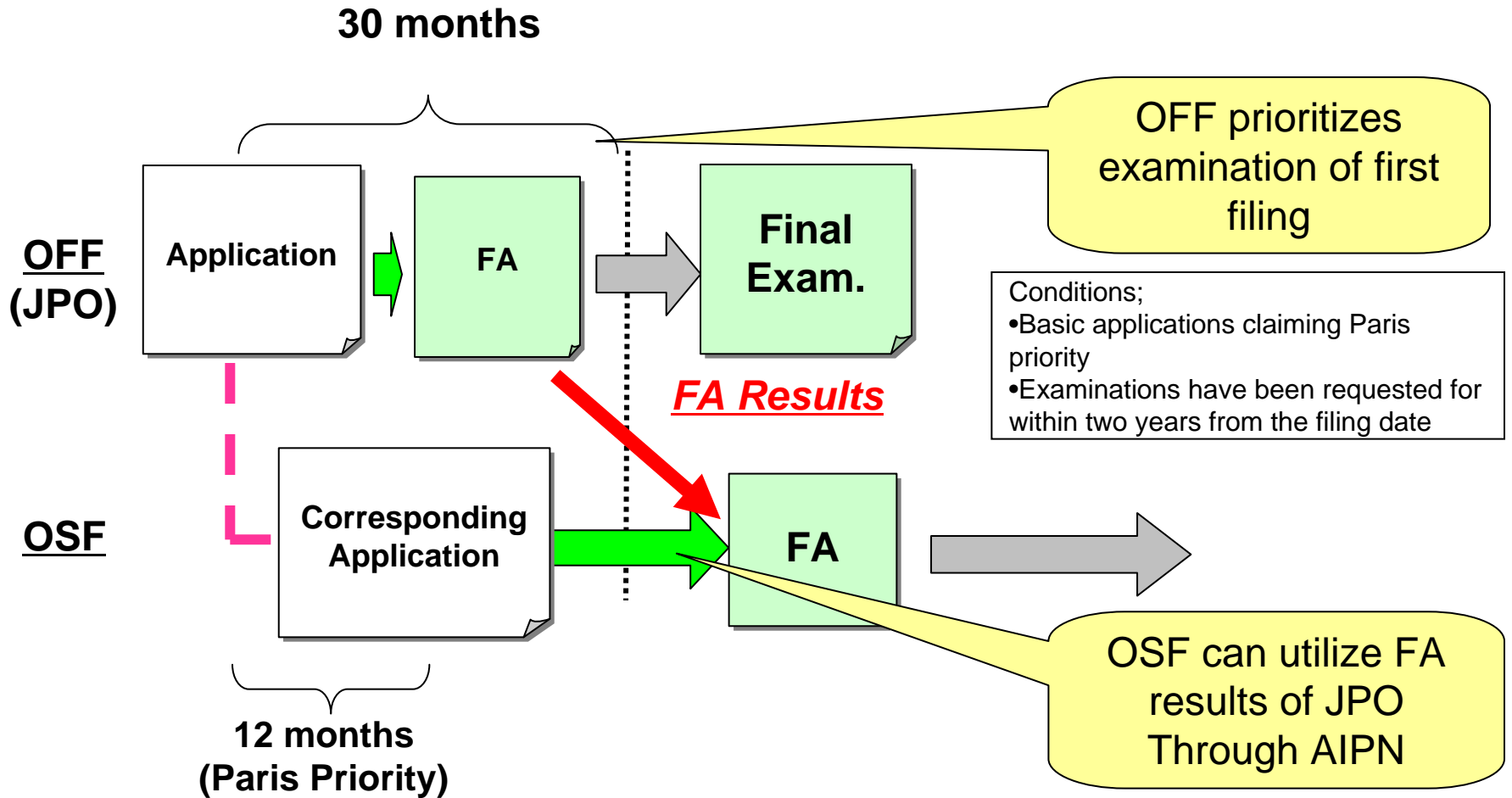
*Effective use of Information on  
Patent examinations conducted by  
other IP offices is KEY for solution*



➤ *Work Sharing Initiative*  
*- JP- FIRST -*

# JP-FIRST

(JP - Fast Information Release Strategy since 2008)



# JPO provides the AIPN (Advanced IP network)

- The AIPN is the Web based Service **only for Examiners** in the Foreign IP Offices.
- The AIPN provides **Dossier Information** and **Legal status** of applications examined by JPO.
- Almost all Information is translated into English by **Japanese-English Machine Translation**.
- The AIPN is the Useful Tool for **Utilizing Examination Results done by JPO**.





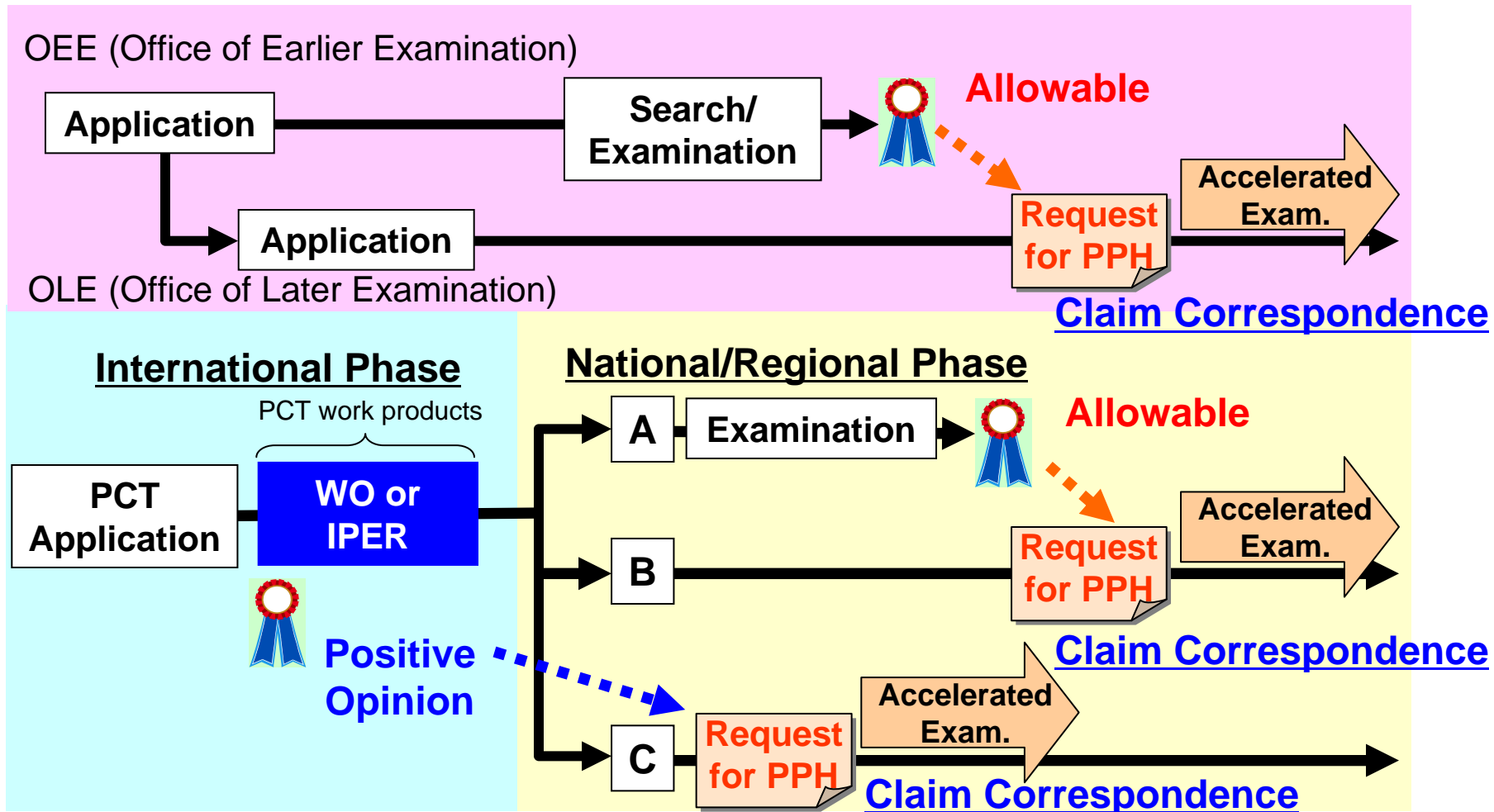
➤ *Work Sharing Initiative*  
*- PPH -*



➤ *What is PPH?*

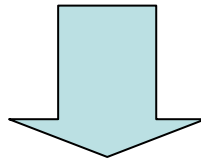
# Patent Prosecution Highway (PPH)

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





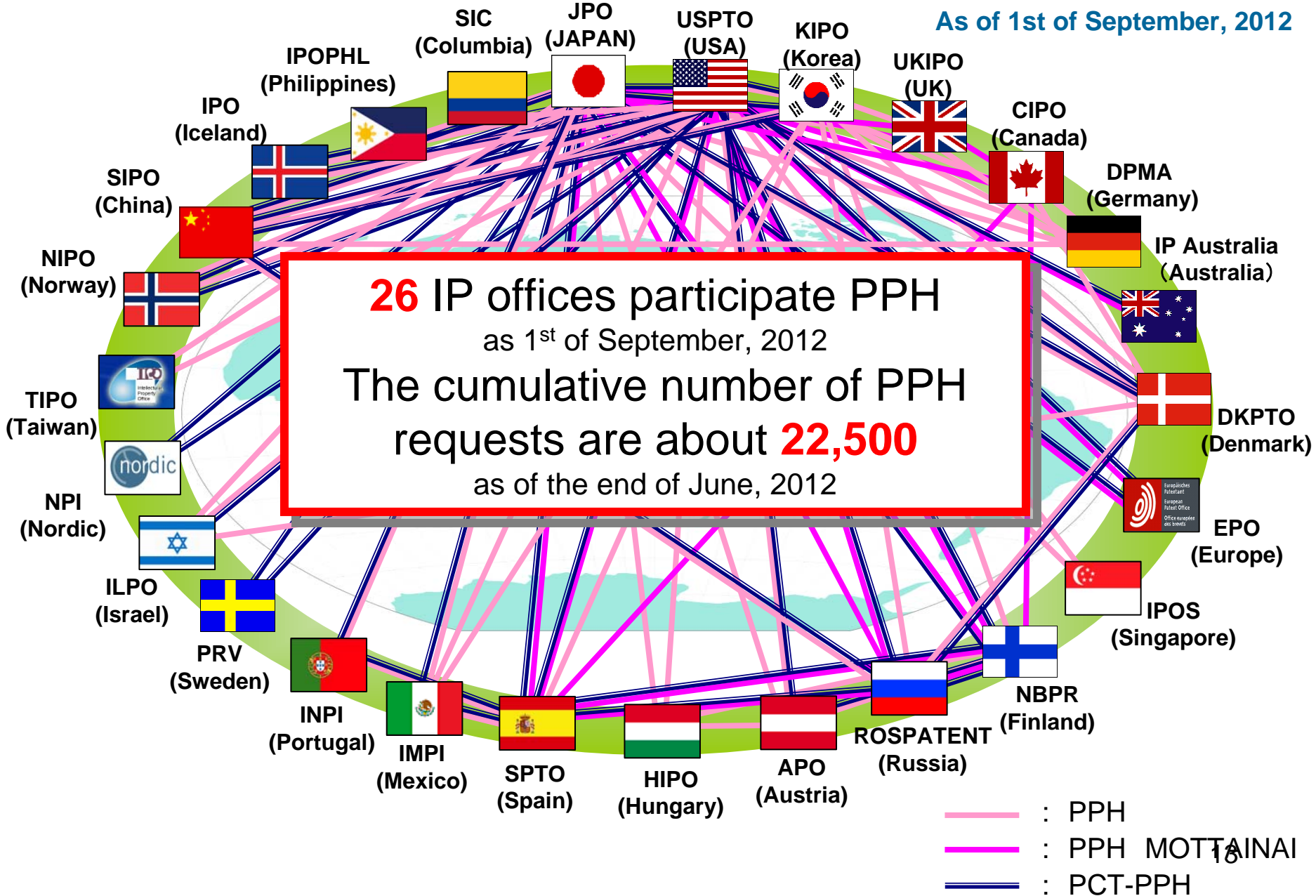
*At the request of PPH,  
Office Actions and Patented claims  
of OFF are attached*



*OSF can effectively utilize  
examination results of OFF*

# Expanding PPH Network

As of 1st of September, 2012





# Recent new PPH of JPO

SIPO (China): PPH and PCT-PPH since 1 Nov 2011

NIPO (Norway): PPH and PCT-PPH since 1 Dec 2011

IPO (Iceland): PPH and PCT-PPH since 1 Dec 2011

ILPO (Israel): PPH since 1 Mar 2012

IPOPHIL (Philippines): PPH and PCT-PPH since 12 Mar 2012

INPI (Portugal): PPH and PCT-PPH since 18 April 2012

KIPO (South Korea) : PCT-PPH since 1 July 2012

# Number of PPH Requests

As of the end of June, 2012

		OLE																								Total
OEE		JP	US	KR	GB	CA	DE	AU	DK	EP	SG	FI	RU	AT	HU	ES	MX	PT	IL	TW	NO	CN	IS	PH	Total	
	JP		5520	1395	24 (0)	100 (3)	607	-	2	204	8	1 (0)	51(2)	0	0	0	10	0	0	46	0	253	0	0	8221	
	US	1772 (44)		627	49 (1)	2422 (60)	88	190 (10)	7	152	9	2 (0)	36(1)	0	2	1	49	-	0	109	6	210	0	-	5731	
	KR	195	957		6	5	3	-	0	-	-	0 (0)	1	-	-	2	-	-	-	-	-	3	-	-	1172	
	GB	70(4)	294	27		10 (2)	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	401	
	CA	4(4)	152	1	0 (0)		0	-	0	-	-	1 (0)	-	-	-	0	-	-	-	-	-	-	-	-	158	
	DE	93	80	19	0	32		-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-	-	224	
	AU	-	153	-	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	153	
	DK	10	107	4	-	2	-	-		-	-	-	0	-	-	-	-	-	-	0	-	-	-	-	123	
	EP	110(55)	281	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-	-	-	391	
	SG	0	2	-	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-	-	2	
	FI	6	26	0	-	2 (0)	-	0	-	-	-		1	0	0	0	-	-	-	-	-	-	-	-	35	
	RU	3	10	0	-	-	-	-	0	-	-	0 (0)		-	-	0	-	-	-	-	-	-	-	-	13	
	AT	0	1	-	-	-	-	-	-	-	-	0 (0)	-		0	-	-	-	-	-	-	-	-	-	1	
	HU	2	3	-	-	-	-	-	-	-	-	0 (0)	-	0		-	-	-	-	-	-	-	-	-	5	
	ES	0	0	0	-	0 (0)	-	-	-	-	-	0 (0)	0	-	-		0	0	-	-	-	-	-	-	0	
	MX	0	1	-	-	-	-	-	-	-	-	-	-	-	-	-		0	-	-	-	-	-	-	1	
	PT	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		0	-	-	-	-	-	0	
	IL	0	5	-	-	-	-	-	0	-	-	-	-	-	-	-	-	-		-	-	-	-	-	5	
	TW	2	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-	-	5	
	NO	0	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	-	2	
	CN	10	49	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-	60	
	IS	0	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	
	PH	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
<b>Total</b>	<b>2277</b>	<b>7651</b>	<b>2074</b>	<b>79</b>	<b>2573</b>	<b>698</b>	<b>190</b>	<b>9</b>	<b>356</b>	<b>17</b>	<b>4</b>	<b>89</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>59</b>	<b>0</b>	<b>0</b>	<b>155</b>	<b>6</b>	<b>466</b>	<b>0</b>	<b>0</b>	<b>16708</b>		

\* The number in parentheses shows the cumulative number of **PPH MOTTAINAI** requests out of the total number of PPH requests.

# Number of PCT-PPH Requests

As of the end of June, 2012

		Office of Filing																		
ISA/PEA		JP	US	KR	CA	AU	DK	EP	FI	RU	AT	ES	MX	PT	SE	NO	CN	IS	PH	Total
	JP	1184	754	-	-	-	0	95	0	-	-	1	2	0	5	0	62	0	1	2104
	US	19	198	15	-	7	0	14	0	6	0	0	-	-	0	0	4	0	-	263
	KR	-	1469	41	-	-	-	-	-	-	-	-	-	-	-	-	84	-	-	1594
	CA	-	-	-	48	-	-	-	-	-	-	-	-	-	-	-	-	-	-	48
	AU	-	149	-	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	156
	EP	428	1171	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1599
	FI	0	36	-	-	-	-	-	-	0	0	0	-	-	-	-	-	-	-	36
	RU	-	11	-	-	-	0	-	0	-	-	0	-	-	-	-	-	-	-	11
	AT	-	10	-	-	-	-	-	0	-	-	-	-	-	-	-	-	-	-	10
	ES	2	6	-	-	-	-	-	0	0	-	-	0	0	-	-	-	-	-	8
	SE	8	42	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	51
	XN	3	34	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	37
	CN	4	35	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40
<b>Total</b>	1648	3915	57	48	14	0	109	0	6	0	1	2	0	6	0	150	0	1	5957	





➤ *Merits for the applicants  
of PPH*

# Advantage of PPH –Speed and Quality-

- Speed:

Reduced pendency at the OLE

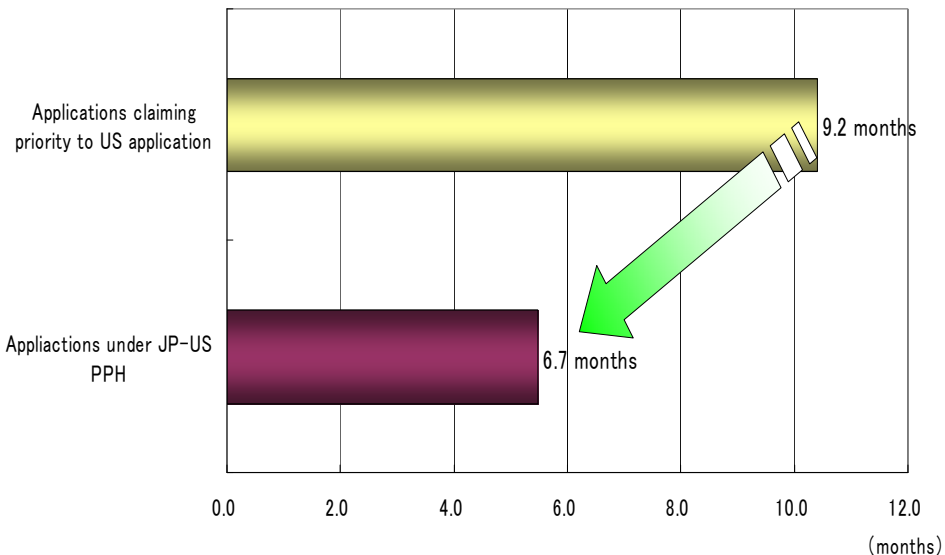
→ Expeditious examination

- Quality:

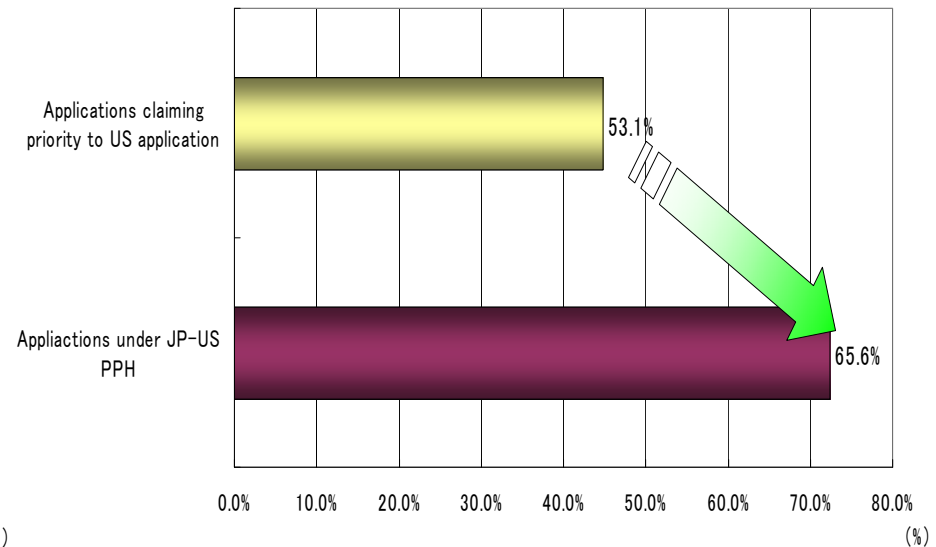
High grant rate at the OLE

→ High predictability of examination results at the OLE

Average Pendency from FA to Final Action (2011CY)



Grant Rate (2011CY)





➤ *Merits for the patent offices  
of PPH*

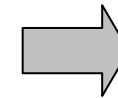
# Merits of PPH for Patent Offices

- 1. Reduction in Number of Claims**
- 2. Reduction in Number of Office Actions**
- 3. Improvement of Quality (Efficient examination in better quality)**

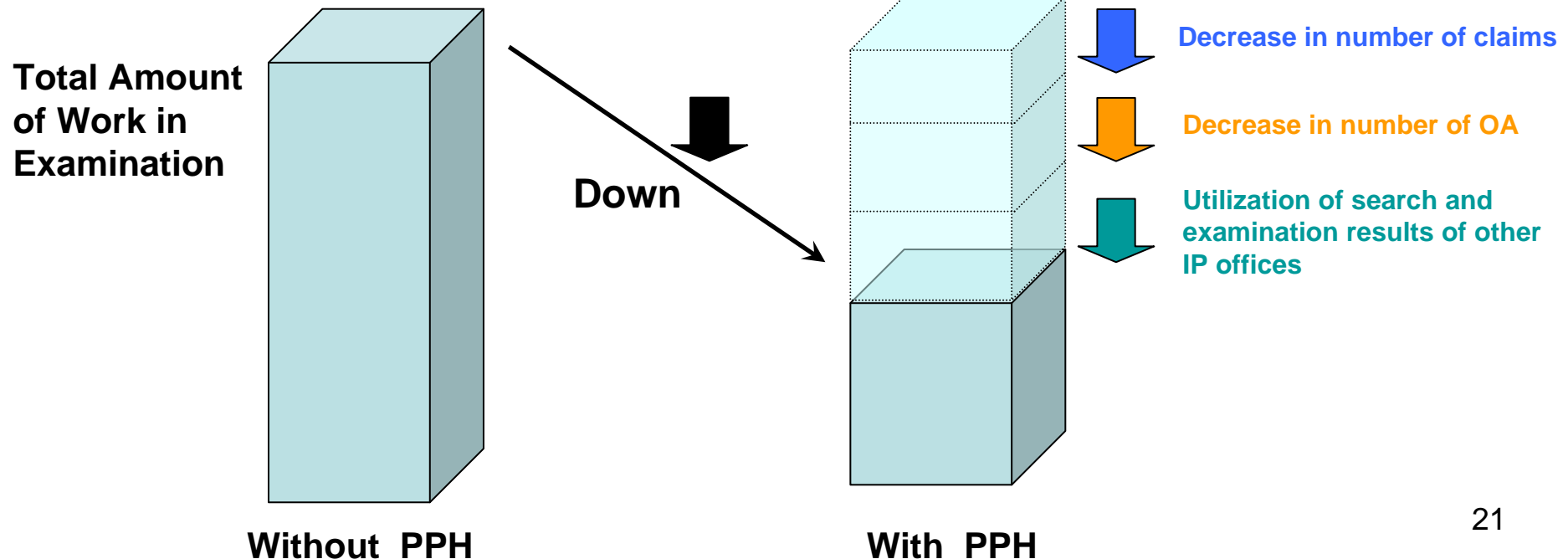
# Patent Prosecution Highway; PPH

## Advantage of PPH

- ✓ Decrease in number of claims
- ✓ Decrease in number of office actions
- ✓ Utilization of search/examination results of other IP offices



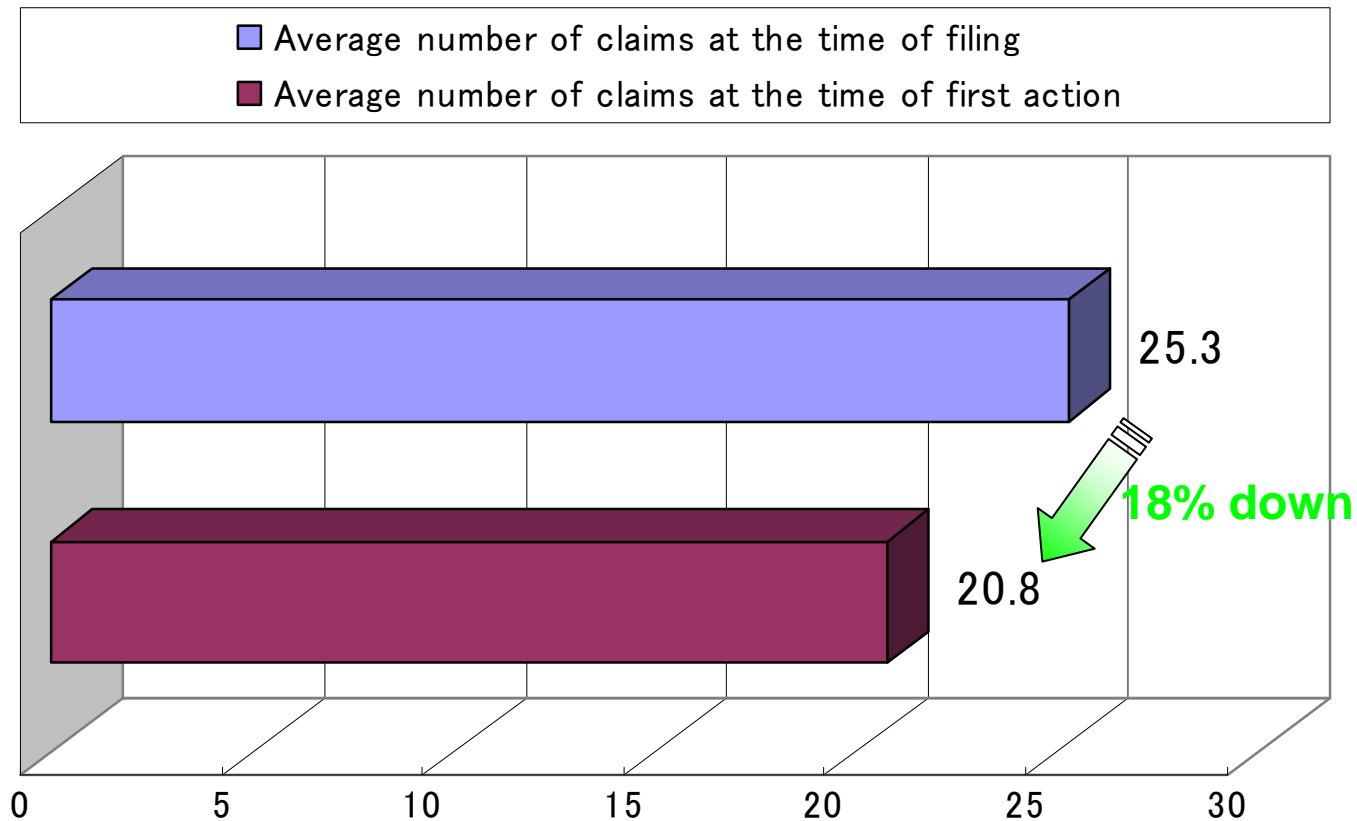
Promote  
Work-Sharing  
among the  
Patent Offices



# Number of Claims

As of the end of September 2011

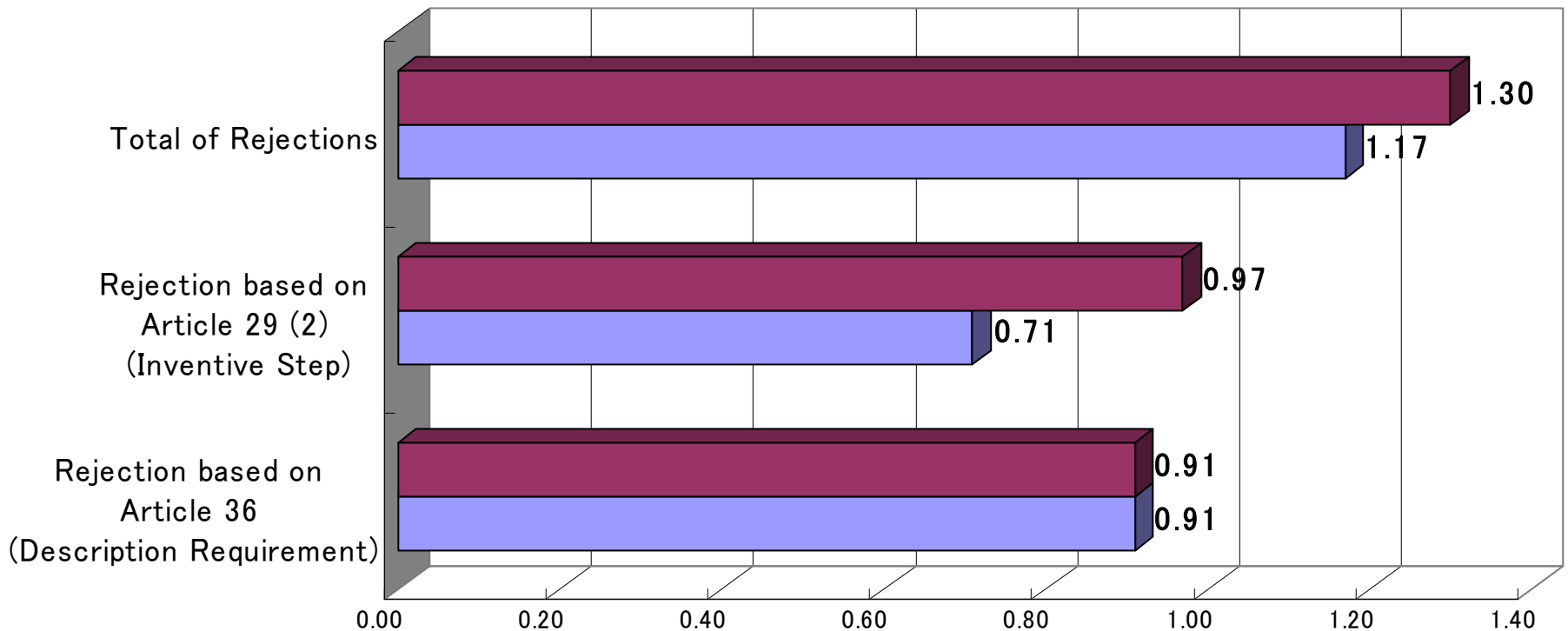
**Decrease in number of claims of JP-US PPH applications at the time of first action**



# Number of Office Actions

As of the end of September 2011

■ Application claiming priority to US application (CY2010)  
■ Application under JP-US PPH





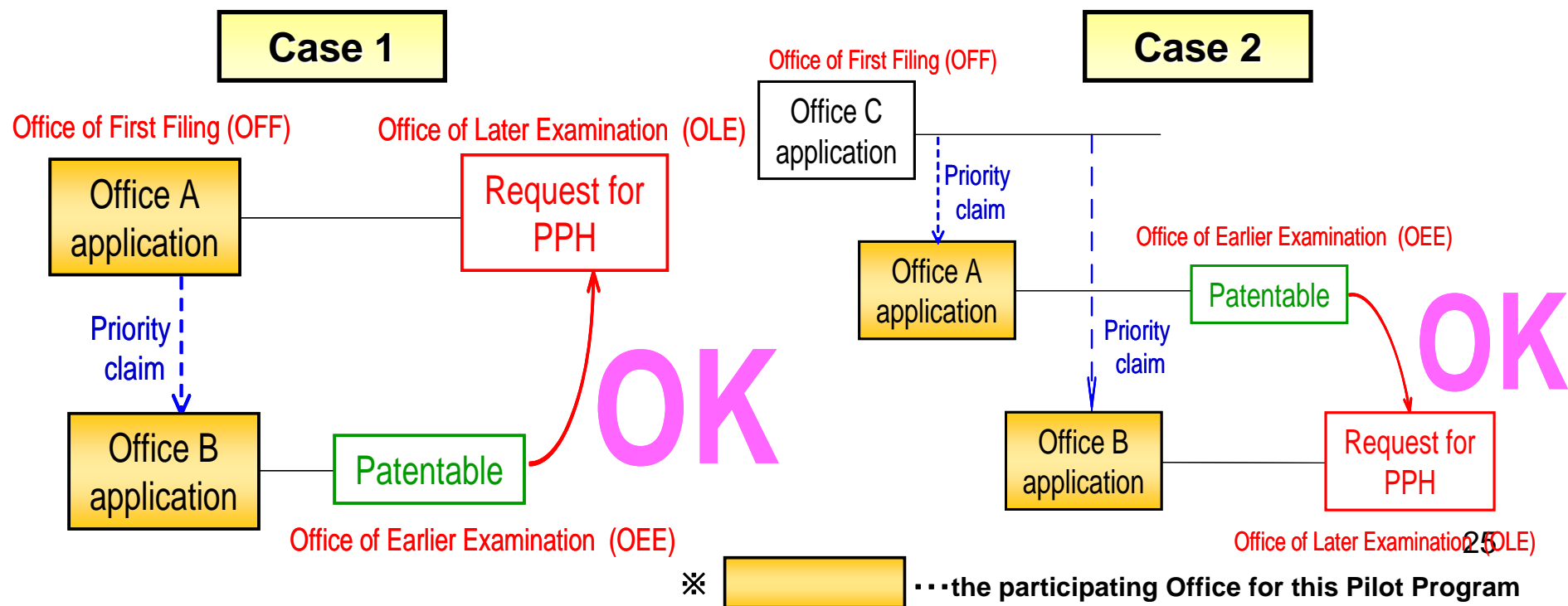
➤ *PPH Mottainai*



# PPH MOTTAINAI Pilot Program ~Easing of PPH requirements~

➤ 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).

## The newly eligible examples under the PPH MOTTAINAI Pilot Program



Type	A	B	C	
Principle	<b>First File</b>	<b>Earlier Examination (MOTTAINAI** model)</b>		
Concept	PPH requested office can utilize the examination result of only OFF which has PPH agreement with the office			PPH requested office can utilize the earlier examination result created by OSF which has PPH agreement with the office.
Examination Results	Paris Route	<p>Already Implemented</p>	<p>&lt;Improvement&gt; Examination result of OSF can be used irrespective of OFF's condition.</p>	<p>&lt;Improvement&gt; Examination result of OSF can be used even by OFF.</p>
	Direct PCT Route	<p>Already Implemented</p>		
	PCT Work Product	<p>Already Implemented</p>		

\* Two orange boxes mean PPH agreement is available between the two offices

\*\* "MOTTAINAI" is a Japanese term meaning "a sense of regret concerning waste when the intrinsic value of an object or resource is not properly utilized." It is said that its concept is made up by Reuse, Recycle, Reduce and Respect.



➤ *Introduction of  
PPH Portal website*

# For further details –PPH Portal Website(1/3)–

Access also [PPH Portal Web Site](http://www.jpo.go.jp/ppph-portal/index.htm) for more information.

The image shows a collage of screenshots from the Patent Prosecution Highway (PPH) Portal Website. The website's header includes the PPH logo and the text "Patent Prosecution Highway Patent Prosecution Highway Portal Site". Navigation tabs include "Top", "About PPH", "Guidelines", "Request Forms", and "Booklet".

Callouts describe the following features:

- Provision of various statistical data:** A callout points to a table titled "Number of PPH cases the nation". The table lists countries and their respective PPH cases.
- Provision of the PPH guidelines of different countries:** A callout points to a section titled "All current PPH guidelines" with a note: "You can find the guideline linked to a country and a column/row/arrow".
- Provision of the PPH request forms of different countries:** A callout points to a section titled "All current PPH request forms" with a note: "You can find the request form linked to a country and a column/row/arrow".
- Provision of the pamphlets of PPH of different countries:** A callout points to a "Booklet" section listing various PPH booklets (e.g., PPH Booklet USPO, USPTO, etc.) and a corresponding image of a "Patent Prosecution Highway" booklet cover.

Country	JP	US	UK	CA	EA
JP	3119	627	18	30	31
US	1094	289	20	1329	9
UK	113	593	1	3	0
CA	24	125	5	-	-
EA	0	47	0	-	-
OFF	66	35	2	-	0
OFF/ISA or IPEA	-	58	-	-	-
EA	3	54	0	-	0
JP	18	87	-	-	-
US	0	4	-	-	-
UK	3	13	0	-	0
CA	3	0	0	-	0
EA	0	0	-	-	0
OFF	0	0	-	-	0
OFF/ISA or IPEA	1290	4180	208	40	1390

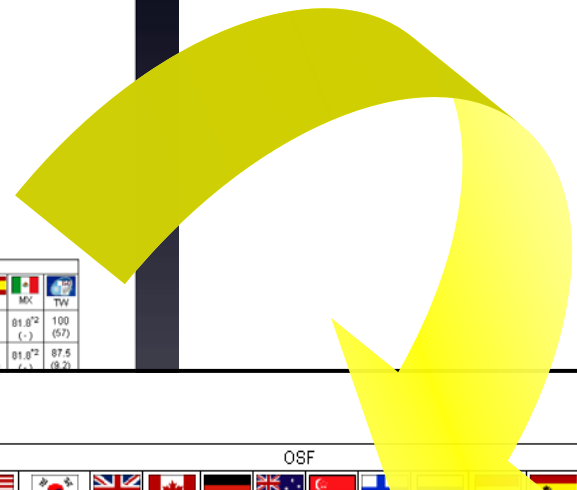
\* As of the end of December 2010.

<http://www.jpo.go.jp/ppph-portal/index.htm>

# For further details -PPH Portal Website(2/3)-

- [PPH Portal Website](#) also provide the **PPH statistical data**.

Provision of the PPH statistical data, such as **Grant Rate** and **Average Pendency from FA to Final Decision**.



Number of PPH(using the national products) Requests

OFF/OEE	JP	US	KR	GB	CA	DE	AU	SG	FI	RU	AT	HU	ES	MX	TW
JP	4703	1025	20(0)	73	495	-	2	394	0	1(0)	42	0	0	0	0
US	1438(12)	475	38(1)	1922	40	146(7)	0	0	0	0	0	0	0	0	0
KR	180	851	4	5	1	-	0	0	0	0	0	0	0	0	0
GB	52(3)	205	19	-	-	-	0	0	0	0	0	0	0	0	0
CA	2(2)	107	1	-	0	-	0	0	0	0	0	0	0	0	0
DE	80	65	13	-	11	-	0	0	0	0	0	0	0	0	0
AU	-	109	-	-	-	-	0	0	0	0	0	0	0	0	0
DK	7	90	4	-	1	-	0	0	0	0	0	0	0	0	0
EP	40	191	-	-	-	-	0	0	0	0	0	0	0	0	0
SG	0	2	-	-	-	-	0	0	0	0	0	0	0	0	0
FI	5(0)	19	0	-	1	-	0	0	0	0	0	0	0	0	0
RU	3(0)	8	0	-	-	-	0	0	0	0	0	0	0	0	0
AT	1	0	-	-	-	-	0	0	0	0	0	0	0	0	0
HU	2	3	-	-	-	-	0	0	0	0	0	0	0	0	0
ES	0(0)	0	0	-	0	-	0	0	0	0	0	0	0	0	0
MX	0	0	-	-	-	-	0	0	0	0	0	0	0	0	0
PT	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0
IL	-	1	-	-	-	-	0	0	0	0	0	0	0	0	0
TW	-	0	-	-	-	-	0	0	0	0	0	0	0	0	0
NO	0	0	-	-	-	-	0	0	0	0	0	0	0	0	0
CN	1	0	-	-	-	-	0	0	0	0	0	0	0	0	0
IS	0	0	-	-	-	-	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>1791</b>	<b>530</b>	<b>20</b>	<b>536</b>	<b>148</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**PPH Statistical Data**

**Definitions:**

(1) **Grant Rate** = (# of decisions to grant a patent)/(# of withdrawal and abandonment after first office action + (# of decisions to grant a patent) + (# of decisions of refusal) + (# of decisions of abandonment after first office action))

(2) **First Action Allowance Rate** = (# of decisions to grant a patent)/(# of decisions to grant a patent + (# of decisions of refusal) + (# of decisions of abandonment after first office action))

(3) **Average Pendency from PPH Request to First Office Action** is the average pendency of application for which first office action was issued during the period.

(4) **Average Pendency from PPH Request to Final Decision** is the average pendency of application for which final decision was issued during the period.

(5) **Average Number of Office Actions** = (total # of office actions of all the applications for which final decision was issued during a period)/(# of application for which final decision was issued during the period)

\*Final decisions are NOT counted as office actions.  
 \*\*Decisions in appeals are not included.

PPH Statistical Data(NOT including PCT-PPH)

	JP	US	KR	GB	CA	DE	AU	SG	FI	RU	HU	ES	MX	TW
Grant Rate (%) <a href="#">Graph</a> <a href="#">click!</a>	76.6 (58.9)	87 (49)	90.3 (66.3)	97.6 (0)	91 (64)	- (-)	100 (-)	100 (-)	95 (-)	24.4 (80.2)	- (-)	81.8 <sup>2</sup> (-)	100 (57)	
First Action Allowance Rate (%) <a href="#">Graph</a> <a href="#">click!</a>	22.9 (11.2)	26 (14)	27.1 (10.1 <sup>1</sup> )	4.8 (-)	42 (4.9)	- (-)	44.4 (-)	100 (-)	88 (12.3)	50 (9.7)	0 (35)	100 (64)	87.5 (9.2)	
Average Pendency from PPH Request to First Office Action (months)	1.8 (2.3)	6.1 (23.6)	1.8 (16.8)	1.8 (-)	1.8 (22.9)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	
Average Pendency from PPH Request to Final Decision (months)	7.1 (32.4)	11.6 (33.8)	7.1 (16.8)	7.1 (-)	7.1 (40.5)	7.1 (-)	7.1 (-)	7.1 (-)	7.1 (60)	7.1 (18)	7.1 (71.7)	7.1 (33)	7.1 (45.7)	
Average Number of Office Actions	1.06 (1.10)	2.3 (2.6)	- (-)	1.14 (-)	0.7 (1.6)	- (-)	0.55 (-)	0.17 (-)	1 (-)	0.6 (1.65)	- (0.7)	- (2)	0 (-)	0.13 (0.94)

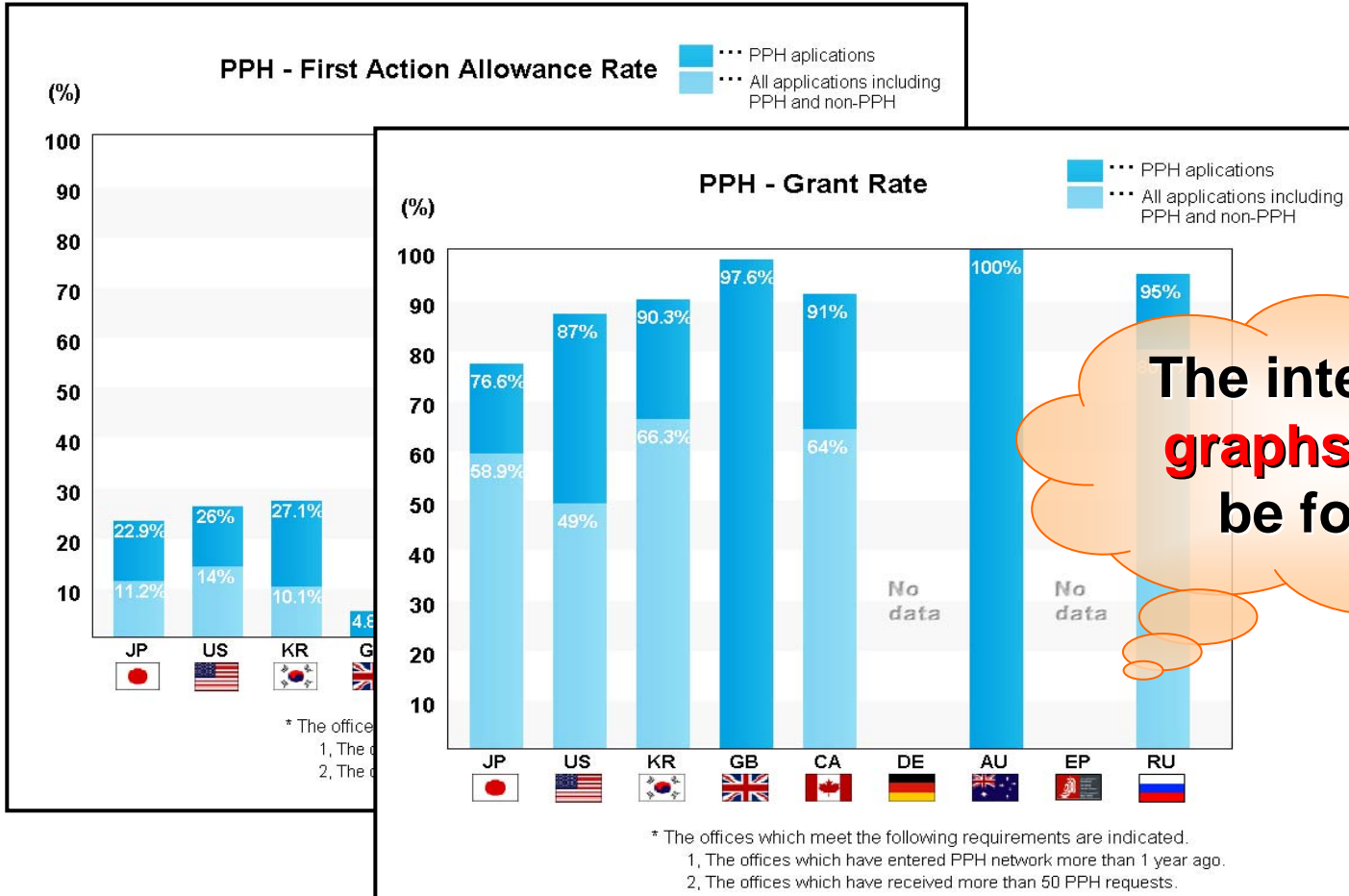
PPH Statistical Data(NOT including PCT-PPH)

	JP	US	KR	GB	CA	DE	AU	SG	FI	RU	HU	ES	MX	TW
Grant Rate (%) <a href="#">Graph</a> <a href="#">click!</a>	76.6 (58.9)	87 (49)	90.3 (66.3)	97.6 (0)	91 (64)	- (-)	100 (-)	100 (-)	100 (-)	95 (80.2)	24.4	- (-)	81.8 <sup>2</sup> (-)	100 (57)
First Action Allowance Rate (%) <a href="#">Graph</a> <a href="#">click!</a>	22.9 (11.2)	26 (14)	27.1 (10.1 <sup>1</sup> )	4.8 (-)	42 (4.9)	- (-)	44.4 (-)	100 (-)	88 (12.3)	50 (9.7)	0 (35)	100 (64)	87.5 (9.2)	
Average Pendency from PPH Request to First Office Action (months)	1.8 (2.3)	6.1 (23.6)	1.8 (16.8)	1.8 (-)	1.8 (22.9)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	1.8 (1.8)	
Average Pendency from PPH Request to Final Decision (months)	7.1 (32.4)	11.6 (33.8)	7.1 (16.8)	7.1 (-)	7.1 (40.5)	7.1 (-)	7.1 (-)	7.1 (-)	7.1 (60)	7.1 (18)	7.1 (71.7)	7.1 (33)	7.1 (45.7)	
Average Number of Office Actions	1.06 (1.10)	2.3 (2.6)	- (-)	1.14 (-)	0.7 (1.6)	- (-)	0.55 (-)	0.17 (-)	1 (-)	0.6 (1.65)	- (0.7)	- (2)	0 (-)	0.13 (0.94)

Provision of the number of PPH requests by Office

Clicking the icon "Graph" ■ ■ ■

# For further details -PPH Portal Website(3/3)-



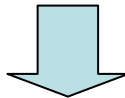
The intelligible **graphs** would be found!

•The Offices which meet the following requirements are indicated.  
 1, The offices which have entered PPH network more than 1 year ago.  
 2, The offices which have received more than 50 PPH requests.

# Merits of PPH for Patent Offices

1. Reduction in Number of Claims
2. Reduction in Number of Office Actions
3. Improvement of Quality (Efficient examination in better quality)

*At the request of PPH,  
Office Actions and Patented claims of OFF are  
attached*



*OSF can effectively utilize  
examination results of OFF*



➤ *Summary of presentation*

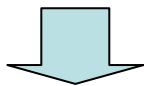




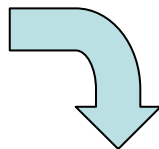
*To cope with increase of  
global patent applications...*



*Effective use of Information on Patent examinations  
conducted by other IP offices is KEY for solution*



***JPO provide  
examination results  
(JP-First, PPH, etc)***



***Global Platform  
to facilitate access  
examination results  
become  
Important***



*Thank you*

