Go to **www.menti.com** and use the code **25 27 58 2**

Step 1: In the internet browser of your mobile phone open this webpage:

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Please enter the code

12 34 56 **2527582**

Submit

Participate in Real Time

Step 2: Enter the 6 digit code that appears at the top of this presentation
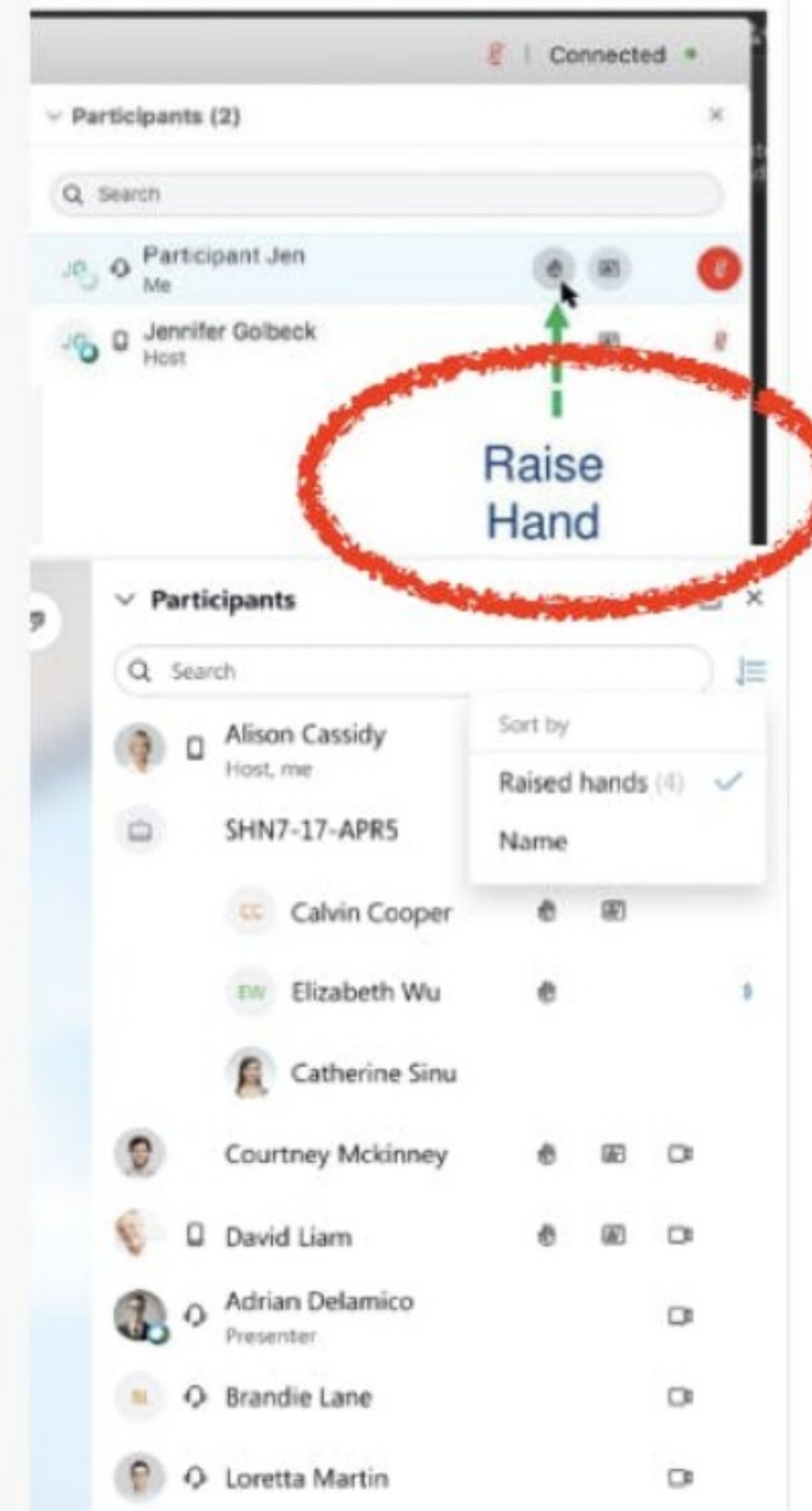
Step 3: Press **Submit**

Express yourself anytime

COMMENT LIKE QUESTION

During the open forum, you may speak up

Go to **www.menti.com** and use the code **25 27 58 2**

Step 1: In the internet browser of your mobile phone open this webpage:

www.menti.com

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Please enter the code

12 34 56   **2527582**

Participate in Real Time

Step 2: Enter the 6 digit code that appears at the top of this presentation

Submit

Step 3: Press **Submit**

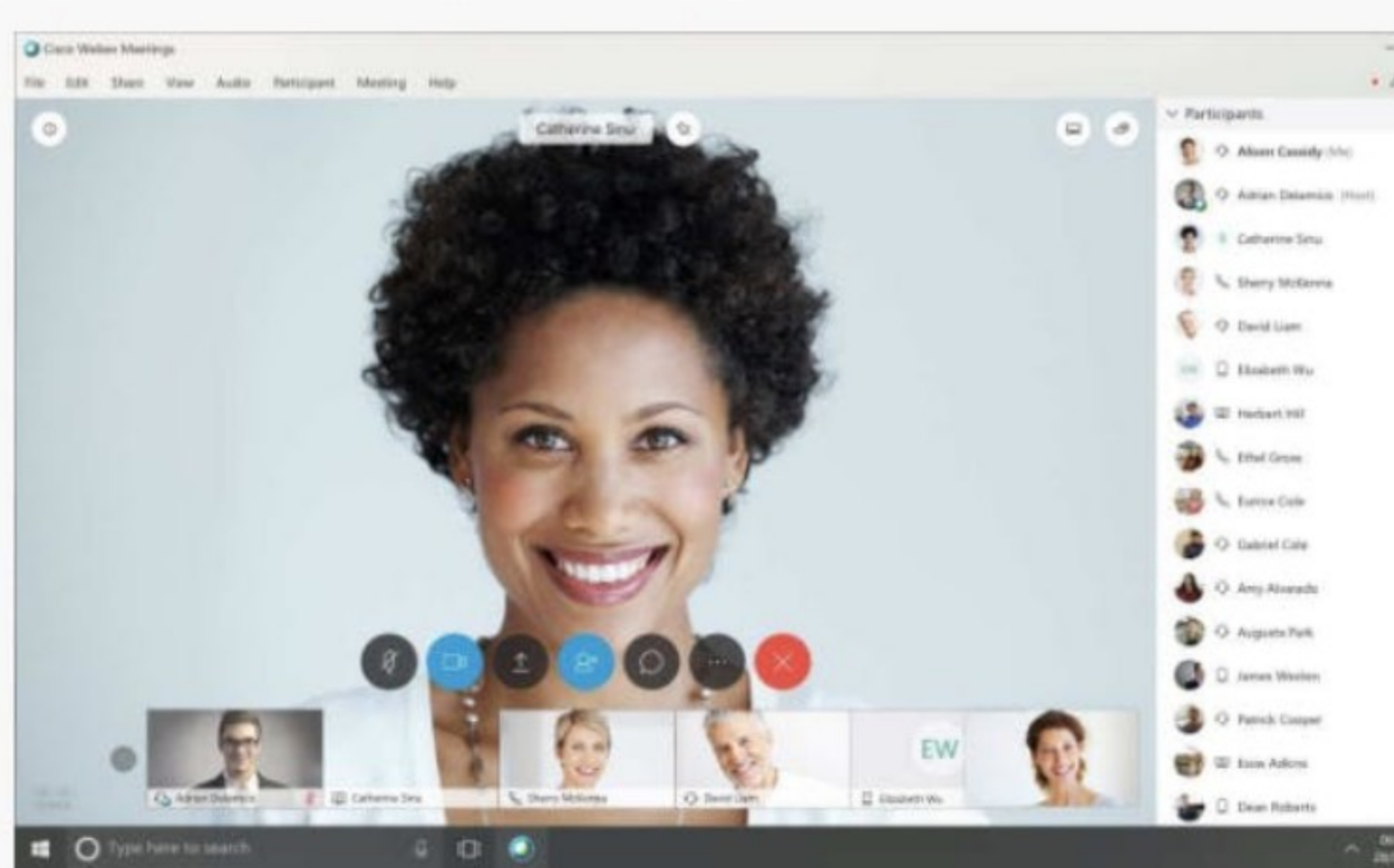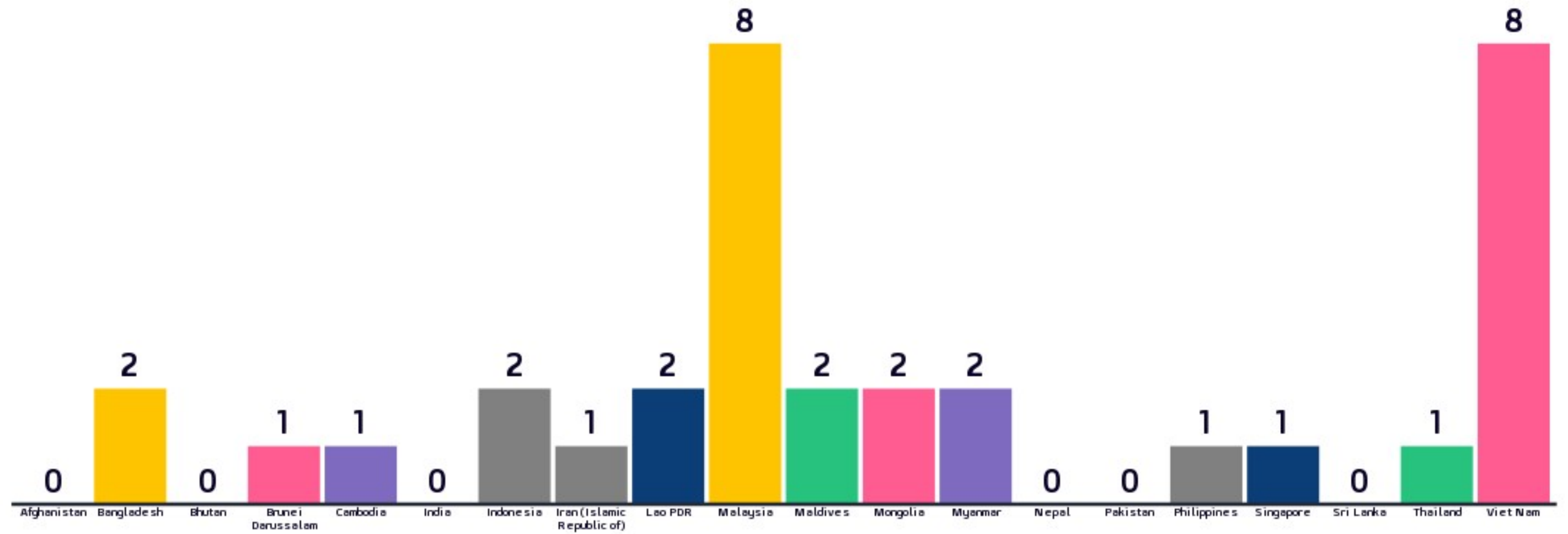**Express yourself anytime**

COMMENT   LIKE   QUESTION

Let us know...

Test Question –
Which Country are you representing?

Applying at the core
Theory of change principles
expressed in RBM Framework

Capacity-building activities for potential IP right owners

5. Impact
Long term changes that result from an accumulation of outcomes

Indicators
% of IP right owners who reported an increase in revenues or who are satisfied with the IP office services

4. Outcome
Why we do it: outcomes are behavioral changes

Indicators
% of potential IP right owners who have prepared an application

3. Outputs
What we produce: is the result of the activities. Increased IP awareness among potential IP right owners

Indicators
% of potential IP right owners that are familiar with the registration process

2. Activities
What we do: Events, meetings, consultations, training, missions

Indicators
# of participants that found the training useful/relevant/appropriate

1. Input
Financial and human resources

Indicators
Costs, hours of involvement

Key assumptions:
The training does address a need.
The right participants have been invited.
The national context is conducive for IP Governments support innovation and creativity.

NATIONAL LEVEL

01

% of countries reporting positive changes from concerned IP stakeholders as a result of improvements in the national and institutional frameworks

Contribute to improve the national and institutional IP framework for better governance through a more coherent, systematic/better integration of IP with relevant WIPO and national development priorities, economic objectives and critical linkages with relevant public policy areas and development priorities in the ASPAC region.

INSTITUTIONAL LEVEL

02

% of national offices reporting improvements in efficiency/ effectiveness levels as a result of the diagnostics exercise

Modernization of IP offices has contributed to the efficiency and effectiveness improvements of IP offices in delivery of services to user community.

03

% of offices reporting improvements in IP services as a results of competency-based training

Competency-based training has an impact on better quality of IP services, increased productivity of examiners and increased staff development through better personnel and training management within the National IP Offices.

COMMUNITY LEVEL

04

% of beneficiaries reporting positive medium to long-term changes/ effects as a result of the capacity building activities

Enhanced access to, and use of, IP information by IP institutions and the public to promote innovation and creativity
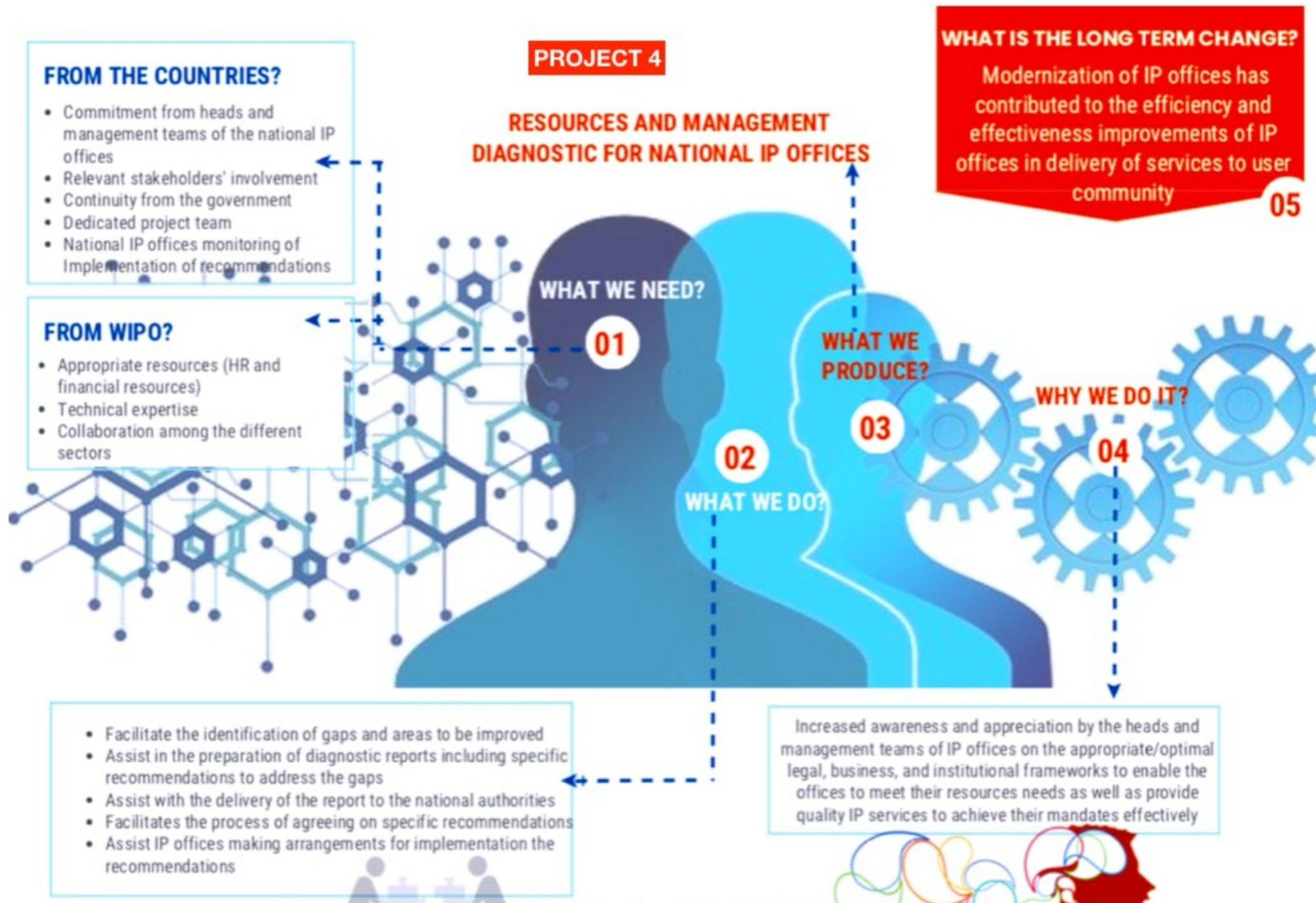
05

% projects that contributed to reducing the gender gap and mainstreaming gender across its results frameworks

Gender empowerment consistently promoted and mainstreamed across all projects to contribute to reducing the gender gap in the region

Source: IOD Evaluation Section, October 2020

PROJECT 4

RESOURCES AND MANAGEMENT DIAGNOSTIC FOR NATIONAL IP OFFICES

FROM THE COUNTRIES?
- Commitment from heads and management teams of the national IP offices
- Relevant stakeholders' involvement
- Continuity from the government
- Dedicated project team
- National IP offices monitoring of Implementation of recommendations

FROM WIPO?
- Appropriate resources (HR and financial resources)
- Technical expertise
- Collaboration among the different sectors

WHAT WE NEED?
01

WHAT WE DO?
02

WHAT WE PRODUCE?
03

WHY WE DO IT?
04

WHAT IS THE LONG TERM CHANGE?

Modernization of IP offices has contributed to the efficiency and effectiveness improvements of IP offices in delivery of services to user community
05

- Facilitate the identification of gaps and areas to be improved
- Assist in the preparation of diagnostic reports including specific recommendations to address the gaps
- Assist with the delivery of the report to the national authorities
- Facilitates the process of agreeing on specific recommendations
- Assist IP offices making arrangements for implementation the recommendations

Increased awareness and appreciation by the heads and management teams of IP offices on the appropriate/optimal legal, business, and institutional frameworks to enable the offices to meet their resources needs as well as provide quality IP services to achieve their mandates effectively

We aim for sustainability of results

4. Institutionalization Phase

Sustaining results of the endeavour and planning for exit

3. Implementation Phase

Applying new methodologies and tools to build capacity

2. Organizational Phase

Designing/selecting the structure, systems and organisation required

1. Inception / Assessment Phase

Intensified conversations with countries and engaging interlocutors and primary stakeholders

– multi-year and longer termed (5-10 years)
– deep-diving to address root causes
– deliberate, responsive and relentless
– in progressive stages (critical journey)

Concentrated training for a few to localize IP expertise

captured in a HUB & SPOKES structure

WIPO
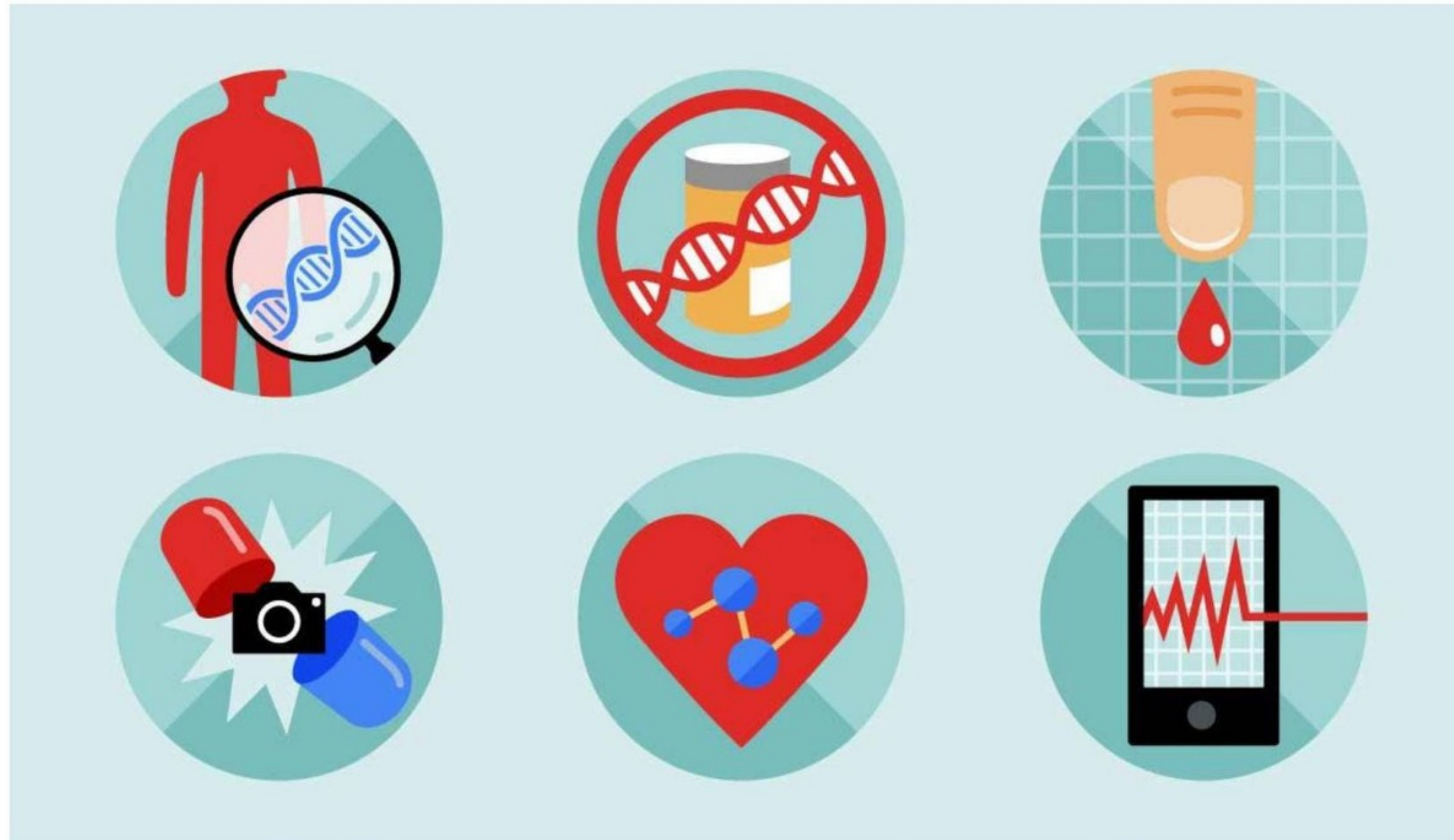WORLD INTELLECTUAL PROPERTY ORGANIZATION

OUTLINE

■ **What** (nature & scope of diagnostic)

■ **Why** (significance & importance of diagnostic)

■ **How** (development of a Methodology)

■ **When** (next steps in finalization of a Methodology)

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What does "resource and management diagnostic of an IP office" mean to you?

34%	22%	35%	9%	0%	0%
Gaining efficiency/ effectiveness of office operations	Developing optimal / modern organizational structure	Better planning and use of resources	Building required competencies and skills	Addressing issues related to caseload and backlog of applications	Others
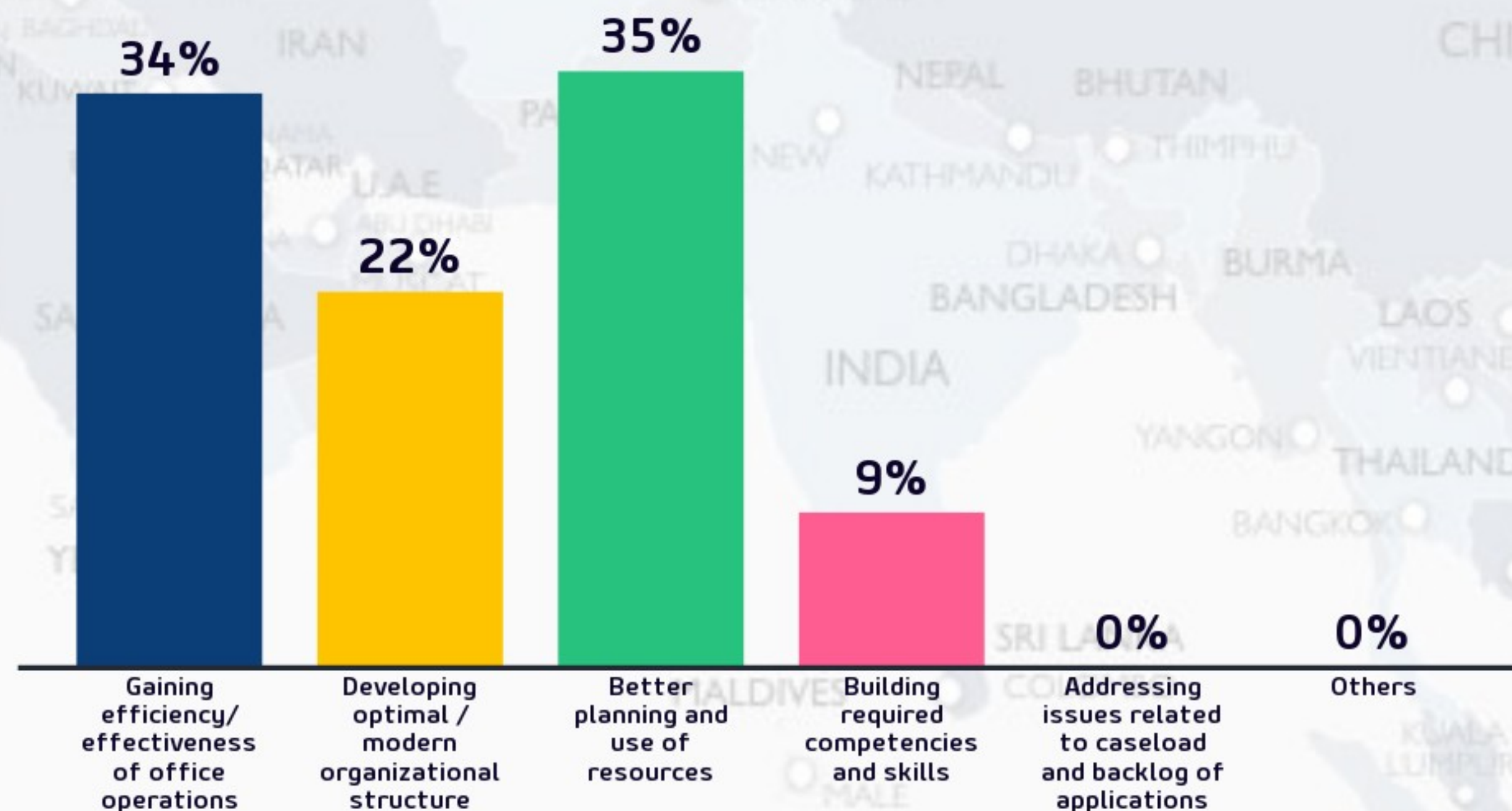
What is Resource and Management Diagnostic of IP Offices?

Improvement

Source: Google image

Identify gaps and areas to be strengthened in resource and management systems of IP offices and propose practical and optimal solutions to address them

(e.g. business processes, organizational structure, competency, work efficiency, legal environment, administrative and operational challenges, etc.)

Source: Google image

Role of a modern IP office (IPO)

General public and IP users

Applicants

Agents

Foreign IP right holders

Other IPOs

Int'l bodies (WIPO, WTO)

National IP Office

Local idustry SMEs

R&D and academic institutions

Ministries Trade, Industry, Education, etc...

Judiciary

"Outreach"

"Efficient registry" faster and quality IPRs

Coordination and Int'l Treaties

"IP utilisation" advice and guidance

Innovation promotion

"IPR administration national IP databases"

Enforcement support

Source: Methodology for the Development of National Intellectual Property Strategies – Tool 3: Benchmarking Indicators

Challenges Faced by IP Offices Today

- Ensuring delivery of timely, efficient and quality IP services

- Increasing caseload and growing backlog of IP applications

- Promoting and facilitating global protection of IP

- Ensuring IP laws meet national needs and keep pace with international developments/standards

- Information technology systems and tools to implement to optimize the operations

- Obtaining greater financial and administrative flexibilities

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What is the Project on Resource and Management Diagnostic for IP Offices (IPOD Project)

- Developed in response to the needs of countries in Asia and the Pacific region

- Conceptualized by the ASPAC Bureau in close consultation with experienced experts from different parts of the world

- Consulted with IP offices in Asia and the Pacific region, and their inputs/comments were incorporated

- First launched in Thailand in March 2016

- A lot of experiences gained and lessons learned

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Source: Google image

The output is a detailed report with a set of specific recommendations that are practical and optimal and with a detailed implementation plan (serving as a "roadmap" for required transformation of the office for the next few years)

Source: Google image

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Why Undertake an IP Office Diagnostic Process?

■ Increasing emphasis on innovation and creativity in most countries is putting more focus on the performance and responsibilities of IP offices

- Imperative to perform and carry out responsibilities beyond traditional roles of regulatory body into an "enabling" agency

■ All IP offices are under pressure to improve their performance and efficiency

- Eliminating and managing backlogs of applications
- Managing quality issues
- Achieving cost effective and efficient operations
- Embracing new technologies and tools

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Why Undertake an IP Office Diagnostic Process? (cont'd)

- **Improving performance and efficiency through review of and changes in selected areas often fails to have significant effect because of issues in other areas**

- **Enabling an IP office to look comprehensively and objectively at itself**
  - Its mandate, legal framework, institutional arrangements, human resource management, financial management, and all operational management issues
  - To identify practical and optimal ways to improve performance and address resource and management gaps and weaknesses

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Why Create an IP Office Diagnostic Methodology?

■ **Capturing the experience of WIPO and experts to enable IP offices to undertake the process more regularly and independently (if so wish)**

- Experiences of WIPO and experts captured for future use

■ **Providing IP office managers with tools to review, examine and improve performance in their particular area of responsibility**

- While holistic approach is a key benefit of the IPOD process, nonetheless diagnostic audits in individual areas can be valuable

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Why Create an IP Office Diagnostic Methodology? (cont'd)

■ Providing detailed information for IP offices contemplating engaging WIPO to work with them to undertake an IPOD or as a self-help tool

■ Providing guidance on how the IPOD process will be carried out and provide reassurance to senior management on issues such as

- confidentiality
- comprehensiveness of approach
- practicality of recommendations, etc.

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Source: Google image
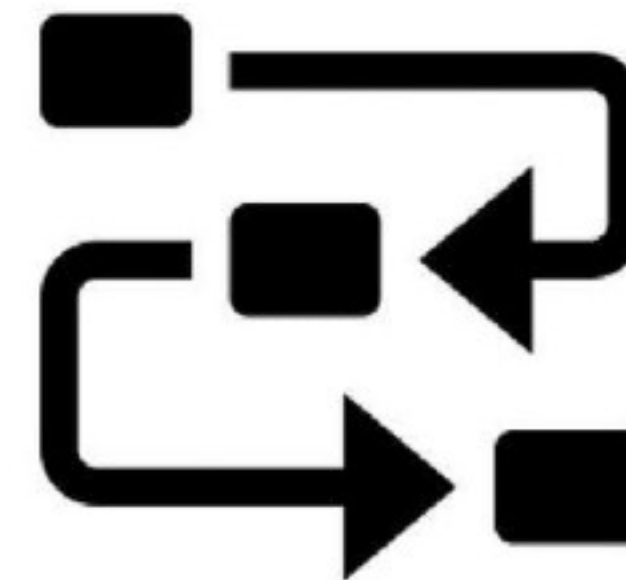
Why Create an IP Office Diagnostic Methodology? (cont'd)

- Providing sufficient information to IP office about necessary resource commitments as well as areas to review and analyze to undertake the IPOD process

- Contributing to institutional transformation of IP offices so that they do not only achieve their objectives and fulfil mandates but also further progress and develop into more modern and forward-looking agencies

Once the Methodology is ready and available, will your office undertake resource and management diagnostic:

Through knowledge transfer and training on the use of the Methodology

20%

80%
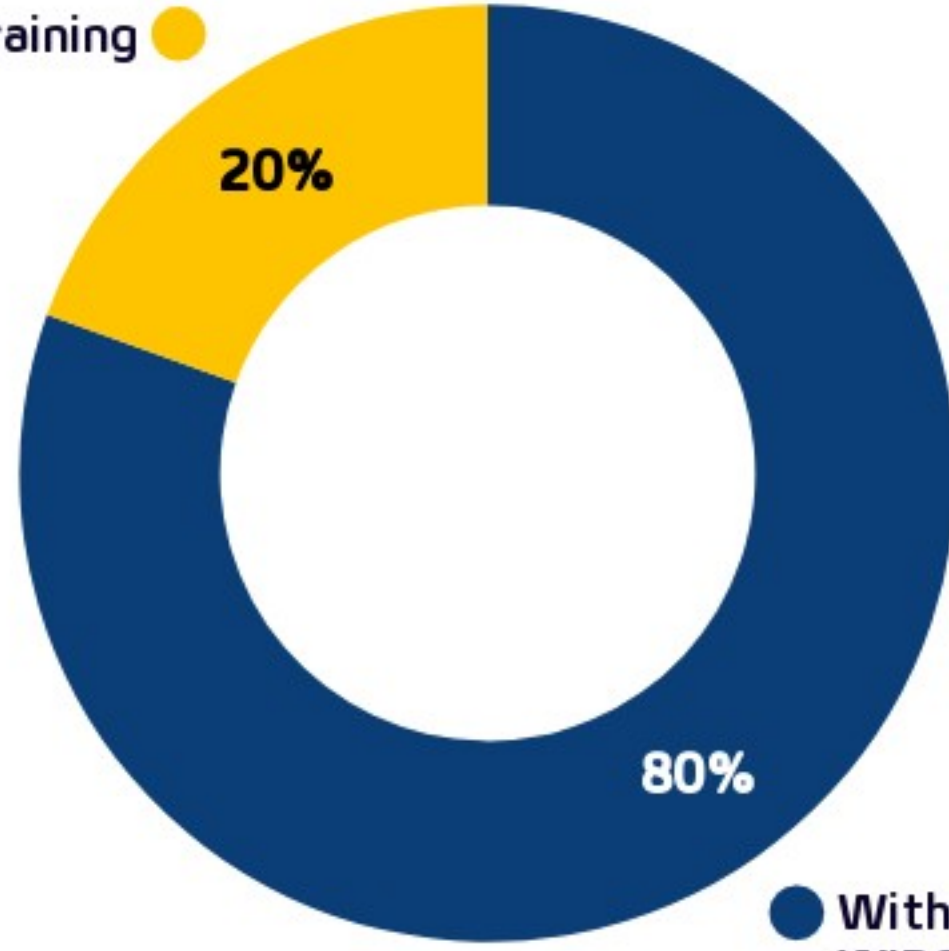
With technical advice and expertise by WIPO and its experts

How is the Methodology Developed?

- An initiative of the Regional Bureau of Asia and the Pacific of WIPO

- A broad outline and the proposed contents of the Methodology were already developed based on past experiences and lessons learned from the grounds

- **Project Team** – Ms. Liew Woon Yin (former DG of IPOS), Mr. Ronald Marchant (former CEO of UKIPO), Mr. Ian Heath (former DG of IP Australia) and Project Manager Mr. Ye Min Than

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How is the Methodology Developed? (cont'd)

■ It will be further developed in close consultation with Sectors and Divisions of WIPO concerned (e.g. IP Office Business Solutions Division)

■ The draft Methodology will eventually be shared with IP offices in the region for observations and suggestions before finalization

■ It will be designed to enable customization (scalable to different sizes of IP offices) and to use in a flexible manner ("guide")

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Proposed Contents of the Methodology

- Draft provides broad guidance on how to carry out diagnostic consultations within and outside the IP office

- Draft includes suggestions for researching functional areas including information about resources available from elsewhere, particularly through WIPO

Source: Google image

Proposed Contents of the Methodology (cont'd)

- Draft provides broad guidance on identifying improvements and solutions and developing recommendations

- Draft provides broad guidance on how to plan and manage implementation of recommendations

Source: Google image

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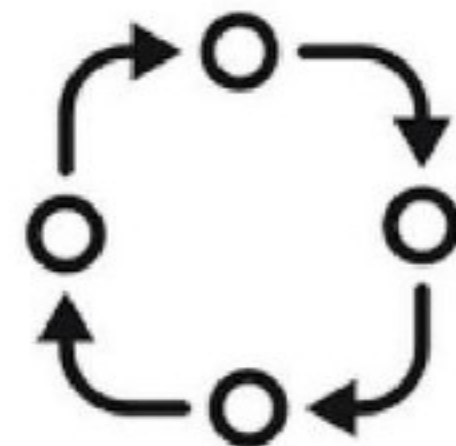
Proposed Contents of the Methodology (cont'd)

■ **Draft of the methodology has individual topics for each IP office function**

- All IP rights processing areas have a separate topic
- Mandate and governance
- Policy development
- International relations
- Customer relations
- Public outreach and IP education
- Financial management
- Human resource management

Source: Google image

Proposed Contents of the Methodology (cont'd)

■ Draft gives broad guidance on researching and identifying issues for each functional Topic – set out under three headings

- "*The Why*" sets out the value and importance of examining the particular functional area
- "*The What*" sets out the issues which will need to be researched and raised in consultations to identify gaps and weaknesses
- "*The How*" provides advice on how to undertake the necessary research and consultations, including suggested questions for consultations with managers, staff and external stakeholders
- Lists of questions are guides only and not formal questionnaires

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What challenges or issues do you foresee or did experience in the implementation of IPOD recommendations?

language barrier

costing and implementation process

public outreach and IP education

the language barrier that Lao DIP is facing

Concerns that the findings might be politicized locally (in my Ministry)

Willingness of management National differences of approach ~ takes a lot of time to pass the law etc

Coordination and support of supervisory ministry

Financial and human resourses gap

- forecast of ip applicants;- vision of IP Office in mid and long term

38

What challenges or issues do you foresee or did experience in the implementation of IPOD recommendations?

We are yet to finalize our IPOD Report.

Costing

High cost

Language barrier and timely to response to the questionnaire and provide comments

Resources

Human resourses, salary for employe

commitment of the high officials

Cost and timeline

Complete buy-in of senior leadership. Political will. Availability of resources to implement recomendations

38

What challenges or issues do you foresee or did experience in the implementation of IPOD recommendations?

Lacking English language and skills	Need GOV encouragement to implement	Experienced about IPOS, how to build method
Communication	Change of leadership	To encourage executive management team and staffs to stay focus on implementing the diagnostic while still do the day-to-day operations
Financial and human resourses gap	Limited capacity of employees, budget constrain, limited of participation and motivation from applicants and agents	Budget and personnel shortage

38

What challenges or issues do you foresee or did experience in the implementation of IPOD recommendations?

Need Gov encoragement and need resourses

HR and budget of IPD

Time limits

Communication

Bureaucracy

Public outreach, capacity building

Cooperation of related institutions

Public awareness

IP Office positioned in the government hierarchy of priority, eg if IP office is an agency, will be seen less important

38

What challenges or issues do you foresee or did experience in the implementation of IPOD recommendations?

Practical effectiveness

manpower

What Else Should Be Included in the Methodology

- ■ Are there additional topics that should be included?

- ■ What practical tools could/should be included in the Methodology?
  - Templates of consultation invitations and agendas?
  - Templates of surveys and questionnaires?

Source: Google image
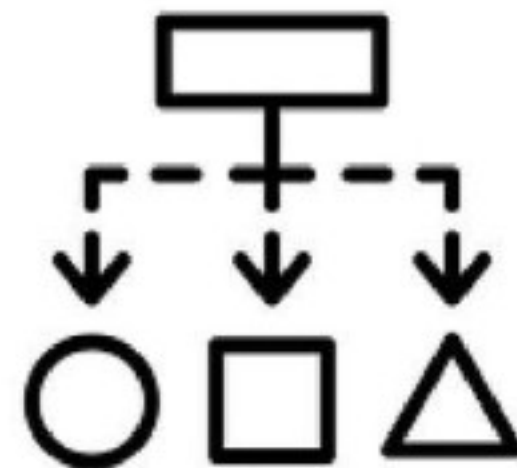
What Else Should Be Included in the Methodology (cont'd)

- **What examples could/should be included in the Methodology?**
  - Examples of governance arrangements in different IP offices?
  - Examples of financial management models?
  - Examples of implementation planning?

- **What resource information could/should be included?**
  - WIPO resource references (web links)?
  - Other likely reference sources?
  - Case studies of actual IPOD activities?

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According to you, what else should be covered by or included in the Methodology?

More templates	- IP automation	Template questionairs should include
Management of relationships with supervisory ministry	Template of the questionnaire for the IP Office	Training
struture of an IP office	gap between local and international IP awareness	more case study & templates

43

According to you, what else should be covered by or included in the Methodology?

training	Organizational structure	How to engage top government
Implementation guides	training, automation,	Capacity training
basic problem finding program	Training	Digital transformation and use of AI

43

According to you, what else should be covered by or included in the Methodology?

Monitoring system

Online meeting

IP Automation

How to engage donor offices to help in implementation

Training/workshop

monitoring and evaluation system

Training

on line filing systems and server facilitation should be introduced

Online survey, adding more stakeholders such as SMEs, researcher and student and lawyers.

43

According to you, what else should be covered by or included in the Methodology?

Duideance for nationsl consuktant

HR management issues

On line filing system and server facilitation should be introduced

How to measure implementation

HR management, financial management

Budget

Training

Providing best practice

Interface between the IPO and other agencies that will be needed in implementing the recommendations

43

According to you, what else should be covered by or included in the Methodology?

Capacity building

Linkage to NIPS and other policies

Benchmarking with other IP offices

IP automation

quality management

Maintainance mechanism of the outputs and outcome for long-term

Meaning WIPO's direct guidance is needed to work with the local staff and appreciate if this Aspect can be

43

What's Next?

- After discussion and inputs from the Heads of IP Offices meeting, a fresh draft will be developed for furtherconsultation and refinement

- Final version should be available by mid-2021

- Launch, training and deployment on the grounds in the second half of 2021

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Source: Google image

Would it be useful to eventually transform the Methodology into a web-based (online) self-help tool?

I don't have a strong view of it ●

Yes, if accessible to IPOs ●

12%

18%

70%

● Yes. Definitely!
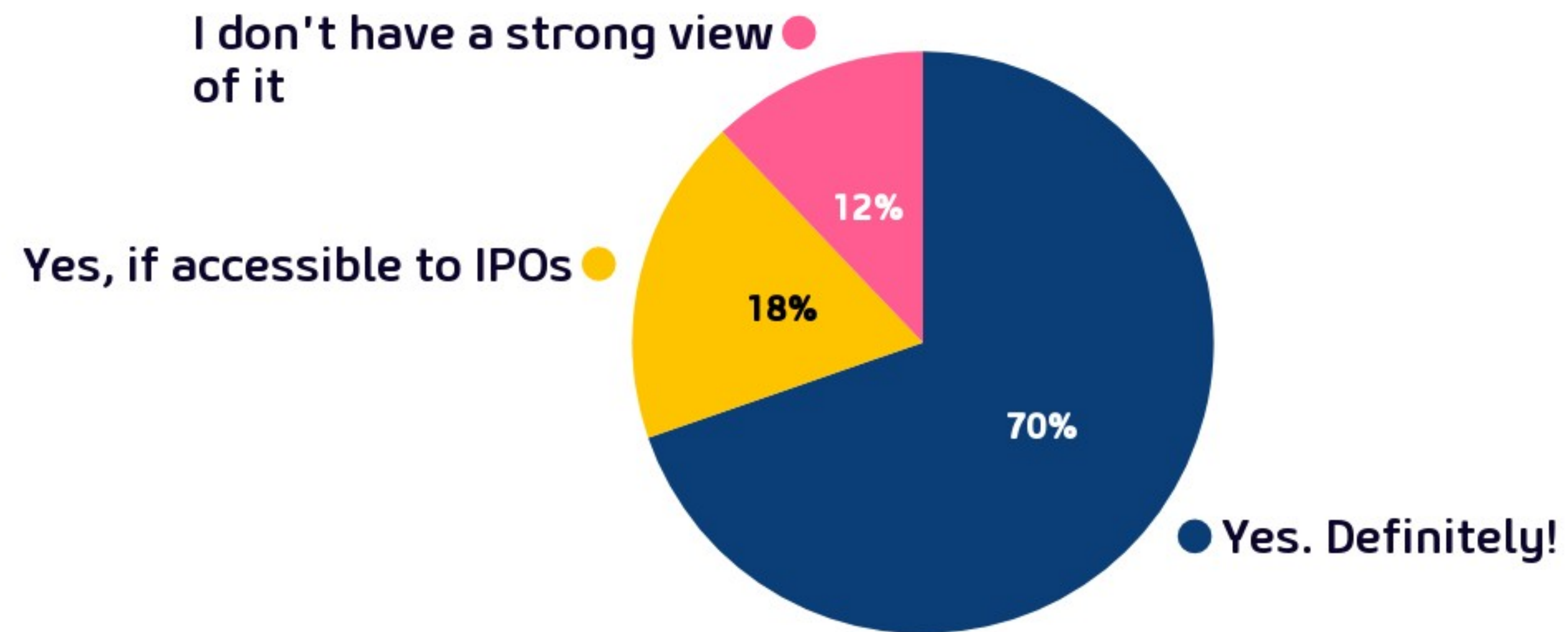
Thank you for your kind attention

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Q&A

Use **menti.com** in your mobile phones

or raise your hand in **WebEx chat box**

Questions & Answers

25 questions
8 upvotes

Agenda

- Overview of e-Learning
  - Types of media
  - Exemplary uses for learning management (patent examination)
    - USPTO as a role model?
    - Utility of (foreign) e-Learning resources?
- PCT WG compilation of e-Learning resources (patent examination)

- Policies for using e-Learning resources in examiner training management
  - In-houseand external; options for south-south cooperation
  - Do you have explicit policies on e-Learning? Should you?

- **Upcoming PCT survey: use of e-Learning resources and policies therefor**
  - **Please be prepared to reply!**

Overview - types of media

- **Tutored courses** (like some WIPO Distance Learning Courses)
  - Specific dates, limited number of participants because of tutoring
  - Require admission; sometimes certificate after successful completion
  - Course delivery by means of Learning Management System (LMS)

- **Live webinars** with Q&A
  - Specific dates

- **Self-paced courses** (see USPTO)
  - May be taken and paused anytime
  - Recorded webinars/lectures
  - Tutorials (developed/delivered by means of an LMS)
  - Self-study materials/reading materials (PPTs of webinars, ...)

USPTO patent examiner e-Learning

- All e-Learning resources used for examiner training are **publicly accessible**
- Different sites
    - 'Office of Patent Training': **entry level examiners**
        - **obligatory** introductory training
        - 47 recorded PPT lectures including tests

    - 'Office of Patent Examination Policy': **beyond entry level**
        - Examination guidance (case law) and advanced training
        - For example on 'subject matter eligibility' (Exclusions, 46 sample cases)

A role model?

USPTO Office of Patent Training

USPTO Office of Patent Examination Policy

35 U.S.C. 101	
Subject matter eligibility	• **Subject Matter Eligibility Guidance, Examples, and Training**
35 U.S.C. 102 & 103	
35 U.S.C. 102 & 103	• **Part I - Proper Anticipation Rejections: Reminders from Recent Case Law** (Spring 2018) • **Part II - Clear Obviousness Rejections: Important Lessons from Outdry v. Geox** (Summer 2018) • **Part III - Combined 102 & 103 Workshop Training** (Summer/Fall 2018)
Obviousness, KSR	• **Examination Guidelines and Training Materials in view of KSR Int'l Co. v. Teleflex Inc.** (through 2010 update)
35 U.S.C. 112	

	→ • Examining Computer-Implemented Functional Claim Limitations for Compliance with 35 U.S.C. 112
	    ○ **Computer-Based Training (CBT)** [posted 3/28/2019]
	    ○ **PowerPoint** [posted 3/27/2019]

https://www.uspto.gov/patent/laws-and-regulations/examination-policy/examination-guidance-and-training-materials

USPTO OPEP **sample** webinar

Examining Computer–Implemented Functional Claim Limitations

Examining Computer– Implemented Functional Claim Limitations for Compliance with 35 U.S.C. § 112

January 2019

UNITED STATES
PATENT AND TRADEMARK OFFICE

uspto

Menu   Transcript

▾ 1. Examining Computer–Implemented Functional Claim Limitations for Compliance with U.S.C. 112

1.1. Examining Computer–Implemented Functional Claim Limitations

1.2. Presentation navigation notes

1.3. Federal Register notice published January 7, 2019

1.4. Training purpose

1.5. Background

1.6. Part I: Review of issues under 35 U.S.C. § 112(f) and 35 U.S.C. § 112(b) related to examination of computer–implemented functional claim limitations

1.7. Claim construction

1.8. 3–Prong analysis for identifying § 112(f) claim limitations

1.9. Presumption that § 112(f) applies

1.10. Presumption that § 112(f) does not apply

1.11. Non–structural generic placeholders

1.12. Structural modifiers

USPTO as a role model?

- **Systematic use of e-Learning in training management**
  - Complementing regular face-to-face lectures and tutored training (learning-by-doing)
  - Modules developed by USPTO, covering many topics

- **Public sharing of e-Learning resources**
  - Transparency of training raises confidence of users
  - Informs users/applicants of examination practice
  - Useful for other patent offices for training and work-sharing purposes

- USPTO doesn't appear to use foreign e-Learning resources
  - Sufficient in-house resources?
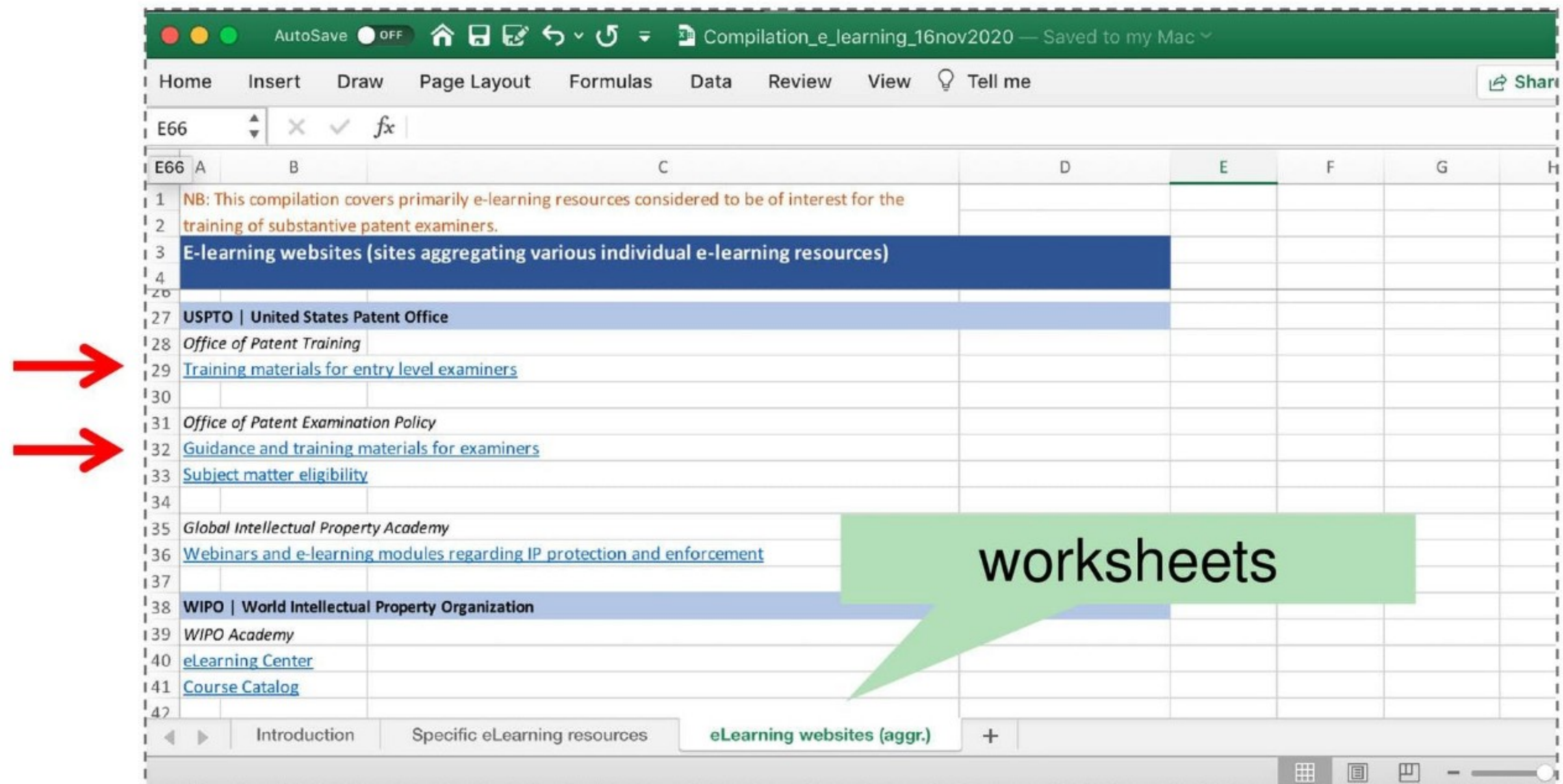 - Worried of bias/undue influence on examination practice?

PCT WG Compilation of e-Learning resources

■ Regularly updated compilation by the PCT Working Group

■ Available at latest meeting website, for example PCT WG 13
https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=469361
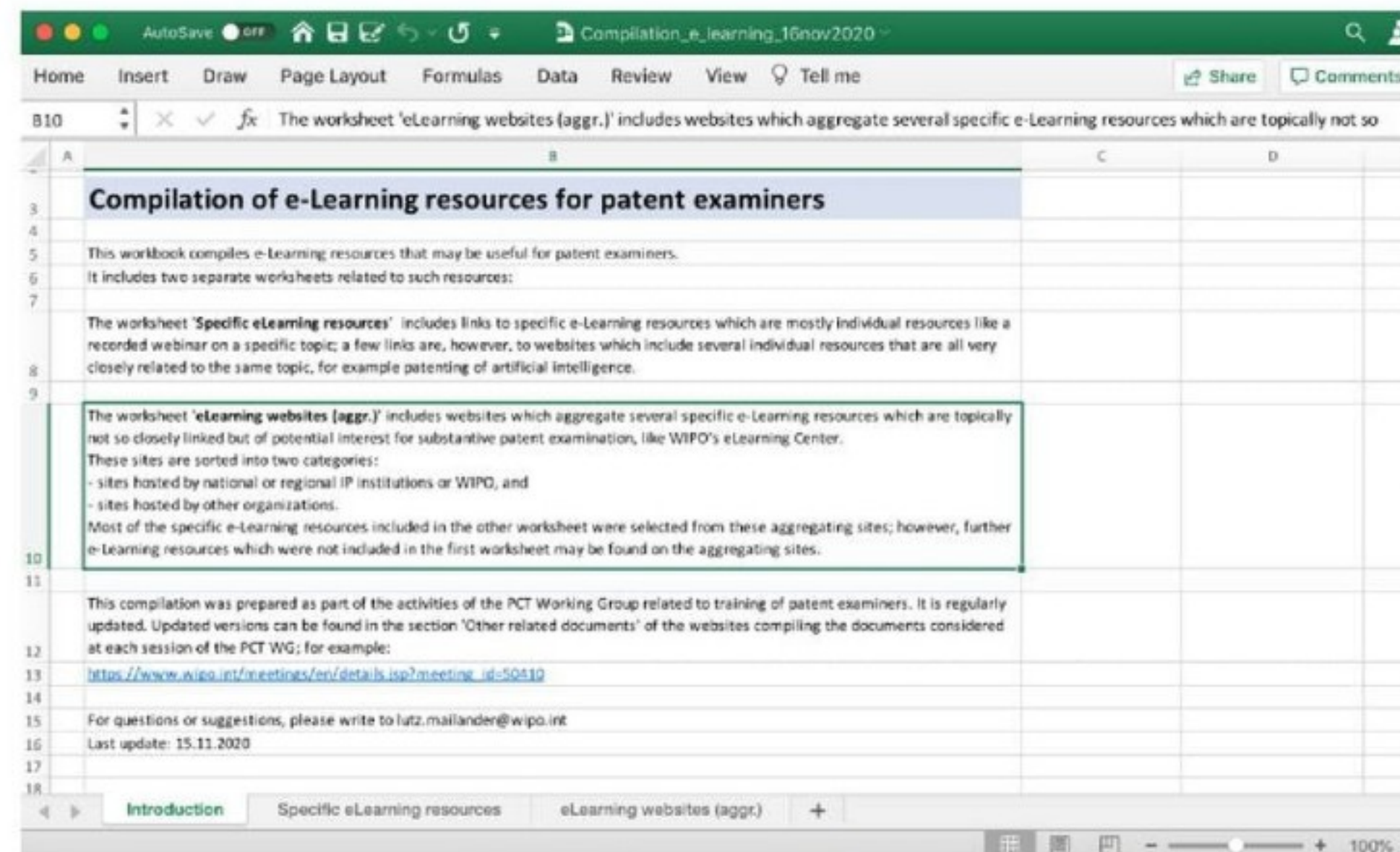
PCT WG Compilation of e-Learning resources

■ Excel workbook with 3 worksheets:

    ■ Introduction

    ■ Compilation of specific e-Learning modules

    ■ Overview of sites aggregating specific e-Learning modules

PCT WG Compilation of e-Learning resources

■ Compilation of specific e-Learning Modules

	Specific e-learning resources								
5	**Field of learning**	**Title**	**Media**	**Host**	**Access**	**Certificate**	**Languages**		
38	Priority	Entitlement to priority	Recorded webinar	EPO	free	No	E	Source	
39									
40	Novelty and inventive step	Inventive step and its evaluation: the problem-solution approach	Tutorial	EPO	free	No	E	Source	
41		Problem-solution approach: Exercises	Tutorials	EPO	free	No	E	Source	
42		Problem-solution approach to inventive step and challenging cases	PPT and recorded lecture	EPO	free	No	E	Source	
43		Specific application of the problem-solution approach: a review of some exemplary cases	PPT and recorded lecture	EPO	free	No	E	Source	
44		Assessing novelty and inventive step of patent applications	OD39-2020	Tutored course	EPO	acess controlled	Yes	E	Source	
45		Assessing novelty and inventive step of patent applications	OD49-2017	Video-edition self paced	EPO	acess controlled	Yes	E	Source	
46		Notorious knowledge	PPT and recorded lecture	EPO	free	No	E	Source	
47		Prior use	Recorded lecture	EPO	free	No	E	Source	
48		Novelty	Recorded PPT lecture	JPO	free	No	E	Source	
49		Inventive Step	Recorded PPT lecture	JPO	free	No	E	Source	
50		Prior Art Rejections: An Introduction	PPT	USPTO	free	No	E	Source	
51									
52	Claims, Clarity and Unity	Basic principles of unity of invention	Self paced course	EPO	free	No	E	Source	
53		How to overcome clarity issues efficiently	Recorded webinar	EPO	free	No	E	Source	
54		Assessing clarity and unity of patent applications	OD38-2019	Tutored course	EPO	acess controlled	Yes	E	Source	

Introduction   **Specific eLearning resources**   eLearning websites (aggr.)   +

PCT WG Compilation of e-Learning resources

■ Compilation of specific e-Learning Modules

3	Specific e-learning resources							
4								
5	**Field of learning**	**Title**	**Media**	**Host**	**Access**	**Certificate**	**Languages**	
71	**Technology specific aspects of examination** ←							
72		Patentability of computer-implemented inventions at the EPO	Tutorial	EPO	free	No	E	Source
73		Computer-implemented inventions at the EPO	Recorded webinar	EPO	free	No	E	Source
74		Patents for computer-implemented inventions in biotechnology and healthcare	Recorded webinar	EPO	free	No	E	Source
75		CII: ensuring information is the key to patentability	Recorded webinar	EPO	free	No	E	Source
76		Patentability of Biotechnological Inventions	Recorded webinars	EPO	free	No	E	Source
77		Patentability in information and communications technology	Recorded webinars	EPO	free	NO	E	Source
78		Traditional medicinal knowledge	Tutorial	EPO	free	No	E	Source
79		Selection inventions	Recorded webinar	EPO	free	No	E	Source
80		Biotechnology patents	Recorded webinar	EPO	free	No	E	Source
81		Patenting presentations of information	Recorded webinar	EPO	free	No	E	Source
82	←	Patenting Artificial Intelligence (several presentations)	Recorded event	EPO	free	No	E	Source
83		Patenting Blockchain (several presentations)	Recorded event	EPO	free	No	E	Source
84		Patenting surgical, therapeutic and diagnostic methods	Recorded webinar	EPO	free	No	E	Source
85		Experimental data: impact on patentability in medical applications	Recorded webinar	EPO	free	No	E	Source
86		Therapeutic methods – Article 53(c) EPC	Recorded webinar	EPO	free	No	E	Source
87		Antibodies-related patent applications	PPT	ILPO	free	No	E	Source
88		Pharmaceutical team Workshop	PPT	ILPO	free	No	E	Source
89								

EPO sample tutorial

Problem-solution approach to inventive step and challenging cases

Graham Ashley, chairman of a technical board of appeal

| Warm up | Abstract | Recorded Lecture | Audience Questions |

What do you think?

What are the main steps in the problem-solution approach methodology?

click for answer

Is the document that has the most features in common with the claimed invention always the closest prior art?

click for answer

The objective problem can be formulated as achieving the technical effect of the difference. What if the technical effect cannot be demonstrated?

click for answer

EPO sample tutorial

Problem-solution approach to inventive step and challenging cases

Graham Ashley, chairman of a technical board of appeal
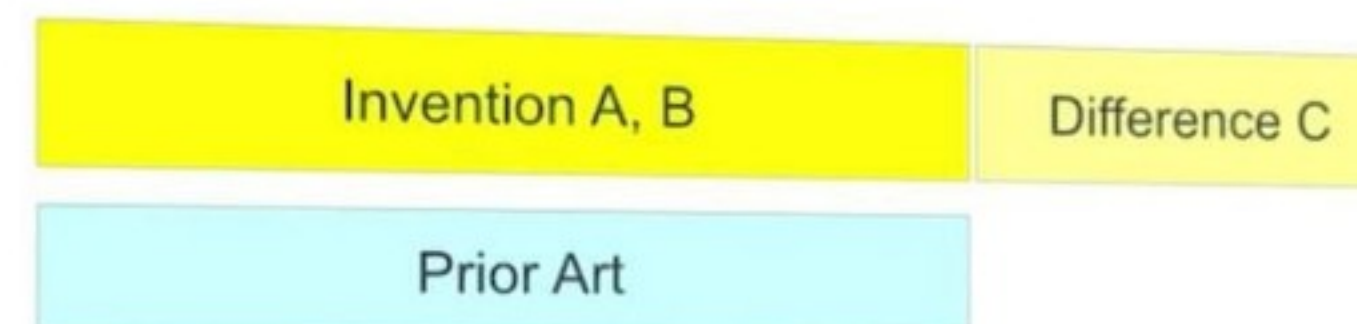
| Warm up | Abstract | Recorded Lecture | Audience Questions |

Choose the part which you are interested in:

Part 1

Part 2

Part 3

Problem-Solution Approach

| Invention A, B | Difference C |

| Prior Art |

1. Determine a relevant piece of prior art, and the difference between the claimed invention and the prior art.

2. Starting from this prior art, determine the objective technical problem to be solved .

3. Assess obviousness of claimed solution (C) to a person skilled in the art.

This presentation starts by introducing the problem-solution approach methodology, then focuses on the fact that the determination of the closest prior art document represents the most appropriate starting point.

Is e-Learning (internal/foreign resources) already systematically utilized in your office? Is there an express/implicit policy to use it?

● Yes

8

No ●

14
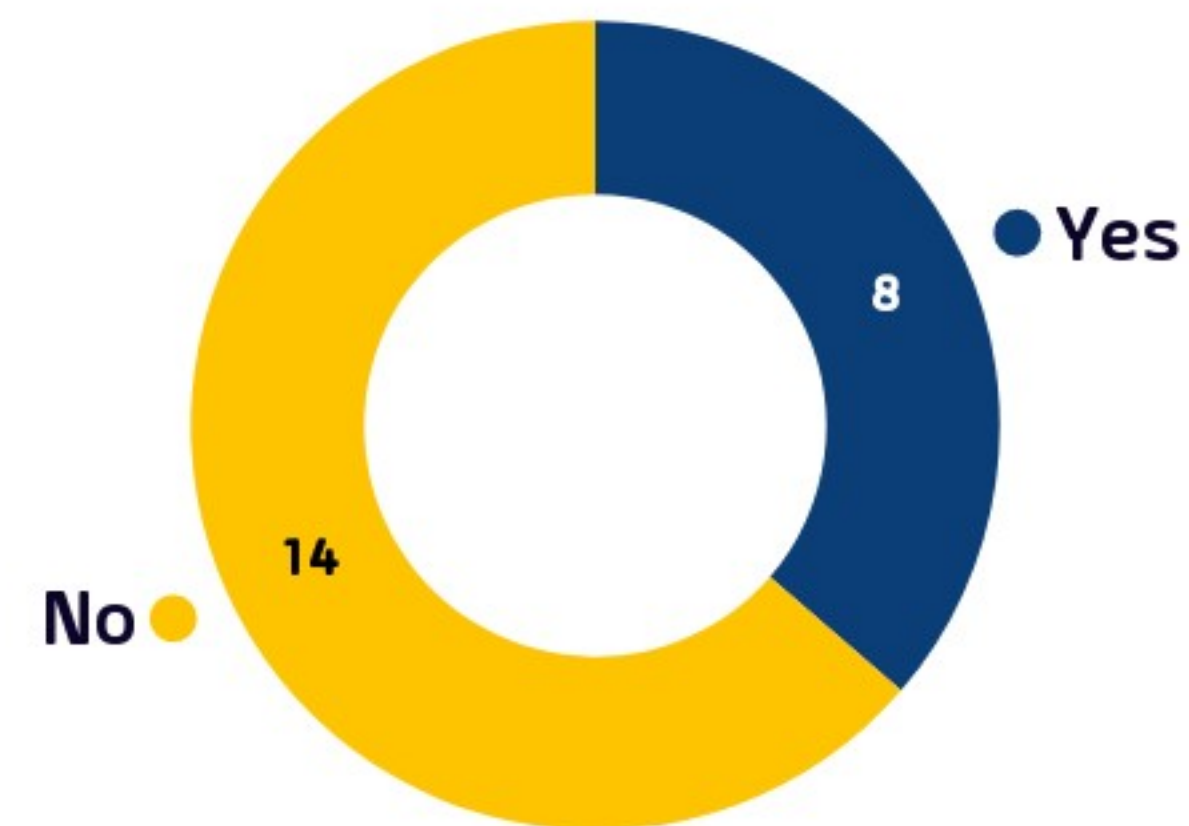
Are you worried that foreign e-Learning resources could unduly influence your examination practice?
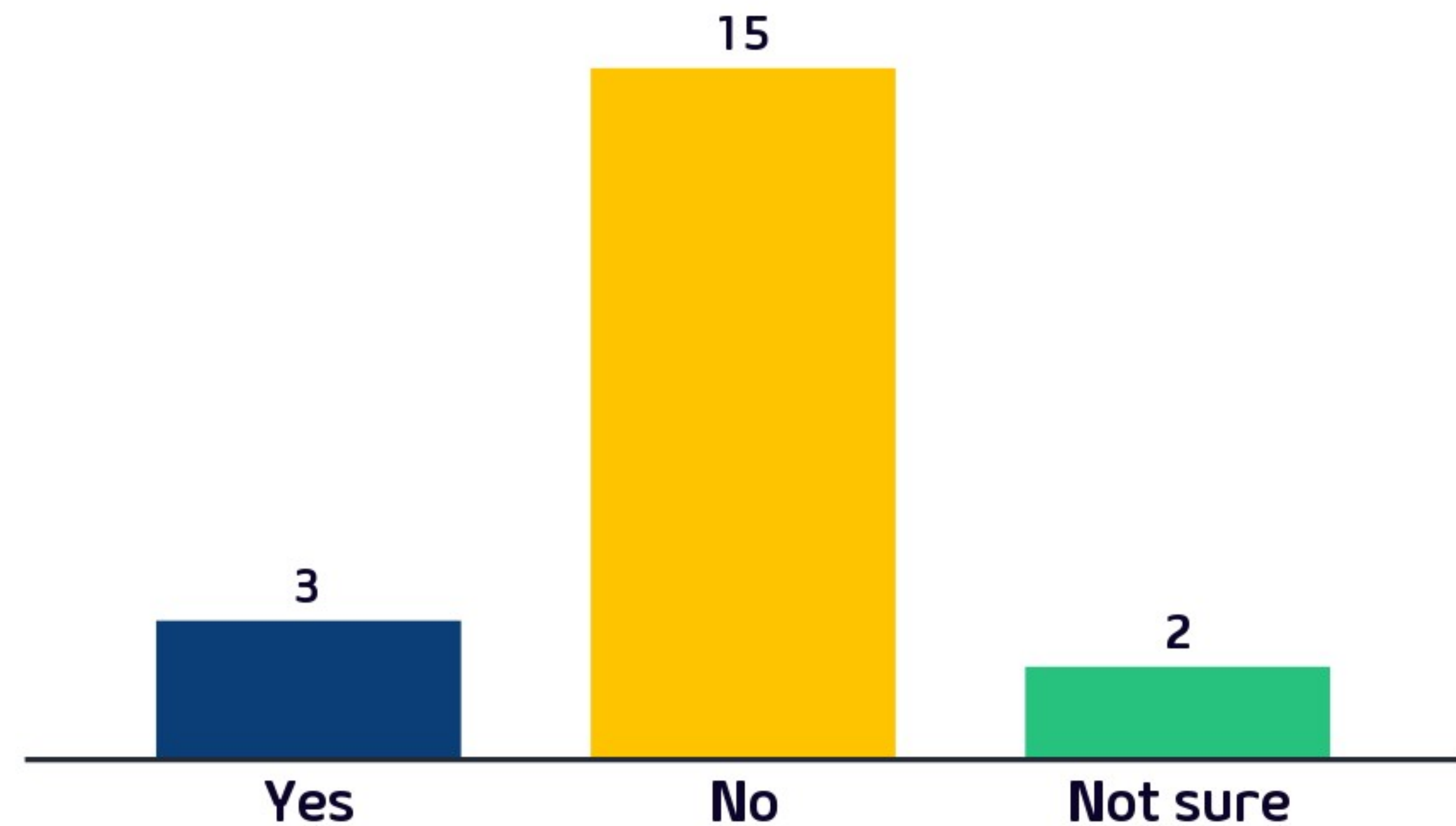
Utility of e-Learning ?

- Utility in comparison to traditional face-to-face or tutored training (learning-by-doing)?
  - Mandatory component at some offices (USPTO; IPAu, RPEM, ..)

- Pros (advantages)
  - Self-paced learning may increase efficiency (available anytime anywhere)
  - Standarized materials lay common grounds; repeatable for several cohorts
  - Continuing improvement through feedback
  - Optionally included standardized assessments

- Cons (drawbacks)
  - Resources required for development and maintenance of **in-house** e-Learning
  - Motivation/incentives for effective participation
  - 'Too standardized', too easy to accomplish

Utility of **foreign**/**external** e-Learning ?

- Further Pros (advantages)
  - **No** resources required for development and maintenance of in-house e-Learning
    - Opportunities in particular for under-resourced (small) offices
  - Developed by specialists (classification, database, search methodologies,..)
  - Exposure to alternative explanations/views; sharing of best practices
  - Understanding of foreign practices in context of work-sharing

- Cons (drawbacks)
  - Patent laws, regulations, applicable case law, institutional settings differ
  - Insufficient coverage of relevant topics, or inappropriate content
  - Undue bias or influence through foreign materials
  - Language barrier, peculiar foreign terminology
  - Access is sometimes controlled (not as free as USPTO resources); may depend on bilateral agreements with provider office

Policies on using e-Learning

- No one-fits-all: depending on office size/resources
- Use of in-house or external e-Learning resources; mix of both
    - Benefit of investing in in-house modules?
    - Collaboration in development of e-Learning resources
- Mandatory or volontary use by examiners
    - Endorse 'trusted' external resources
    - Use of working hours for e-Learning
    - Other incentives
- Entry and/or post entry level content
- Tracking of participation only or assessments (self- or validated)
- Access options (public?)
    - sharing with other offices (e.g., with smaller offices not able to maintain a training infrastructure)
- Appropriate infrastructure (such as a learning management system)

Upcoming PCT circular

- Survey on **use of e-Learning resources** and **policies therefor**
 - Questionnaire (WORD) including
  - To be issued January 2021

- Purpose:
  - Raise awareness for compilation
  - Trigger policies on use of e-Learning

- Repetition of previous circular PCT C 1588 (February 2020)
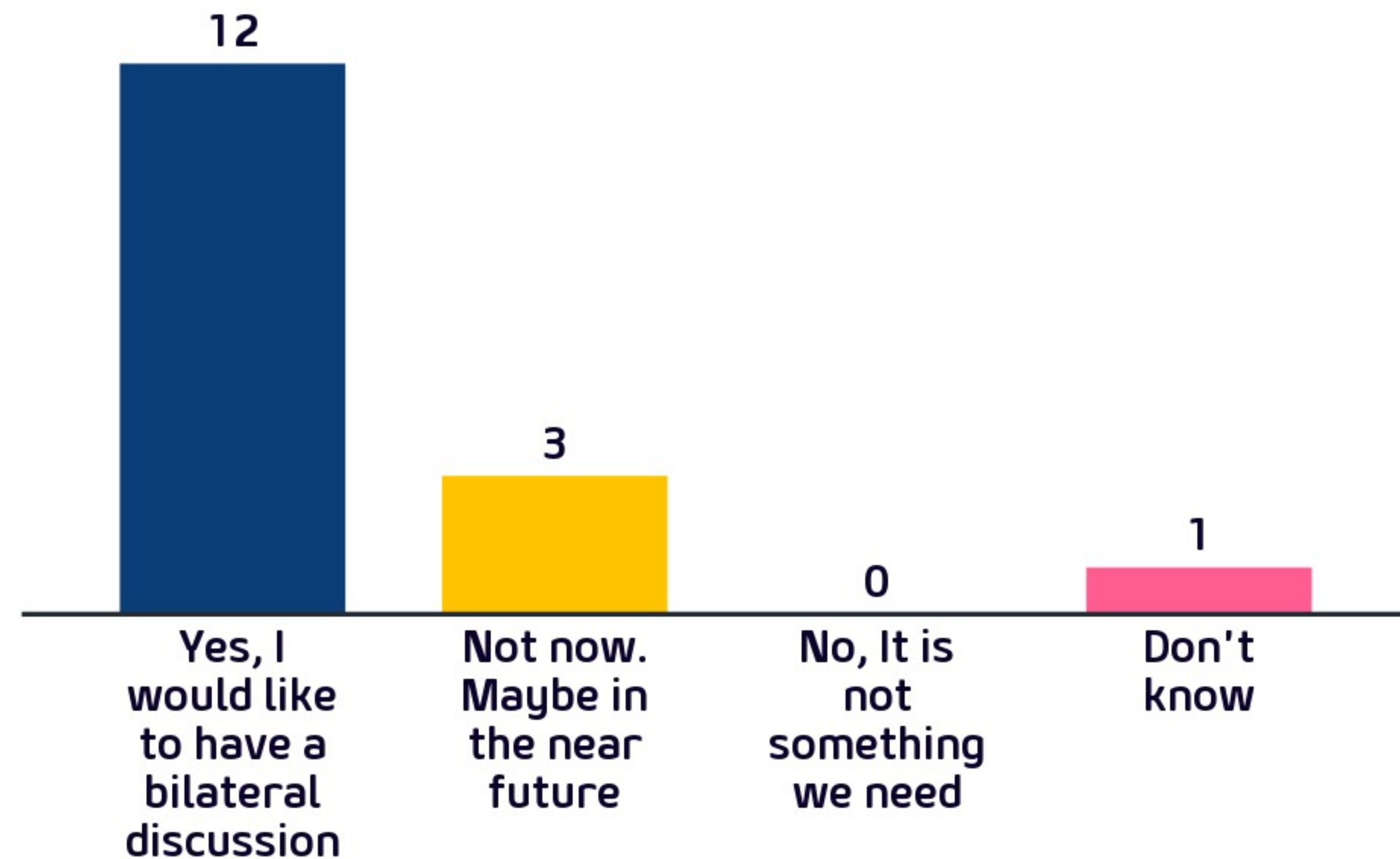 - Too few responses received

- Evaluation and recommendations to be discussed at 14th session of PCT WG

Please respond

Do you think that foreign/external/e-Learning resources can make a valuable contribution to the training of examiners in your office??

22	0	2
Yes, I believe so	No, it won't work	Not sure
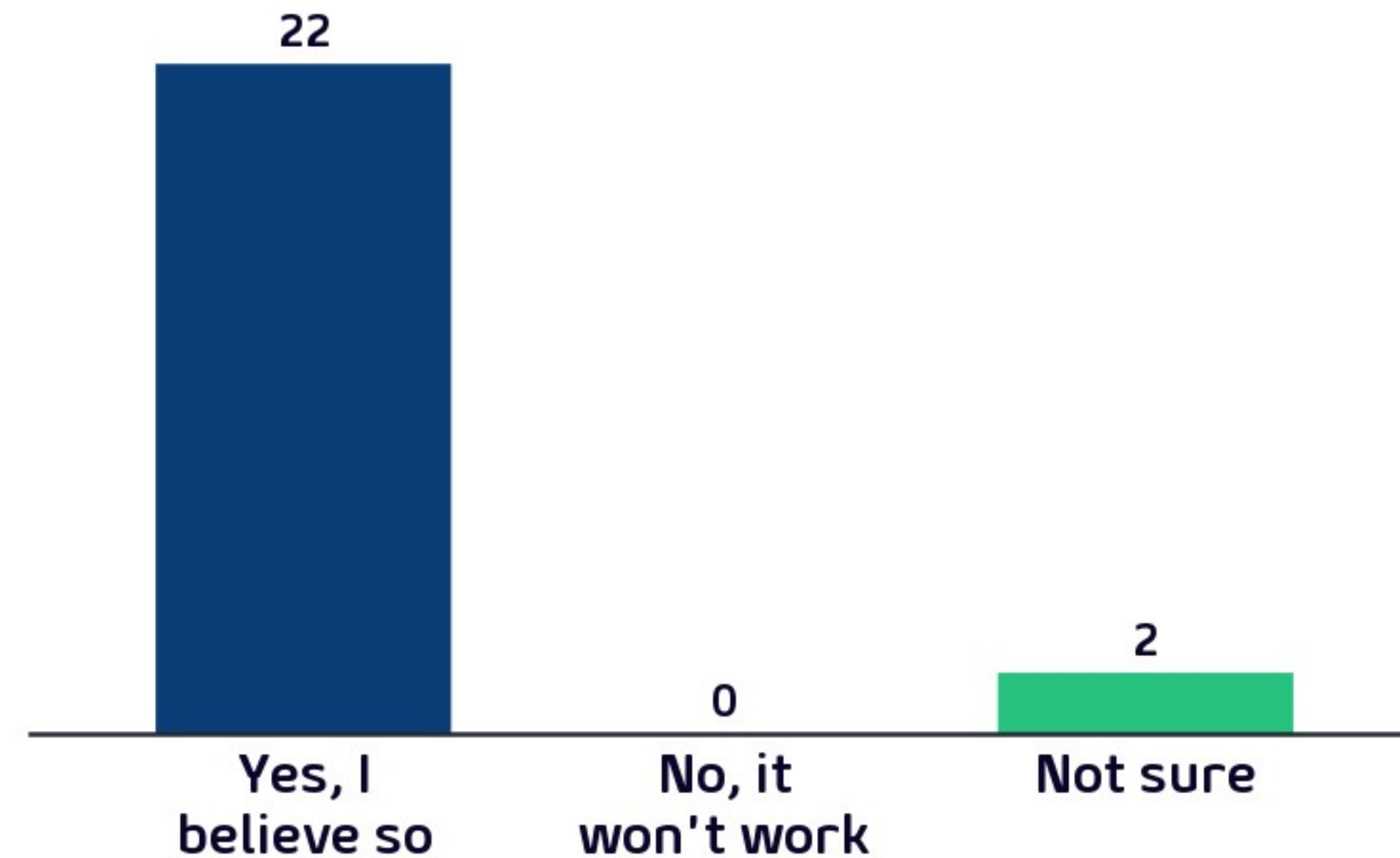
How about now. Do you have any questions?

25 questions
8 upvotes

Thank you

lutz.mailander@wipo.int

First Follower: Leadership Lessons from Dancing Guy

So what's Next? The answer starts with the letters Ch....