



Australian Government

IP Australia

WIPO ASEAN Sub-Regional Forum

Regional/International Cooperation in Search and Examination of Patents

Collaboration between WIPO & the Vancouver Group

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Patents Backlog Unsustainable



IP Australia like other IP Offices has experienced increasing patent workloads

IP Australia is addressing this by

- Workforce and workload modelling
- Targeted recruitment (80 new examiners in 2009)
- Reducing duplication of work.

WIPO Global Symposium in 2009 highlighted the need to promote work sharing between Offices.



- Make use of examination work done by other major Patent Offices that is readily accessible**
 - US PTO's PAIR
 - EPO's Register Plus
 - Refer to other IP Office's reports in AU examination report
- Patent Prosecution Highway (PPH) Program with US PTO**
 - Applicant driven
 - Trial still in evaluation stage
- IP Rights Reform project**
 - Raise Inventive Step requirements to International threshold
- PCT work for US and Korea**
- Vancouver Group Mutual Exploitation Initiative**



IP offices of the UK, Canada and Australia established in April 2008

Aim

- Share information and experiences
- Contribute to a more effective multilateral approach to work sharing

Priority

- Eliminate unnecessary rework and duplication in prosecuting patent applications in the three offices.



Principles

- Where possible, rely on any patent granted or work done by another Vancouver Group Office.
- Applied transparently
- Office driven process
- Online access to work
 - Enabling platform using WIPO infrastructure
 - Online access to consolidated search & examination documents
 - Quickly determine relevance of specific information



Good quality standards are key

- Examiner exchanges:**
 - Shown there are more similarities than differences
 - Confirmed work sharing is feasible and viable
 - Reinforced importance of collaborative work sharing
- Focus on comparing quality**
- Develop common quality criteria**



Interim IT solution

- Share documents via a secure online document repository

Centralised Access to Search and Examination (CASE)

- Digital library of search and examination reports
- Planned for January 2011



- Share documents via secure online repository (GovDex)
- Created Vancouver Group Collaboration Portal in GovDex
- Access to select examiners in the 3 Offices
- Built in feedback mechanism
- Progressing well - Pilot Results are encouraging
- However very much a manual process
- Does not have capacity for automation or enhancements

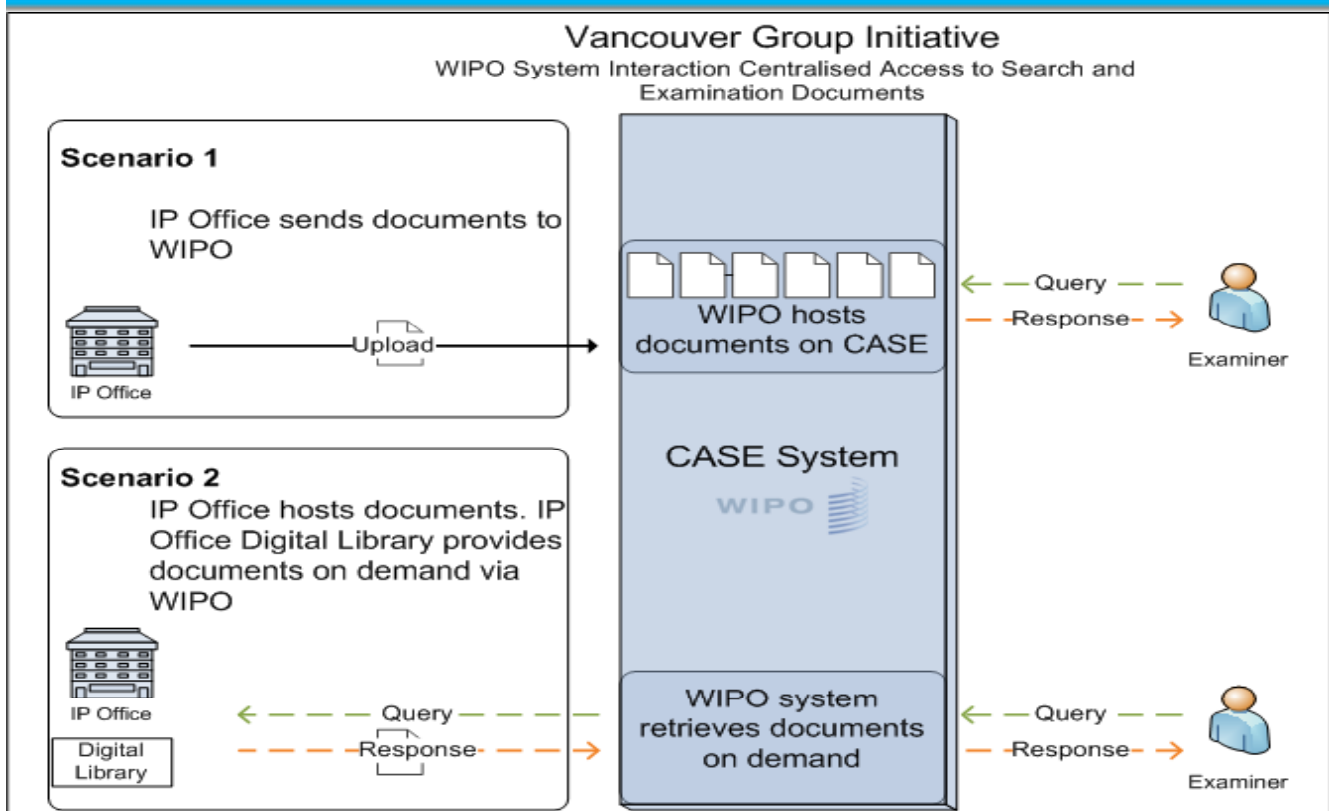


Centralised Access to Search and Examination (CASE)

- ❑ Digital library of search and examination reports
- ❑ Accessed via WIPO infrastructure
- ❑ Planned for January 2011
- ❑ Once proven – extend to other Offices on an opt-in basis



CASE – a flexible model



Expected Benefits

Practical model for facilitating work sharing

- Improves transparency & quality of work
- Office driven

Increased efficiencies

- Centralised access to search & examination reports - multiple jurisdictions
- Uses common WIPO standards - minimises duplication of work

Scalable & extendable

- Opt-in basis
- National digital libraries (e-dossiers) not obligatory
- Reduced duplication of data



Tangible Results

Pilot Results are encouraging

- 63% of reports from other Offices were found useful in identifying relevant prior art
- 18% of the examination reports were found to be less useful - differences in practices, claims or disagreement with reports

Benefits

- Avoid unnecessary duplication of work
- Easily obtain high quality examination work & granted patents
- Confidence in each other's work



Vancouver Group Offices = medium-sized

- Majority of all patent applications are made by non-residents
- Majority of patent applications are filed through the PCT
- Extract value from other offices' work

CASE will further facilitate reuse of work



- Minimises duplication of work
- Meets the needs of applicants and Offices
- Rapid resolution of the national phase



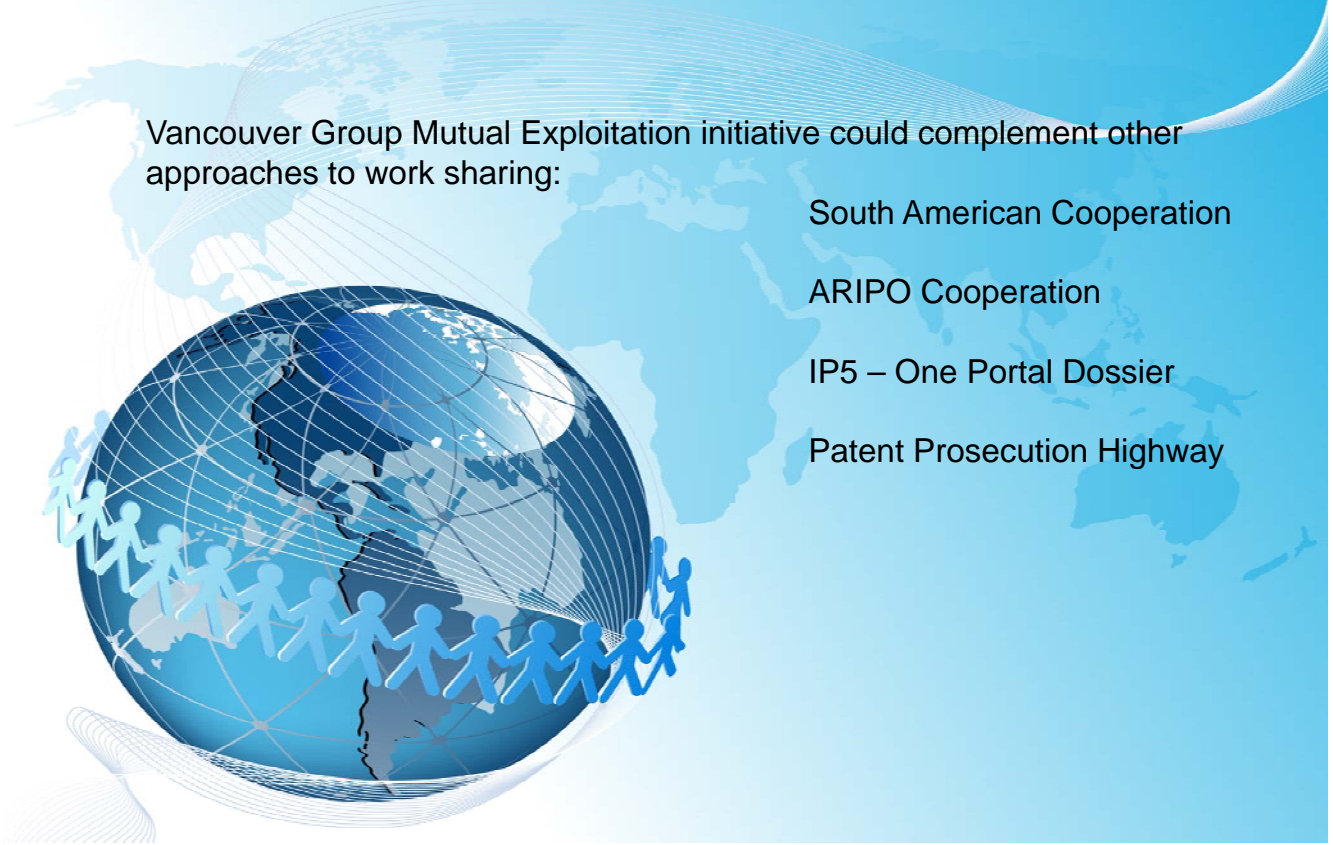
Vancouver Group Mutual Exploitation initiative could complement other approaches to work sharing:

South American Cooperation

ARIPO Cooperation

IP5 – One Portal Dossier

Patent Prosecution Highway



- Patent backlogs are unsustainable
- There is a clear need for work sharing between Offices
- VGME work sharing initiative progressing well under interim IT solution
- CASE developed – January 2011
- Once proven - Intention to extend to other Offices on an opt-in basis





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Thank You!

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IP Australia has achieved certification for its quality and environmental management systems.



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