

**In the Name of Allah the Most
Beneficent and the Most Merciful**



1



Government of Pakistan

IPO Pakistan-Cabinet Division

Intellectual Property Organization
Pakistan

WIPO Sub-Regional Workshop on the
Utilization of Patent Examination Results
to Enhance Patent Examination Capacities
and Increase the Quality of Patents, Kuala
Lumpur, Malaysia

**November 29-
December 01,
2011**

The Patent Office:

2nd Floor Kandawala Building,
M.A. Jinnah Road, Karachi.

IPO Pakistan



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THE PATENT OFFICE KARACHI.
INTELLECTUAL PROPERTY ORGANIZATION
PAKISTAN.

3

Contents

- Statistics On Examination
- Flow Of Patent Applications
- Patent Prosecution / Examination Procedures
- Staffing Of Patent Office
- Examination Guidelines
- Deferred Examination

4

Continued...

- Request For Information From The Applicant
- Databases Used For Examination Results
- Timelines
- Hearings With Applicants
- Types Of Claims
- Advisory Services
- Challenges In Substantive Examination

5

Statistics On Examination

6

Patent Applications For The Year 2005

Received	1287
Granted	168
Withdrawn	86

Foreign Applications	1144
National Applications	143

7

Patent Applications For The Year 2006

Received	1739
Granted	170
Withdrawn	95

Foreign Applications	1652
National Applications	87

8

Patent Applications For The Year 2007

Received	1558
Granted	147
Withdrawn	85

Foreign Applications	1456
National Applications	102

9

Patent Applications For The Year 2008

Received	1545
Granted	121
Withdrawn	77

Foreign Applications	1378
National Applications	167

10

Patent Applications For The Year 2009

Received	1212
Granted	45
Withdrawn	29

Foreign Applications	1104
National Applications	108

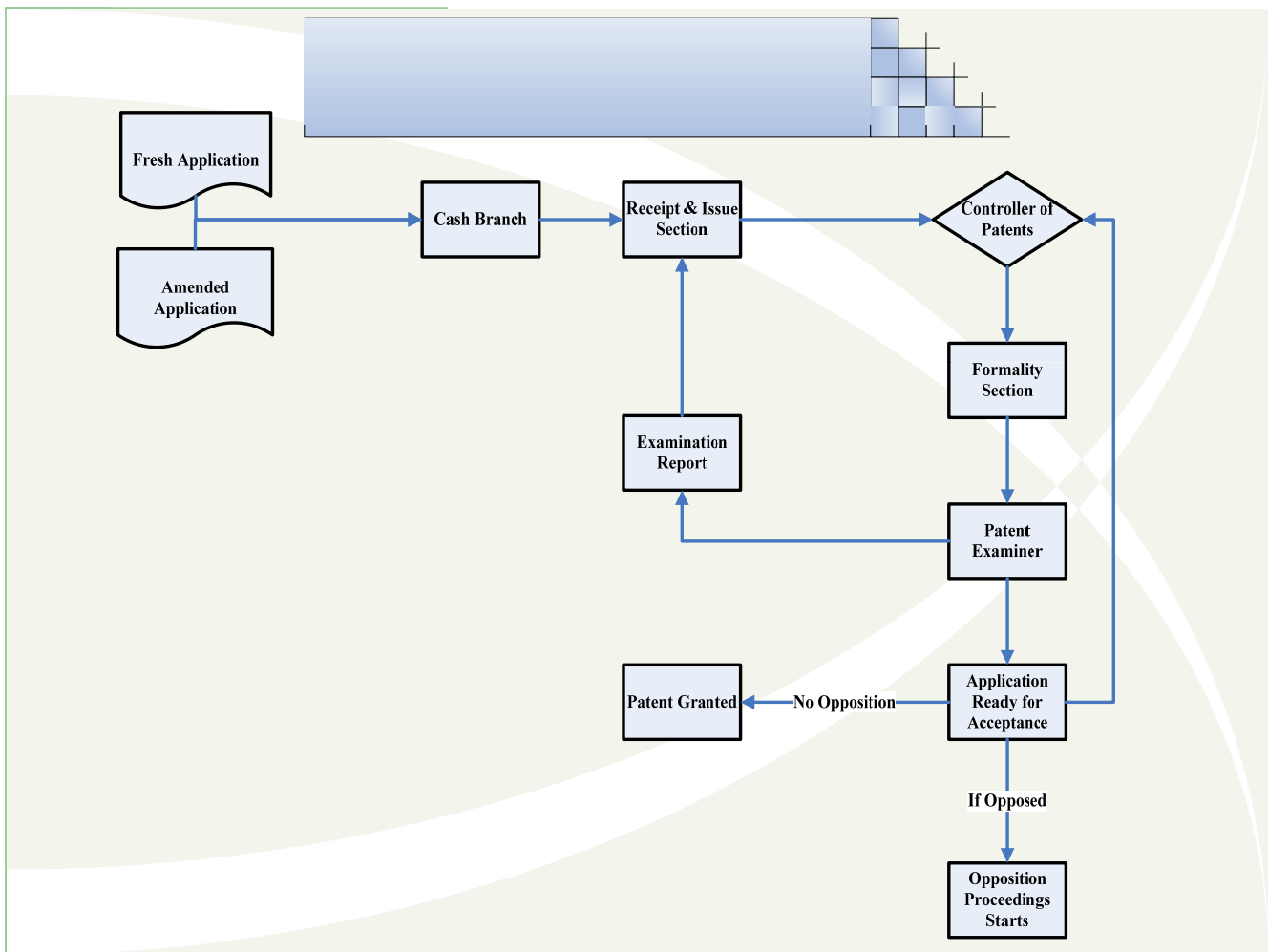
11

Patent Applications For The Year 2010

Received	1094
Granted	06
Withdrawn	09

Foreign Applications	981
National Applications	113

12



Patent Prosecution/Examination Procedures

Patents are granted on new inventions only.

International search is made to ascertain the novelty of the invention.

a) Formal examination

Formal Examination check list

- A. Application: Kind of application
- B. Patent of addition and Divisional Application:
- C. Application under Section: (86) Country of origin.
- D. Authorization:
- E. Specification: Does it comply with Rule 7(1)?
- F. Drawings: Are they reproducible?
- G. General Memorandum regarding documents sent

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b) Substantive Examination

Check List of Substantive Examination by the Patent Examiner;

- Definitions
- Patentable Inventions U/S 7(1)
- Not Patentable Invention U/S 7(2)
- Patent shall not be granted U/S 7(4)
- Novelty U/S 8
- Industrial Application U/S 10

Continued...

- Single Invention U/S 13(3)
- Divisional Application U/S 13(4)
- Contents of the Specification U/S 15
- Drawing U/S 15(2)
- Amendment with the permission of Controller U/S 42
- Priority U/S 86
- Certified copy of Priority documents U/S 88
- Language of the certified copy other than English U/S 88(2)

Staffing Of Patent Office

Total number of Examiners = 12

- Pharmacy = 4
- Engineering = 2
- Biochemistry = 2
- Chemistry = 1
- Agriculture = 2
- Information Technology = 1

17

Examination Guidelines

No examination guidelines in addition to Patent Ordinance 2000 and Patent Rules 2003, and any case law applicable for interpreting them, are provided.

18

Deferred Examination

Deferred Examination is not allowed, i.e. it is not possible to file an application and request examination at a later stage.

Request For Information From The Applicant

U/S 20 of the Patents Ordinance 2000, the applicant shall, when required by the Controller, furnish him with the date and number of any application for a patent filed by him abroad. He may also be required to submit the following documents:

- (i) a copy of any communication received by the applicant concerning the results of any search or examination carried out in respect of the foreign application;

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- (ii) a copy of the patent granted on the basis of the foreign application; and
 - (iii) a copy of any final decision rejecting the foreign application.
- The applicant shall, when required by the Controller, furnish him with a copy of any final decision invalidating the patent granted on the basis of foreign application.

21

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The legislation does not explicitly authorize granting of patents based on claims granted by other patent offices. However, preference is given to patent applications granted in EP, US, Germany and Australia, if they so comply with the requirements of Patents Ordinance 2000.

22

Databases Used For Examination Results

- Espacenet
- Epoline
- Patentscope
- US PAIR
- AIPN
- Google patents

WIPO ARDI and WIPO ASPI are not used.

23

Timelines

At the present time, no official timelines for actions by the examiner or the applicant are in exercise. Hence the applicant is not bound to reply within a certain time limit.

24

Hearings With Applicants

- The Controller, U/S 53 of the Patents Ordinance 2000, shall give to any applicant for a patent or for amendment of a specification, if within the prescribed time the applicant so requires, an opportunity of being heard before exercising adversely to the applicant.
- Frequency of hearings varies, and hearings are conducted within 10 to 15 days after receiving of request from the applicant.

25

Types Of Claims

- According to Section 15(4) of the Patents Ordinance 2000, the claim or claims of a complete specification shall relate to a single invention, shall be clear and succinct and shall be fairly based on the matter disclosed in the specification.
- Usually 3 independent claims are allowed, but there is no bounding from the Patents Ordinance 2000.

26

Advisory Services

The Patent Office Karachi, has established an IP helpline to provide support services to the R&D institutions as well as individual researchers in getting their inventions and creations registered for protection and commercialization.

27

Challenges In Substantive Examination

- International Search Report (ISR) interpretation
- International Preliminary Examination Report (IPER) interpretation
- Judgment/interpretation of novelty & inventive step from specification, embodiments and diagram.
- How to differentiate that an invention lacks novelty/inventive step or both?

28

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- How to raise objections:
 - i) If we want applicant to limit claims.
 - ii) Scope of "Markush Claims" too wide.
 - iii) To avoid selection patent.
 - iv) When diagrams are not clear
- What is information disclosure statement and why it is needed?

29

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- Parameters for fair basis of claims
- How much detail of a process should be there in claims
- Unity of Invention
- Key words used to search international patent databases like Patentscope, Espacenet, USPTO

30

THANK YOU

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