

USE OF WIPOCASE TO SUPPORT NATIONAL PATENT EXAMINATION & SEARCHING: VIETNAM'S EXPERIENCES

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Workshop on Technical Requirements to Facilitate ASPEC Work Sharing
and ASEAN IP Portal

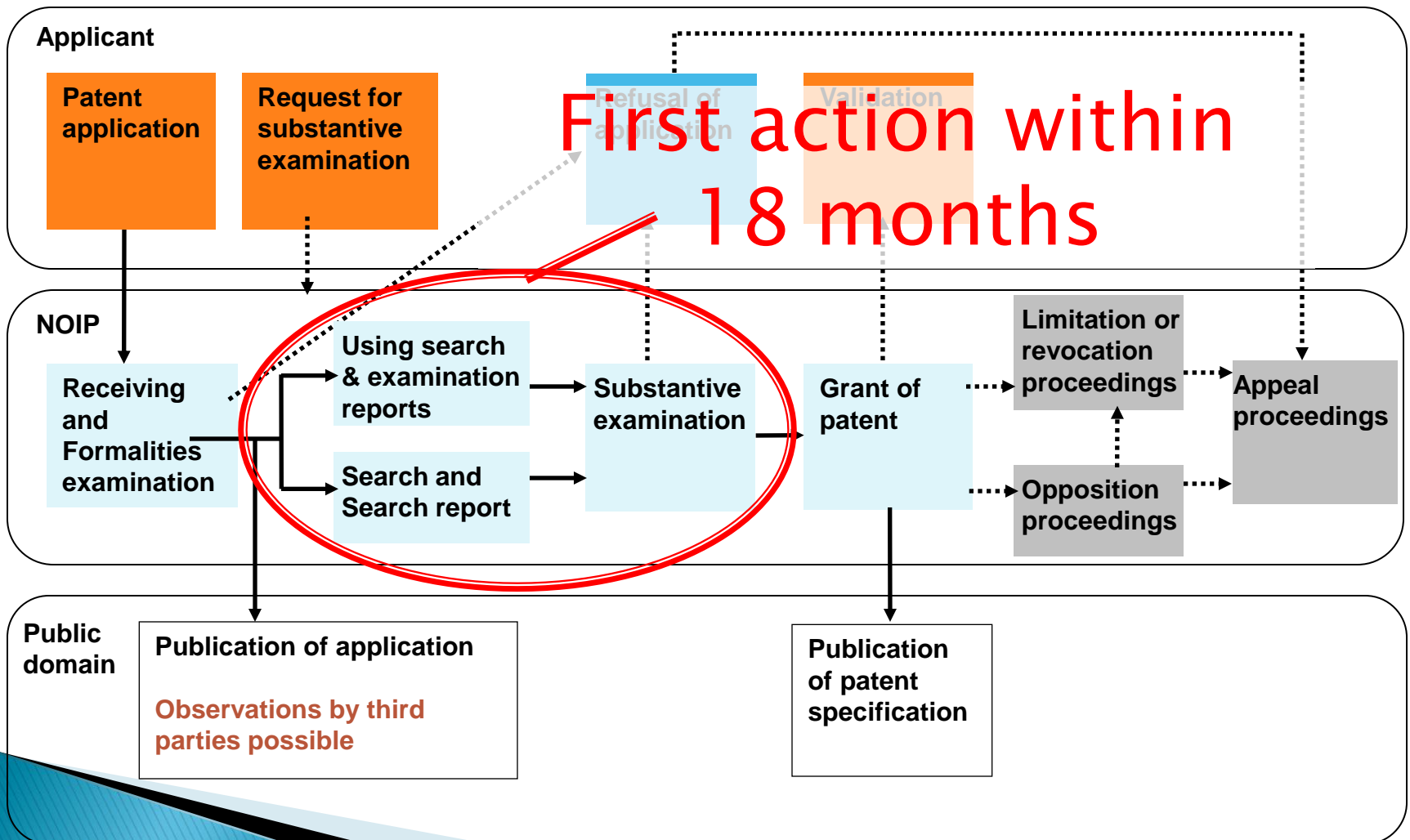
Singapore, July 16 and 17, 2014

Outline

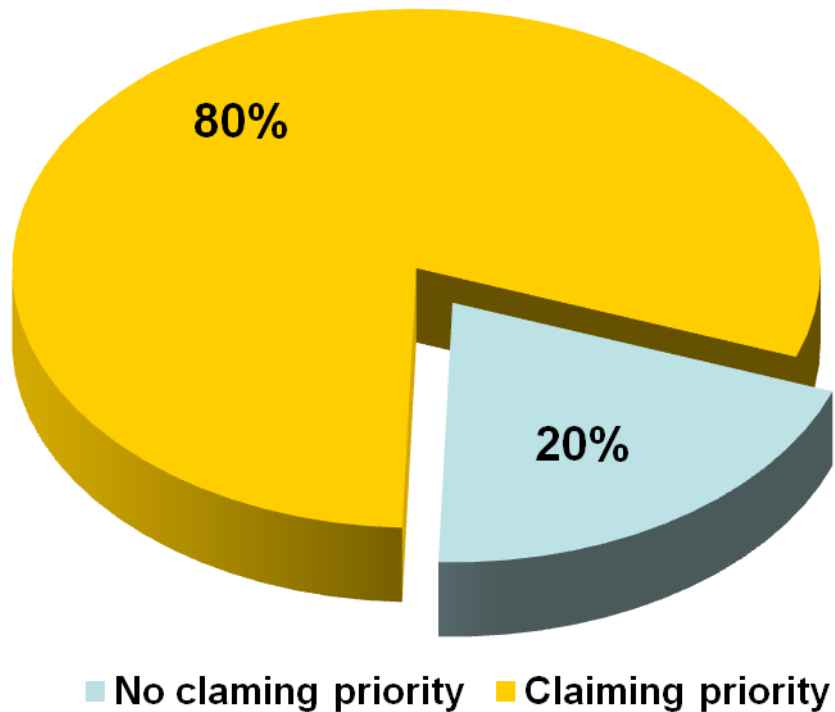
1. **NOIP's practices on patent examination and work-sharing**
2. **Work-sharing via WIPO Case**
3. **Work-sharing via ASPEC**
4. **Proposals**

NOIP's practices on patent examination and work -sharing

Patent examination procedures



Filings



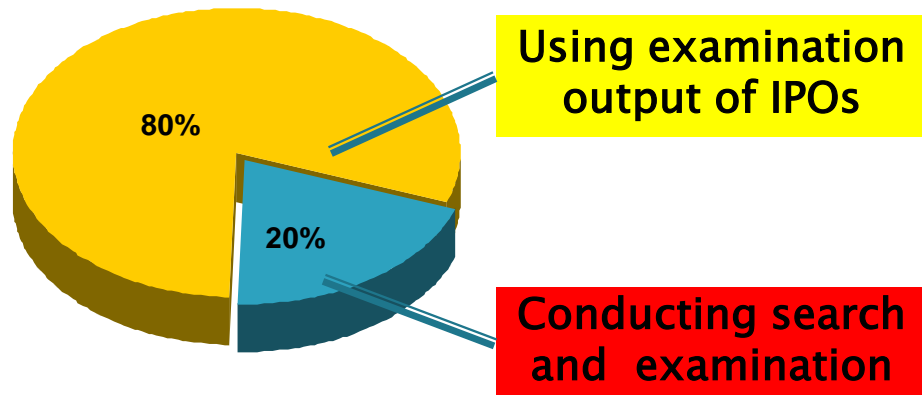
- . Total (invention and utility) ~ 4500
- . PCT route > 70%
- . Domestic ~ 10%

- . First action: 20-24 months
- . Final action: 30-36 months

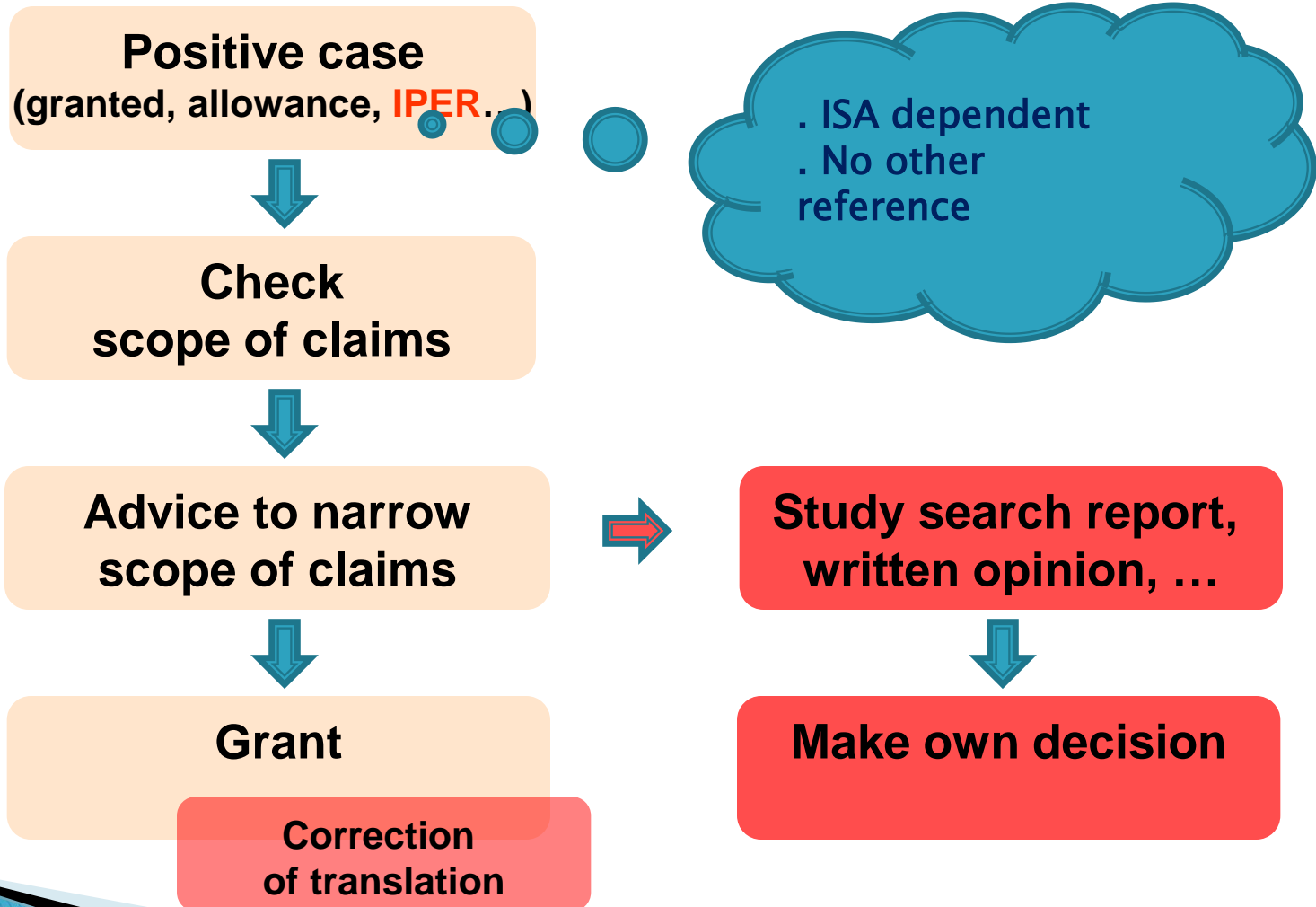
Substantive Examination

Viet Nam's Intellectual Property Law 2005:

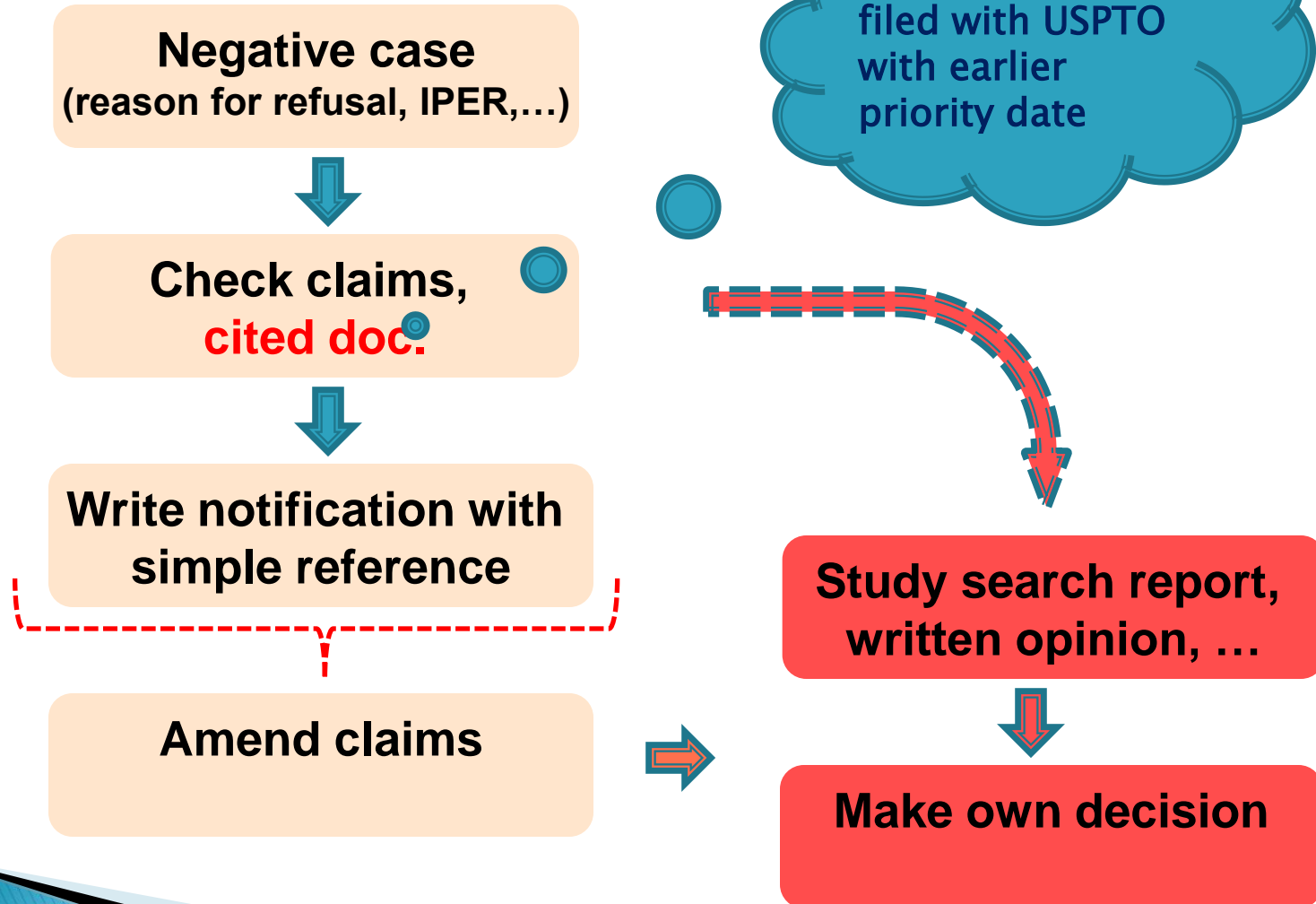
Reference to examination output of advanced IPOs is allowed.



Work sharing scenarios



Work sharing scenarios



Work sharing scenarios

**Positive/Negative
case**



**Different opinions
of IPOs**



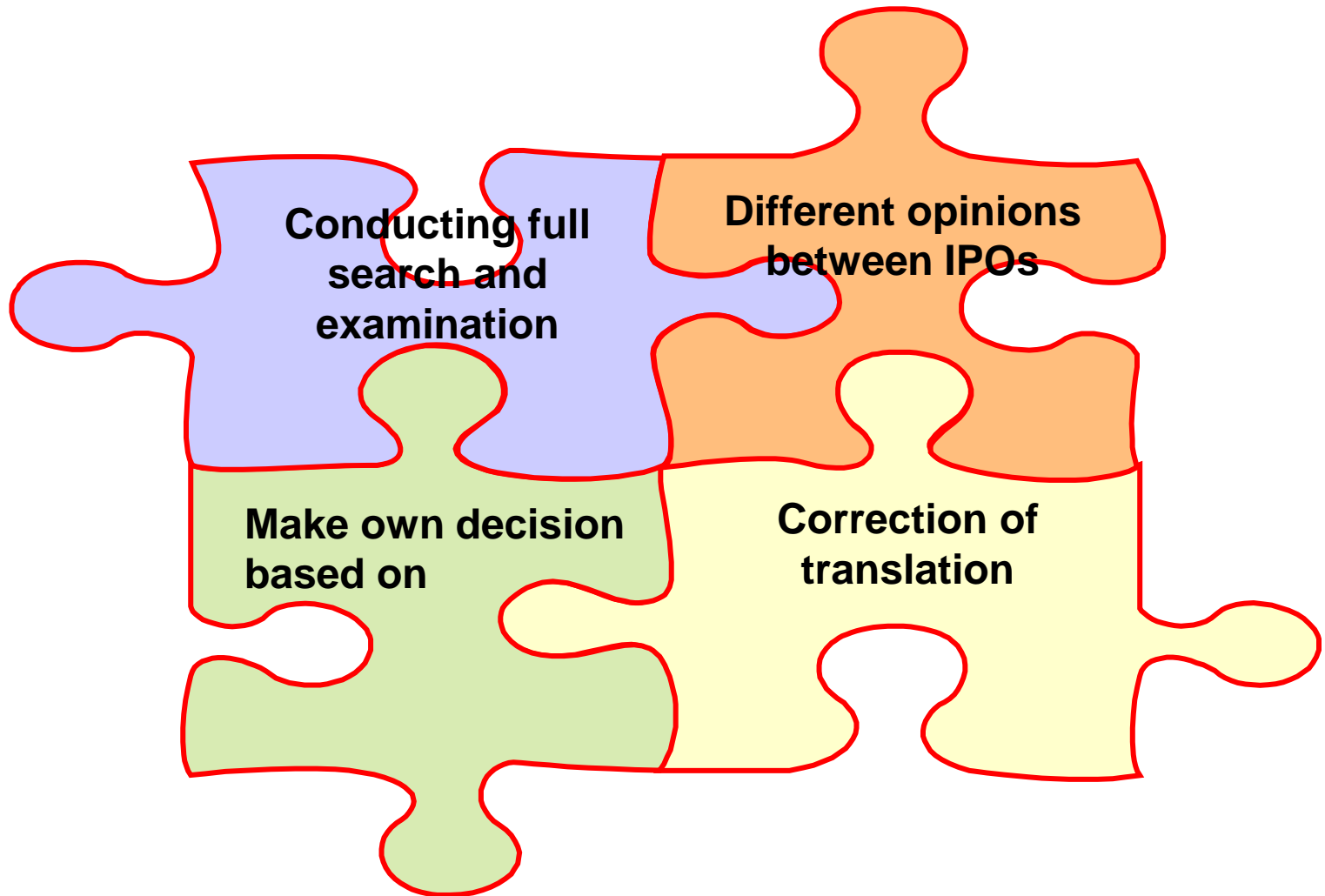
**Lack of
clear
guideline**



**Make own decision
(Basis of decision, ...)**

Software,
business method,
...

Workload



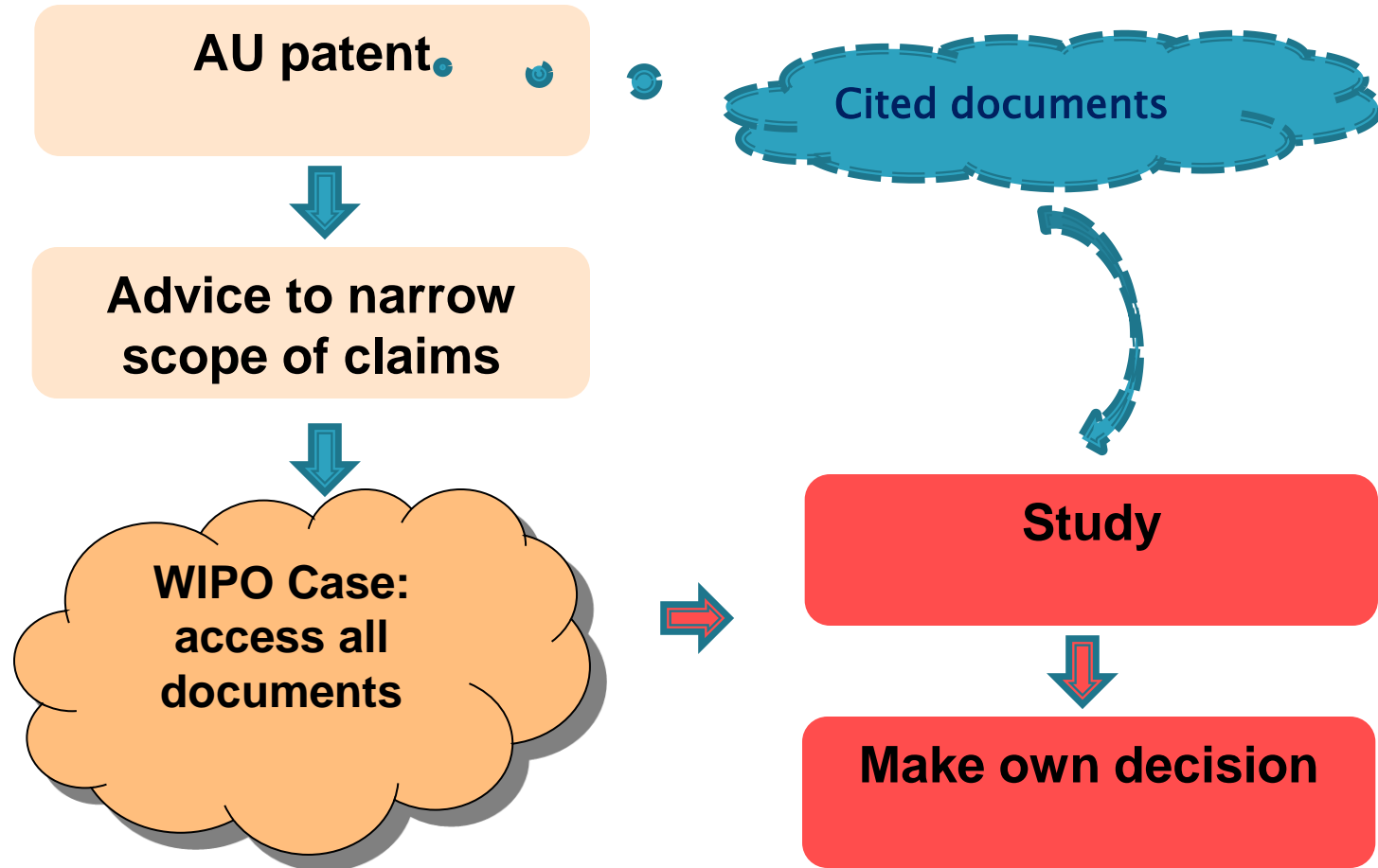
Difficulties

- ▶ **Limitation of human resource:**
 - Number of examiners
 - Qualification: technology, ...
 - Training system

- ▶ **Lacking of clear policies and guidelines on patent examination**

Work-sharing via WIPO Case

Work sharing: WIPO Case



- . Helpfull
- . No statistic data of usage available

Work-sharing via ASPEC

Work sharing: ASPEC

	ASPEC	PPH – JPO
Use allowed by Law	No	Yes
Term specified	6 months	No

- . **One successful case**
- . **Difficult to meet the term if number of the cases increased**

Proposals

Proposals

- ▶ **ASPEC:**
 - Allow to use result (next stage).

- ▶ **Assist to improve capacity:**
 - Training system
 - Examination Guideline

Thank you for attention!

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