



# Topic 1: Recent Developments in Global Work Sharing - Business Perspectives

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# Global Patent Filing Trends

- Worldwide surge in patent applications due to globalization of technology market.
- Users are seeking IP protection for their inventions in multiple international markets.
- Applicants must file different applications in each country, which will lead to multiple searches and examinations.
- Redundancy creates inefficiencies and additional costs for applicants.
- And also results in the patent offices around the world duplicating a substantial amount of work.
- Consistency of examination results among IP offices is very important.

# Objectives of Work-Sharing

- Work-sharing = Quality and Efficiency gains
- In 66% of cases, examiners found new prior art by sharing search reports from other offices (*Vancouver Group examiner exchange*).
- In 88% of cases, feedback resulted in additional citations. In 53% of cases, feedback resulted in changes to Written Opinion (*EPO progress report on PCT collaborative search and examination*).
- Collaborative work may increase initial costs, but overall costs decrease.

# Objectives



# Work-Sharing Business Models

## ■ Centralized Examination

- One office examine applications, others accept the results, with some formalities, top-up search, or other procedures

## ■ Collaborative Examination

- Examiners from 2 or more offices work together to produce a single result, which is then used independently in each office

## ■ Mutual Recognition

- Examiners from a second office rely on the work of another office, perhaps with additional search and examination

## ■ Mutual Exploitation

- Examiners from a second office have access to the results of another office and may take them into account in their own work.

## ■ Unilateral Exploitation

- Examiners from a second office access the results of other offices via public online file inspection systems.

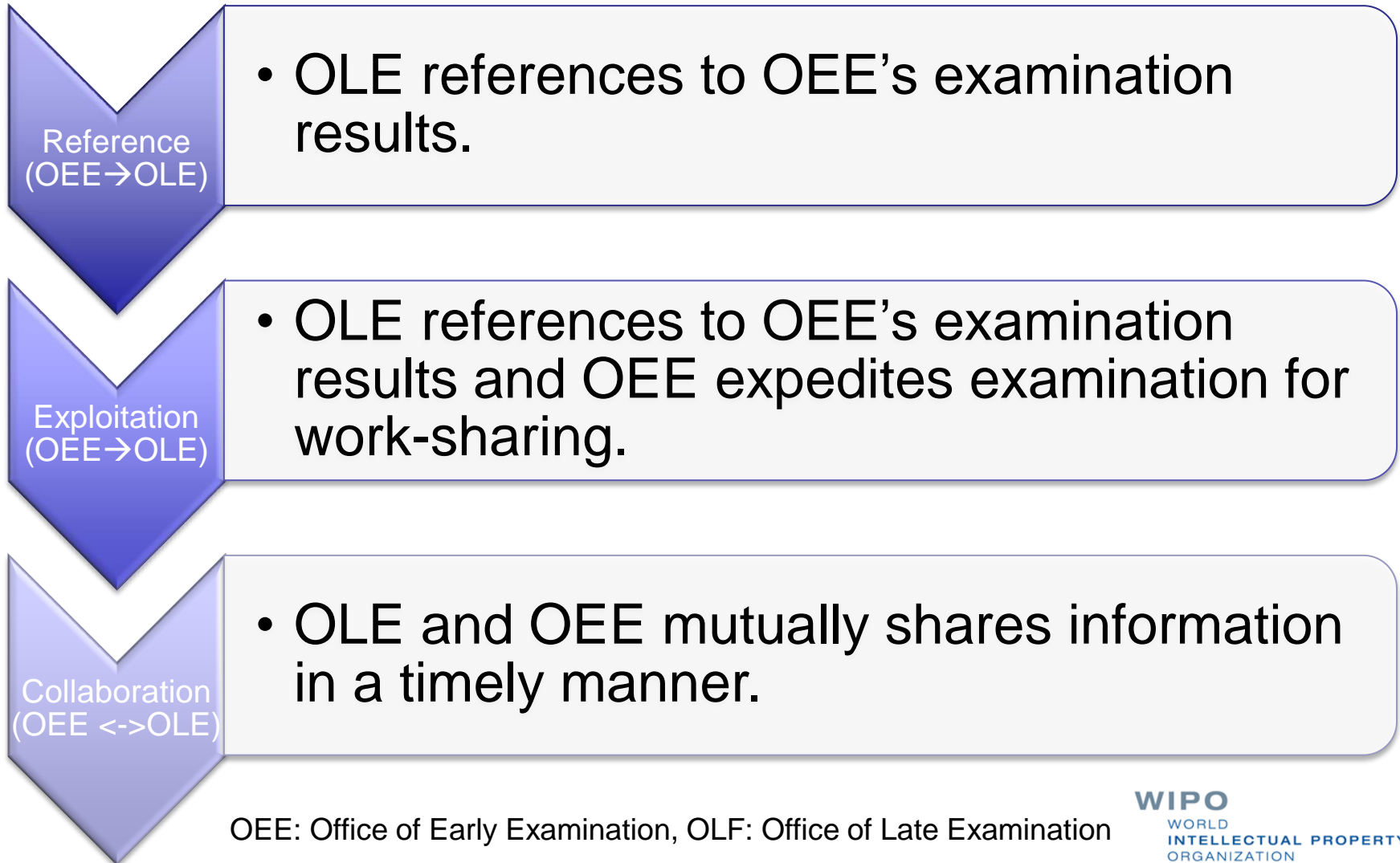
## ■ Outsourcing

- Applications are examined by another office or by an external company.

# Work-Sharing Business Models

<u>Mutual Exploitation</u>  Vancouver Group	<u>Collaborative Examination</u>  PCT Pilot IP5 Pilots
<u>Centralized Examination</u> ARIPO, EPO, PCT? <u>Outsourcing</u> Singapore WIPO-ICE	<u>Mutual Recognition</u>  PPH

# Evolution of Work-sharing Business Models





# Reference Stage

- Reduction of duplication and improvement of examination quality of OLE through the consultation for examination result of OEE.

Programs	Type of work-sharing
PCT	Consultation of ISR by DO
PPH	IF OEE or ISA finds patentability, OLE or DO expedites the examination of the corresponding application.
Vancouver Group	Consultation of OEE's work through WIPO-CASE system (UK, CA, AU)
ASPEC	PPH type work-sharing program among ASEAN members

# Exploitation Stage

- OEE expedites examination so that OLE may consult examination results of OEE.

Programs	Type of work-sharing
PACE	Automatic accelerated search for European patent applications without any priority claim
KR-RAPID	Examiner of KIPO, as the OFF, expedites the examination according to applicant's request
JP-FIRST	Examiner of JPO, as the OFF, expedites the examination before the OSF starts the examination
FLASH	USPT examiners expedite examination and prepare a FA within approximately 3 months form notification that USPTO is OFF.

# Collaboration Stage

- Peer examiners from other offices support the first examiner in generating an examination report.

Programs	Type of work-sharing
PCT CSE	<ul style="list-style-type: none"> <li>• An initiative to improve ISR and WO-ISA quality</li> <li>• Examiners of participating offices jointly establish PCT ISR and WO-ISA</li> <li>• Main examiner establishes final ISA and WO-ISA based on the supplementary info and comments from other offices.</li> </ul>
Modified Timeliness Strategy (EPO)	<ul style="list-style-type: none"> <li>• Mutual sharing of prior art information between OEE and OLE.</li> <li>• Optimized for the preparation of European Search Report.</li> </ul>

# What can be done for ASEAN?

- approximately 15% of patent applications are first filings by local applicants
- at least 75% of patent applications are filed, via the PCT, by foreign applicants from a small number of origins
- Possible priorities for ASEAN:
  1. Utilization of available technical work-sharing platform
  2. High quality service for national applicants
  3. Efficient processing of parallel foreign applications

Thank you