

Patent Cooperation Treaty (PCT) Committee for Technical Cooperation

Thirtieth Session
Geneva, May 8 to 12, 2017

EXTENSION OF APPOINTMENT OF THE SWEDISH PATENT AND REGISTRATION OFFICE AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

Document prepared by the International Bureau

1. All of the existing International Authorities were appointed by the PCT Assembly for a period ending on December 31, 2017. In 2017, the Assembly will therefore need to make a decision on the extension of the appointment of each existing International Authority that wishes to seek an extension of its appointment, having first sought the advice of this Committee (see PCT Articles 16(3)(e) and 32(3)). Information concerning this process and the role of the Committee is set out in document PCT/CTC/30/INF/1.
2. On March 1, 2017, the Swedish Patent and Registration Office submitted its application to extend its appointment as an International Searching Authority and International Preliminary Examining Authority under the PCT. This application is reproduced in the Annex to this document.
3. *The Committee is invited to give its advice on this matter.*

[Annex follows]

APPLICATION OF THE SWEDISH PATENT AND REGISTRATION OFFICE
FOR EXTENSION OF APPOINTMENT
AS AN INTERNATIONAL SEARCHING AND
PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

1 – GENERAL

Name of Office or intergovernmental organization:

Patent- och Registreringsverket (PRV)
Swedish Patent and Registration Office (PRV)

Date on which application for appointment was received by the Director General:

March 1, 2017

Session of the Assembly at which appointment is to be sought:

PCT Assembly Forty-Ninth Session (2017)

Expected date at which operation as ISA/IPEA could commence:

Ongoing

Existing ISA/IPEA(s) assisting in assessment of extent to which criteria met

Not applicable for extension of appointment, but see note in Section 9.

2 – SUBSTANTIVE CRITERIA: MINIMUM REQUIREMENTS FOR APPOINTMENT

2.1 – SEARCH AND EXAMINATION CAPACITY

Rules 36.1(i) and 63.1(i): The national Office or intergovernmental organization must have at least 100 full-time employees with sufficient technical qualifications to carry out searches and examinations.

Employees qualified to carry out search and examination:

Technical field	Number (in full-time equivalent)
Mechanical	42
Electrical/electronic	40
Chemistry	27
Biotech	5
<i>Total</i>	<i>114</i>

The number of qualified employees has varied between 110 and 180 in recent years; for 2017 the Office is expanding the number by 23 full time examiners to be added to the numbers above.

*To become qualified the minimum qualifications are: Master of Science or equivalent, C level language in Swedish and English, B level of German or French and ability to understand the other, and past the written exams of our internal, 18 months, examiner training, see below.

Training Programs

Examiners and Formality staff take part in effective initial training and development programs. They are approved through different level examination tests to ensure they acquire and maintain the necessary competence requirements. During the training program to become an examiner, which is at least 18 months long and comprises about 150 lesson hours, the examiner is under the guidance of several tutors, which are responsible for the results of the examiner. Detailed written training material and online training programs support the in-house training. The training program to become an examiner also comprises language courses (German, French and formal English writing).

Every examiner attends a comprehensive refresher course every five years. Additionally, seminars are given as a result of annual quality checks or in response to new situations or guidelines. Directors provide individual educational programs, in consultation with the individual, concerning both Intellectual Property Law and technical aspects. The educational programs include: workshops (in-house), examiner exchange, in-house/ external seminars and courses. An extensive cross search/examining program has been developed to ensure continuity and quality.

Patent experts are trained within a special expert program attended by highly qualified examiners. The program is extensive and runs over several years combined with normal search and examination duties. The program ends with an examination and oral presentation of an examination thesis.

All staff are informed of the importance of complying with the quality criteria and standards as a part of the introduction course at PRV when they start their employment. The Director of quality management has a main responsibility to ensure that this knowledge is maintained.

Rules 36.1(ii) and 63.1(ii): That Office or organization must have in its possession, or have access to, at least the minimum documentation referred to in Rule 34, properly arranged for search purposes, on paper, in microform or stored on electronic media.

Access to the minimum documentation for search purposes:

(x) Full access

Search systems:

EPOQUENet, STN, Questel, Mintel GNDP, Internal Library search service.

Rules 36.1(iii) and 63.1(iii): That Office or organization must have a staff which is capable of searching and examining the required technical fields and which has the language facilities to understand at least those languages in which the minimum documentation referred to in Rule 34 is written or is translated.

Language(s) in which national applications may be filed and processed:

Swedish, English.

Applications filed in all Scandinavian languages are accepted, see point 3 below.

Other languages in which large numbers of examiners are proficient:

German, French.

Services available to assist search or understanding of prior art in other languages:

Language Translation Machines, CPMT, K-PION, PAJ.

2.2 – QUALITY MANAGEMENT

Rules 36.1(iv) and 63.1(iv): That Office or organization must have in place a quality management system and internal review arrangements in accordance with the common rules of international search,

PRV has a long history of quality work and has followed international standards for quality management since the mid-1990s. At the end of 1990 we adjusted our Patent processes to the TQM (Total Quality Management) principles and also started working with continuous improvement plans and assessment according to CAF (Common Assessment Framework). In 2006 PRV decided to start using the ISO 9001:2000 quality management standard and the entire office and all processes, including of course the national and international (PCT) patent processes, were certified according to the ISO 9001 standard in October 2007.

In 2015 we did our last external review according to the standard ISO 9001:2008 and the quality management system was then regarded by the external reviewers as: *“The Quality Management system fully complies with the ISO 9001:2008 standard, is a mature management system, and is exemplary to quality management in the public sector”*

In September 2016, the entire Office was recertified according to the new standard ISO 9001:2015.

QMS reports according to the template used by International Authorities regarding the requirements of Chapter 21 of the PCT International Search and Preliminary Guidelines can be found on the WIPO webpage at <http://www.wipo.int/pct/en/quality/authorities.html>.

3 – INTENDED SCOPE OF OPERATION

Language(s) in which services would be offered:

Danish, English, Finnish, Norwegian and Swedish for any international application. In addition, French, in the case of applications from the States referred to in paragraph (b), below.

State(s) or receiving Office(s) for which Authority would offer to be competent:

The following States for which it will act:

(a) Denmark, Finland, Iceland, Norway, Sweden;

(b) the States regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations, provided that Sweden, in accordance with its obligations undertaken within the framework of the European Patent Organisation, has concluded with those States an agreement for that purpose;

Limitations on scope of operation:

None

4 – STATEMENT OF MOTIVATION

PRV, has been an Office of National Patent Filings since 1885 and an active PCT-ISA and PCT-IPEA since 1978.

Sweden is and has been one of the most innovative countries in the world, and was 2016 ranked as no 2 by the Global Innovation Index.

There is a significant demand for locally based services in the Nordic region, delivered in the local languages. Swedish, Danish, Finnish and Norwegian are all among the most used languages of filing other than the languages of publication. PRV continues to be the ISA chosen by a significant number of applicants from the region, including from Denmark, Finland and Norway as well as Sweden.

The Office's position as an International Authority is also mutually supportive with the activities undertaken in relation to patent information and training, referred to in Section 5.

5 – APPLICANT STATE(S)

Regional location



[Map showing Sweden and neighboring States]

Regional organization memberships:

EU, EPC, EUIPO

Population:

10 000 000+ (2017)

GDP per capita:

424,400 Swedish kronor; 44,761 euros; 47,395 United States dollars

Estimated national R&D expenditure (% of GDP):

3.31 (2013)

Number of research universities:

28 Universities

Summary of national patent information network (for example patent libraries, technology and innovation support centers):

PRV works with dissemination of information on patents, and intellectual property, in a number of ways. The strategy for providing information support to entrepreneurs and SME:s is to combine access to valuable information on digital platforms with personal meetings, and also via intermediaries such as different public advisor organisations.

Both the PRV website and the verksamt.se website function as digital platforms for information dissemination. Verksamt.se is built by a network of Swedish innovation supporting agencies, with the aim of providing all information that is needed to start, develop and run an enterprise at one common platform. PRV has through its contribution to the network made sure that information on intellectual property is provided in a relevant context.

In order to create opportunities for personal meetings, PRV continuously visits regional and local innovation days all over Sweden in order to contribute with information on intellectual property.

The innovation supporting agencies network (mentioned above) also tours with start-up days, attracting many participants, where information on intellectual property is an integral part. In 2016, as a part of the Swedish government's strategy on export, 6 regional export centres were established. PRV is as a national agency part of these centres network for information and support on IP.

PRV has also established a network of intermediaries and frequently organises trainings and seminars for these organisations. For example, PRV has, in collaboration with the Swedish innovation agency, since 2013 broadcasted seminars over the internet on different IP related topics, 2-4 times per year. The seminars are also available over the PRV website, and possible to take view subsequently.

Major local industries:

The economy of Sweden is a developed export-oriented economy aided by timber, hydropower, and iron ore. These constitute the resource base of an economy oriented toward foreign trade. The main industries include motor vehicles, telecommunications, pharmaceuticals, industrial machines, precision equipment, chemical goods, home goods and appliances, forestry, iron, and steel.

Major trading partner States: (Top 10, 2015 in descending order based on value of export goods):

Norway
Germany
United States of America
Great Britain
Denmark
Finland
The Netherlands
Belgium
France
China

6 – PROFILE OF PATENT APPLICATIONS

Number of national applications received – by technical field

Technical field/Year	2012	2013	2014	2015	2016
Chemistry	359	400	381	349	330
Electrical engineering	354	342	324	366	383
Instruments	396	352	343	328	337
Mechanical engineering	923	996	1030	963	893
Other fields	377	376	310	354	350
NULL	29	30	36	67	91
TOTAL	2,438	2,495	2,425	2,427	2,384

Number of PCT applications received – by technical field

Technical field/Year	2012	2013	2014	2015	2016
Chemistry	231	203	180	172	112
Electrical engineering	520	449	349	332	198
Instruments	238	214	186	131	78
Mechanical engineering	426	496	483	343	237
Other fields	156	147	127	128	95
NULL	20	25	34	12	261
TOTAL	1,592	1,534	1,359	1,118	982

Number of national applications received – by route

Route/Year	2012	2013	2014	2015	2016
National first filing/internal priority	2,264	2,323	2,264	2,269	2,243
Paris priority	94	105	93	79	68
PCT national phase	80	67	68	79	73

Number of international applications received as RO

Year	2012	2013	2014	2015	2016
Number of international applications received as RO	1,683	1,778	1,691	1,447	1,352

Main Offices/States in which priority is claimed from national applications

SE, EP, US, CN, CA, KR, JP, AU, DE.

Average time taken for national patent processing

<i>Indicator</i>	<i>Measure from</i>	<i>Time (months)</i>
To search	First filings only. Calculation performed for search report during the year 2016. Time between filing day and day of report of performed search.	7.0
To first examination	First filings only. Time between filing day and day of report of performed search and examination communicated with applicant during the year 2016. Note that search and examination are performed at the same occasion	7.0
To grant	First filings only. Calculation performed for granted applications during the year 2016 Time between filing day and day of granted, published patent.	28.9

National backlogs

Measure	Number of applications
All pending applications	4,174
Applications awaiting search (where relevant fees paid)	1,241

7 – SUPPORT REQUIRED

No special support required

8 – OTHER

Not applicable

9 – ASSESSMENT BY OTHER AUTHORITIES

PRV has done several benchmarking and assessment activities with other International Authorities during the years. PRV will continue this work in the future and is open to suggestions from any International or National Office on mutual assessment schemes. PRV will participate in the Assessment as proposed by Canada (CIPO) and taking place as part of the Quality Subgroup Meeting, starting 2018.

[End of Annex and of document]