



Topic 3: Examination Status and Databases for Researching Status

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Agenda

- Examination status
 - Types of status
 - Why do we need to know?
- Overview of options and sources for retrieval
 - Patent registers (primary sources)
 - Secondary sources (Inpadoc)
 - Prosecution history reflected in dossiers

Work-Sharing in the PCT national phase

Utilizing examination work products from other national phases for improving **efficiency** and **quality** requires

- **Databases/platforms** providing
 - Patent **family information** (family table) [>Topic 2]
 - **Examination status** of family members [>Topic 3]
 - **Access to examination work products** (**dossiers**, file wrappers) of family members [>Topic 4]
- Ideally, platforms which integrate this information in a user-friendly manner, e.g. within family table; and with additional tools, for example, for comparing work products (Common Citation Document - CCD) [>Topic 6]
- Information on differing national practices (naming and content of work products; important case law; exclusions; ..)

Status and life cycle stages of patents

- **Pre-grant phase** (before decision to grant or refuse/reject)
 - Pending
 - With request for examination
 - Awaiting request for examination (some jurisdictions with 'deferred' examination)
 - Withdrawn by applicant
 - Deemed to be withdrawn, abandoned (lack of action by applicant)
 - Rejected, refused by examiner
- **Grant phase** (between publication of decision to grant and the entry into force of grant)
 - Intend to grant (notice of acceptance)
 - Publication of grant
 - Opposition, reexamination; appeal
- **Post-grant phase** (after the entry into force of grant)
 - Lapsed
 - Reexamination, nullification, revocation, invalidation

Why do we need to investigate status?

- Whether patents have been granted:
 - > full set of examination work products available (intermediary and final)
 - Whether opposition/invalidation was requested
 - > additional very relevant prior art
- If patents have not (yet) been granted, whether
 - Note of 'intention to grant' or 'acceptance'
 - > full set of examination work products available
 - Still pending examination
 - estimate by when next action (intermediary work product) can be expected
 - Rejected; indicator for
 - > very relevant prior art, and/or
 - > other important deficiencies (clarity, sufficient disclosure)
 - Many abandonments indicate
 - > relevant prior art
 - lack of interest
 - relevant for backlog processing (saving examination resources)

Legal status

- Status is related to legal **events or actions** as defined by the respective patent law and regulations of a particular **jurisdiction**

events > status changes over the lifetime of patents

jurisdiction > different definitions limit comparability; differing terminology

- Be aware:
 - Same terminology does not imply same conditions for and implications of status
 - Different terminology may be used despite similar conditions and implications of status
- For more see WIPO Standard [ST. 27](#)
- Status may change from one day to another which poses challenges for maintaining respective databases up-to-date
- > National **registers** as primary (authoritative), up-to-date sources

Status Information and Dossier Access

- **Primary sources:** each jurisdiction defines how **authoritative (official)** patent information is published and the respective authority in charge
- **National Patent Registers** are **authoritative** sources for
 - national **legal status: all do (many online)**
 - national family relations (divisions, continuations)
 - national publications
 - online access to national **dossiers** (public file inspection): **some do**
- **Secondary sources:** aggregate data from various primary sources; one-stop shops to access information from several primary sources through a unified user interface (building on a table of the patent family); access with English user interface:
 - **Inpadoc database** (public; status only)
 - **IP5 Global Dossier** (public; status derived from dossier, prosecution history)
 - **WIPO CASE** (non-public; status derived from dossier, prosecution history)
 - **WIPO PATENTSCOPE** (public; status derived from dossier, prosecution history)



European Patent Register

About this file: EP1901248

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EP1901248 - **Secure transaction system** [Right-click to bookmark this link]

Status

The application has been refused
Status updated on 29.06.2012
Database last updated on 04.11.2016

Don't confuse with
ESPACENET
EP Register is a separate
database covering only EP
and WO applications

Most recent event

29.06.2012 Refusal of application published on 01.08.2012 [2012/31]

Applicant(s)

For all designated states
Franchi, John F.
39 Plater Drive Oxford
Oxfordshire OX2 6QT / GB

[2008/12]

Inventor(s)

1 / see applicant

...

[2008/12]



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NATIONAL

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Patent Utility Model Industrial Design Trademark Help ?

PCT Application No.(FNA) ▼

Cellphone And SmartPhone

Search

Search result for : {FNA:PCT/EP13/058245}

Search from the result

Patent (1)

Utility Model (0)

Industrial Design (0)

Trademark(0)

Ranking ▼

Bibliography

Drawing

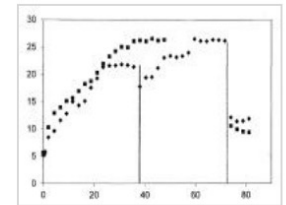
Magnetic separation of particles including one-step-conditioning of a pulp

Appl.No.: AP/P/2014/008061 Patent No.: Status: Substantive examination

IPC: B03C1/01(2006.01)

Filing Date: 22.04.2013 Applicant: BASF SE.

The present invention relates to a process for separating at least one first material from a mixture comprising this at least one first material and at least one second material, which comprises contacting of the mixture comprising at least one first material and at least one second material with at...



Item per page : 10

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WIPO patent register portal

SIMPLE SEARCH

Using PATENTSCOPE you can search 96 million patent documents including 4.1 million published international patent applications (PCT). [More information](#)

PCT publication 20/2021 (20.05.2021) is now available [here](#). The next PCT publication 21/2021 is scheduled for 27.05.2021. [More](#)

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- IPC Green Inventory
- Portal to patent registers

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Patent Register Portal

The Patent Register Portal is your gateway to online patent registers and gazettes and to legal-status-related information from over 200 jurisdictions and patent information collections. Use it as a first step to identify what information can be retrieved online and how to access it.

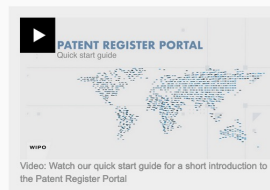
Contact us with any suggestions for improvements or updates.

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Browse the table for an overview of information available for each jurisdiction or patent information collection. For additional information consult the [Detailed jurisdiction files](#).

Note: N/A = Not applicable
 By clicking the link in the Jurisdiction column, you can access the website of the relevant authority or service
 By clicking the link in the Online Register column, you can access either the register ("Yes") or alternative contact details for researching the legal status of a patent ("No")

Jurisdiction/ Patent Information Collection	Regional Membership/ Patent Information Collection	Which services/features are available?			Which search fields are available online?			Which information can be retrieved online?				
		Online Register	Online Gazette	English Interface	PCT Application/ Publication Number	Inventor/ Applicant Name	Priority Data	Fee Payment	Legal Status	Dossier/ File Wrapper Information	Supplementary Protection Certificates/ Patent Term Extension	Full Publicatic
AFGHANISTAN (AF)	No	No	No	No	No	No	No	No	No	No	No	No
ALBANIA (AL)	EPO	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	No	No
ALGERIA (DZ)	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No	No
ANDORRA (AD)	No	No	Yes	No	No	No	No	No	No	No	No	No



Query Examples

INPADOC: Secondary legal status source



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Patent search

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CA2663217 (A1)
Bibliographic data
Description
Claims
Mosaics
Original document
Cited documents
Citing documents
INPADOC legal status
INPADOC patent family

INPADOC legal status: CA2663217 (A1) — 2008-05-22

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SECURE UNIVERSAL TRANSACTION SYSTEM

The EPO does not accept any responsibility for the accuracy of data and information originating from other authorities than the EPO; in particular, the EPO does not guarantee that they are complete, up-to-date or fit for specific purposes.

Legal status of CA2663217 (A1) 2008-05-22:

CA F 2663217 A (Patent of invention)

Event date : 2012/07/25

Event code : FZDE

Code Expl.: - DEAD

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→ [What happens if I click on "In my patents list"?](#)

INPADOC legal status

- INPADOC data produced by EPO based on information received from primary sources (registers)
- Accessible through Espacenet as a **secondary source** of legal status data
- Not necessarily up-to-date because it is not retrieved on the fly, but in batches, for example, once a week
- Only certain jurisdictions sharing data with EPO are covered

Status derived from prosecution history

- **Prosecution history** is the sequence of office and applicant actions (events)
- **Examination status** usually derives from the last office or applicant action (event), or the lack of such action after expiry of time limit
- Some registers provide prosecution (event) history (EP-Register)
- Communications (documents exchanged) in dossiers reflect prosecution history



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- EP2402418
European procedure
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Table with 3 columns: Date, Description, European Patent Bulletin date, issue number. Contains event history entries from 2012 to 2017.



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All documents(38)

<input type="checkbox"/> <u>Date</u> ▲	Document type
<input type="checkbox"/> 18.09.2017	Closing of application
<input type="checkbox"/> 07.06.2017	Application deemed to be withdrawn (translations of claims/payment missing from 01-04-2012) ←
<input type="checkbox"/> 04.04.2017	Notice drawing attention to the payment of the renewal fee and additional fee
<input type="checkbox"/> 21.12.2016	Bibliographic data of the European patent application
<input type="checkbox"/> 21.12.2016	Communication about intention to grant a European patent ←
<input type="checkbox"/> 21.12.2016	Intention to grant (signatures)
<input type="checkbox"/> 21.12.2016	Text intended for grant
<input type="checkbox"/> 21.12.2016	Text intended for grant (clean copy)

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EP2402418 - METHOD FOR COLLECTING HYDROCARBON COMPOUND FROM GASEOUS BY-PRODUCT AND APPARATUS FOR COLLECTING HYDROCARBON [Right-click to bookmark this link]

Status	The application is deemed to be withdrawn <i>Status updated on 22.09.2017</i> <i>Database last updated on 16.10.2021</i>	
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Most recent event	22.09.2017	Application deemed to be withdrawn	published on 25.10.2017 [2017/43]
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Applicant(s)	For all designated states Japan Oil, Gas and Metals National Corporation 2-10-1, Toranomon Minato-ku, Tokyo 105-0001 / JP
	For all designated states INPEX Corporation 5-3-1 Akasaka Minato-ku Tokyo 107-6332 / JP
	For all designated states JX Nippon Oil & Energy Corporation 6-3, Otemachi 2-chome Chiyoda-ku Tokyo 100-8162 / JP
	For all designated states Japan Petroleum Exploration Co., Ltd. 7-12, Marunouchi 1-chome Chiyoda-ku Tokyo 100-0005 / JP
	For all designated states

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 - [What does N/P stand for?](#)
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 - [What are opposition states?](#)

Status derived from publications

- If **no register is online** but publications are online, status may partially inferred from publication kind codes
 - Kind codes for **grant publications**
 - Kind codes for republications after opposition if patent was maintained with restricted claims
- If **no grant publication** then application may be
 - still pending
 - withdrawn
 - rejected
- Publications are often listed in family tables and permit quick guessing while up-to-date status is often not included in such tables (may improve in future)
- Status derived from kind codes is only a first guessing! Validity of patent would need to be confirmed by consulting register
 - Patents may have been revoked following opposition without new publication

Thank you

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