

Outline of the Quality Management System at the JPO

April 2016

Japan Patent Office



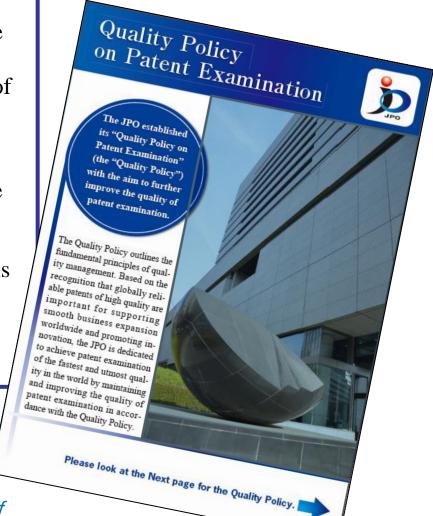
1. Management of Work Product

- 2. Management of Work Progress
- 3. Management of Human Resource

1. Quality Policy on Patent Examination



- ➤ The JPO released its "Quality Policy on Patent Examination" ("Quality Policy"), which the JPO established in April 2014 with the aim to further improve the quality of patent examinations.
- ➤ This quality policy outlines the fundamental principles of quality management in patent examination in order to grant high-quality patents.
- ➤ Based on this quality policy, the JPO is committed to achieving patent examination of the utmost quality in the world.
- ➤ Under the leadership and participation of the top management, all the staff involved in patent examinations will perform their work in compliance with the fundamental principles set forth, demonstrating a strong sense of responsibility and motivation.

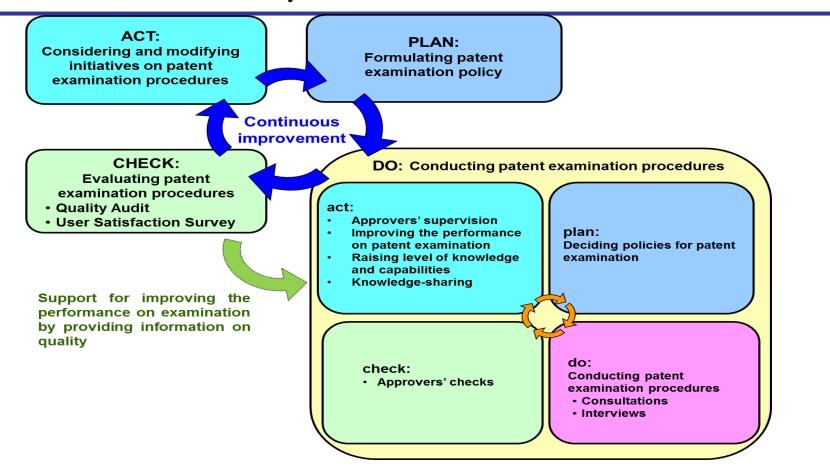


Quality Policy on Patent Examination is available at http://www.jpo.go.jp/seido_e/s_gaiyou_e/pdf/patent_policy/policy.pdf

1. Quality Manual/PDCA Cycle in QMS



- ➤ The JPO released its "Quality Management Manual for Patent Examination" ("Quality Manual") in August 2014.
- ➤ This Quality Manual discloses the quality management system that is illustrated by the PDCA cycle in line with the fundamental principles stipulated by the Quality Policy.
- This PDCA cycle consists of two levels: 1) All Patent Examination Departments as a whole, and 2) Each examination division individually.

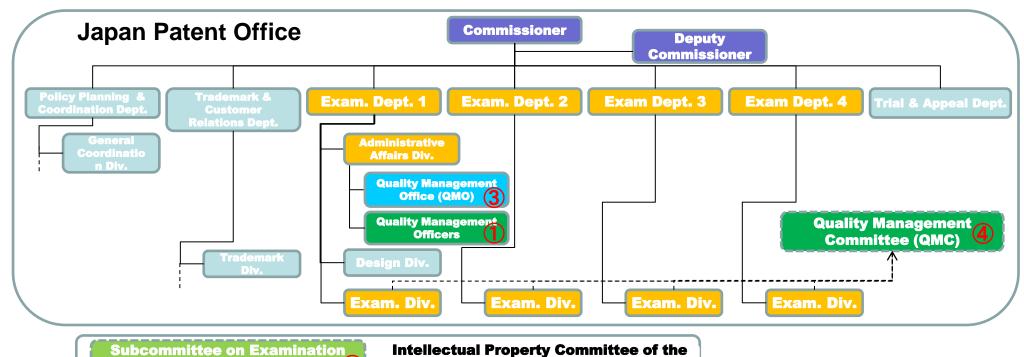


1. Organization of Quality Management

Quality Management



- ① Since April 2014, around 90 "Quality Management Officer" started to work in the Administrative Affairs Division to audit quality. These audits are conducted at all Examination Divisions.
- ② In August, 2014, the JPO established the "Subcommittee on Examination Quality Management" under the Intellectual Property Committee of the Industrial Structure Council. The JPO obtains objective feedback about its systems for, and its current state of quality management on patent examination from external experts.



1. Function of QMO and QMC



3 Quality Management Office (QMO)

Staff:

- 5 patent examiners
- 23 researchers

Roles and Activities:

- Supporting initiatives
- Obtaining the facts on examination processes through initiatives
- Planning necessary initiatives

Quality Management Committee (QMC)

Staff:

- 1 chairperson (senior director)
- 3 directors from each of the 4 Patent Exam. Depts. (12 directors in total)

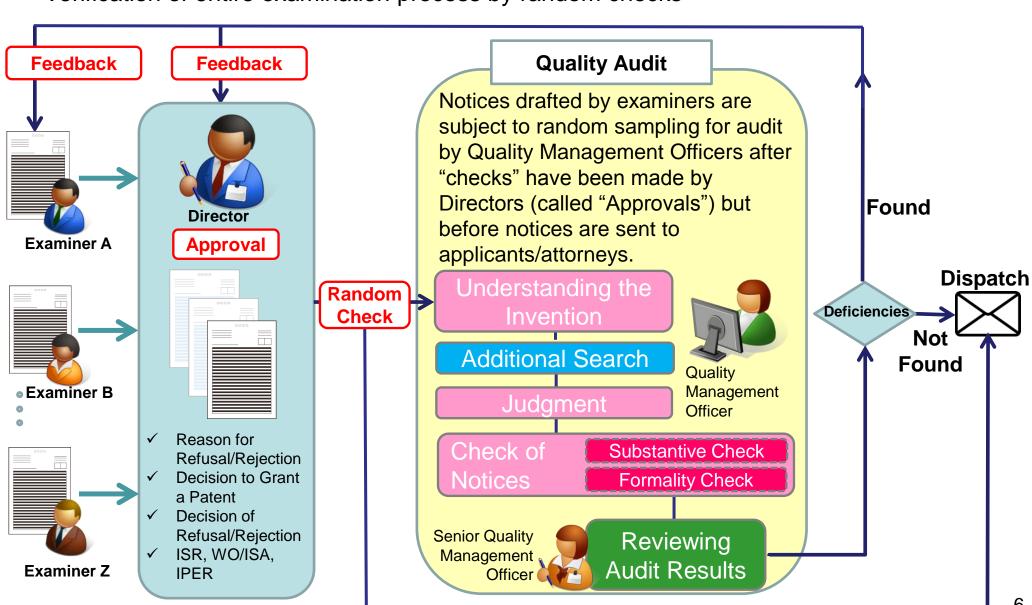
Roles and Activities:

- Objectively analysing and evaluating data on quality from QMO.
- Reporting the results to concerned parties.
- Giving feedback on the results to examiners in charge, as needed.

1. Quality Audit



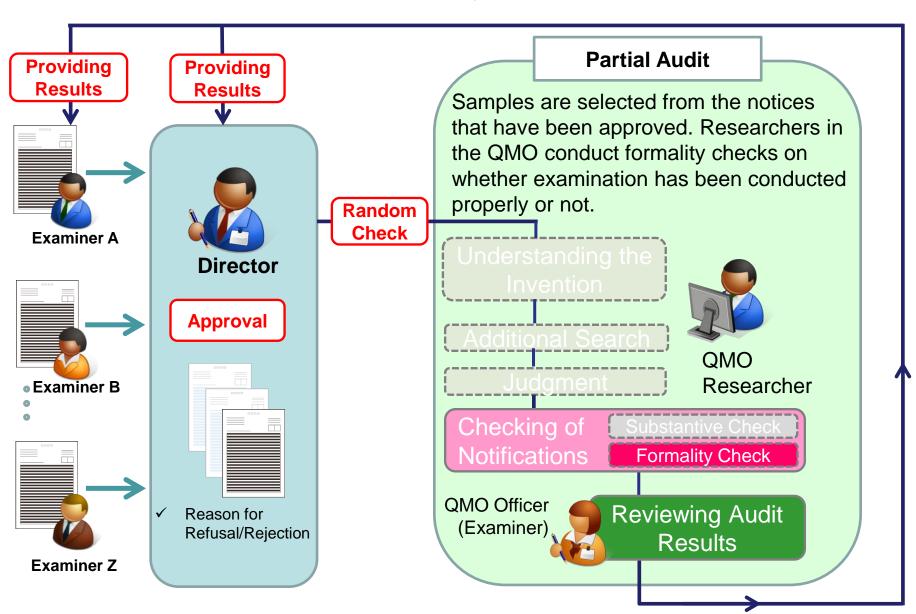
Verification of entire examination process by random checks



1. Partial Audit (1)



Verification of a part of examination process by random checks



1. Partial Audit (2)

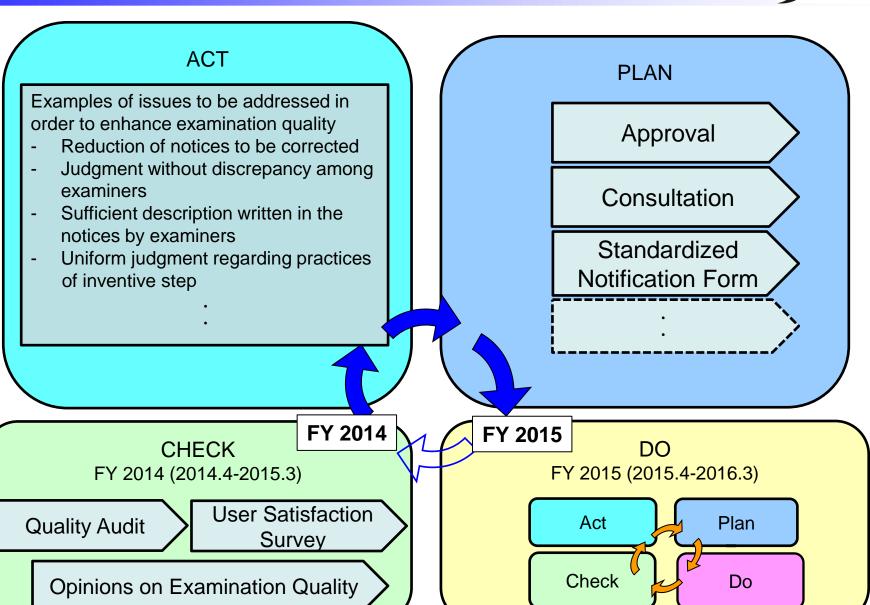


Examples of Items to be Checked

- Whether or not the designated time limit is accurately identified on the notice.
- Whether or not the numeral(s) shown at the reason(s), the claim(s) and the cited document(s) on the notice is(are) correct.
- Whether or not the description of comparison between the application and D1 is properly stated on the notice without using improper phrase such as "no difference," in cases for notifying 29(2) Inventive Step.
- Whether or not the Paragraph or the Item is clearly identified, in cases of notifying Article 36 Description Requirement.
- Whether or not the claim(s) without the reason(s) for refusal is (are) clearly identified on the notice.
- Whether or not the cited document(s) is (are) properly identified (type, number, etc.) on the notice without error in writing.
- Whether or not the description of IPC field(s) is (are) properly stated in the appropriate form on the notice.
- Whether or not the description of prior art search is properly stated without omissions.
- Whether or not the contact information of the examiner in charge is properly stated on the notice.

1. Continuous Improvement by PDCA Cycles

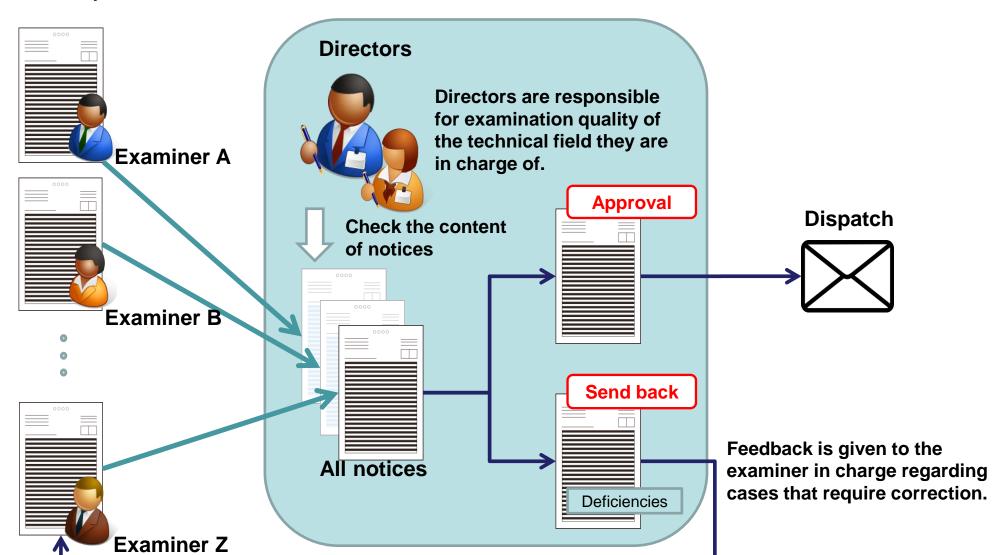




1. Approval



Directors conduct substantive and formal checks by reviewing notices that have been issued by examinations.



1. Consultation



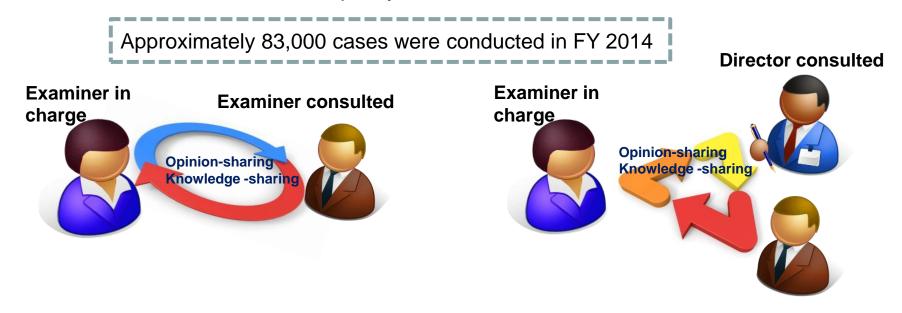
Examiner consulted

* Consultations are conducted not only with an examiner/examiners

examiner/examiners from a different Examination Division.

from the same Examination Division, but also with a Director or an

Examiners share their opinions with each other in order to conduct prompt and appropriate examinations. Consultation enables examiners to share their expertise on how to best conduct searches and to reduce disparity in searches and decisions.



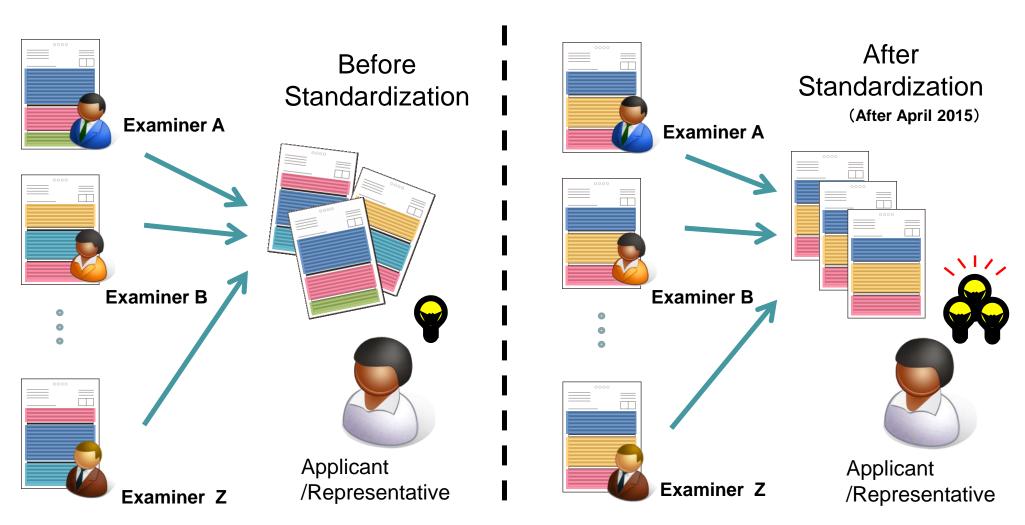
- Types of Consultations
 - (1) Voluntary Consultations
 - (2) Obligatory Consultations

 Consultations are required, for example, when patents are granted at the FA, i.e., when examiners decided to grant a patent without first sending any notices of reasons for refusal.
 - (3) Consultations on PCT applications (Based on the standardized criteria using check sheets)

1. Standardized Notification Form



Using a standardized notification form when issuing various notifications such as notices of reasons for refusal, facilitates the users to understand the notices.





1. Management of Work Product

2. Management of Work Progress

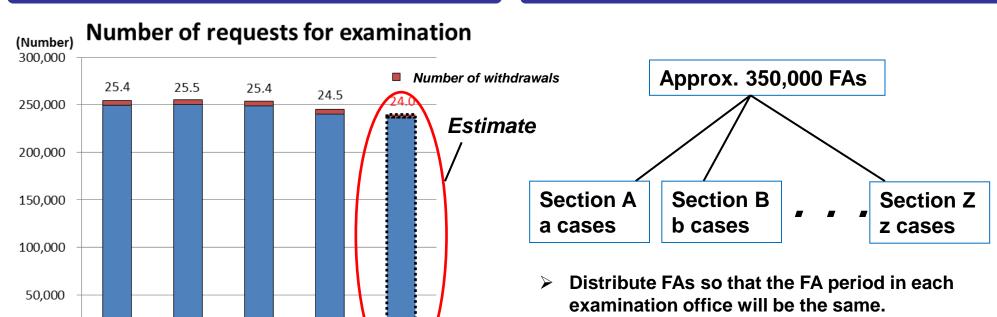
3. Management of Human Resource

2. Annual Plan of Examinations



1 Estimate the number of requests for examination for the next fiscal year and set the number of FAs by considering past trends, etc.

2 Based on the number of FAs set, determine the number of FAs each examination office will handle.



2013

(FY)

2012

➤ It was estimated that approximately 240,000 cases will be requested for examination and approximately 4000 cases will be withdrawn in FY 2013.

2011

➤ The FAs in FY 2013 was set at approximately 350,000 in order to achieve FA11 in FY 2013.

2010

0

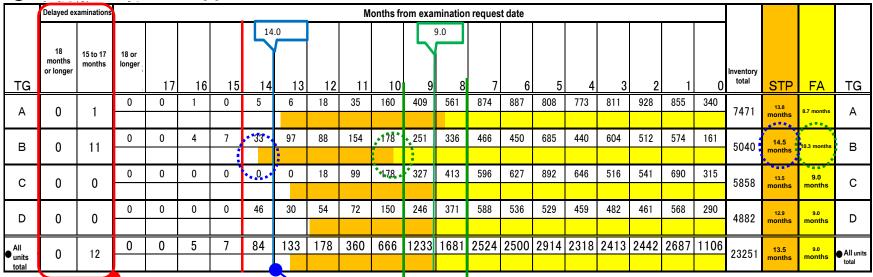
2009

③ For the number of PCT cases, the target number of cases to be handled by each examination office is set by estimating the number based on past trends, in the same way as for FAs.

2. Time Frame Monitoring



Unexamined New Applications of Examination Divisions



Div. FA (month(s))
Div. STP (month(s))

JPO FA (month(s)) JPO STP (month(s)) Delay line The number of delayed examinations is shown. Each unit is instructed to promptly start examinations for these cases after reviews are made.

Monitors the STP months to ensure that the average number of months for each technological unit is no more than 14 months. Monitors the FA months of individual divisions to ensure that they are within one month (+/-) of the average FA months of the entire JPO.

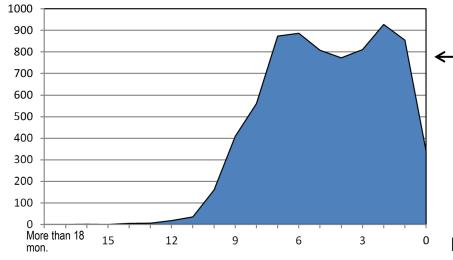
2. Management of Examination Progress



Histogram of Backlogs

Number of Backlogs

Technical Group A

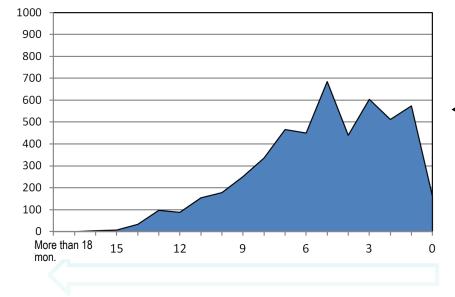


This histogram shows that cases are addressed in chronological order of requests for examination.

Month

Number of Backlogs

Technical Group B



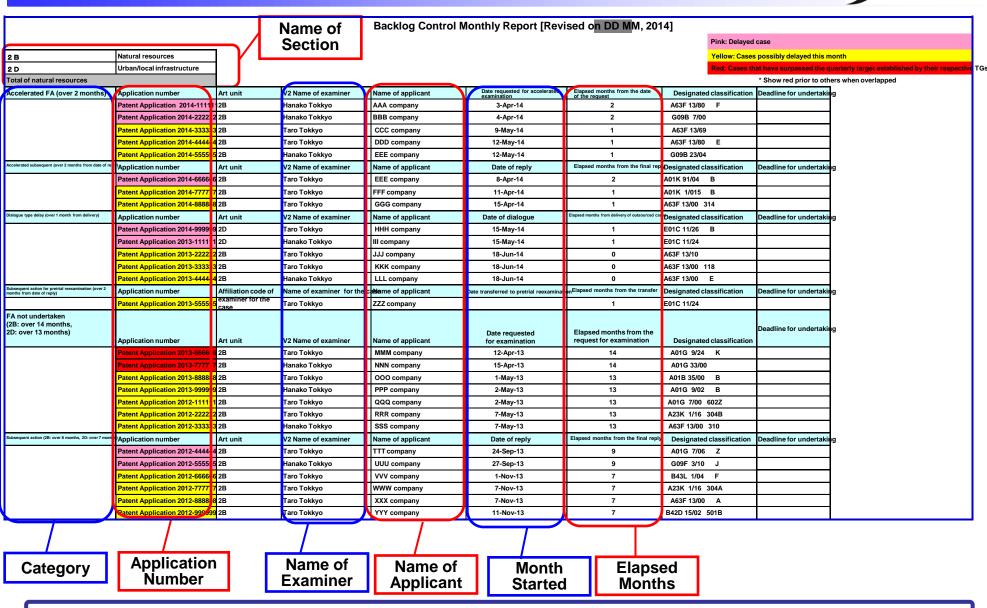
This histogram shows that cases are addressed in random order.

Month

Months elapsed after request for examination were made

2. Backlog Control



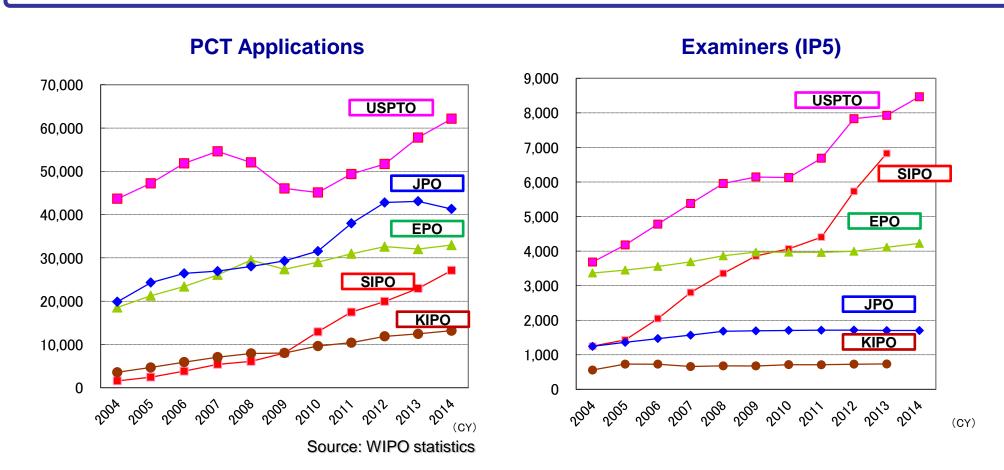


Supervisors make a delay list at the beginning of each month and control the delayed cases to prevent delays in examination.

2. PCT Applications



- PCT applications are rapidly increasing.
- IP offices are focusing on improving their systems and strengthening their infrastructure.

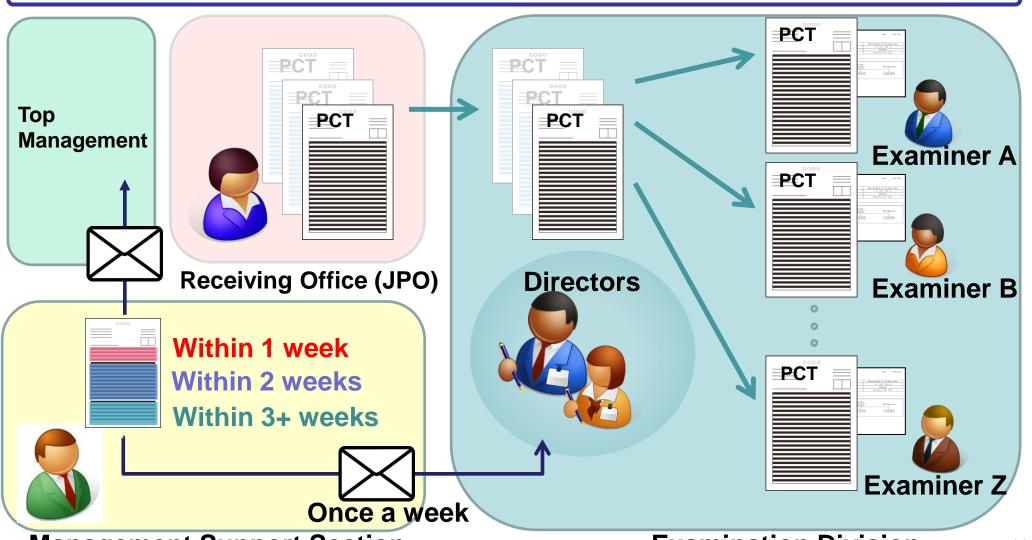


Note: The ISA must establish the ISR within 3 months of receiving a copy of the application (the "search copy"), or 9 months from the priority date (or, if no priority is claimed, from the international filing date), whichever expires later.

2. Management of Progress of ISR



- PCT applications are distributed to examiners together with Schedule Management Sheets by the Directors.
- The Directors receive a Consolidated Schedule Management Sheet once a week.
- Top Management also receives the Consolidated Sheet at the same time.



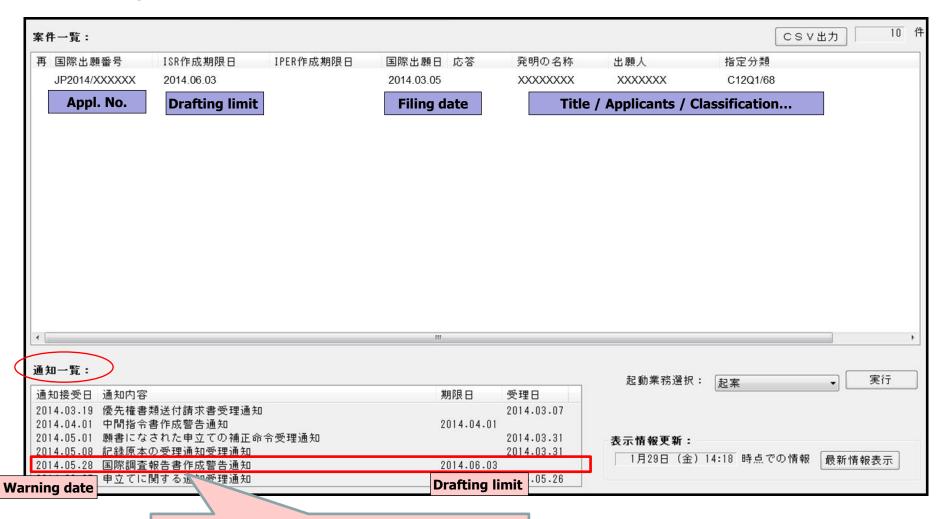
Management Support Section

Examination Division

2. Warning on the drafting system



Drafting System (Sample)



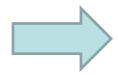
Warning showing that deadline for issuing ISR is coming soon

2. Overview of Time Limit Management as an ISA



Management of timeliness as an ISA is executed at several levels of the JPO.

- Examiner Level
- > Self-management using a schedule management sheet
- The drafting system generates an alert warning when the time limit for preparing an ISR for the application is approaching.
- Examination Division Level
- Schedule management by Directors
- JPO Level
- A consolidated schedule management sheet is distributed and shared in the JPO including the Top Management once a week.



As a result, the JPO has achieved timeliness in line with the Regulations under the PCT.

2. Schedule Management Sheet

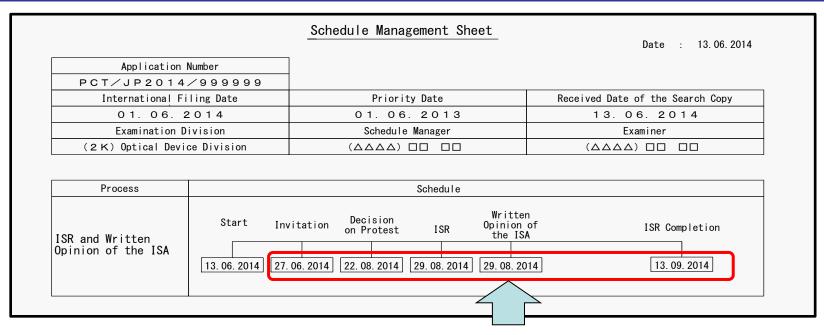


Schedule Management

- **✓** Schedule Management Sheet
- **✓** Consolidated Schedule Management sheet

Short-term fluctuations in demand and backlogs

- ✓ Assigning multiple numbers of examiners to be in charge of the same technical field Medium-to long-term fluctuations in demand and backlogs
- ✓ Change or transfer of examiner's technical fields



Due Date

Note: The ISA must establish the ISR within 3 months of receiving a copy of the application (the "search copy"), or 9 months from the priority date (or, if no priority is claimed, from the international filing date), whichever expires later.



- 1. Management of Work Product
- 2. Management of Work Progress
- 3. Management of Human Resources

3. Typical Difficulties



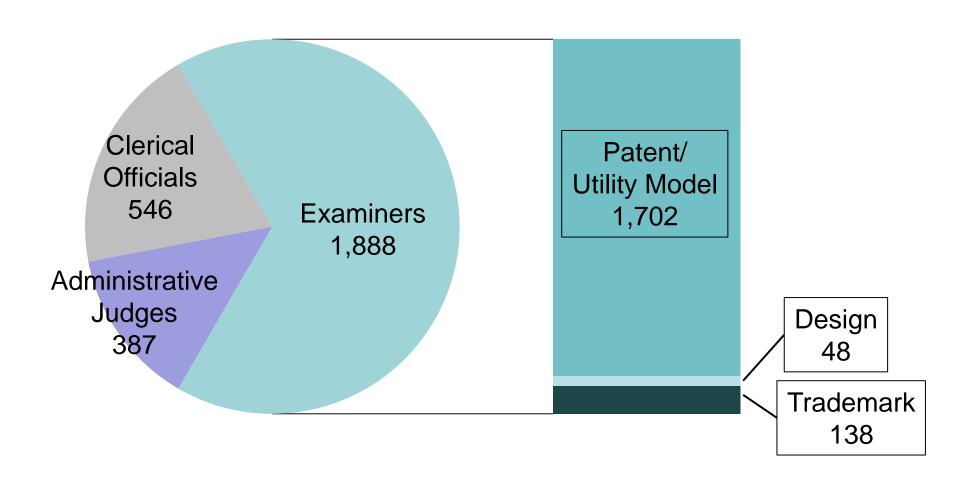
Typical difficulties for inexperienced examiners

- 1. Poor understanding of technology in charge
- 2. Poor understanding of search keys, search strategy, etc.
- 3. Unable to stop searching for prior art at the appropriate time
- 4. Erroneous decision of patentability
- 5. Inadequate drafting of Office Actions
- → Developing inexperienced examiners into qualified examiners by helping them to overcome the difficulties is one of the important challenges for IP Offices.

3. Personnel Organization of the JPO

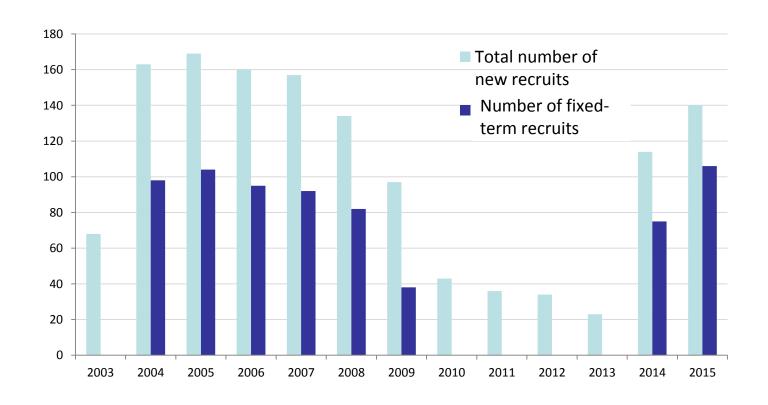


Total Number: 2,821 (FY 2015)



3. The Number of New Examiners





Every year, the JPO faces the problem of developing the new recruits.

The Human Resource Development (HRD) scheme at the JPO is designed to systematically train them to become qualified examiners.

3. Patent Examiner Duties



For all patent examiners:

- ✓ Examination of patent and utility model applications
- ✓ Examination-related work (e.g. Classification)

For a number of patent examiners:

- ✓ Temporary transfer to administrative work related to IP system other than examination itself
 - (e.g. Other departments such as the International Policy/Cooperation Divisions or the Information Systems Division.)

3. Required Abilities for Patent Examiners



1. Basic Aspects

- (a) Knowledge of patent laws and guidelines
- (b) Expertise in technical field in charge
- (c) Search capability to find necessary information
- (d) Good judgment of patentability

2. Applied Aspects

- (a) Communication capability with applicants/representatives
- (b) Capabilities for analysis of trends in industry
- (c) Examination planning capability for each application
- (d) Capability to provide information

3. International Aspects

- (a) Understanding of international work-sharing and cooperation
- (b) Foreign language skills
- (c) Knowledge about foreign IP systems

4. Organizational Management Aspects

Newly recruited examiners with higher degrees (e.g. doctor's degree) or experience in R&D at companies are assumed to have acquired a certain level of the above-mentioned abilities, i.e., 1(b), 1(c), 2(d), 3(b).

3. Hiring Requirements



Recruitment Standards for Patent Examiners

A person who satisfies both of the following requirements:

- The person has a bachelor's degree or a higher degree in the field of technology such as engineering, biology, etc., or is expected to obtain such a degree before joining the JPO.
- 2. The person has passed the prescribed examination.

3. HRD-related Experiences at the JPO



The JPO has various experiences on "How to train a number of new recruits with diverse backgrounds to be qualified examiners in 2 to 4 years" through a combination of Off-the-Job training programs and On-the-Job training programs.



3. Period to Promotion



Time of promotion to a competent patent examiner

The promotion period, or the period necessary for training, is set for different periods of time **depending on the experience** in

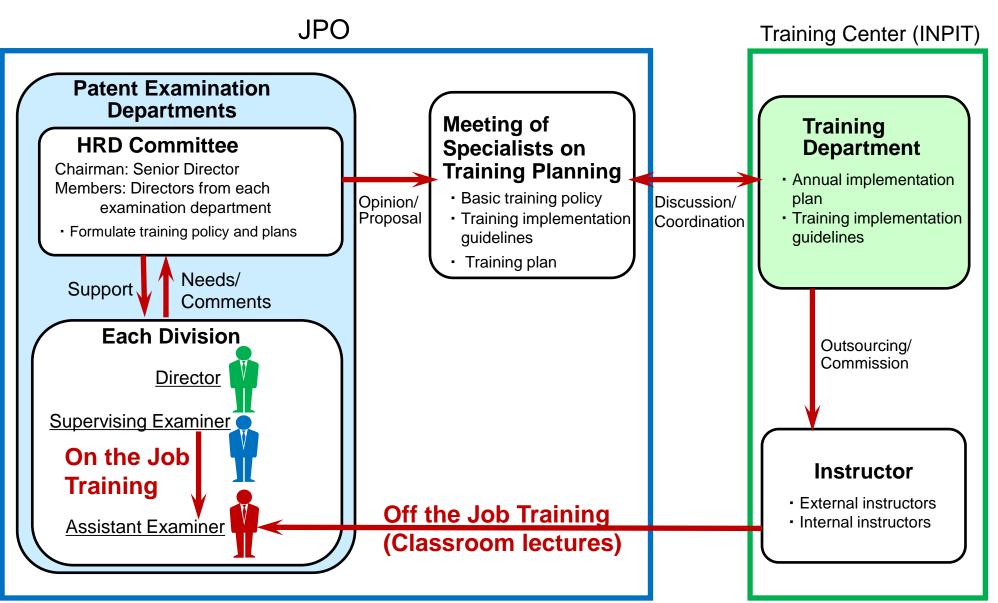
- R&D (including master's courses and doctor's courses), or
- IP related business in companies, universities, research institutes or patent firms before joining the JPO.

(Ex.) Bachelor's degree: 5th year of employment Master's degree: 4th year of employment Doctor's degree, and

Fixed-term recruits: 3rd year of employment

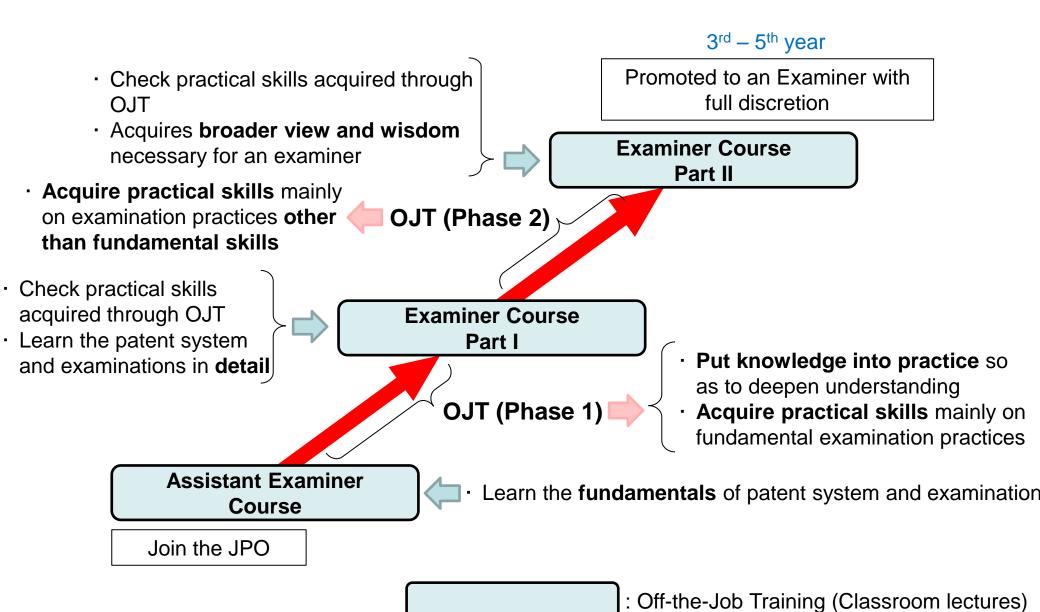
3. Structure of Patent Examiner Training





3. Roadmap for Developing Competent Examiners

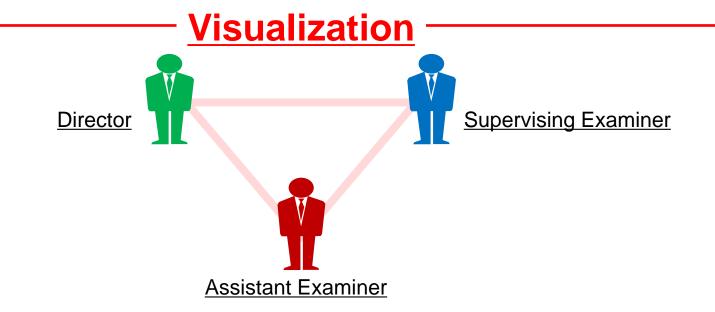




3. Necessity of Visualization of OJT



- In order to ensure proper development of each Assistant Examiner, the following matters should be clarified among an Assistant Examiner, the Supervising Examiner and the Director:
 - The knowledge and skills to be acquired through OJT;
 - The progress of an Assistant Examiner.



3. Program Sheets for Visualizing OJT Process

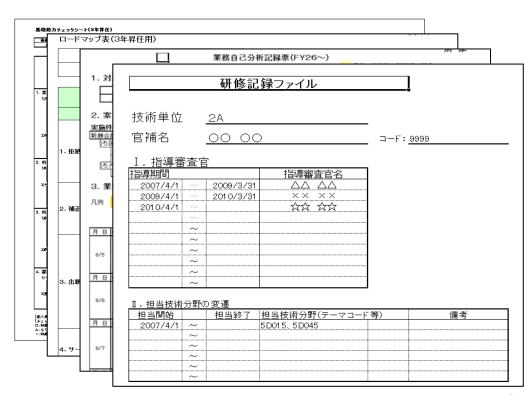


- Check Sheet for Basic Capabilities
 - To clarify the knowledge and skills to be mainly acquired through OJT
- Roadmap Chart

- To show the standard schedule for fully experiencing the

examination practice

- Self-Analysis Sheet on Efficiency
- Training Record File



3. Example: Check Sheet for Basic Capabilities



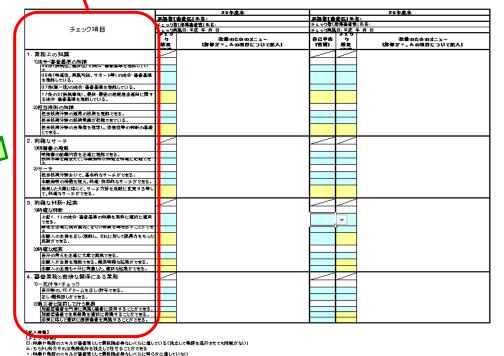
• Items to be checked are taken from the items pertaining to knowledge and skills to be acquired through OJT out of those items necessary for an examiner.

Basic aspect (a) Knowledge of patent laws and guidelines (b) Professional knowledge in technical field in charge (c) Search capability to find necessary information (d) Good judgment of patentability Applied aspect (a) Communication capability with applicants/patent attorneys (b) Capabilities for analysis of trends in industry (c) Examination planning capability for each application (d) Information transmission capability International aspect (a) Understanding of international work-sharing and cooperation (b) Foreign language skill

(c) Knowledge of foreign IP system

4. Organizational operation aspect

Check Items



3. Example: Check Sheet for Basic Capabilities



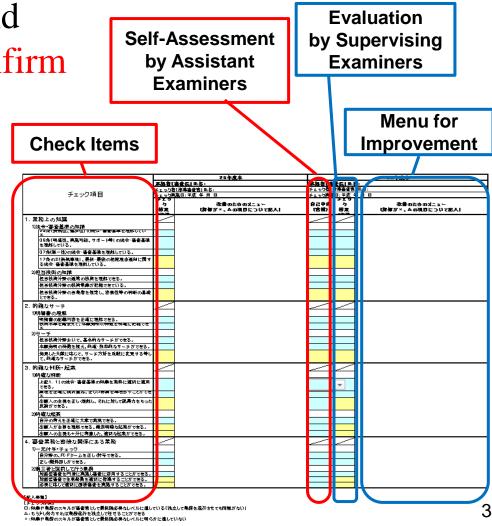
The check sheet helps

- an Assistant Examiner self-assess the current status

of his/her own capabilities; and

- the Supervising Examiner confirm

priorities on training.



3. Example: Menu for Improving Each Capability



Basic Aspects	Applied Aspects	International Aspects	Organizational Management Aspects
On-the-Job training by the Supervising Examiner			
Consultation with Experienced Examiners, Group Discussions			
Temporary transfer to Administrative Work, Internship at the JPO, Internship at Companies			
Attend Universities/Institutes in Japan or Abroad			
		Examiner Exchange Programs	
Statutory Training Courses (e.g. Examiner Course Part 1 and 2)			
Training on Searches			
Participation in Academic Conferences, Technical Training		Language Training	
			38



Thank you for your attention!

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(54) 【発明の名称】ファクシミリ走査装置

(57) 【特許請求の範囲】

【請求項1】

電話回線を用いて相互通信を行うファクシミリ端末等に ラメータを通知し、通信時の端末パラメータを識別する 含む制御信号の送信側端末は該制御信号のファクシミリ ィールドに分離し、各サブフィールドの情報を分離す ータ中には現れない特定の識別コードを挿入してファク 定の識別コードを検出し、該ファクシミリ情報フィール の端末パラメータの内容を検出することを特徴とするフ

【請求項2】

請求項1の装置を用いる方法・・・・・。

【発明の詳細な説明】

【技術分野】

本発明は簡単にして、装置機能のパラメータの拡張が容易なファク 識別方式に関するものである。

