



INTELLECTUAL PROPERTY OFFICE
OF THE PHILIPPINES

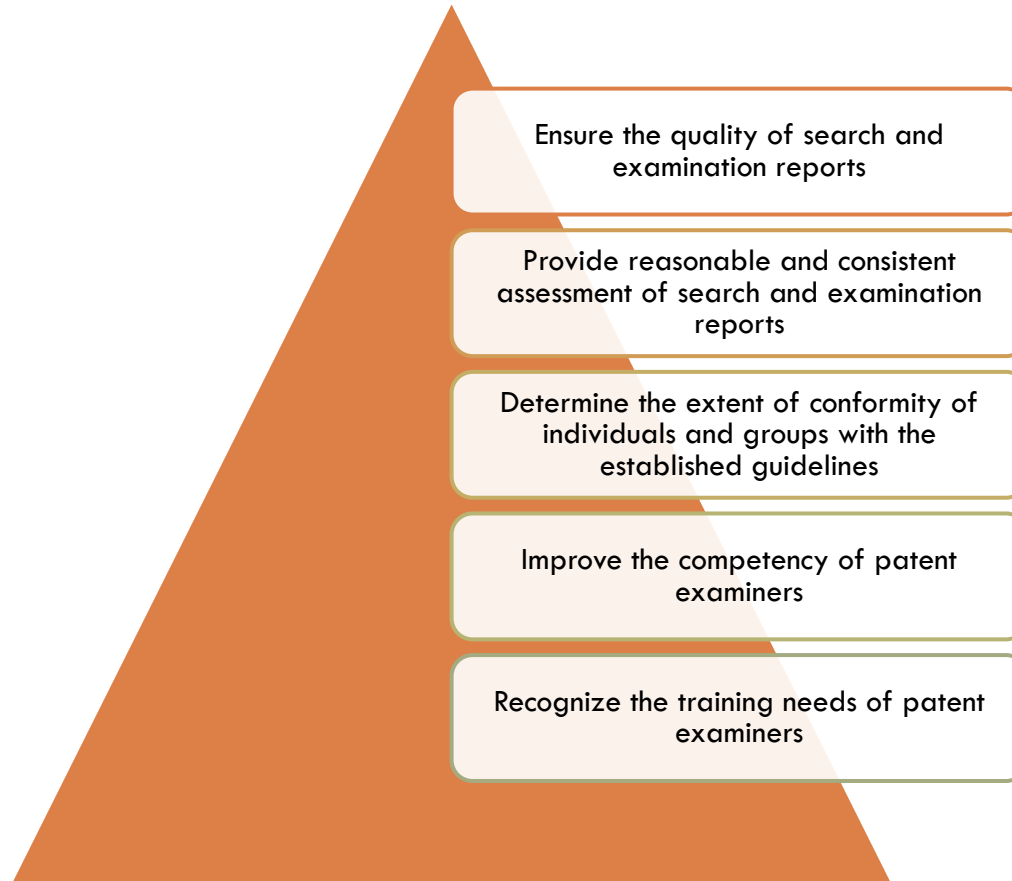
PATENT QUALITY MANAGEMENT SYSTEM (PQMS) IPPHL

PRECILA O. BULILAN
RODEL S. ESPIRITU

OUTLINE

- Quality Management System (QMS)
- Purpose and Benefits of QMS
- IPPHL QMS
 - In-Process QMS
 - ISO QMS 9001 : 2008
 - Patent Quality Review System (PQRS)
 - Benefits
 - Progress
- QMS Challenges
- Next Steps

PURPOSE OF QMS



BENEFITS OF QMS

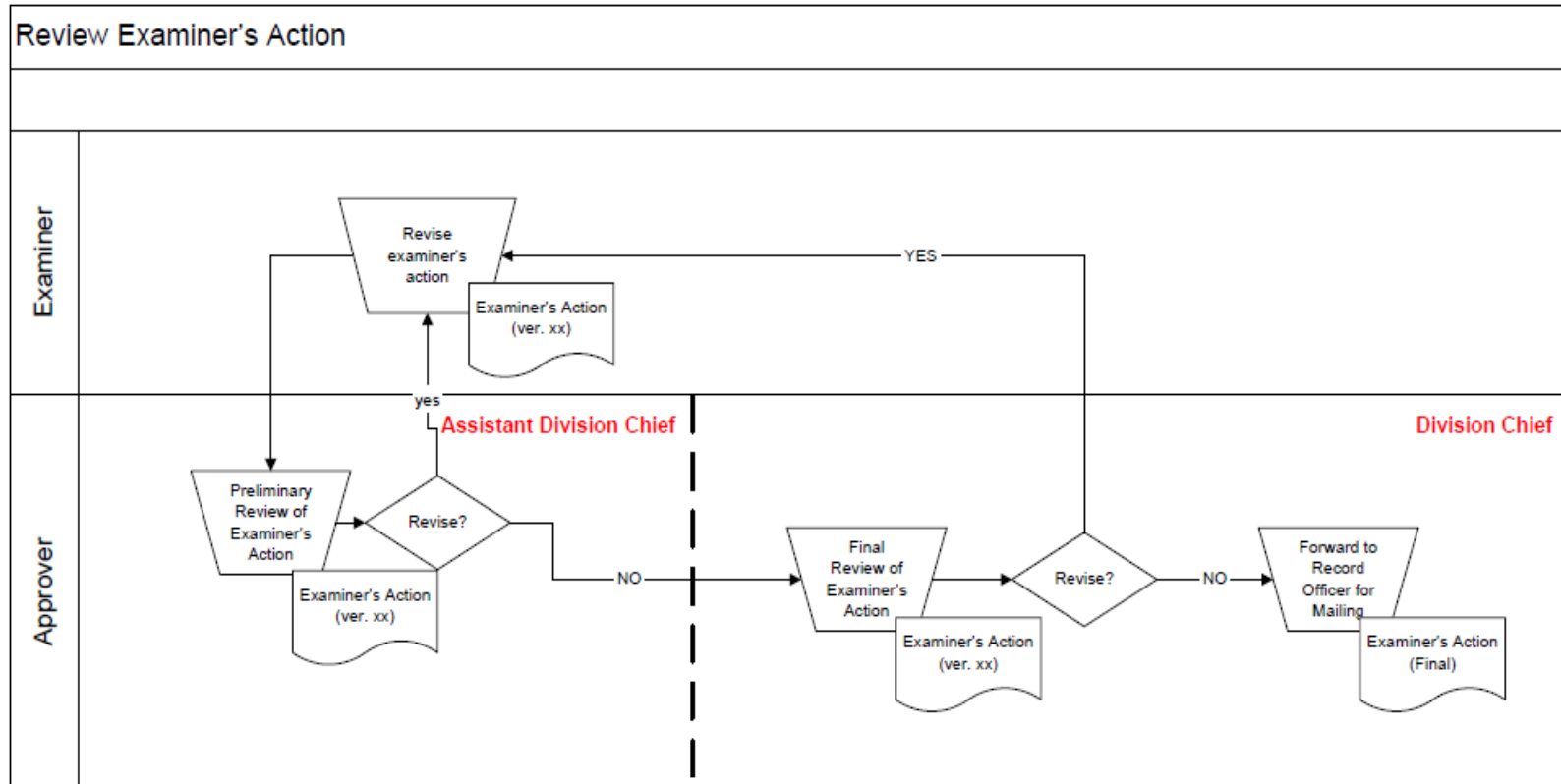
MANAGEMENT

- Determine what's really going on within the organization, which will allow for more objective decision making
- Discover where failures occur, enabling the containment of these problems and initiation of corrective action
- Identify where resources should be directed
- Learn which processes and personnel are particularly effective, which can trigger recognition

EXAMINERS

- Identify their training needs
- Improvement of technical skills
- Learn from their inaccuracies
- Increase the efficiency and quality of their examination

I. IPPHL IN-PROCESS QUALITY CHECK

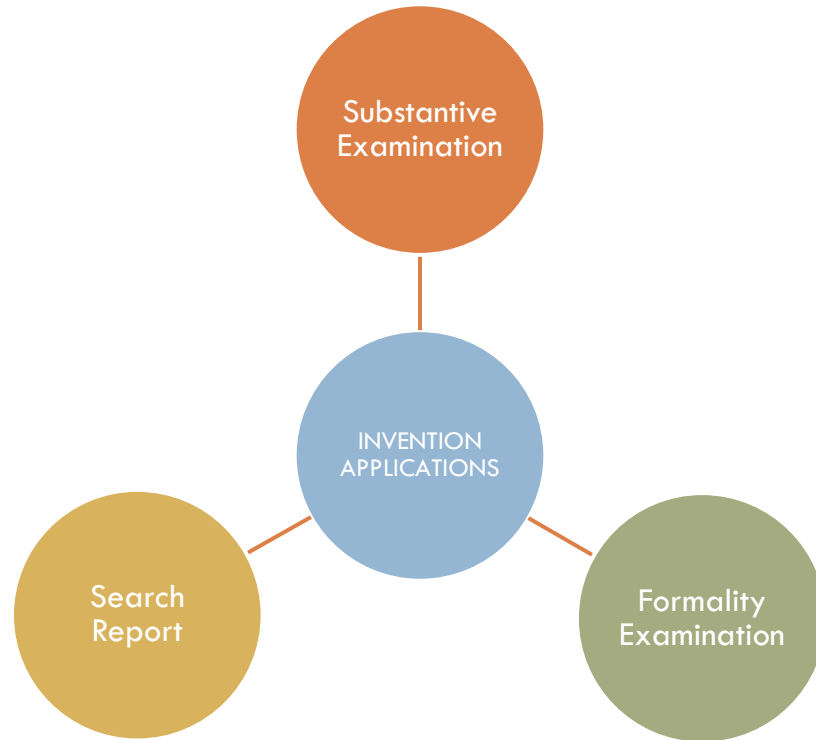


II. IPPHL ISO-QMS 9001:2008

IPPHL ISO Certification under ISO-QMS 9001:2008

- Covers core business process of processing national and international applications under the Patent Cooperation Treaty as well as Industrial Design and Utility Model Registrations.
- Certifying Bodies
 - ▣ Anglo Japanese American (Dec. 2012)
 - ▣ TUV Rheinland (Nov. 2015)
 - ▣ Management ensures effective implementation of the QMS and that the process of continual improvement progresses

III. IPPHL PQRS

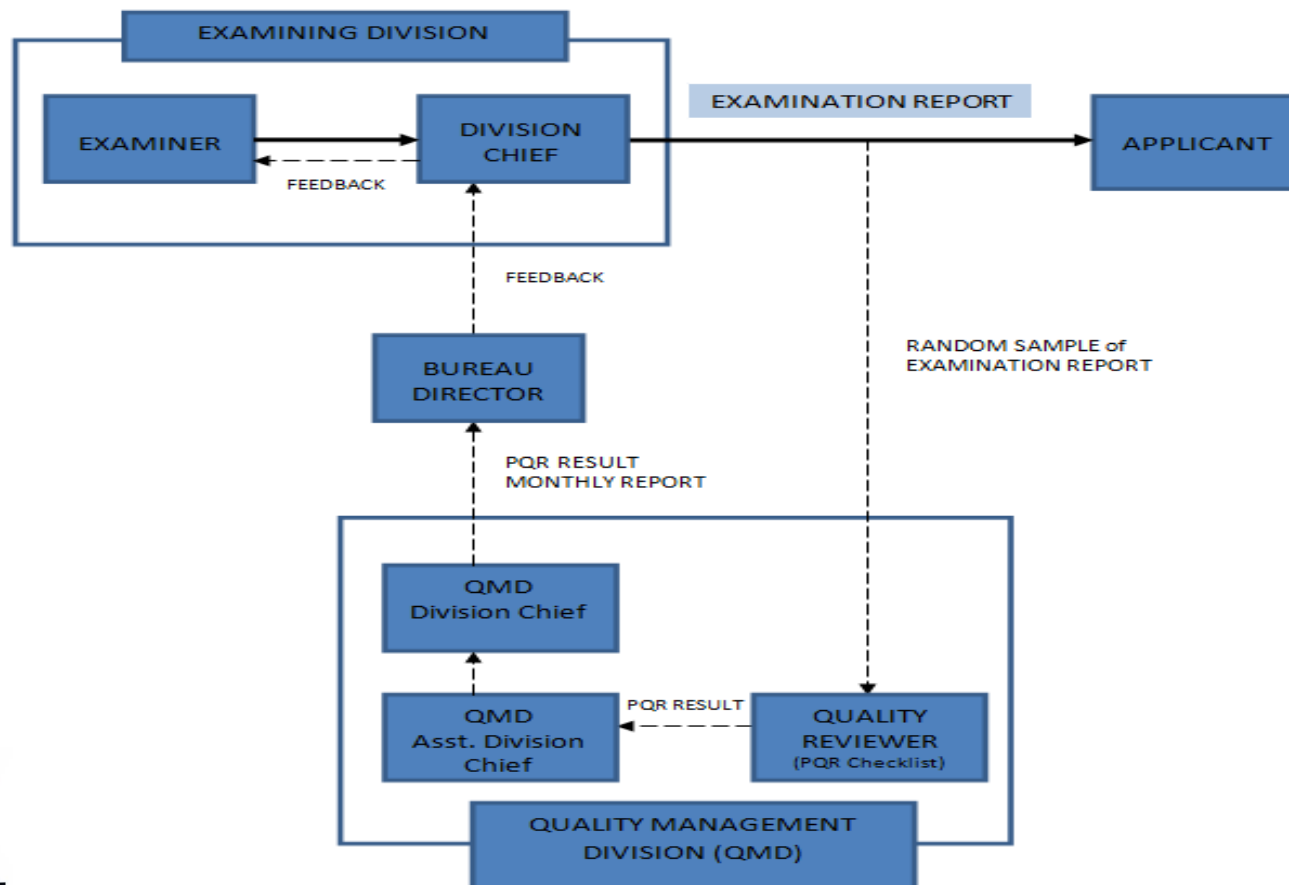


- An Independent Quality Review in addition to the In-Process and ISO QMS

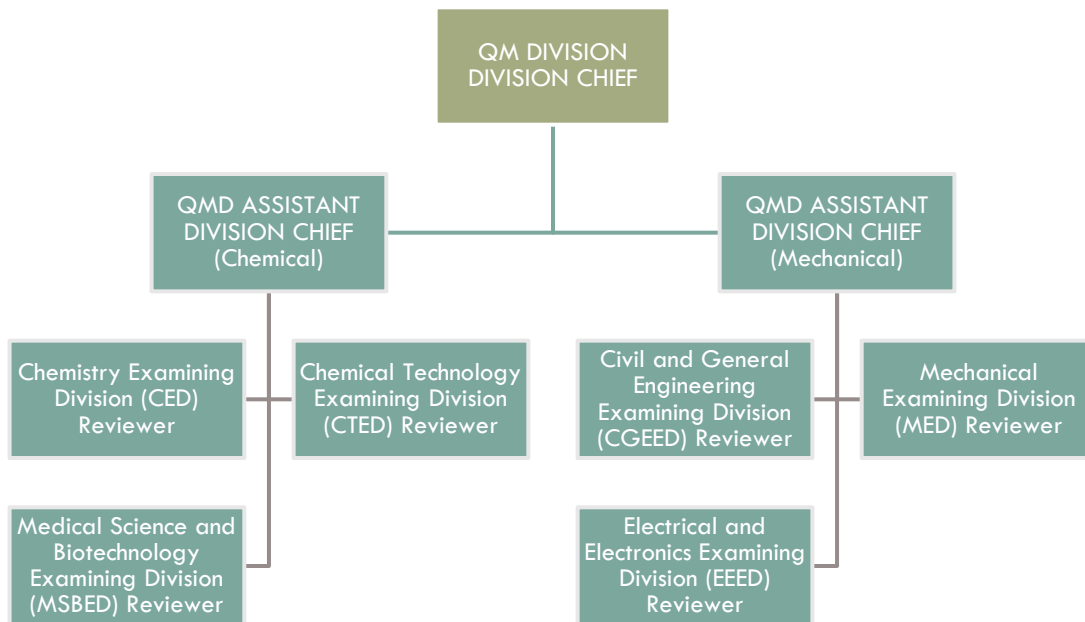
- Comparative Study of other Patent Offices
- Best Practices

PQR WORKFLOW

PATENT QUALITY REVIEW WORKFLOW



PROPOSED QUALITY MANAGEMENT DIVISION (QMD)



Purpose

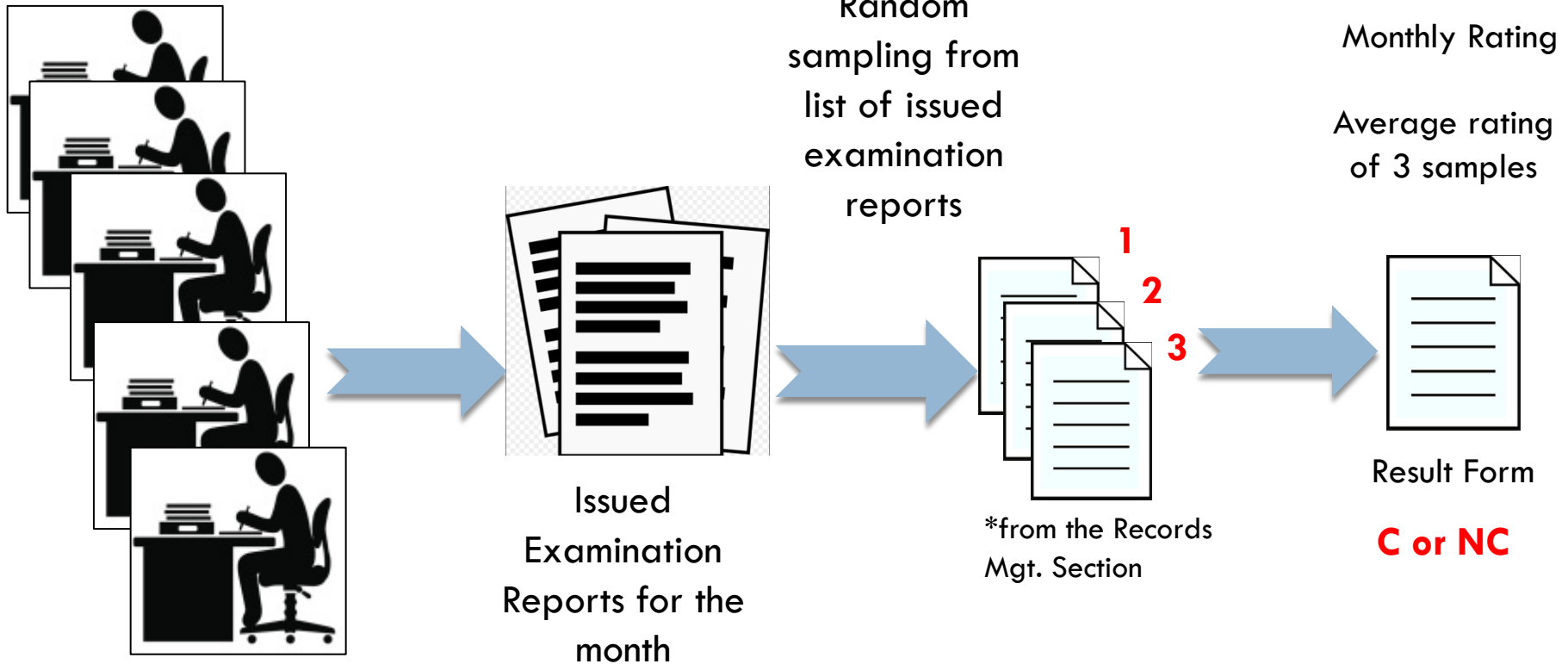
- Monitor, maintain and improve the quality of examination and the quality standards
- Determine the extent of conformity of the examination with the specified standards
- Determine the effectiveness of the established process
- Address concerns/issues in examination or the process of examination that may occur

QUALITY MANAGEMENT DIVISION (QMD)

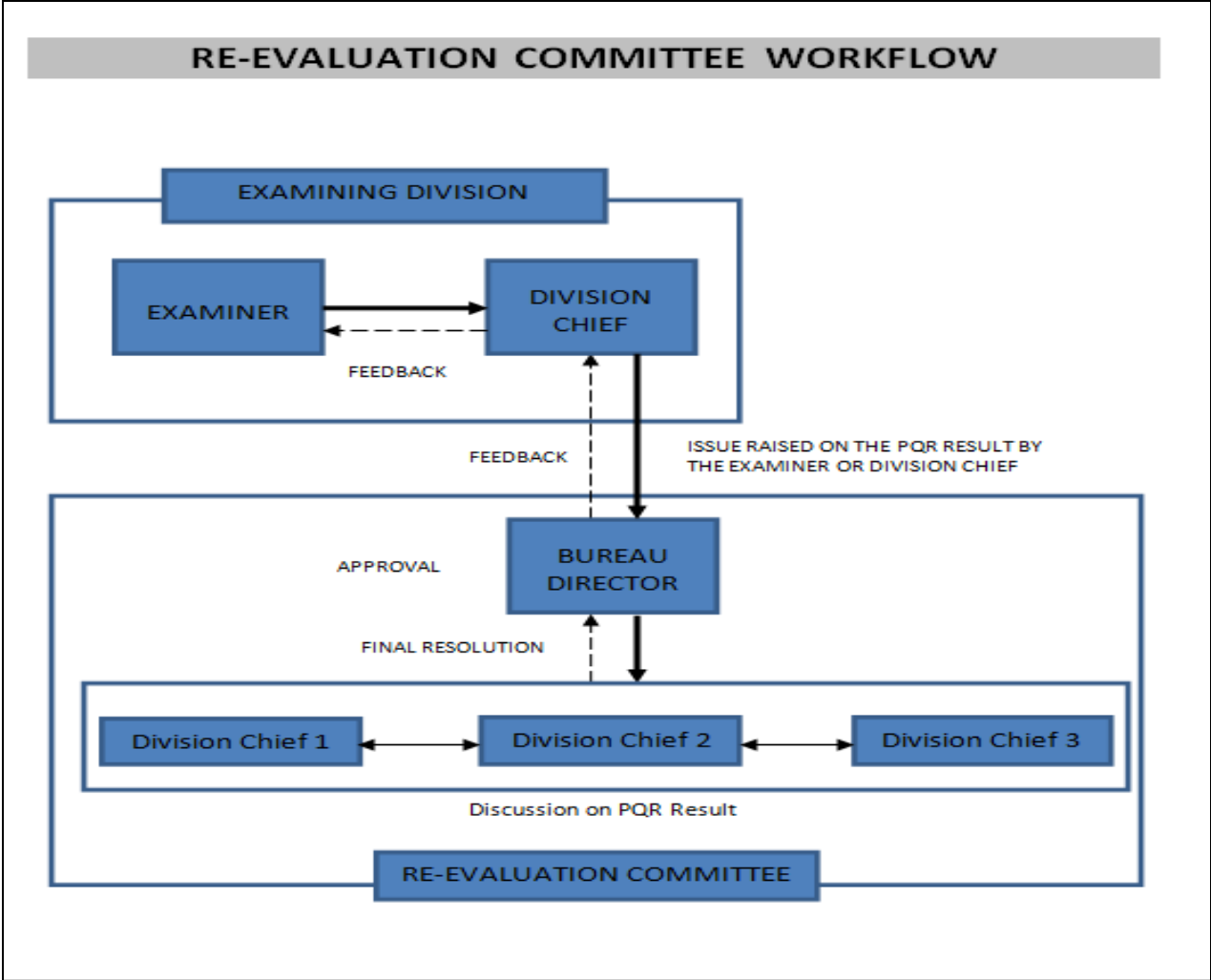
- Quality Reviewers (QRs)**
 - Patent Examiners with at least 8 years of experience in substantive examination
 - rotational membership

- Roles:**
 - Review* the examination report with confidentiality and discretion
 - evaluates whether the examination report satisfies the quality requirements
 - evaluates the establishment of reason on patentability
 - Fill up the PQRS Checklist
 - Prepare the PQR Result Form

QUALITY MANAGEMENT DIVISION (QMD)



RE-EVALUATION



STANDARD OFFICE ACTIONS

TYPE OF EXAMINATION REPORTS

- First Action on the merits
- Subsequent Action
- Clarity
- Restriction
- Completion of Final Requirements
(Notice of Allowance
- Allowance
- Withdrawn
- Search Report/Written Opinion
- Formality Examination Report

SUBSTANTIVE EXAMINATION

PATENT QUALITY REVIEW STANDARDS

PATENTABILITY

- technical nature
- novelty
- inventive step
- industrial applicability
- priority
- disclosure
- unity
- amendments

CLARITY

- clear and concise
- clarity objections

FORMALITY REQUIREMENTS

- title
- abstract
- drawings
- presentation of documents
- fees

EXAMINATION REPORT

- acknowledgement
- proper presentation

CHECKLIST

Quality Reviewer Name: _____
 Division: _____
 Sample/Application No. : _____
 Type of Office Action: _____
 Month: _____

Patent Quality Review Standards Checklist

SUBSTANTIVE EXAMINATION

S		C	NC	RATING	Remarks
1.0	PATENTABILITY				
	1.1 Section 21 & 22	Technical Nature & Exclusions			
	1.2 Section 23	Novelty			
	1.3 Section 26	Inventive Step			
	1.4 Section 27	Industrial Applicability			
	1.5 Section 31	Priority			
	1.6 Section 35	Disclosure			
	1.7 Section 38	Unity			
	1.7.1	Justification			
	1.7.2	Groupings			
	1.8 Section 49	Amendments			
2.0	CLARITY				
	2.1 Section 36	Claims			
	2.1.1	Type of Claim			
	2.1.2	Conciseness			
	2.1.3	Syntax			
	2.1.4	Terms and Expressions			
	2.1.5	Type of Definition			
	2.1.6	Support by the Description			
	2.1.7	Dependency of claims			
	2.1.8	Claim drafting			
3.0	FORMALITY REQUIREMENTS				
	3.1 Application Requirements				
	3.1.1 Rule 410	Title			
	3.1.2 Rule 411	Abstract			
	3.1.3 Rule 413	Drawings			
	3.1.4 Rule 418	Presentation of Documents			
	3.2 Payment of Fees				
	3.2.1 Section 48	Request for Substantive			

CHECKLIST

		Examination			
	3.2.2 Rule 417	Excess Claims/Multiple Dependency/Specie			
	3.2.3 Section 55	Annuity			
	3.2.4	Others (excess sheets)			
4.0	EXAMINATION REPORT				
	4.1 Acknowledgement				
	4.2 Presentation of Examination Report				
	4.2.1	Citation of rules used in examining (e.g. Section 22, 26,31)			
	4.2.2	Spelling, Typographical or Grammatical Errors			
	4.2.3	Inconsistencies			
	4.2.4	Format errors or incorrect details			
	4.2.5	Citation of references			
	4.3 Timeliness				

V12



FORMALITY

PATENT QUALITY REVIEW STANDARDS

APPLICATION REQUIREMENTS

- Complete documents for the accordance of filing date
- Request form
- Right of priority
- Other requirements (e.g. POA and working models)
- Fees

PRESENTATION OF APPLICATION DOCUMENTS

- Title
- Specification
- Claims
- Abstract
- Drawings
- Form of documents
- Amendments

UNITY

- A priori
- A posteriori

EXAMINATION REPORT

- Acknowledgement
- Proper presentation
- Formality defects
- Actions to be taken

CHECKLIST

Quality Reviewer Name: _____
 Division: _____
 Sample/Application No. : _____
 Month: _____

Patent Quality Review Standards Checklist

+ Formality Examination

S		C	NC	Rating	Remarks
1.0	APPLICATION REQUIREMENTS				
1.1	Rules 600-602	Filing Date Requirements			
1.2	Rule 404	Request for Grant of a Philippine Patent			
1.3	Rules 305-307	Claim for Priority			
1.4	Other Requirements as Deemed Necessary				
	Rule 421	<ul style="list-style-type: none"> Power of Attorney/Appointment of Resident Agent or Representative 			
	Rule 421.1	<ul style="list-style-type: none"> Revocation of Power of Attorney 			
	Rules 504, 603	<ul style="list-style-type: none"> Proof of Authority 			
	Rule 603	<ul style="list-style-type: none"> Deed of Assignment 			
	Rule 408	<ul style="list-style-type: none"> Application Relating to Biological Materials and Organisms 			
1.5	Application Fees				
	Rule 401	<ul style="list-style-type: none"> Filing, Search & Publication Fees 			
	Rule 417	<ul style="list-style-type: none"> Excess Claims, Additional/New Claims 			
	Rules 305-306	<ul style="list-style-type: none"> Priority Claim/Multiple Priority Claim Fee 			
	Rule 417	<ul style="list-style-type: none"> Multiple/Alternative Dependent Claims 			
	Rule 609	<ul style="list-style-type: none"> Specie Claims/Variation/Markush Type claims Excess Sheets 			
2.0	PRESENTATION OF THE APPLICATION DOCUMENTS				
	Contents of the Application Documents				
	Rule 410	<ul style="list-style-type: none"> Title 			
	Rule 407	<ul style="list-style-type: none"> Specification 			

SEARCH AND WRITTEN OPINION

PATENT QUALITY REVIEW STANDARDS

TIMELINESS

- Direct route
- Divisional

PRESENTATION OF SEARCH REPORT WITH BIBLIOGRAPHIC DATA

- Properly filled-out fields
- Spelling, citation and referencing

PRESENTATION OF SEARCH STRATEGY

- Properly filled-out fields of search strategy
- Original search
- Non-original search
- Spelling and syntax

PRESENTATION OF WRITTEN OPINION

- Establishment of reason regarding patentability with statutory basis
- Properly filled-out fields
- Spelling, grammar, citation, and referencing

CHECKLIST (search)

Quality Reviewer Name: _____
 Division: _____
 Sample/Application No. : _____
 Month: _____

Patent Quality Review Standards Checklist

Threshold Levels for Non-conformance:
 1.0 Timeliness of Search Examination = 1
 2.0 Presentation of Search Report with Bibliographic Data = 4
 3.0 Presentation of Search Strategy = 2
 4.0 Presentation of Written Opinion = 2

SEARCH

Standard #	TIMELINESS OF SEARCH EXAMINATION		EVALUATION			
1.0						
1.1.1	DIRECT ROUTE APPLICATIONS (FOREIGN)		C	NC	RATING	REMARKS
1.1.1(a)	Rule 612.1(a)	Preliminary Search Report				
1.1.1(b)		Search Report and Written Opinion (within 18 months)				
1.1.2	DIRECT ROUTE APPLICATIONS (LOCAL)		C	NC	RATING	REMARKS
	Rule 612.1(a)	Search Report and Written Opinion (within 6 months)				
1.2.1	DIRECT (FOREIGN) APPLICATIONS WITH PARENT APPLICATION IN FORMALITY STAGE		C	NC	RATING	REMARKS
1.2.1(a)	Rule 612.1(a)	Preliminary Search Report				
1.2.1(b)		Search Report and Written Opinion (within 18 months)				
1.2.2	DIRECT (FOREIGN) APPLICATIONS WITH PARENT APPLICATION IN SUBSTANTIVE STAGE		C	NC	RATING	REMARKS
	Rule 612.1(a)	Search Report and Written Opinion (within 6 months)				
1.2.3	DIRECT (LOCAL) APPLICATIONS WITH PARENT APPLICATION IN FORMALITY STAGE		C	NC	RATING	REMARKS
	Rule 612.1(a)	Search Report and Written Opinion (within 6 months)				
1.2.4	DIRECT (LOCAL) APPLICATIONS WITH PARENT APPLICATION IN SUBSTANTIVE STAGE		C	NC	RATING	REMARKS
	Rule 612.1(a)	Search Report and Written Opinion (within 6 months)				
1.2.5	PCT APPLICATIONS		C	NC	RATING	REMARKS
	Rule 612.1(a)	Search Report and Written Opinion (within 6 months)				

CHECKLIST (search)

With preliminary search report

Standard #	PRESENTATION OF SEARCH REPORT WITH BIBLIOGRAPHIC DATA		EVALUATION			
2.0						
2.1	PROPERLY FILLED-OUT FIELDS OF BIBLIOGRAPHIC DATA		C	NC	RATING	REMARKS
		Complete entries of bibliographic data				
2.2	PROPERLY FILLED-OUT FIELDS OF PRELIMINARY SEARCH REPORT		C	NC		REMARKS
2.2.1		Category of relevant prior art document(s)				
2.2.2		Citation of relevant prior art document(s)				
2.2.3		Claims to which each cited document applies				
2.2.4		Search team member(s)				
2.2.5		and/or date of completion				
2.3	PROPERLY FILLED-OUT FIELDS OF SEARCH REPORT		C	NC		REMARKS
2.3.1		Category of relevant prior art document(s)				
2.3.2		Citation of relevant prior art document(s)				
2.3.3		Relevant passages and(or) figures for each cited document				
2.3.4		Claims to which each cited document applies				
2.3.5		Search team member(s)				
2.3.6		and/or date of completion				
2.4	SPELLING, CITATION AND REFERENCING		C	NC		REMARKS
		Correct spelling, citation, and consistent referencing				

CHECKLIST (search)

Without preliminary search report

Standard #	PRESENTATION OF SEARCH REPORT WITH BIBLIOGRAPHIC DATA		EVALUATION			
2.0						
2.1	PROPERLY FILLED-OUT FIELDS OF BIBLIOGRAPHIC DATA		C	NC	RATING	REMARKS
		Complete entries of bibliographic data				
2.3	PROPERLY FILLED-OUT FIELDS OF SEARCH REPORT		C	NC		REMARKS
2.3.1		Category of relevant prior art document(s)				
2.3.2		Citation of relevant prior art document(s)				
2.3.3		Relevant passages and(or) figures for each cited document				
2.3.4		Claims to which each cited document applies				
2.3.5 2.3.6		Search team member(s) and/or date of completion				
2.4	SPELLING, CITATION AND REFERENCING		C	NC	REMARKS	
		Correct spelling, citation, and consistent referencing				

CHECKLIST (search)

If both original search and non-original search were conducted

Standard #	PRESENTATION OF SEARCH STRATEGY		EVALUATION			REMARKS
3.0						
3.1	PROPERLY FILLED-OUT FIELDS OF SEARCH STRATEGY (ORIGINAL SEARCH)		C	NC	RATING	REMARKS
3.1.1		Source(s) of search result				
3.1.2		Search string(s) used in the search field				
3.1.3		Search databases				
3.1.4		Actual number of hits obtained and actual number of documents viewed				
3.1.5		Date of completion				
3.2	PROPERLY FILLED-OUT FIELDS OF SEARCH STRATEGY (NON ORIGINAL SEARCH)		C	NC		
3.2.1		Source(s) of search result				
3.2.2		Date of completion				
3.3	SPELLING AND SYNTAX		C	NC		REMARKS
		Correct spelling and syntax				

CHECKLIST (search)

If only original search was conducted

Standard #	PRESENTATION OF SEARCH STRATEGY		EVALUATION			REMARKS
3.0						
3.1	PROPERLY FILLED-OUT FIELDS OF SEARCH STRATEGY (ORIGINAL SEARCH)		C	NC	RATING	REMARKS
3.1.1		Source(s) of search result				
3.1.2		Search string(s) used in the search field				
3.1.3		Search databases				
3.1.4		Actual number of hits obtained and actual number of documents viewed				
3.1.5		Date of completion				
3.3	SPELLING AND SYNTAX		C	NC		REMARKS
		Correct spelling and syntax				

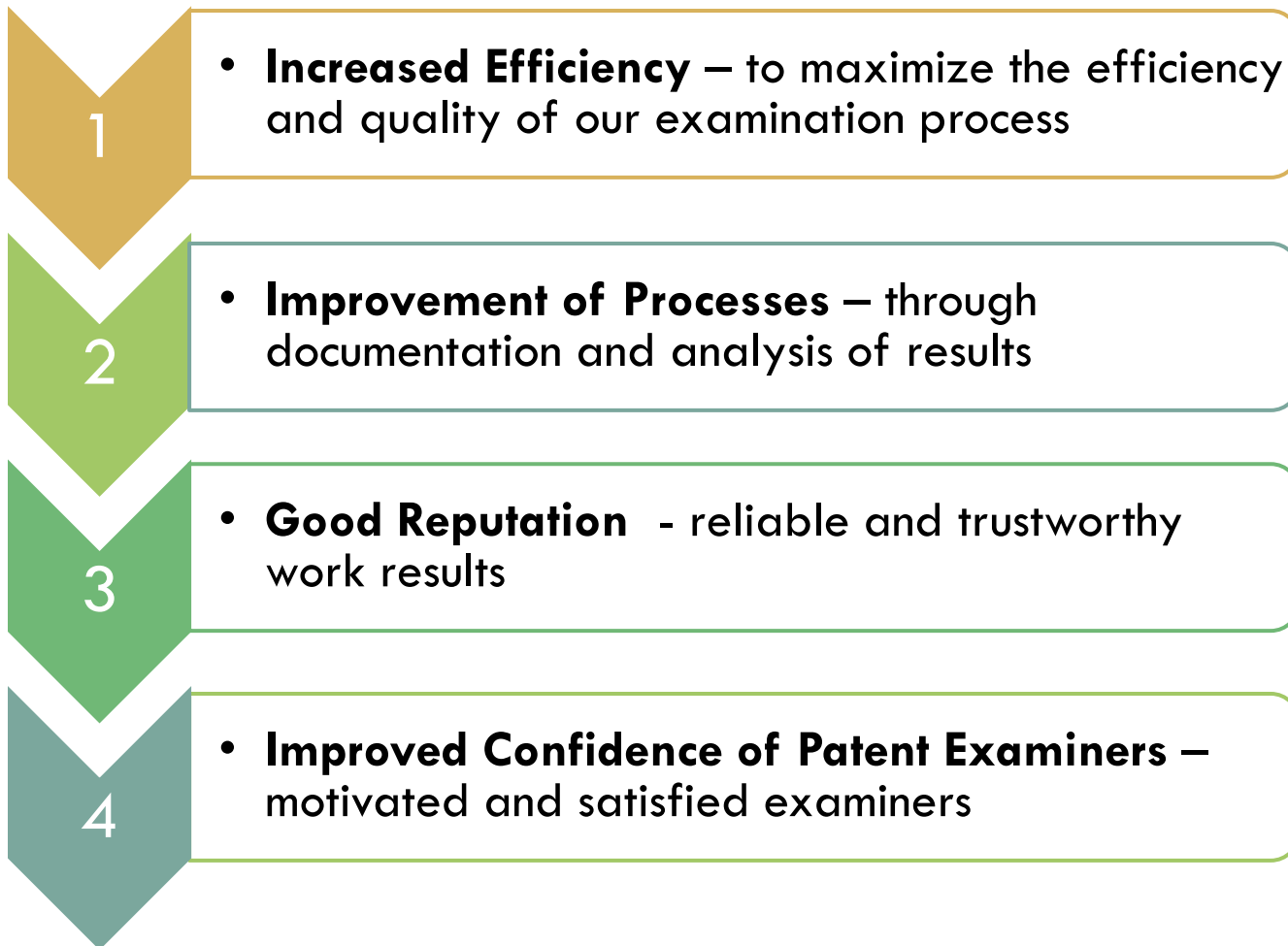
If no original search was conducted

Standard #	PRESENTATION OF SEARCH STRATEGY		EVALUATION			REMARKS
3.0						
3.2	PROPERLY FILLED-OUT FIELDS OF SEARCH STRATEGY (NON ORIGINAL SEARCH)		C	NC	RATING	REMARKS
3.2.1		Source(s) of search result				
3.2.2		Date of completion				
3.3	SPELLING AND SYNTAX		C	NC		REMARKS
		Correct spelling and syntax				

CHECKLIST (search)

Standard #	PRESENTATION OF WRITTEN OPINION		EVALUATION			
4.0						
4.1	SUITABLE ESTABLISHMENT OF REASON REGARDING PATENTABILITY WITH STATUTORY BASIS		C	NC	RATING	REMARKS
4.1.1	IP Code Section 22	Non-Patentable Invention				
4.1.2	IRR on Inventions, Rule 415	Clarity				
4.1.3	IP Code Section 23	Novelty				
4.1.4	IP Code Section 26	Inventive Step				
4.1.5	IP Code Section 27	Industrial Applicability				
4.2	PROPERLY FILLED-OUT FIELDS OF WRITTEN OPINION		C	NC		REMARKS
4.2.1		Non-patentable invention, Clarity, Novelty, Inventive Step, Industrial Applicability				
4.2.2		Citation of considered relevant documents				
4.2.3		Summary statement regarding clarity, novelty, inventive step, and industrial applicability				
4.2.4		Date of completion				
4.3	SPELLING, GRAMMAR, CITATION, AND REFERENCING		C	NC		REMARKS
		Correct spelling, grammar, citation and consistent referencing				

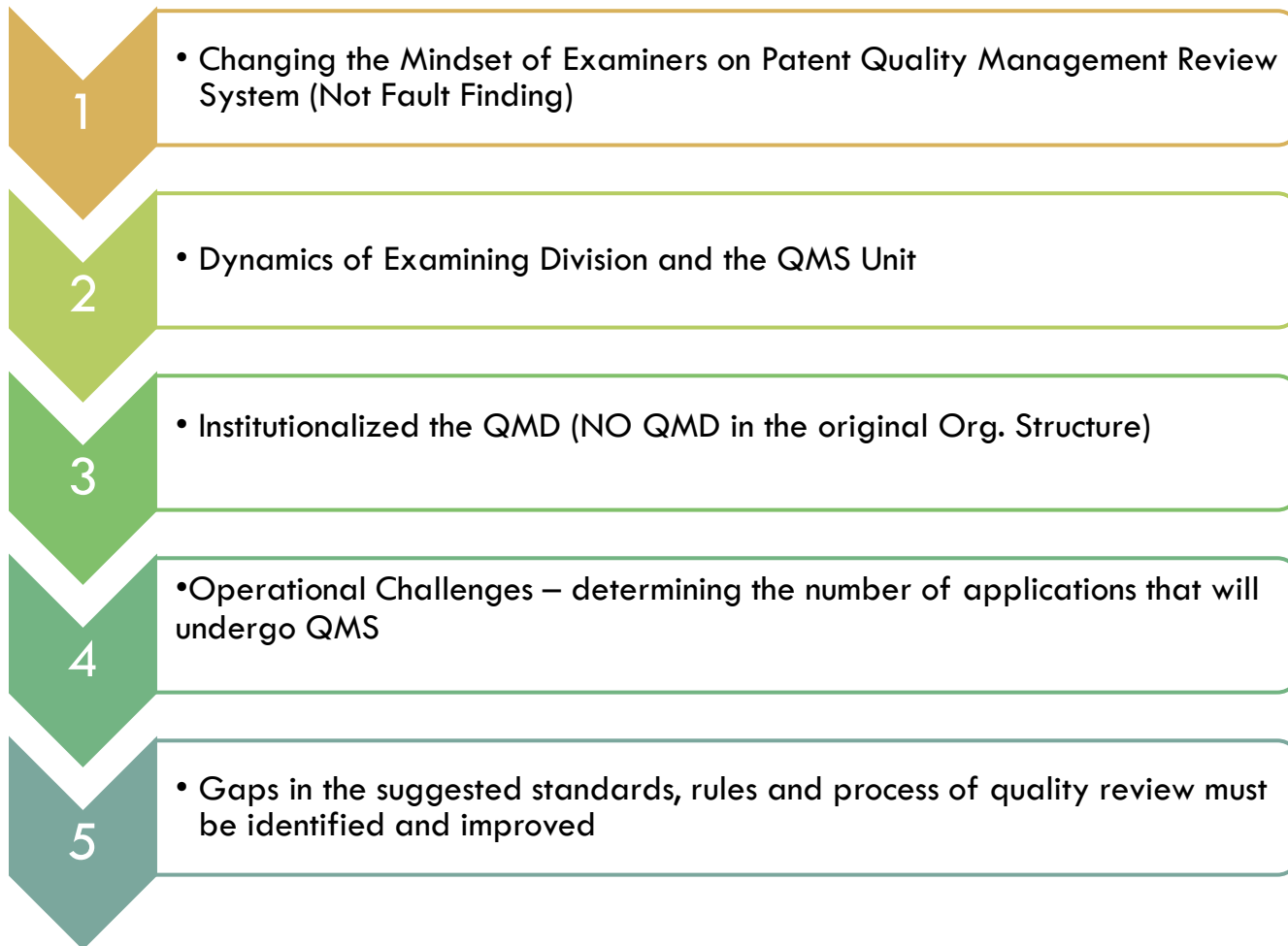
BENEFITS



PQRS Progress

- 2nd Semester of 2014 – Started Development
- November 2015 – Pilot Testing
- 2016 – Full Implementation

QMS CHALLENGES



Next Steps

- Draft the Patent Quality Manual
- Assessment of PQRS in 2016
- Inclusion of Feedback and Control Measures
- Proposal to Institutionalize the QMD
- Orientation on the PQRS to be included in the New Patent Examiners Training Program

Maraming Salamat!