

# Effective Use of the PCT System

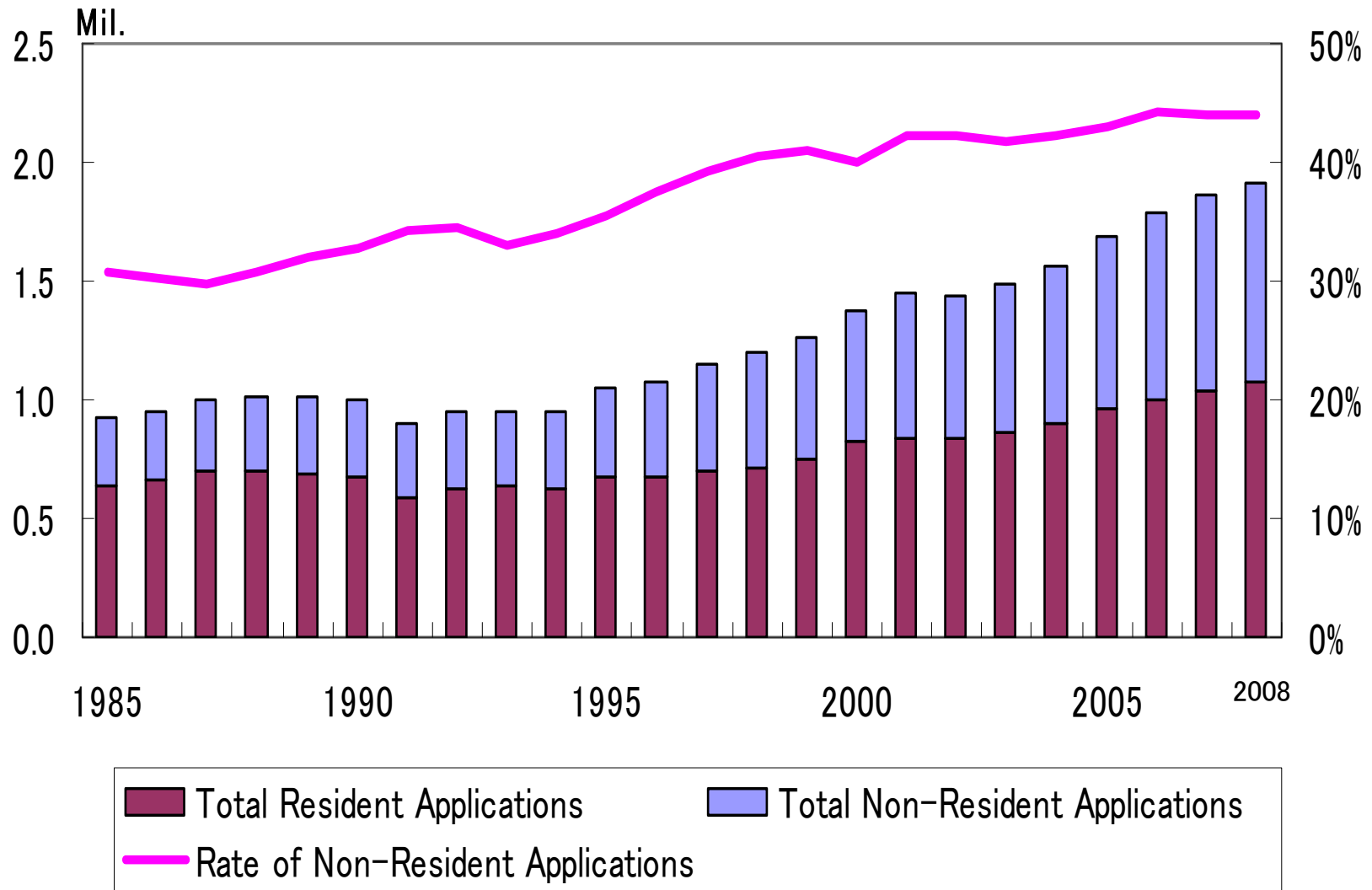
Fumio ENOMOTO

Coordinating Office for PCT system

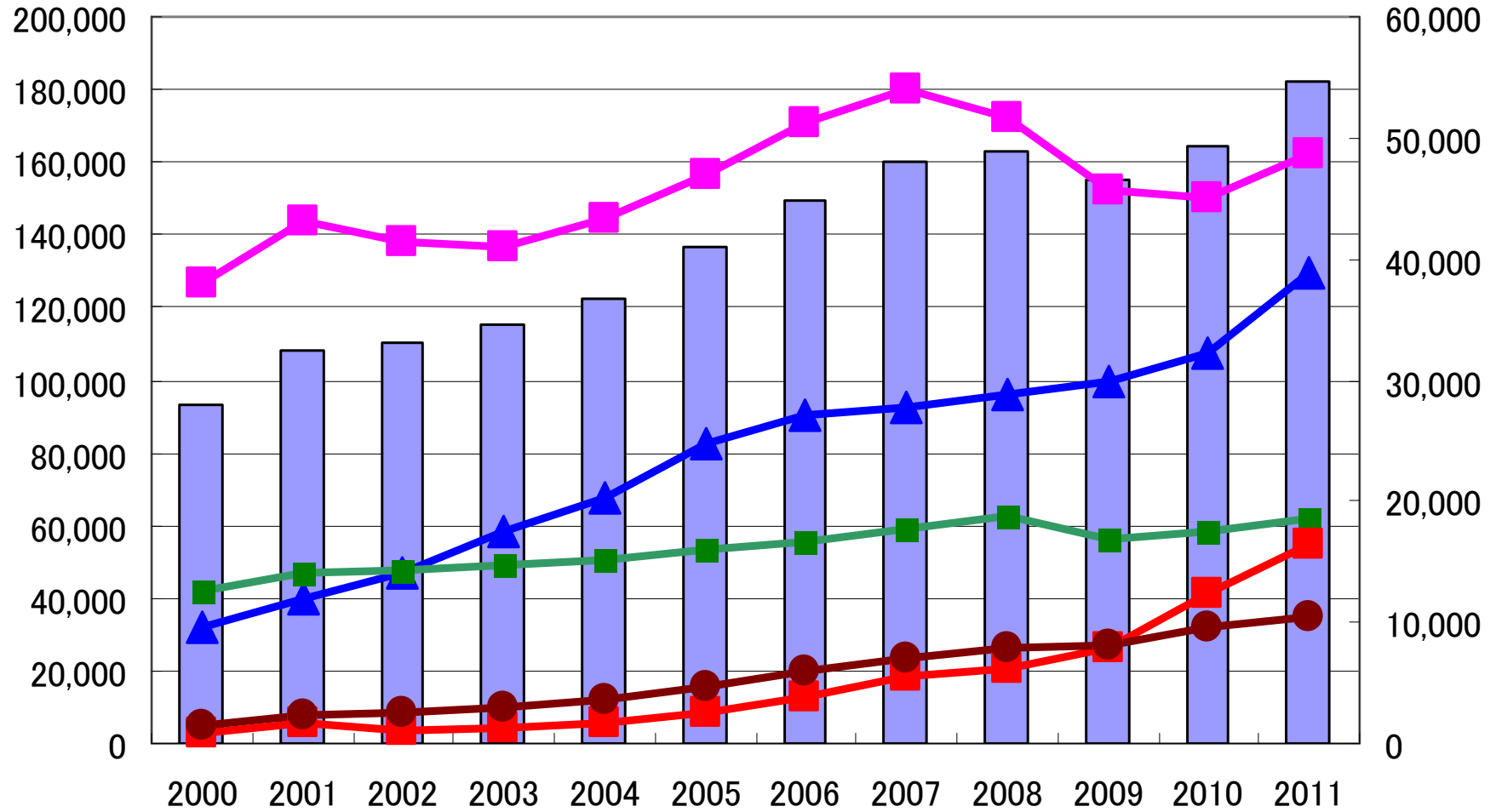
International Application Division



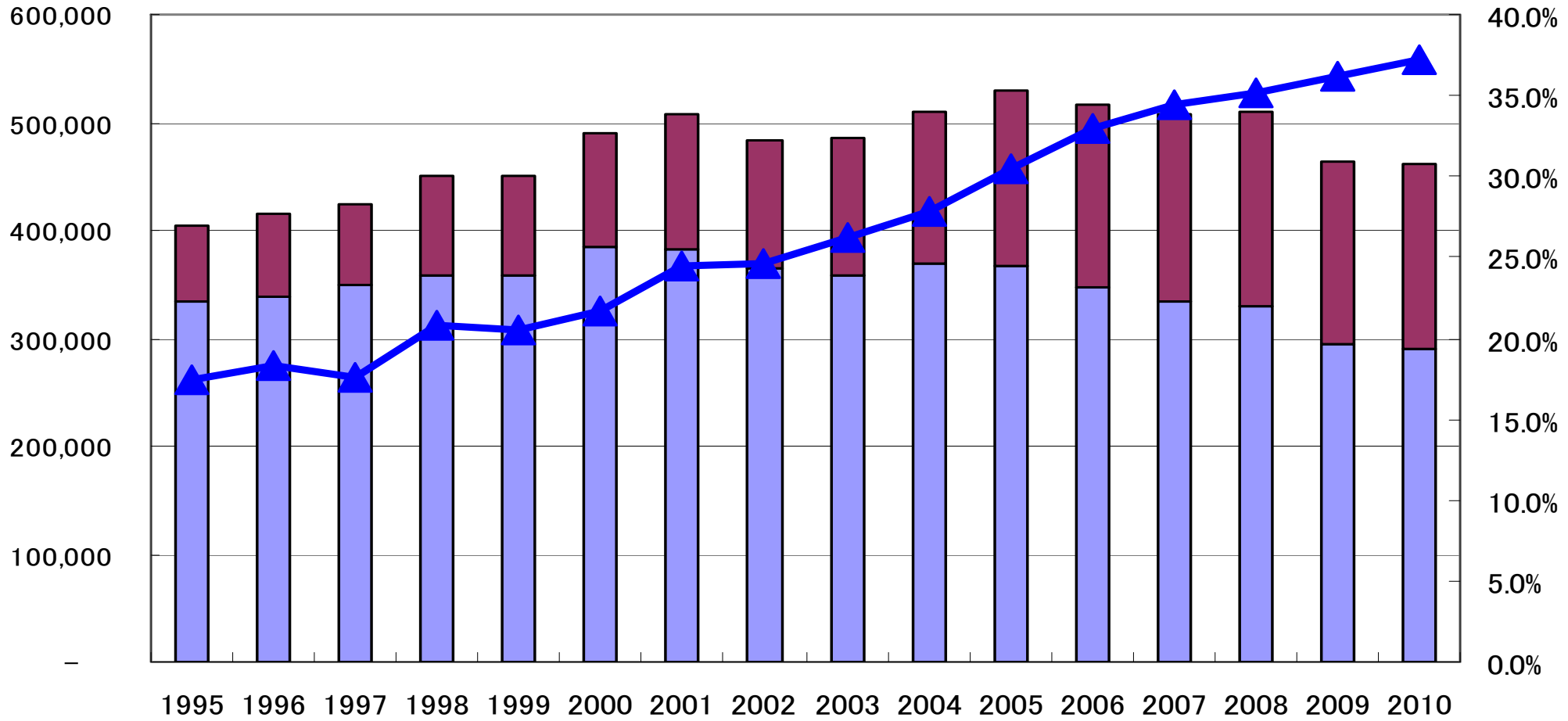
# Patent Applications Worldwide



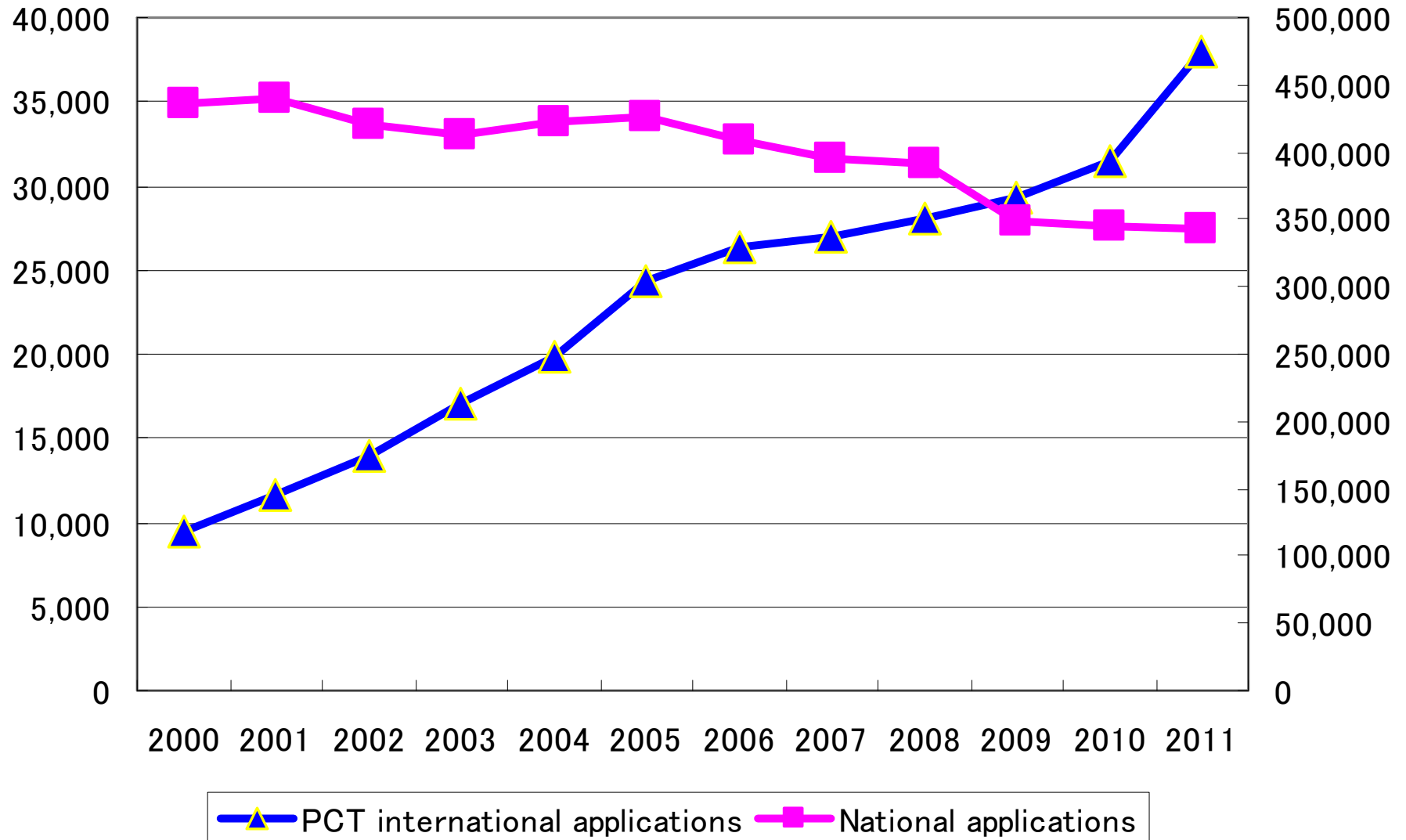
# Growth of PCT Applications



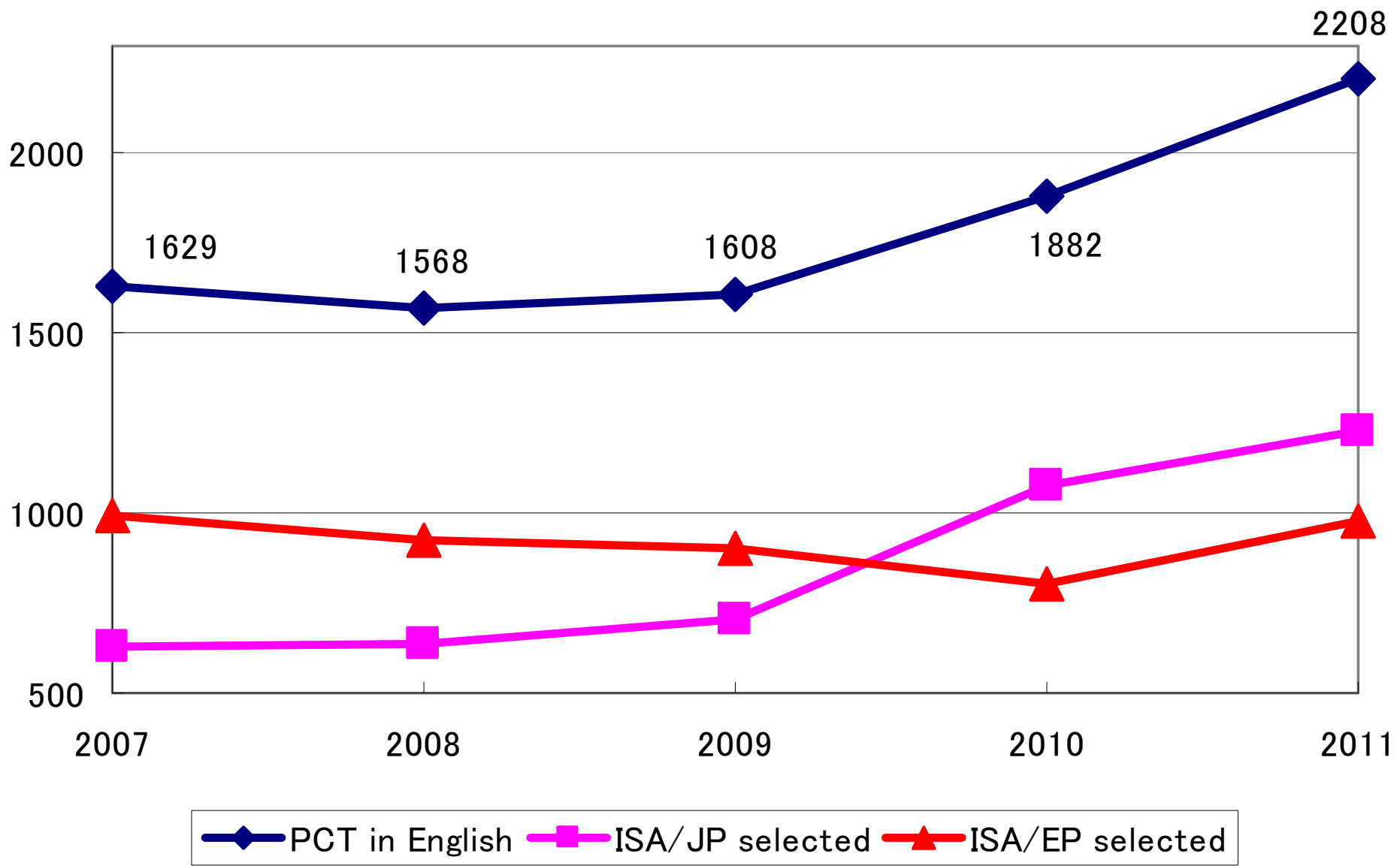
# Patent Applications Worldwide Originating from Japan



# Number of Patent Applications



# Increase in Applications in English Received by RO/JP



Criteria of selecting the Paris Route or the PCT Route



## Reason to use the Paris Route:

-To obtain patent rights in one or a few countries, or against a certain company, or in a certain technology area

## Reason to use the PCT Route:

- To obtain patent rights in numerous countries
- To gain time in order to assess the possibility of commercializing the technology
- To postpone translation costs

## Case 1



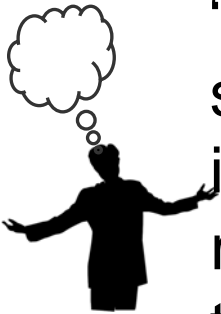
“I file a lot of patent applications connected with the high-technology field, an area in which competition is very keen and the pace of technological innovation is very rapid. I want to minimize investment spend as soon as I think necessary, spending money only when I really need to...”



*Save initial costs and delay spending!*



## *Case2*



“I directly filed in 7 countries. The next step is for me to submit letters and documents in response to each office’s individual invitations and notices. And since some offices require certifications, I need to prepare enough copies of them.

The process is annoying and complicated because each country has its own regulations and procedures for filing!”



*Home control possible!*

## Case3



“I want to obtain patent rights in 8 countries, but the 12-month time limit under the Paris Convention is quickly approaching!

AND, I have not yet completed translations into Thai, Hindi, Korean, Indonesian, Mongolian, Vietnamese and English.

AND I also need to find and appoint representative/agents in each country. Help!!”



*Last-minute filings possible!*

## Case4



“I will file a lot of applications connected with the biotechnology field. I need enough time so that I can get all the needed permissions from each concerned authority. For instance, this includes conducting clinical trials required in the process of filing my patent application. BUT, if I do that, the 12-month period under the Paris Convention is not long enough ...”



*30 months from priority dates guaranteed!*

## Case5



“In trying to be cost-effective, I outsource prior art searches, spending lots of time and money on them before filing. On the other hand, I am forced to obtain filing dates, especially those overseas.

How do I manage to keep a balance in terms of doing thorough searches and still filing in a timely manner?”

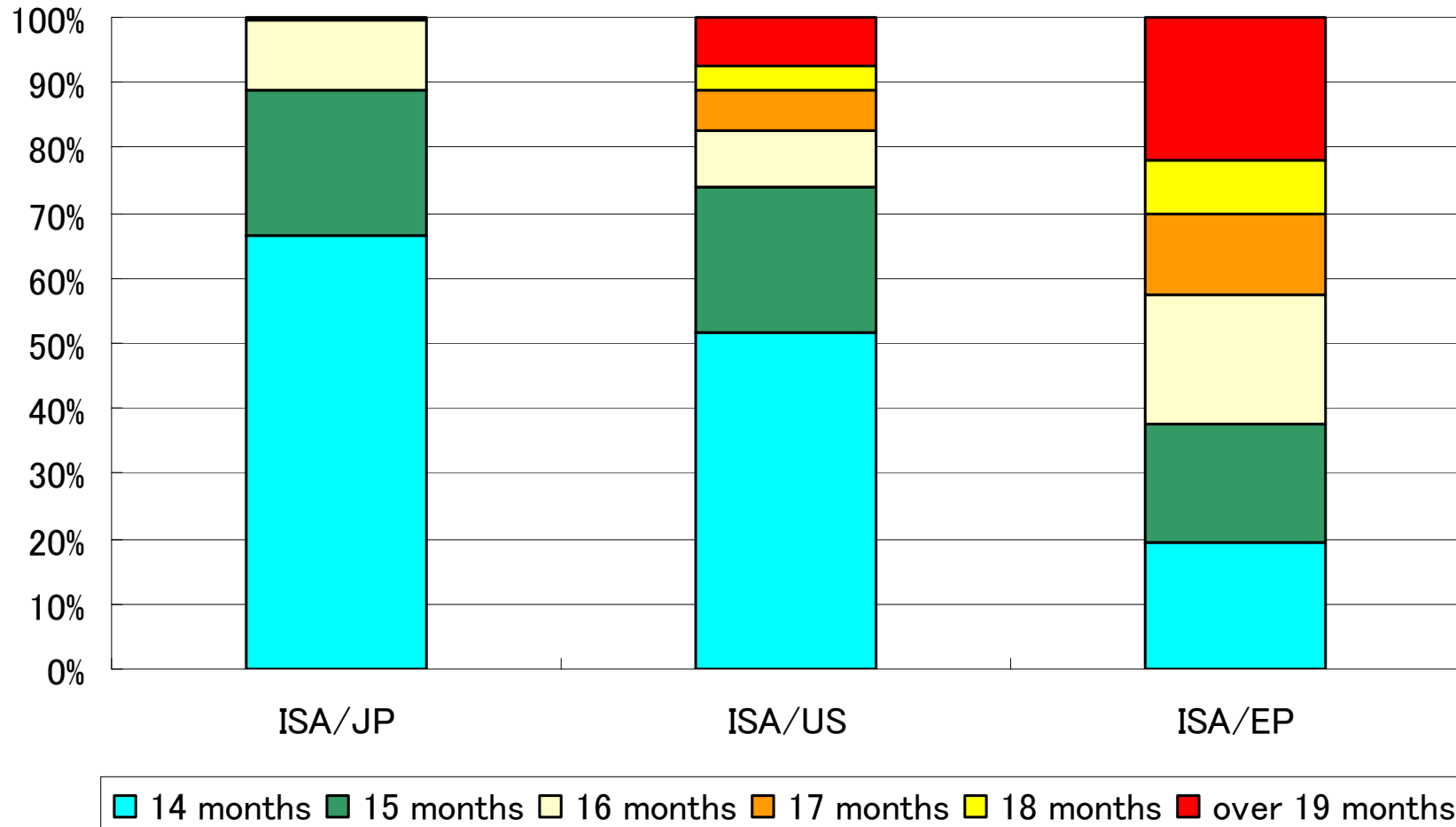


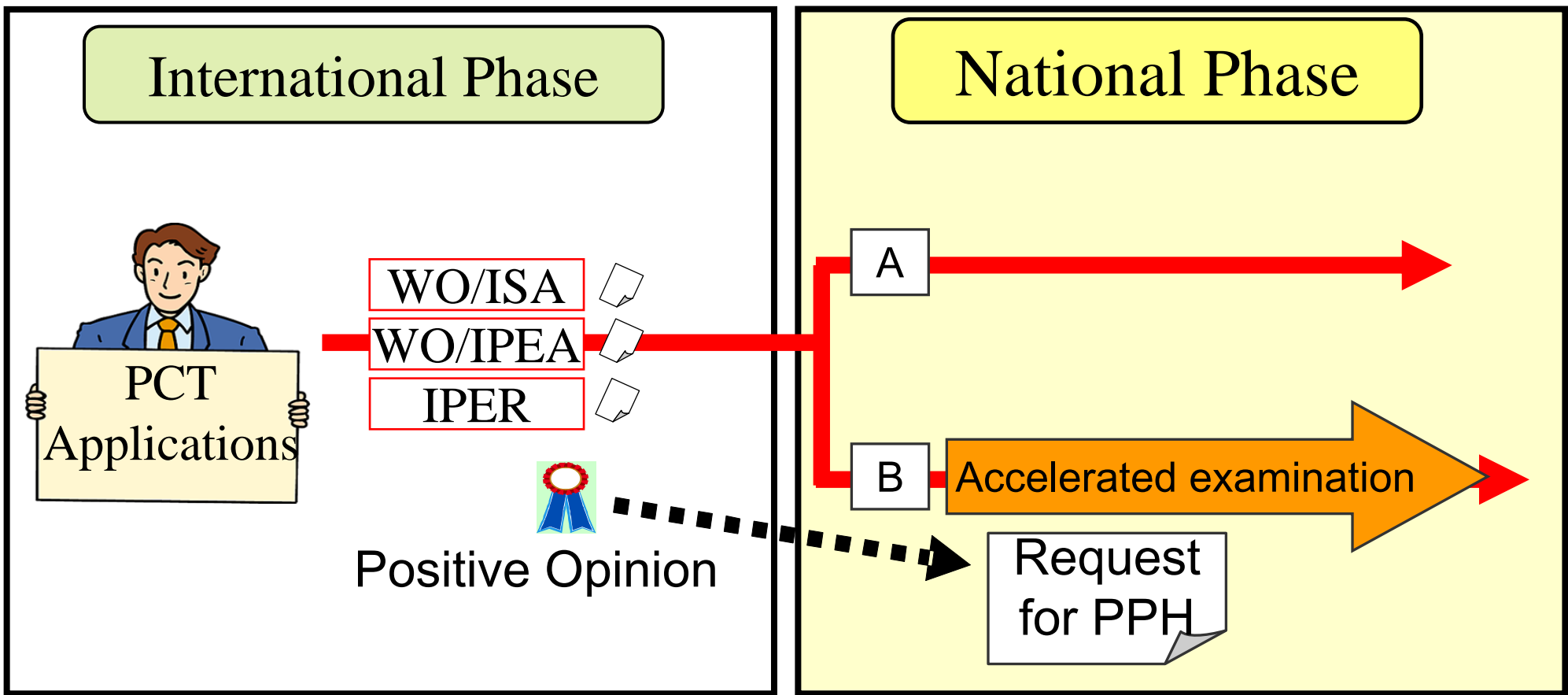
*Search report and examiner's opinion provided!*

# Timeliness of ISA/JP to transmit ISRs to IB in 2010

Calculated as the time difference between the priority date and the date on which the ISA transmits the ISR to the International Bureau

Source: WIPO Statistics Database

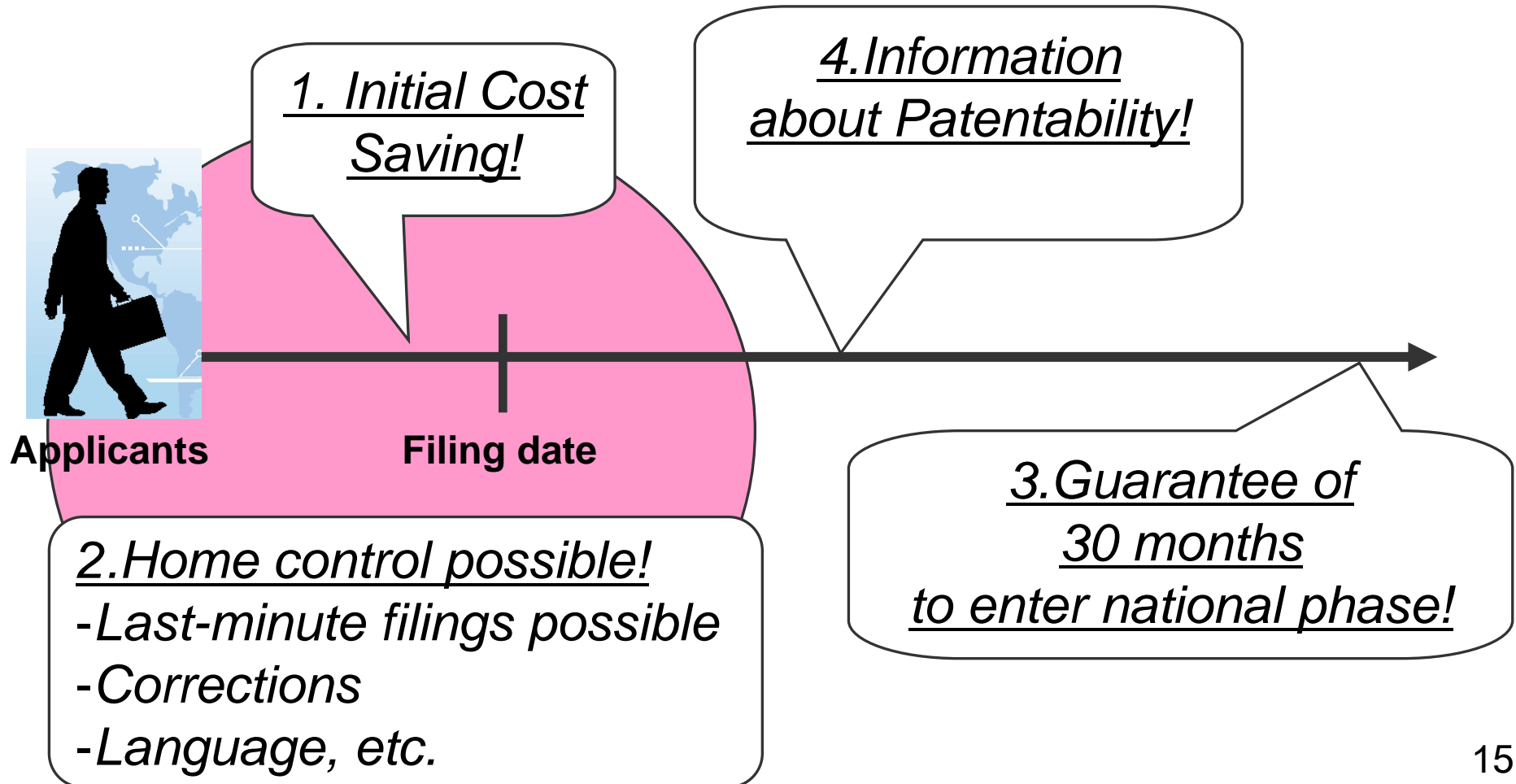




## **Points PCT users need to consider:**

- The number of countries in which you want to obtain a patent right
- The timing of when you want to obtain a patent right
- The preparation workload and budget for filing the patent applications
- The technical characteristics of the inventions, such as regionality, speed of technological innovation

**If applicants decide to use the PCT system,  
they can avail themselves of the following benefits**





Thank you