



## Topic 3: Examination Status and Databases for Researching Status

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**Cybercity**  
**November 23, 2021**

# 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  - Withdrawn by applicant
  - Deemed to be withdrawn, abandoned (lack of action by applicant)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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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

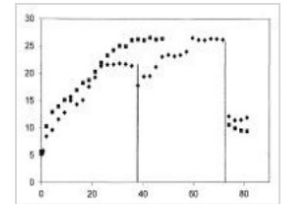
Drawing

### 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...

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# WIPO patent register portal

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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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 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

# INPADOC: Secondary legal status source



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Patent search

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

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

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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 ←



# 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



EP2402418
European procedure
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Federated register
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Event history: EP2402418

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Date	Description	European Patent Bulletin date, issue number
22.09.2017	Application deemed to be withdrawn	published on 25.10.2017 [2017/43]
06.06.2017	New entry: Application deemed to be withdrawn: despatch of communication + time limit	
05.04.2017	New entry: Additional fee for renewal fee: despatch of communication + time limit	
20.12.2016	New entry: Communication of intention to grant a patent	
16.12.2016	Change - inventor	
25.02.2016	New entry: Renewal fee paid	
25.02.2015	New entry: Renewal fee paid	
28.02.2014	New entry: Renewal fee paid	
27.05.2013	Amendment by applicant	
01.03.2013	New entry: Renewal fee paid	
19.10.2012	Supplementary search report	published on 21.11.2012 [2012/47]
19.10.2012	Change - classification	published on 21.11.2012 [2012/47]



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<input type="checkbox"/> 18.09.2017	<a href="#">Closing of application</a>
<input type="checkbox"/> 07.06.2017	<a href="#">Application deemed to be withdrawn ( translations of claims/payment missing from 01-04-2012)</a> ←
<input type="checkbox"/> 04.04.2017	<a href="#">Notice drawing attention to the payment of the renewal fee and additional fee</a>
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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]

<b>Status</b>	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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<b>Most recent event</b>	22.09.2017	Application deemed to be withdrawn	published on 25.10.2017  [2017/43]
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<b>Applicant(s)</b>	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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