

Standing Committee on the Law of Patents

Twentieth Session
Geneva, January 27 to 31, 2014

PROPOSAL BY THE DELEGATIONS OF THE UNITED KINGDOM AND THE UNITED STATES OF AMERICA REGARDING WORKSHARING BETWEEN OFFICES IN ORDER TO IMPROVE EFFICIENCIES OF THE PATENT SYSTEM

Document prepared by the Secretariat

1. The Annex to this document contains a proposal submitted by the Delegations of the United Kingdom and the United States of America concerning worksharing between offices in order to improve efficiencies of the patent system.

2. *The members of the Standing Committee on the Law of Patents (SCP) are invited to consider the contents of the Annex.*

[Annex follows]

PROPOSAL REGARDING WORKSHARING BETWEEN OFFICES IN ORDER TO IMPROVE EFFICIENCIES OF THE PATENT SYSTEM

submitted by the United Kingdom and the United States of America

1. At the 19th session of the Standing Committee on the Law of Patents (SCP), the Delegation of the United States introduced its proposal on improving efficiencies of the patent system (document SCP/19/4). The proposal was enthusiastically supported by a number of delegations.
2. The Committee agreed to conduct some fact-finding with respect to the work sharing programs among patent offices and use of external information for search and examination.
3. Responses from 27 Member States and Regional Patent Offices were compiled by the Secretariat and presented to the 20th session of the SCP in the document SCP/20/8.
4. From the review of the document SCP/20/8, it is clear that many offices around the world, both large and small, are taking advantage of work sharing and collaborative programs in order to avoid duplication of work, reduce patent applications backlog and pendency and improve the overall efficiency of the search and examination process. These work sharing and collaborative programs are beneficial to the offices, the applicants and the general public.
5. While the document SCP/20/8 contains valuable inputs from many Member States and Regional Offices, there are additional work sharing programs which are not reflected in the document. As an example, the status of the PROSUR regional cooperation undertaken by Argentina, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Suriname and Uruguay is not addressed in the document. Similarly, some recent Patent Prosecution Highway (PPH) partnerships are not reflected in the document.
6. We believe there is a need to increase awareness among patent offices and patent system users of existing work sharing and collaborative programs and to keep that information current.
7. In view of the important role that work sharing and collaborative programs play in improving the efficiency of patent systems in many countries around the world and the need to have current information about these programs, we propose the following activities:
 - (a) Dedicate a page on the WIPO website to work sharing and collaborative activities between patent offices. The purpose of this dedicated webpage will be to collect in one place information on all work sharing and collaborative activities between patent offices so that both patent offices and users can educate themselves about the existing activities and, when desirable, take better advantage of these programs. The Secretariat should research and include all work sharing and collaborative programs/activities that exist between patent offices, not only those contained in the document SCP20/8. Active links and other relevant information should be provided and updated regularly. Statistical information on the work sharing and collaborative programs/activities should be included. The dedicated webpage should contain information that fosters and improves collaboration and increases awareness of these programs.
 - (b) Organize annual conferences, on the margins of the SCP sessions, on international work sharing and collaboration to share national and regional experiences and best

practices and to find ways to improve the usefulness of these programs to IP offices, to users of the IP system and to the general public.

8. These activities are to be carried out using WIPO's existing budgetary and human resources.

[End of Annex and of document]