

25 June 2013

Ref: 871-99-2013-003616

RE: **C. 8261**

The following is the ILPO's response to the above-captioned circular in accordance with and order of the issues raised therein.

**Exceptions and Limitations to patent rights**

See response to "Questionnaire on Exceptions and Limitations to Patent Rights" filed with the SCP by the ILPO on March 8, 2012.

**Quality of Patent**

The work-sharing programs among the ILPO and other patent offices:

<b>Program Name</b>	<b>Description of Program</b>	<b>Applicant or Office Initiated</b>
Patent Prosecution Highway (PPH) (Paris Route)	<p>The PPH framework consists of numerous bilateral arrangements with IP Offices throughout the world.</p> <p>The ILPO has 5 PPH Programs with the following Patent Offices: CIPO, USPTO, JPO, NBPR and DKPTO.</p> <p>The ILPO is currently in negotiations with other Patent Offices to become PPH partners.</p> <p>For more information see:  <a href="http://index.justice.gov.il/Units/RashamHaptentim/Units/patent/Madrachim/Pages/PPH.aspx">http://index.justice.gov.il/Units/RashamHaptentim/Units/patent/Madrachim/Pages/PPH.aspx</a></p>	Applicant Initiated
PCT Patent Prosecution Highway (PCT PPH)	<p>Currently, the ILPO has 4 PCT PPH Programs with the following Patent Offices: USPTO, JPO, NBPR and DKPTO.</p> <p>The ILPO is in negotiations with other International Authorities to</p>	Applicant Initiated

	become PCT PPH partners.  For more information see: <a href="http://index.justice.gov.il/Units/RashamHaptentim/Units/patent/Madrachim/Pages/PPH.aspx">http://index.justice.gov.il/Units/RashamHaptentim/Units/patent/Madrachim/Pages/PPH.aspx</a>	
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Additionally, ILPO intends to join the WIPO CASE system for exchanging search and examination results with other offices.

Benefits the ILPO sees in joining WIPO CASE:

- Improved transparency and quality of work;
- Efficient Office driven work sharing;
- Centralized access to search and examination reports from multiple jurisdictions;
- Minimal duplication of work through the use of common WIPO standards.

External databases for retrieving information relevant to search and examination:

EPOQUENET, Thomson Innovation, STN, Derwent (via STN), Questel and access to all freely available databases.

### **Confidentiality of communications between clients and their patent advisors**

There are no provisions in the law regarding this matter, though private organizations might have best practices recommendations. Courts may rule in favor of confidentiality in view of there being a fiduciary relationship.

### **Transfer of Technology**

Where State funded R&D is concerned certain limitations may occur in accordance with The Encouragement of Industrial Research and Development Law, 5744-1984. Further information in this regard is available at the Office of the Chief Scientist's Website:

<http://www.moital.gov.il/CmsTamat/Rsrc/MadaanEnglish/MadaanEnglish.html>

Israel enjoys a high rate of activity in technology transfer from Academia. The terms and conditions for such transfer of technology may be available at the relevant TTOs websites, such as [www.yissum.co.il](http://www.yissum.co.il) for the Hebrew University of Jerusalem,



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<http://www.yedarnd.com/> for Weizmann Institute of Science, <http://www.ramot.org/> for Tel Aviv University, <http://cmsprod.bgu.ac.il/eng/BGN1> for Ben-Gurion University and <http://t3.technion.ac.il/> for the Technion- Israel Institute of Technology.

Certain limitations may apply due to national security measures in accordance with Chapter F to the Israel Patents Law 5227-1967.