

# KIPO-ROSPAT PATENT COOPERATION

## *Work-sharing*

KIPO-ROSPAT Meeting | 5 July 2018 | Daejeon, Korea



Korean Intellectual Property Office



# Concept of Work-sharing

***“To share examination-related information between patent offices so as to improve the quality of examination of patent applications, to reduce duplication of works, to advance efficiency of patent examination, and to strengthen cooperation between offices for the sake of user convenience”***

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# Examiners Exchange Program

## ❖ Objective

- To understand examination practice and patent system of the counterpart through examination practice-oriented work sharing and to build mutual trust for examination quality

## ❖ Main Contents





- To select a specific technical field, conduct a joint prior art search and determine patentability regarding patent applications jointly filed with the two offices

*\* Procedure : (1) Select a technical field → (2) Choose participants (2~4 examiners of each office) → (3) Implement a sampling process for jointly filed applications → (4) Conduct a prior art search and determine patentability → (5) Prior exchange of search results → (6) Comparison analysis of search results (cross visit of the project partners)*

- Group discussion regarding patent examination issues as a whole, especially focusing on examination guidelines, patent system and the partner's examination practice, as well as examination of jointly filed applications and sharing of recent issues

# Examiners Exchange Program

## ❖ Status Updates

Counterparts	Agreed (year)	Enforced (year)	In progress
China 	2002	2003	Completion of the first operational phase of the 15 <sup>th</sup> project (2018)
Japan 	1999	2000	Completion of the first operational phase of the 17 <sup>th</sup> project (2017)
Germany 	2006	2007	Completion of the 9 <sup>th</sup> project (2018)
Taiwan 	2015	2015	Completion of the first operational phase of the 2 <sup>nd</sup> project (2017)

# Experts Exchange Program

## ❖ Objective

- To promote understanding of major works of offices and strengthen cooperation between the offices through mutual support by dispatching experts to the counterpart

## ❖ Main Contents

- To share status updates regarding major works of the counterpart
- To analyze patent quality, share status updates of quality control and discuss the best way forward for development
- To discover promising projects for work-sharing by dispatching experts to the counterpart

## ❖ Status Updates

- CPC project experts dispatched to the USPTO in 2013 (6 months)
- PPH project experts dispatched to the USPTO in 2015 (6 months)
- CPC quality analyzing experts dispatched to the USPTO in 2018 (6 months)

# Examiners & Experts Exchange Program

## ❖ Benefits

- Further understand patent system and examination practices of the counterpart
- Find a development direction for administration of patent as a whole
- Discover a way forward to quality improvement of examination
- Build mutual trust with the counterpart for examination quality & administration

# Patent Experts Meeting

## ❖ Objective

- To strengthen mutual cooperation by discussing patent system as a whole

## ❖ Main Contents

- Comparison of patent system and examination guidelines and sharing of recent amendments
- Sharing and discussion of patent examination policy and relevant statistics
- Studying of examination cases
- Sharing and discussion of quality control policy
- Sharing of recent issues regarding international patent cooperation
- Discussion of the best way forward for mutual cooperation with respect to the international patent cooperation

## ❖ Status Updates

- KIPO-SIPO in progress, KIPO-SIPO-JPO suspended since 2016



## ❖ Benefits

- Mutual exchange of patent system between the offices
- More responsive to the current global issues
- Discovering patent cooperation program between the offices
- Strengthening cooperation between the offices by setting up a regular specialized assembly

# Other Work-sharing Programs of KIPO

## ❖ The Patent Prosecution Highway (PPH)

- With respect to the same invention determined patentable by an Office of Earlier Examination (OEE), an Office of Later Examination (OLE) performs an accelerated examination thereon
- Bilateral PPHs, IP5 PPH and Global PPH *in progress*

## ❖ The Collaborative Search Program (CSP)

- Sharing of prior art references between offices before starting the substantive examination
- KIPO-USPTO CSP, JPO-USPTO CSP *in progress*
- KIPO-SIPO CSP, KIPO-UKIPO CSP *in preparation*

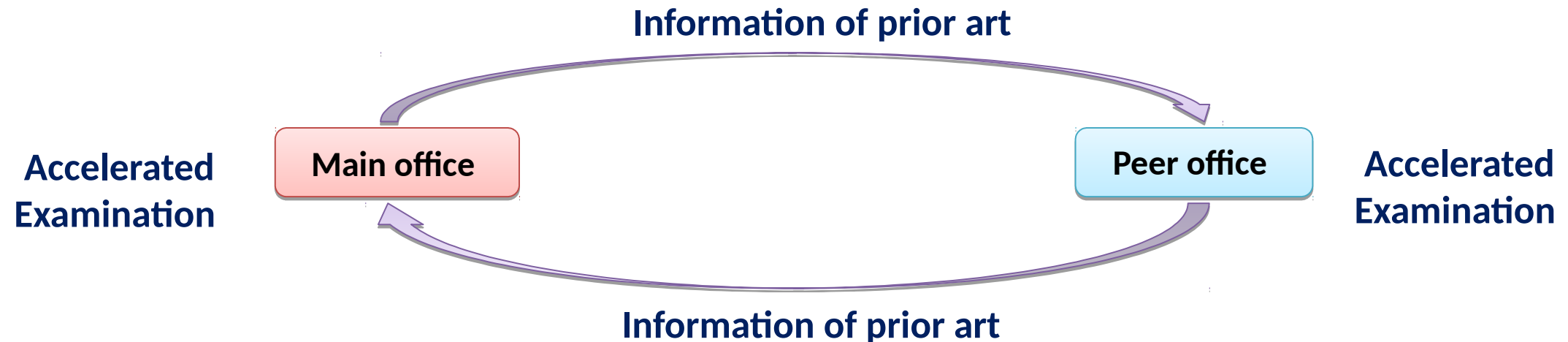
## ❖ The Collaborative Search and Examination (CS&E) under the PCT

- The five IP offices' cooperation in performing international search under the PCT
- No additional fees to applicants during the pilot project

\* The due date of the operation phase: July 2018

# CSP (Collaborative Search Program)

- Commence a procedure upon the request from a patent applicant
- Share information of prior art references before starting substantive examination (patentability is independently determined by each participant)
- Early examination may incur an effect of accelerated examination
- Status updates – 2<sup>nd</sup> CSP pilot project between KIPO-USPTO (in progress), KIPO-SIPO, KIPO-UKIPO CSP project (expected)



# Goals of Work-sharing

- ❖ To raise quality of patent examination
- ❖ To reflect user needs and encourage user participation
- ❖ To actively respond to the change of outside patent environment
- ❖ To strengthen relationship between/among Offices



Korean Intellectual Property Office



*Спасибо !*

Mr. YANG Woongchul

Patent System Administration Division, KIPO

[ywchul7@korea.kr](mailto:ywchul7@korea.kr)