



JPO's Experience of Work Sharing

- Introduction of implementing PPH
between INPI and JPO -

Japan Patent Office

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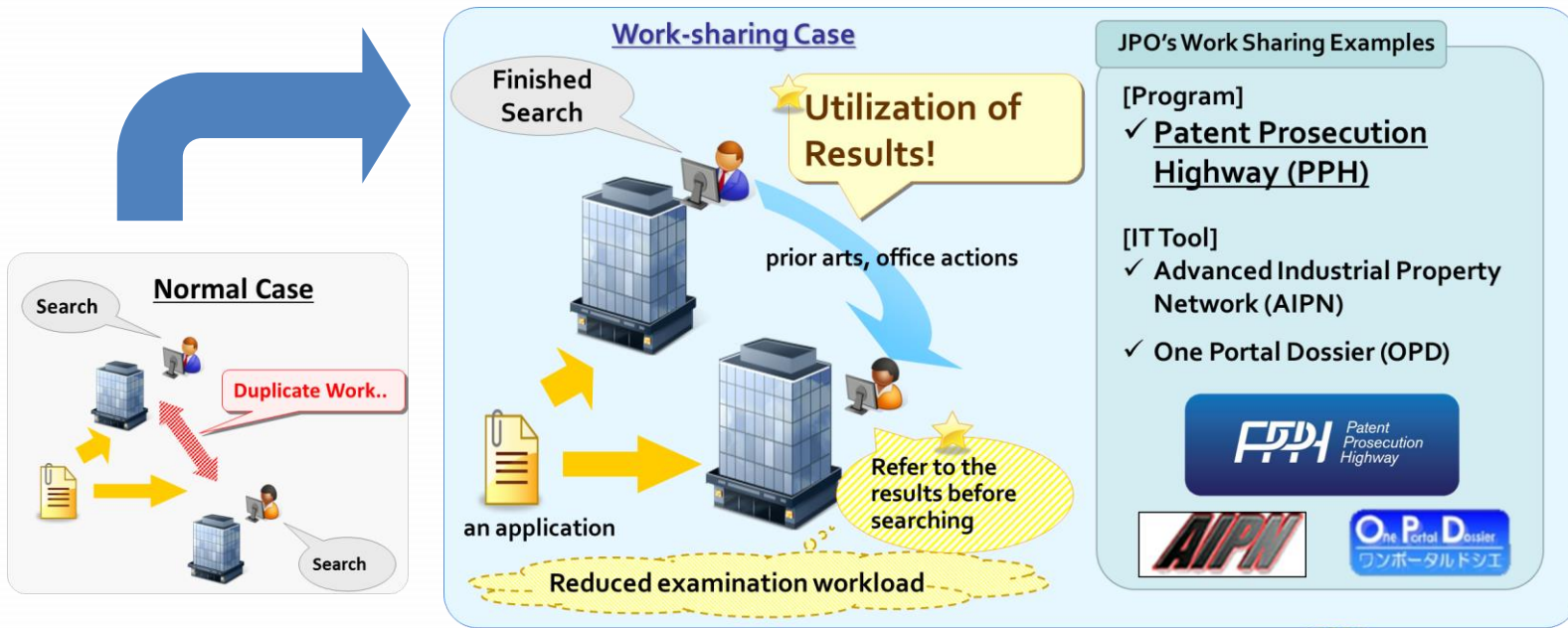
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Efficiency of Work Sharing

- The concept of work sharing is part of strategic program to promote global patent protection.
- A typical example of work sharing is “**Patent Prosecution Highway (PPH)**”, spreading all over the world.



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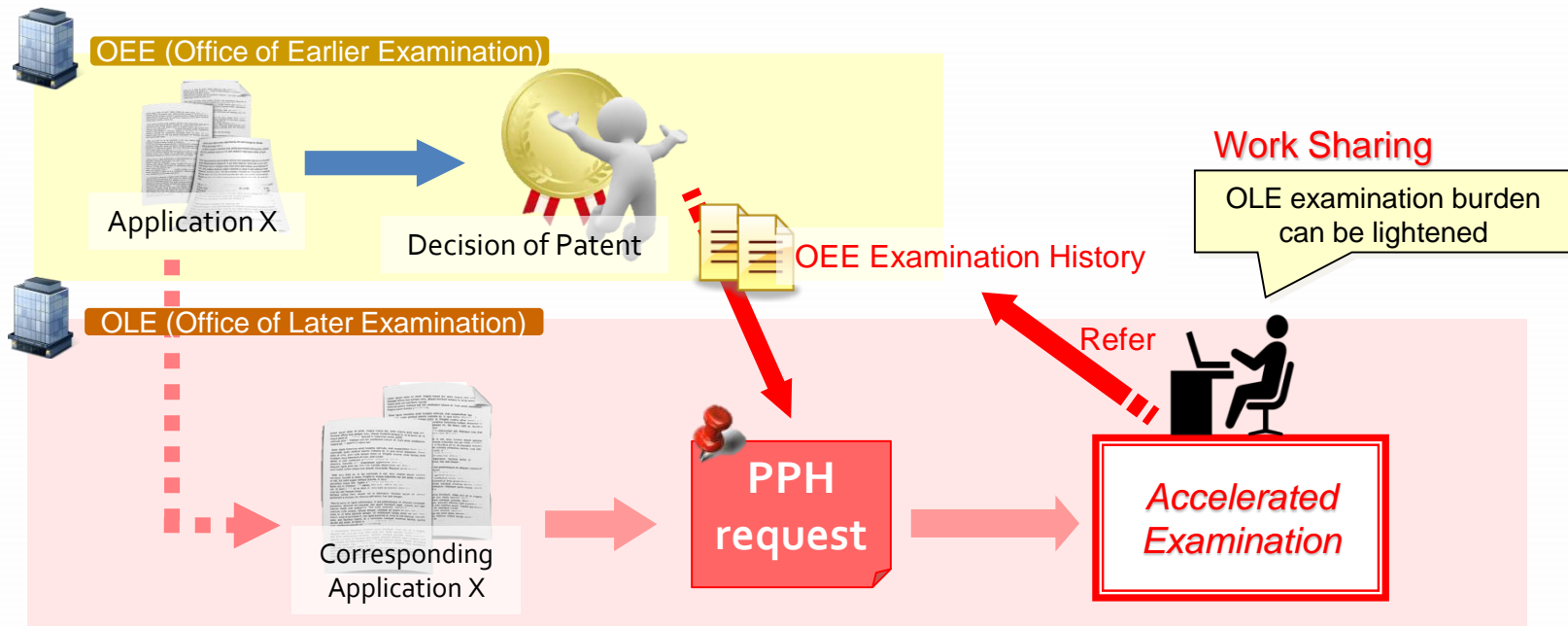
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What is Patent Prosecution Highway (PPH)?

- The **PPH** is a framework in which an application determined to be patentable in the Office of Earlier Examination (OEE) is eligible to have *an accelerated examination* in the Office of Later Examination (OLE) with a simple procedure upon an applicant's request.



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PPH member offices (August, 2017)

- JPO advocated the PPH for the first time in the world in 2006.
- Since 2006, the number of PPH member office has been **expanding to 47**.



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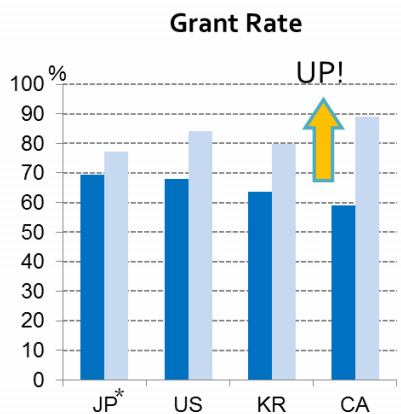
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Benefits of the PPH for Users

■ Main benefit of PPH : 1. High Grant Rate, 2. Reduced Examination Period, 3. Cost saving

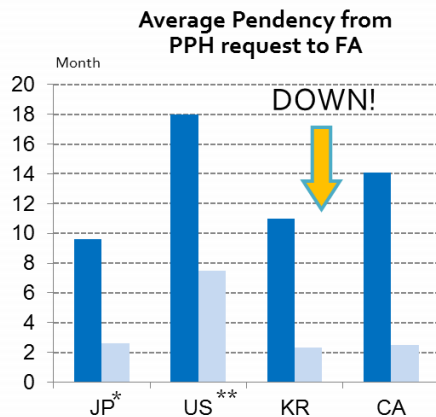
1. High Grant Rate

- More PPH applications tend to be granted in each country and region.



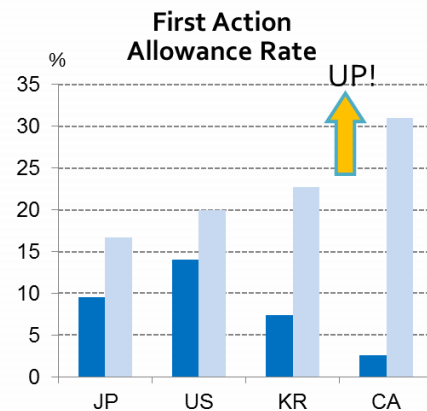
2. Reduced Examination Period

- Average pendency from PPH request to First office action and Final decision is decreasing.



3. Cost saving

- High First Action Allowance Rate reduces costs to applicants (e.g. attorney and translation fees)



*JP all applications: Jan.-Dec. 2014 **US all applications: Jul.-Dec. 2013

■ All applications ■ PPH applications (Period : Jul.- Dec. 2016)

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INPI-JPO PPH ~ Agreement & Signing Ceremony

- On March 16, 2017, INPI and JPO signed an agreement to establish a PPH pilot project.
- The agreement was signed at “the Seminar on Cooperation in Intellectual Property between Brazil and Japan”, held in São Paulo, Brazil.



**“PPH signing ceremony”
President Pimentel (INPI)
and
Commissioner Komiya (JPO)**



**“ The Seminar on Cooperation in Intellectual Property “
between Brazil and Japan**

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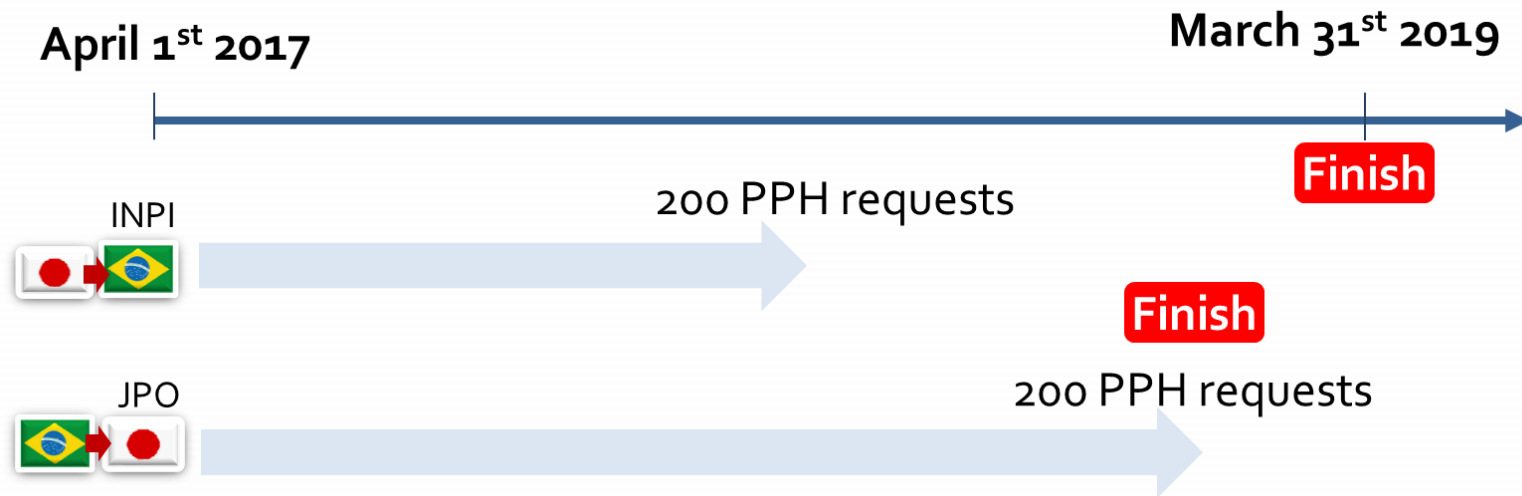
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INPI-JPO PPH ~ Special conditions; Duration



- JPO-INPI PPH will start on April 1st ,2017.
- JPO-INPI PPH will be finished under the following two conditions, whichever occurs first:
 - a period of 2 years has passed
 - both offices have accepted 200 applications



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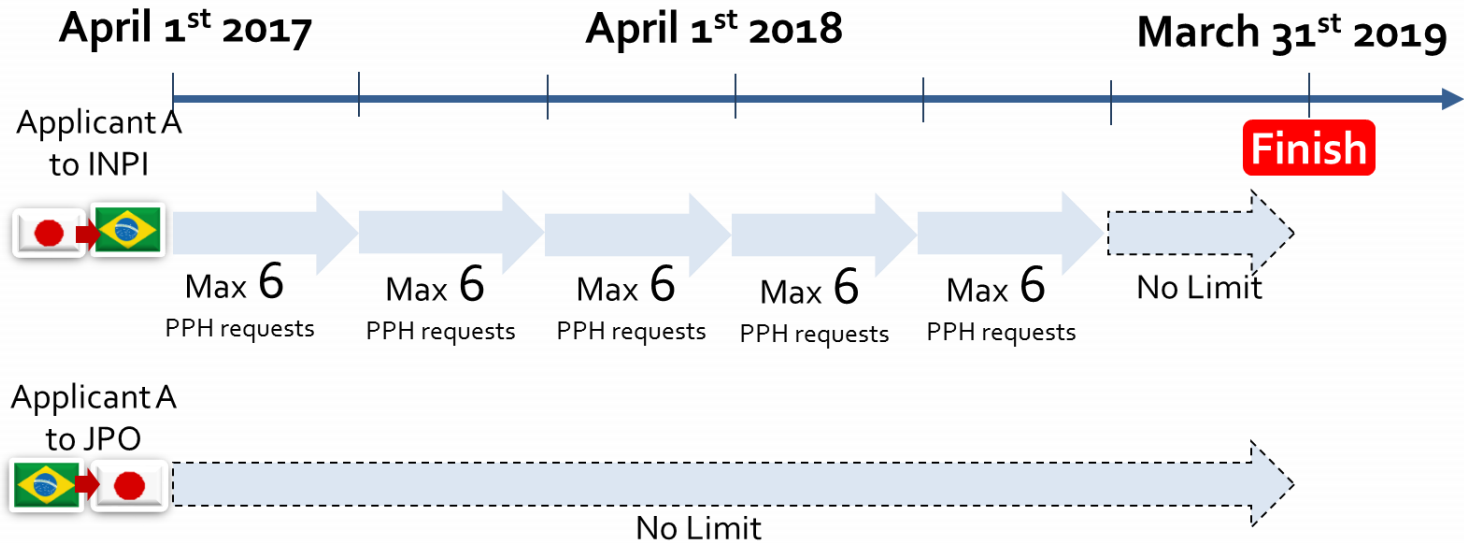
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INPI-JPO PPH ~ Special conditions; Number of requests per applicant

- INPI will limit the number of PPH requests made by same applicant as 6 per 4 months. In the last 4 months, there will be no limit of PPH requirements per applicant.
- JPO will have no limitation with regard to number of PPH requests per applicant.



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INPI-JPO PPH ~ Special conditions; Technical Fields

- INPI will accept patent applications classified at the Information Technology and Mechanical Technology such as Automobile related Technology.
- JPO will accept patent applications classified at all of the technical fields.



IPCs in G sections

G02B, G02F, G03G,
G06F, G06K, G06M, G06N, G06Q, G06T,
G08C, G08G, G09F, G09G, G10L, G11B, G11C

IPCs in H sections

All classifications

IPCs in the other sections

F21, F02D
B60K, B60L, B60W, B62D, B62J



All classifications

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INPI-JPO PPH ~ Comparison INPI-USPTO PPH vs INPI-JPO PPH

	USPTO-INPI PPH	JPO-INPI PPH
Duration	2 years (January 11, 2016-)	2 years (April 1, 2017-)
Number of requests	150 on each office	200 on each office
Oldest filling	BR or US or RO/BR or RO/US	BR or JP or RO/BR or RO/JP
Route	Paris-Route and Direct-PCT-Route (not PCT-PPH)	Paris-Route and Direct-PCT-Route (not PCT-PPH)
Patent	Inventions	Inventions and INPI's utility models
Technical field	Oil, Gas, or Petro-Chemical Technology	Information Technology and Mechanical Technology such as Automobile related Technology
Work Product	National Decision to Grant	National Decision to Grant
Divisional applications	Not accepted basically	Not accepted basically
Filing date	3 years prior to January 11, 2016	Any time
Number of requests per applicant	No limit	6 requests for 4 months each



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INPI-JPO PPH ~ Statistics (August 14, 2017)

- The number of PPH applications filed from JPO to INPI is 35. *1
- There is no PPH applications from INPI to JPO yet.*2

*1: ~ August 02, 2017, INPI Website *2: ~August 14, 2017

➔ JPO believes that Brazilian applicants will enjoy the benefits of the PPH when applying to JPO!

[Benefits of PPH filed with JPO]

	Non PPH	PPH
Pendency to FA [month]	9.3	2.6
Grant rate [%]	71.5	82.0
FA allowance rate [%]	9.5	20.2

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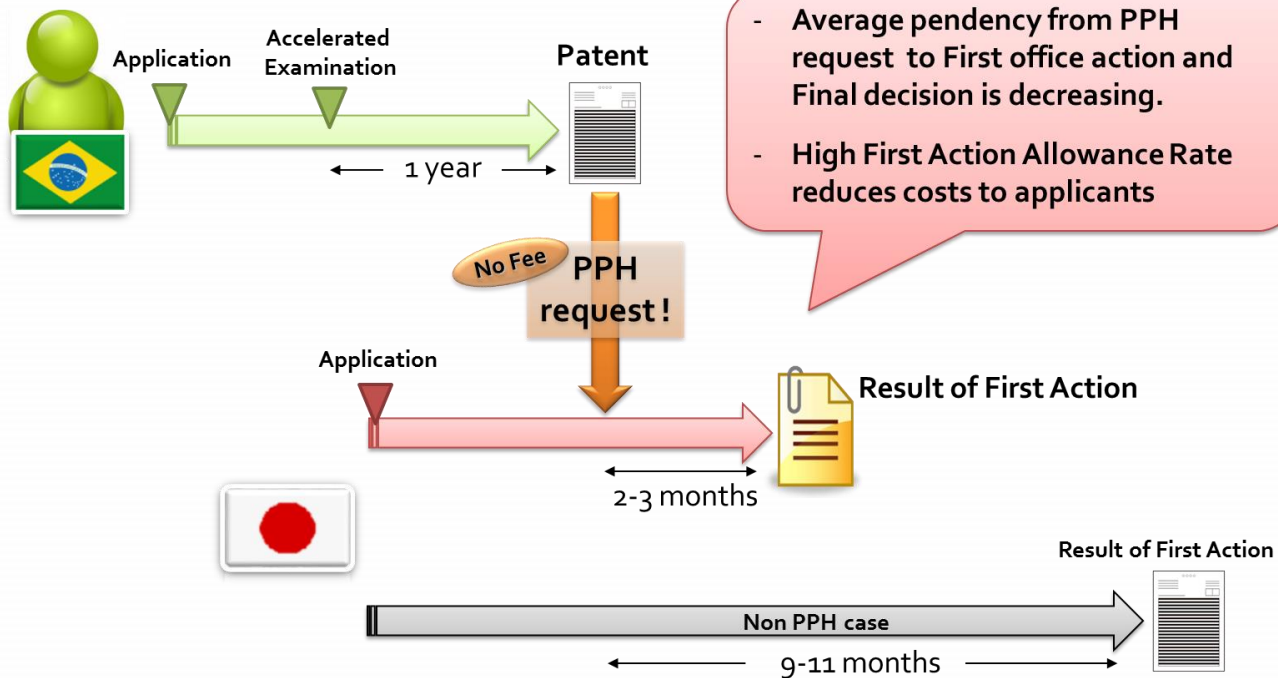
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INPI-JPO PPH ~ Useful model case I

Below is the introduction of useful model case for filing a request for the PPH program with JPO.



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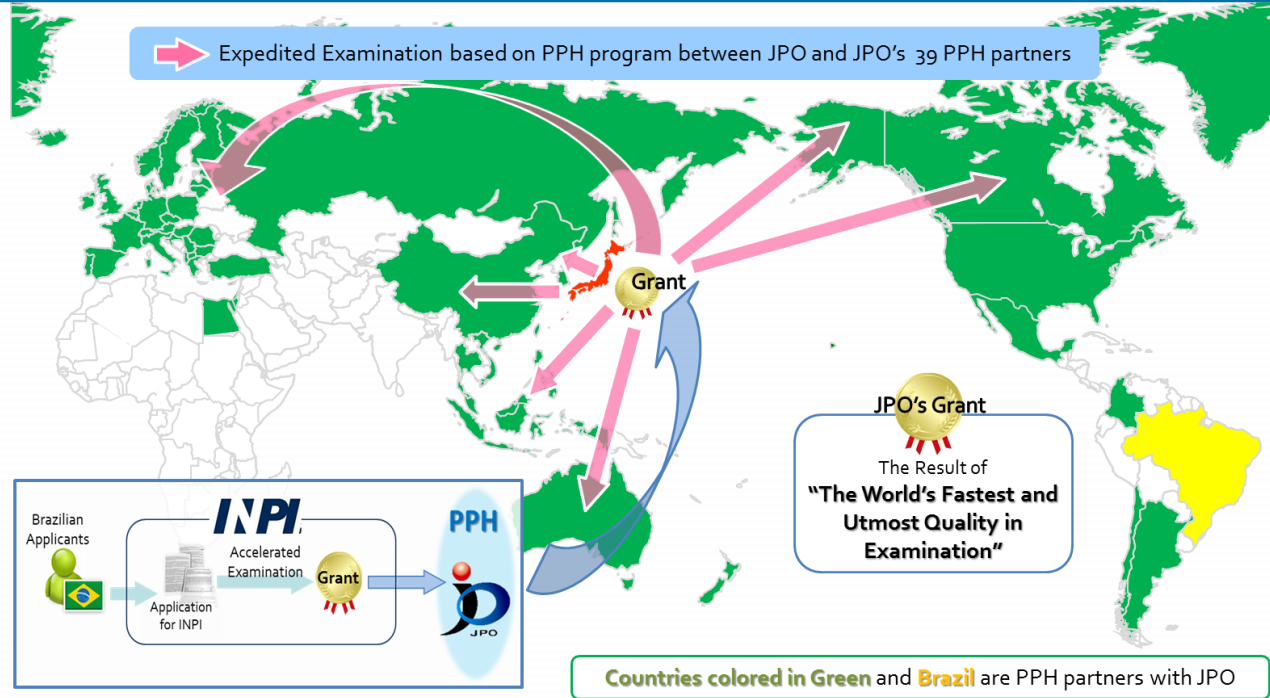
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INPI-JPO PPH ~ "Hub of PPH" (after model case I)

- The JPO has the PPH partners the most in all IP Offices implementing the PPH program.
- Applicants enjoy significant benefit of the PPH from selecting JPO as "Hub of PPH."



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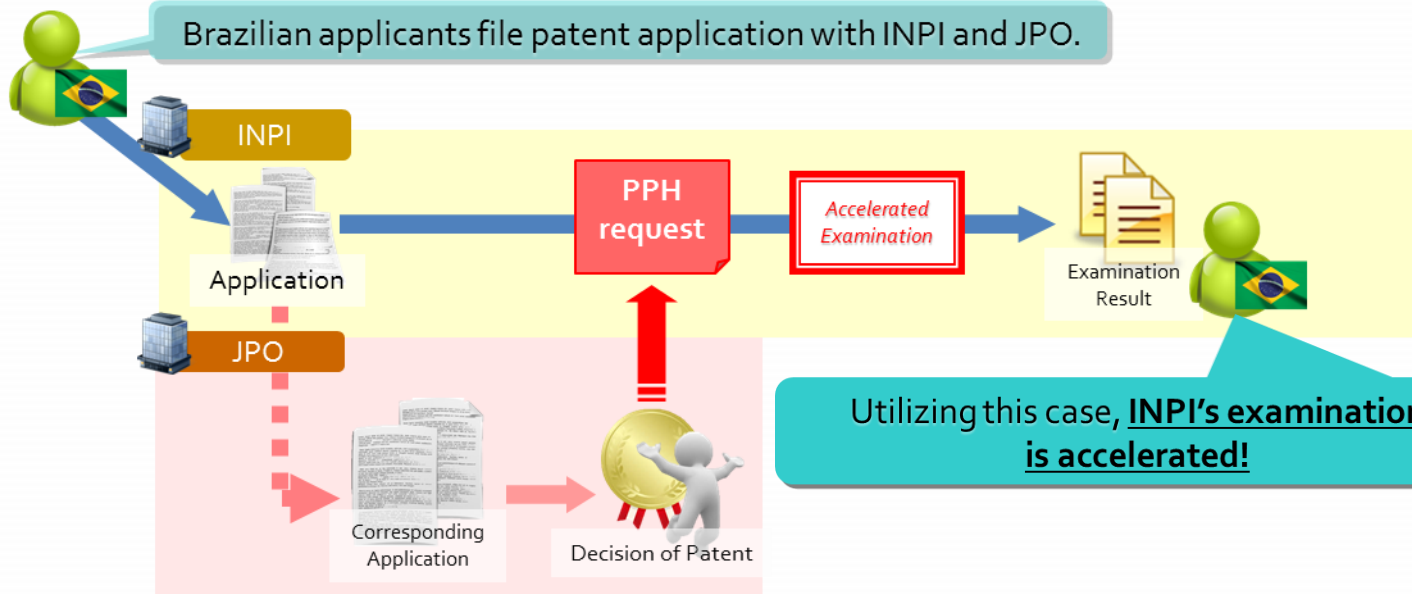
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INPI-JPO PPH ~ Useful model case II

- When applicant files for patent to both Offices that are implementing PPH, PPH request can be made on the basis of an examination result which is received earlier*.



* This examination result doesn't need to be the one notified by the Office of First Filing (OFF).

= If the Office of Second Filing (OSF) notifies the examination result earlier than the OFF, OSF's result can be based on PPH request for the application of OFF.

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Obrigado
Thank you
ありがとうございました

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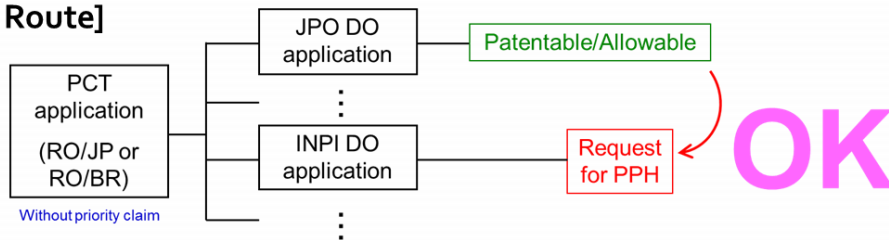
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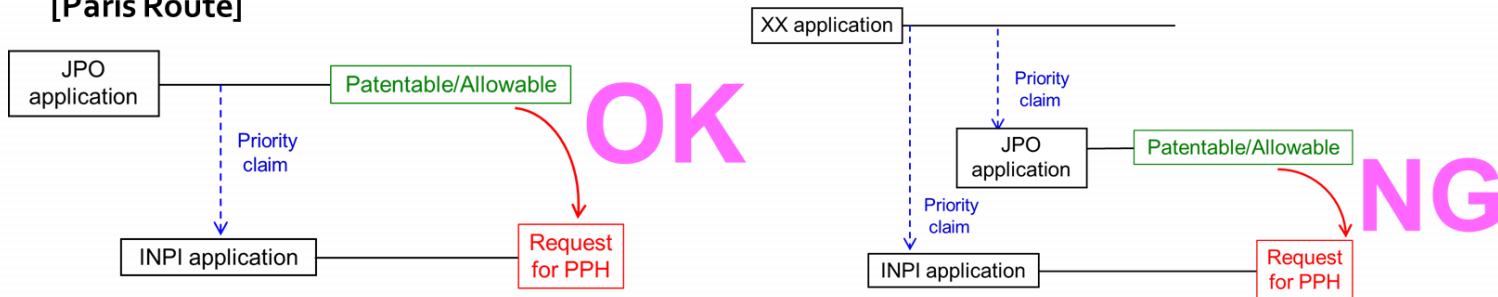
[FYI] INPI-JPO PPH ~ Special conditions; Oldest application and Route

- The oldest patent application of the patent's family must have been filed to INPI or JPO, following the PCT, at RO/INPI or RO/JPO.
- JPO-INPI PPH will use Paris-Route PPH and Direct-PCT-Route PPH.

[Direct PCT Route]



[Paris Route]



XX : the office other than the JPO

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