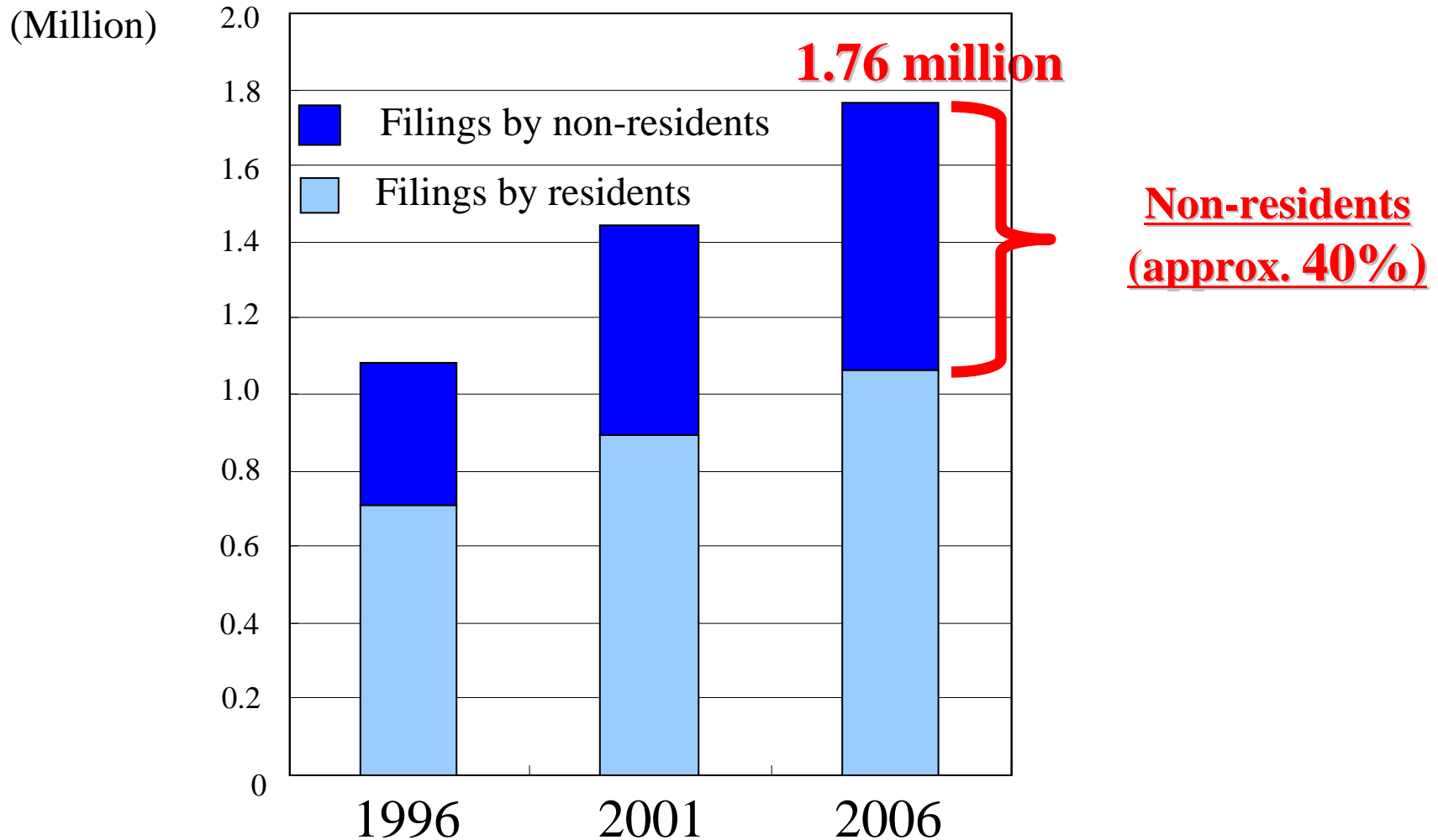


**Development of global
work-sharing
(JP-FIRST, PPH)**

Examination Policy Planning Office

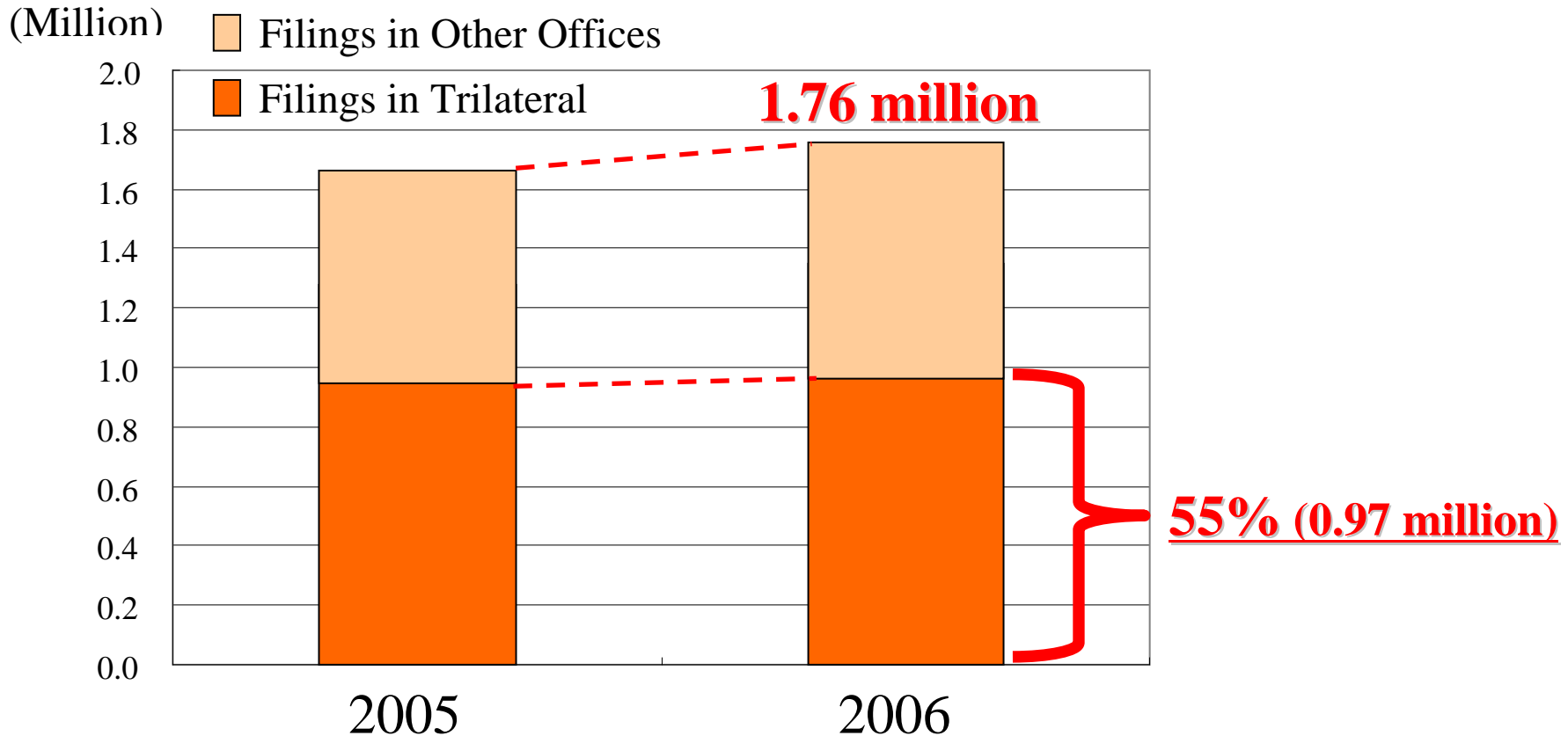
Patent Filings Worldwide

Rapid increase in number of Patent Applications throughout the world



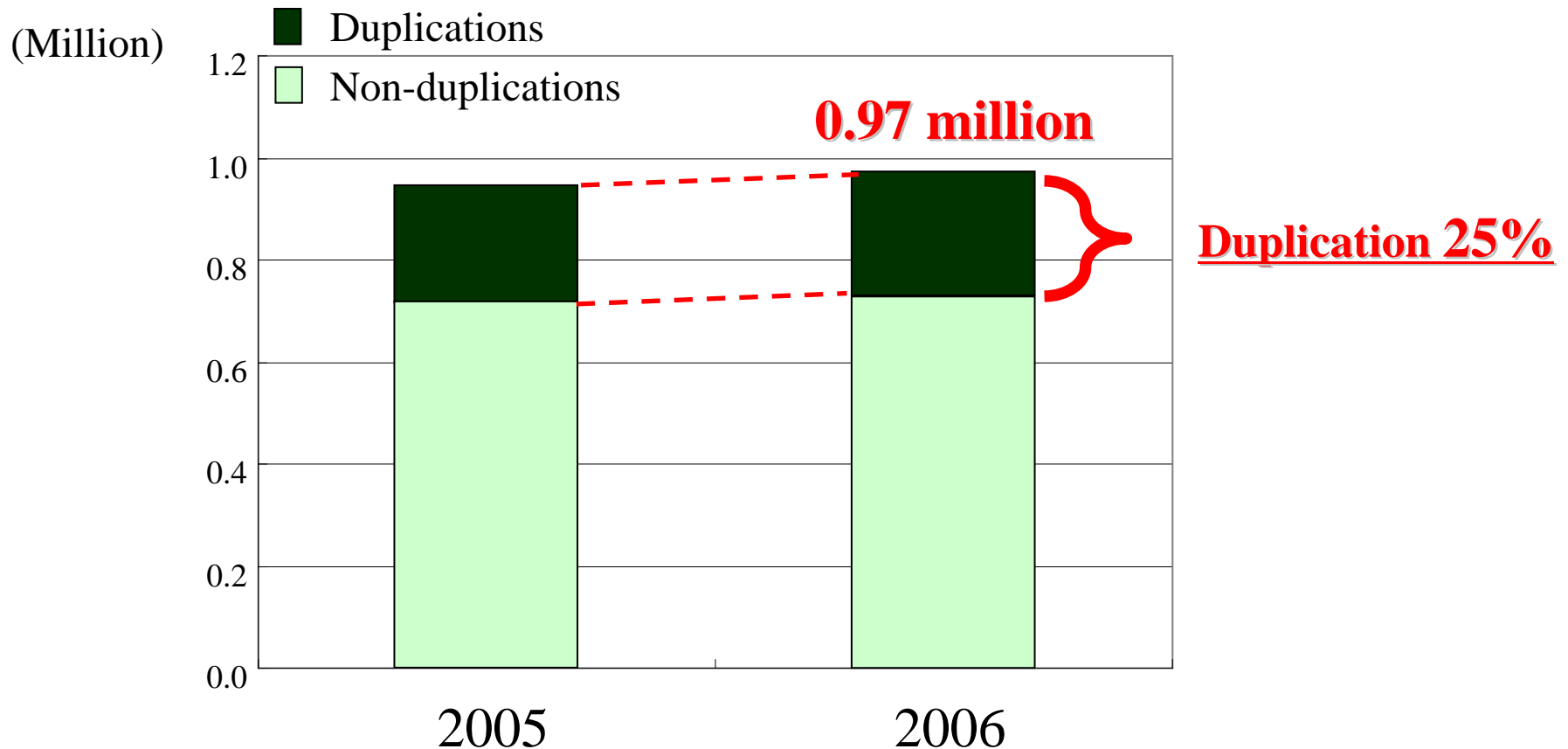
Patent Filings Worldwide

Number of patent applications in Trilateral Offices more than half of total filings in the world



Patent Filings Worldwide

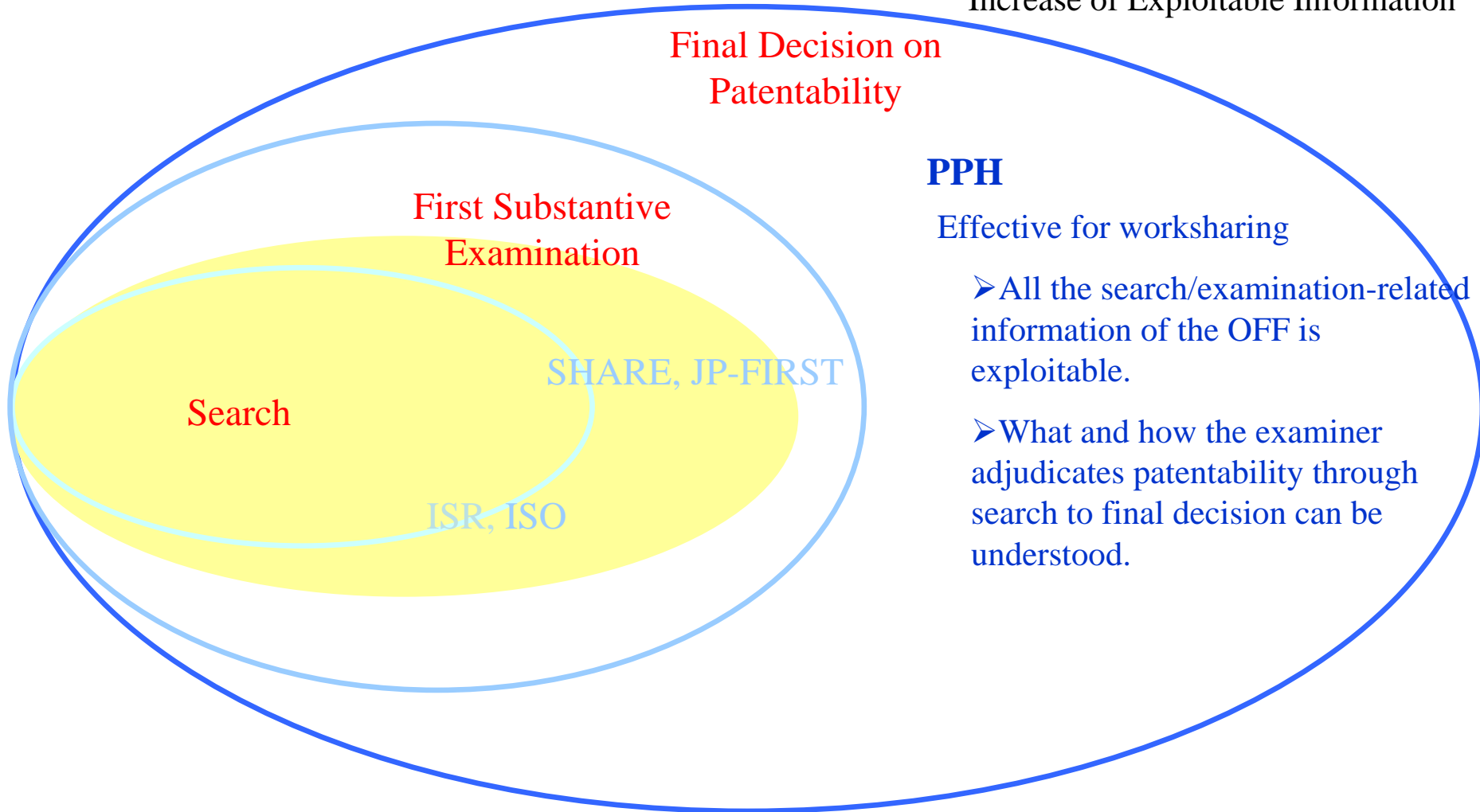
**Number of duplicate applications among Trilateral Offices
almost 25% (approx. 240,000 applications)**



Work-sharing Schemes

Examination Procedures →

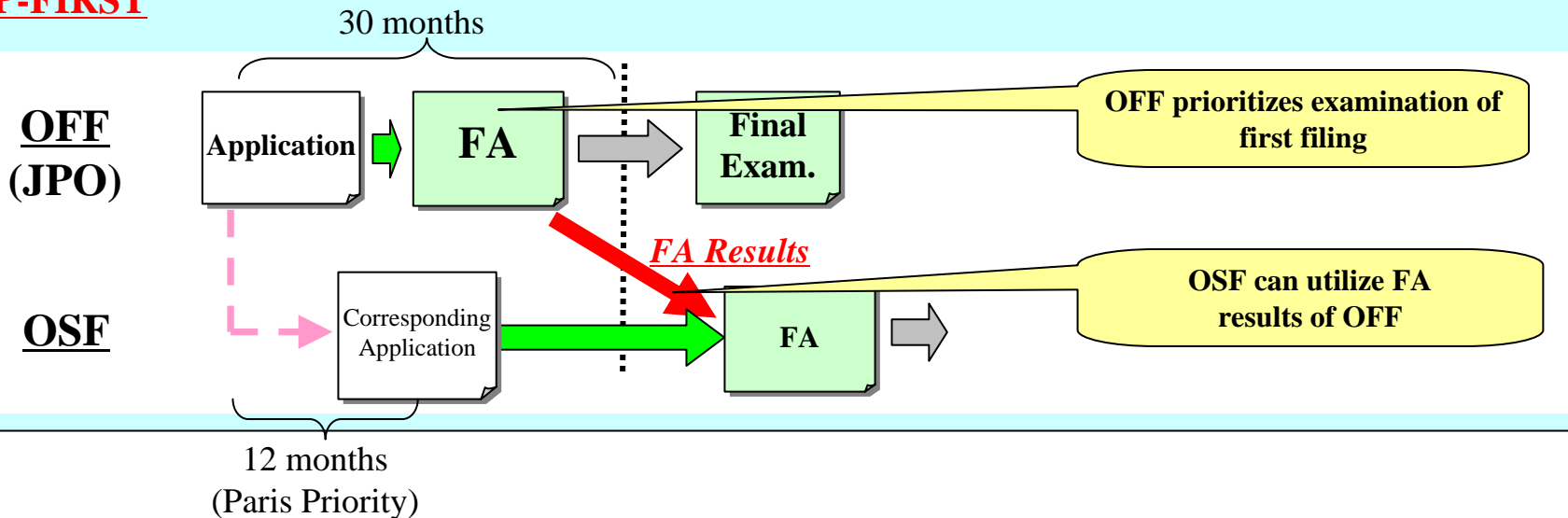
Increase of Exploitable Information



JP-FIRST (**JP** - **F**ast **I**nformation **R**elease **S**Tategy)

- The JPO prioritizes examination of applications satisfying both (i) & (ii):
 - (i) First filed at the JPO (and then filed via the Paris route with OSF);
 - (ii) Examination of application is requested within 2 years from the JPO filing date.
- The JPO provides examination results (First Office Actions; FA) to applicants within 30 months or less from the JPO filing date.
- A considerable quantity of JPO FA results can be provided to the OSF before OSF examinations.
- The new policy was implemented on [April 1, 2008](#).

JP-FIRST

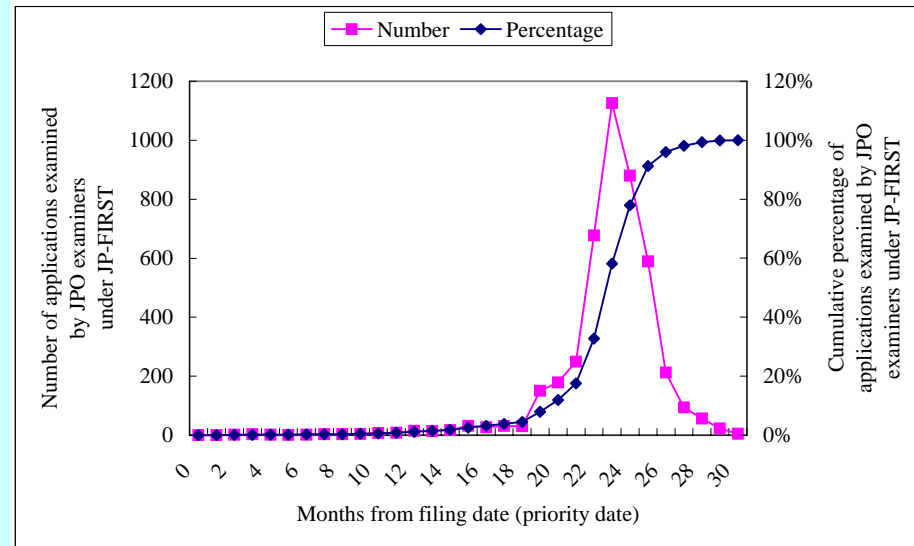


JP-FIRST (JP - Fast Information Release STrategy)

Actual Results of JP-FIRST

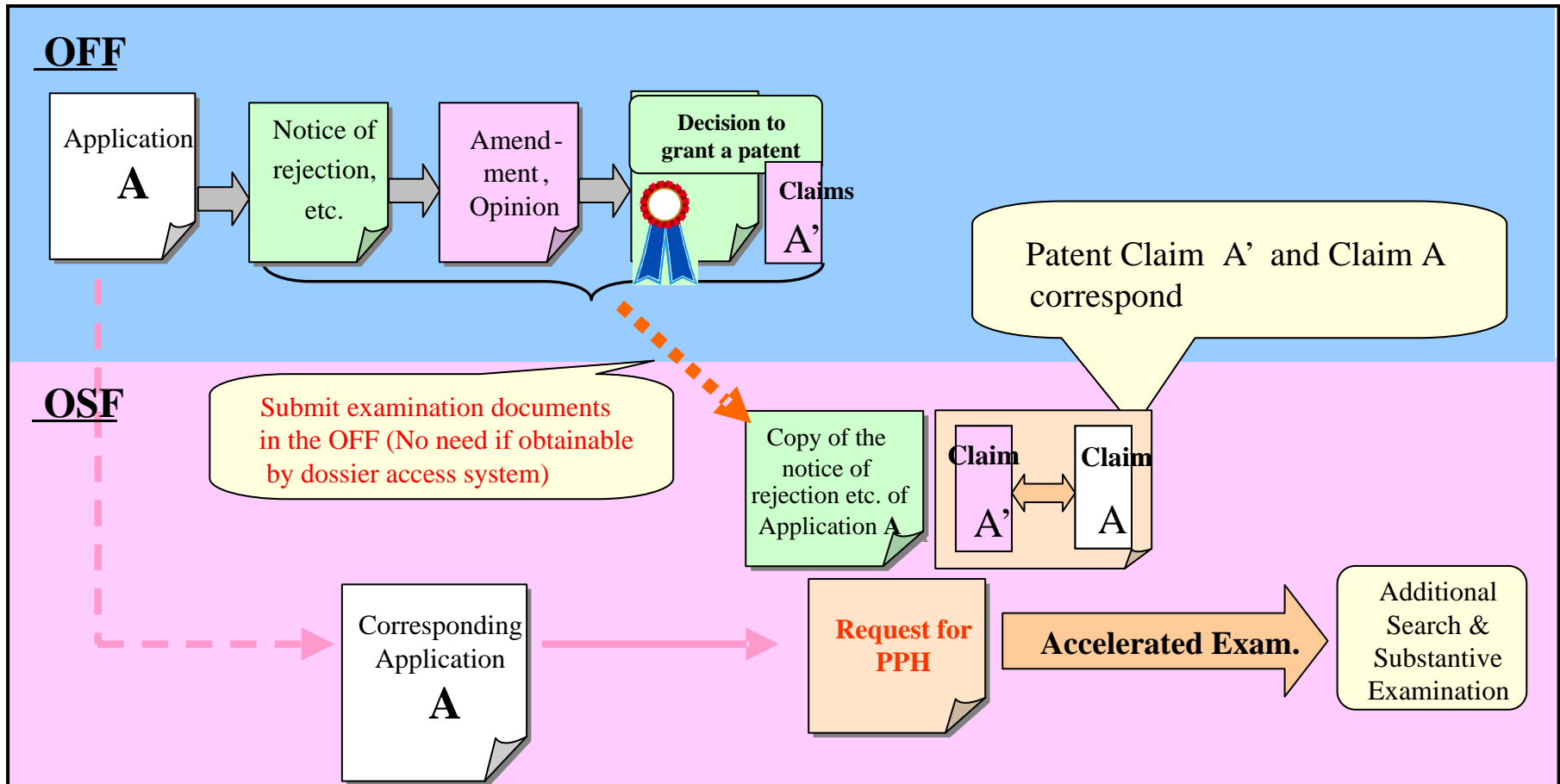
✓ The JPO analyzed 4441 applications satisfying the JP-FIRST conditions that were examined from April to September (half year) in 2008.

- Of these 4441 applications, 3488 were filed to the USPTO, 899 were filed to the EPO and 811 were filed to the KIPO.
- 93% (3228 of 3488) were examined in the JPO before the USPTO provided the first office actions
- 87% (781 of 899) were examined in the JPO before the EPO provided the first examination reports (50% (446 of 899) were examined in the JPO before the EPO provided the search report)
- 79% (640 of 811) were examined in the JPO before the KIPO provided the first office actions
- All these applications were examined within 30 months from the JPO filing date (Average 22 months)
- In summary, the OSFs could utilize the JPO's FA results in most cases at the time of their substantive examination, even though the JPO provided most of its FA results after 18 months from the filing date, i.e. after the publication



Outline of the **P**atent **P**rosecution **H**ighway

PPH is a framework in which an application determined to be patentable in the Office of First Filing (OFF) is eligible to have an accelerated examination in the Office of Second Filing (OSF) with a simple procedure upon an applicant's request.



Actual Results of JP-US Patent Prosecution Highway

✓ Number of Requests (as of October 31, 2008)

JP -> US : 711, US -> JP : 420

✓ Grant rate (transitional)

JP -> US : 96%, US -> JP : 65%

[Note]

overall grant rate: USPTO = 44% (latest), JPO = 49% (in 2007)

Grant rate (US) = the number of allowance / (the number of allowance + abandonment)

Grant rate (JP) = the number of decisions to grant / (the number of decisions to grant + the number of decisions of refusal+ the number of withdrawals/abandonment after the first action)

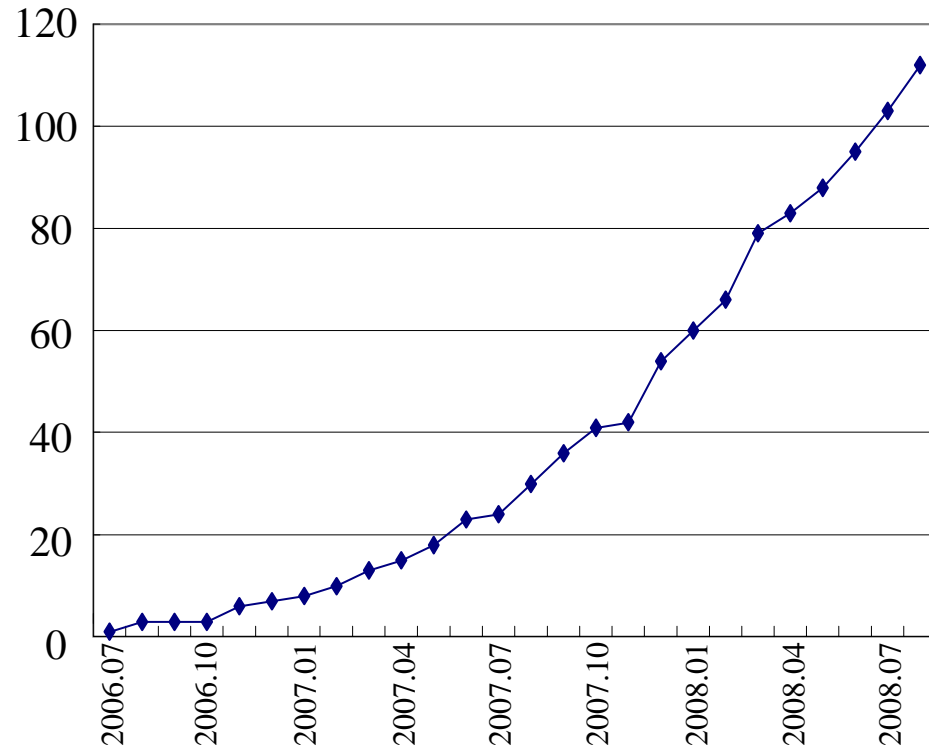
✓ Period from Request to First Action

Approx. 2-3 months (in both the JPO and the USPTO)

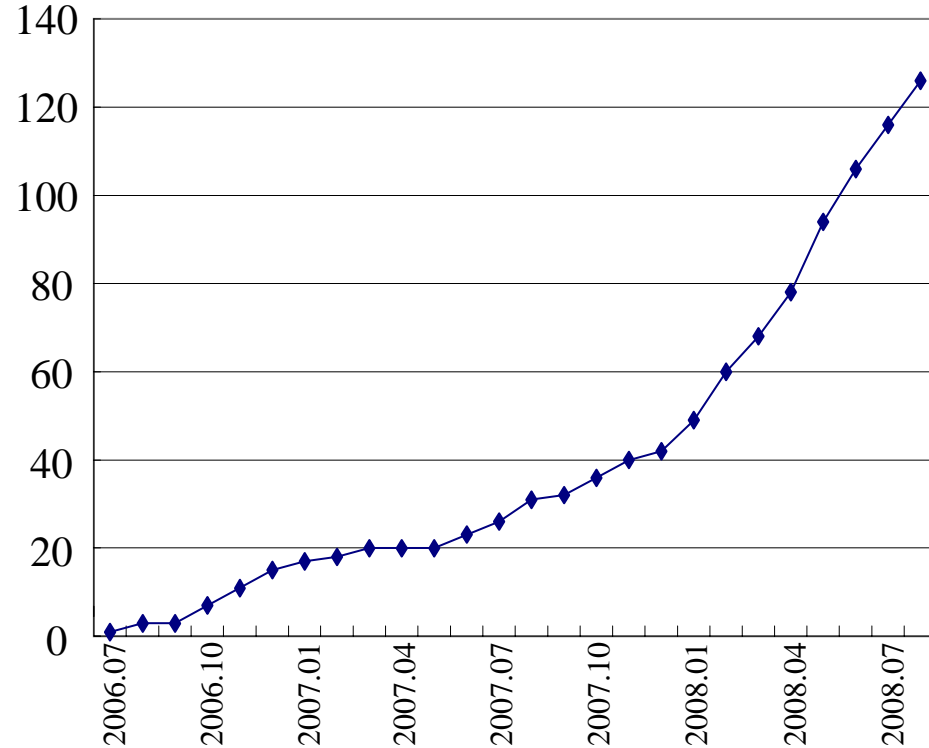
Actual Results of JP-US Patent Prosecution Highway

Transition of Total Number of Users in JP-US PPH

JP → US



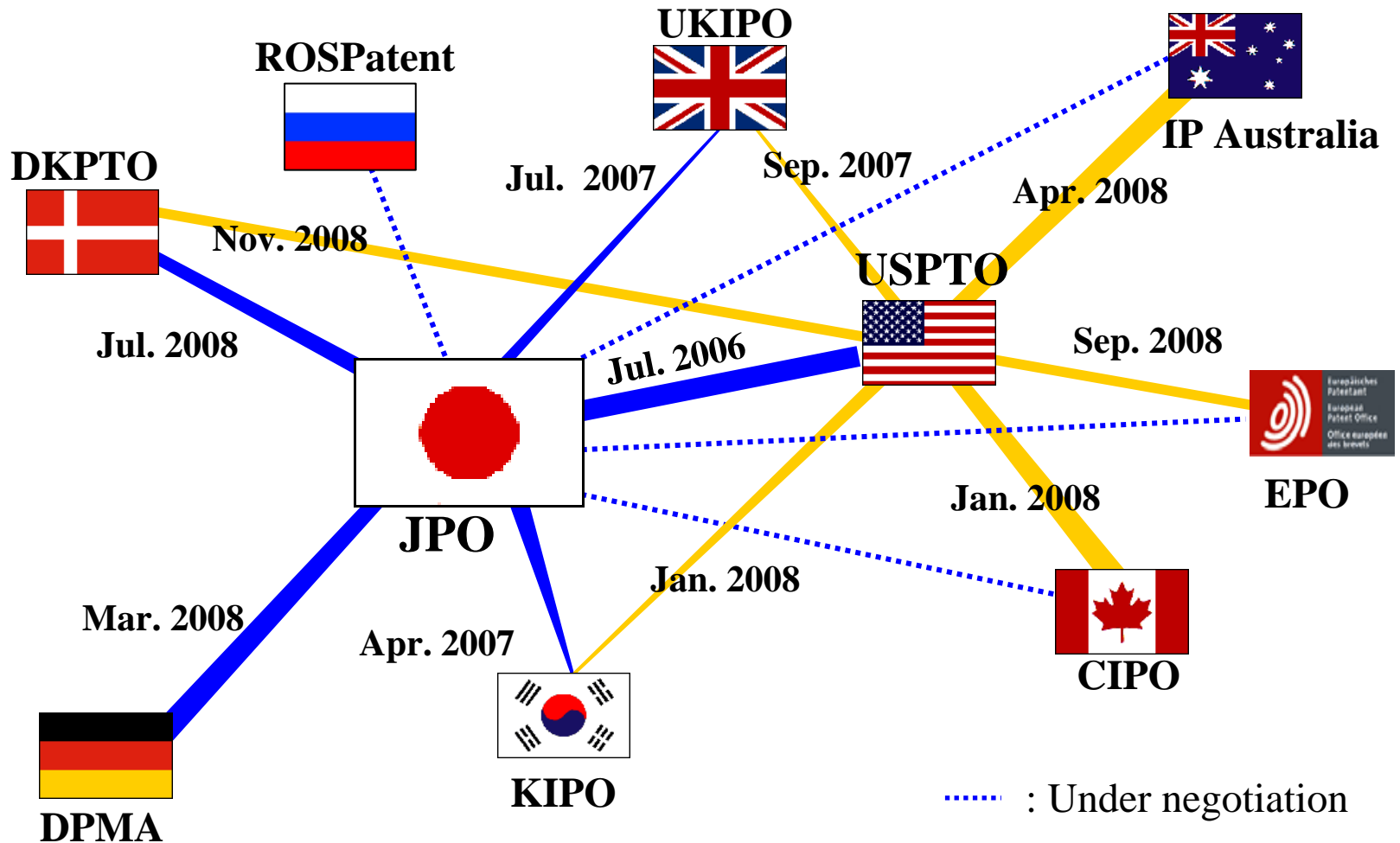
US → JP



The number of Users is steadily increasing.

Future PPH Framework

Expanding the network



Requirements of PPHs

Office of Second Filing	JP	US	KR	UK	DK	DE	CA	EPO
Is a PCT national/regional phase application eligible?	Y	Y ¹	Y	Y	Y	Y	Y	
Can an applicant file a PPH request with claims whose scopes have been encompassed from the OFF's granted claims?	Y		Y	Y	Y	Y		?
Can an applicant file a PPH request based on the OFF's search report?		(Y ²)						
Is an applicant required to submit a human translation of the OFF's granted claims and/or office actions?		Y					Y	

Y : Yes

1 : In case the EPO is the OFF, a PCT national phase application is NOT eligible

2 : In case the EPO is the OFF, an applicant can file a PPH request based on Extended European Search Report (EESR)

Plurilateral PPH Framework

