

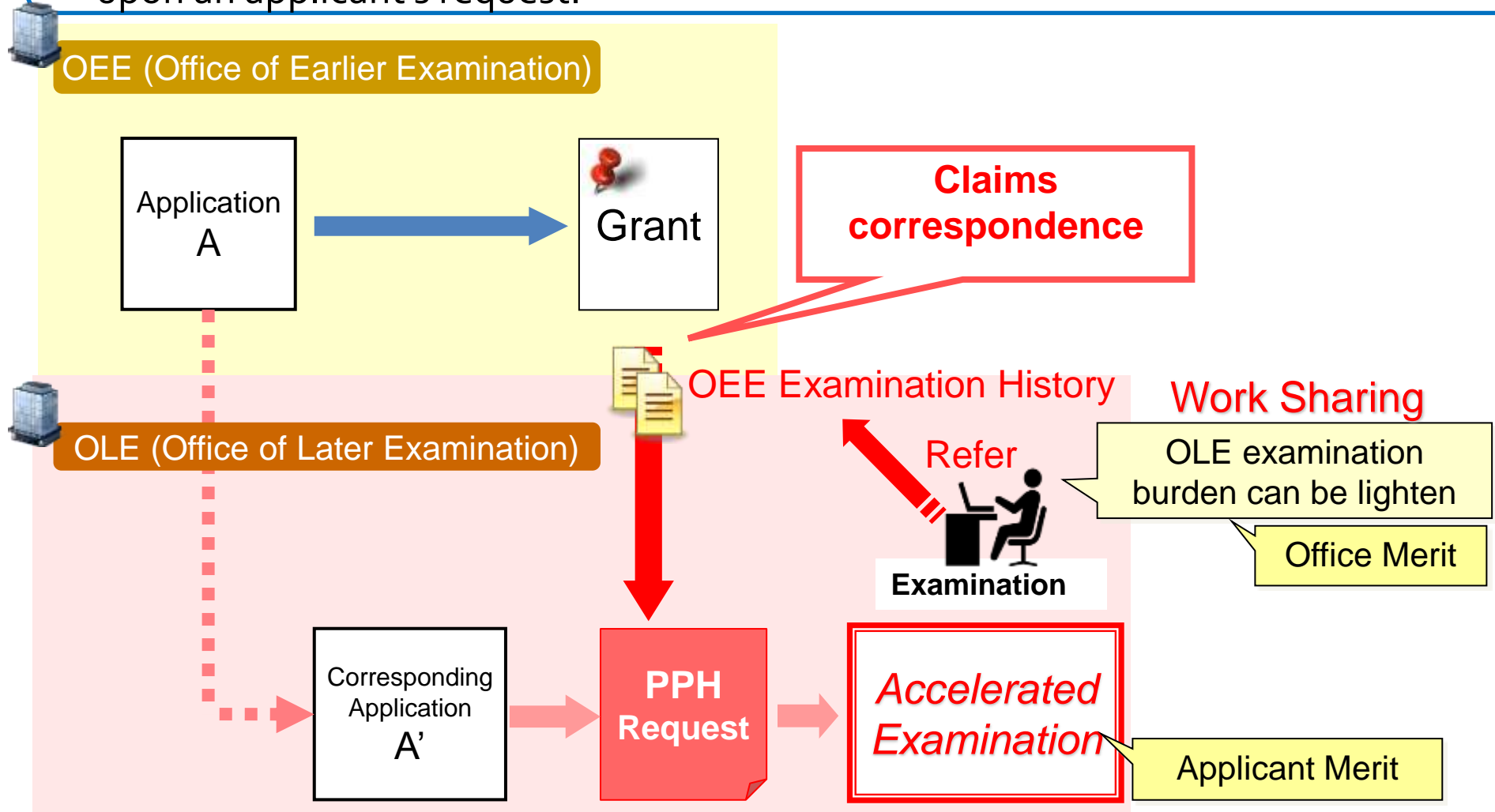


Patent Prosecution Highway between JPO and INPI

Japan Patent Office

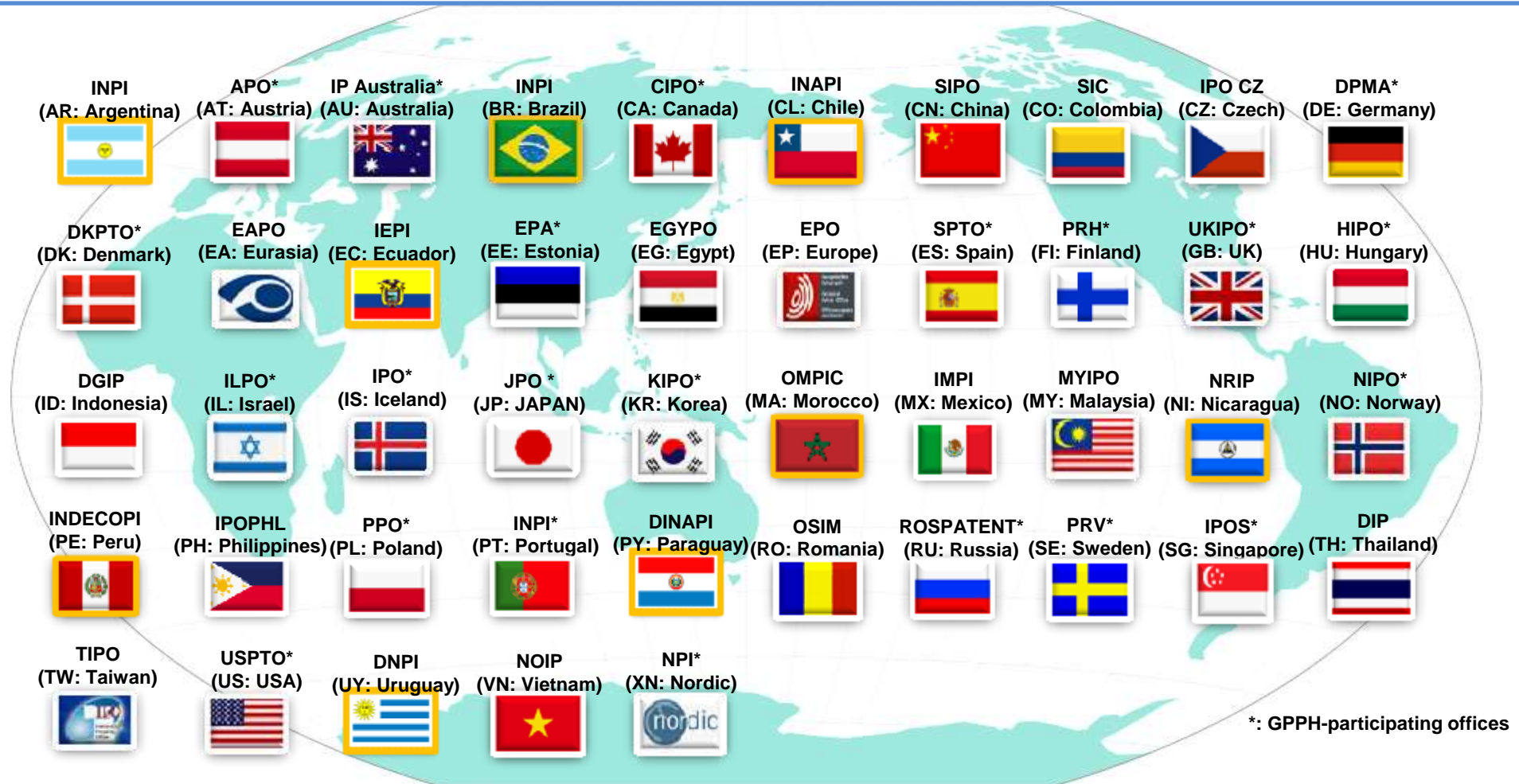
What is Patent Prosecution Highway (PPH)?

- 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.



PPH member offices (2017.2)

- 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 45**.



Japan doesn't have PPH programs in place with Argentina, Brazil, Chile, Ecuador, Morocco, Nicaragua, Peru, Paraguay, Uruguay. (They are surrounded by orange frame.)

Expansion of the network for PPH in Latin America

- In 2016, many countries in **Latin America** – Brazil, Peru, Chile, Argentina, Ecuador, Paraguay and Uruguay - joined the PPH network.



- On January 11, 2016, INPI-USPTO PPH pilot project was launched.



- JPO has implemented PPH programs with 35 offices.

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.

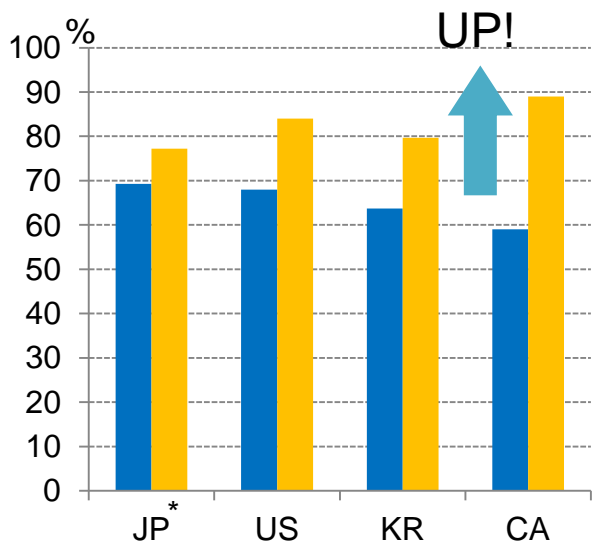
2. Reduced Examination Period

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

3. Cost saving

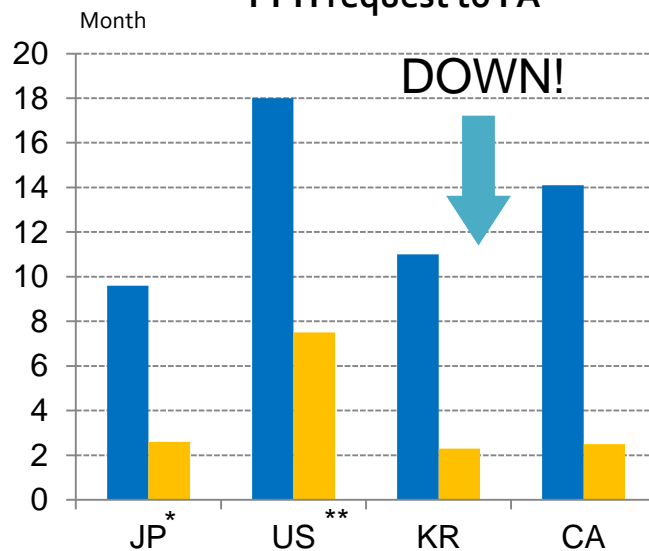
- High First Action Allowance Rate reduces costs to applicants (e.g. attorney and translation fees)

Grant Rate



*JP all applications: Jan.-Dec.2014

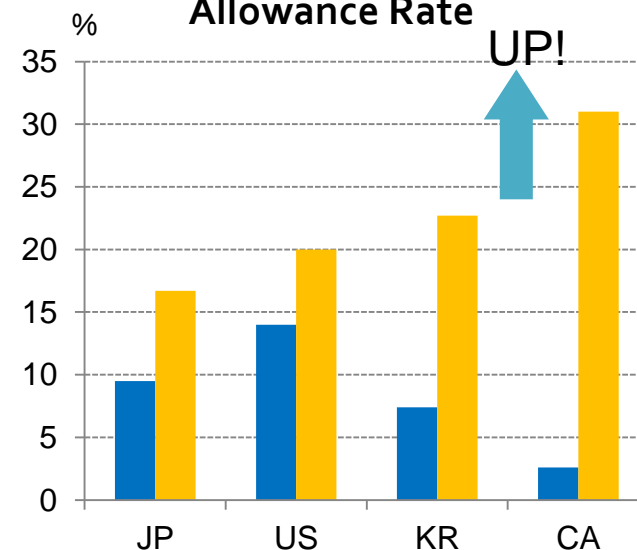
Average Pendency from PPH request to FA



*JP all applications: Jan.-Dec. 2014

**US all applications: Jul.-Dec. 2013

First Action Allowance Rate



■ All applications ■ PPH applications

Period : Jul.- Dec. 2015

※US PPH-Figures include PCT-PPH

- On October 6, 2016, METI and MDIC signed “Joint Statement between Brazil and Japan on Collaboration on Patent Examination”



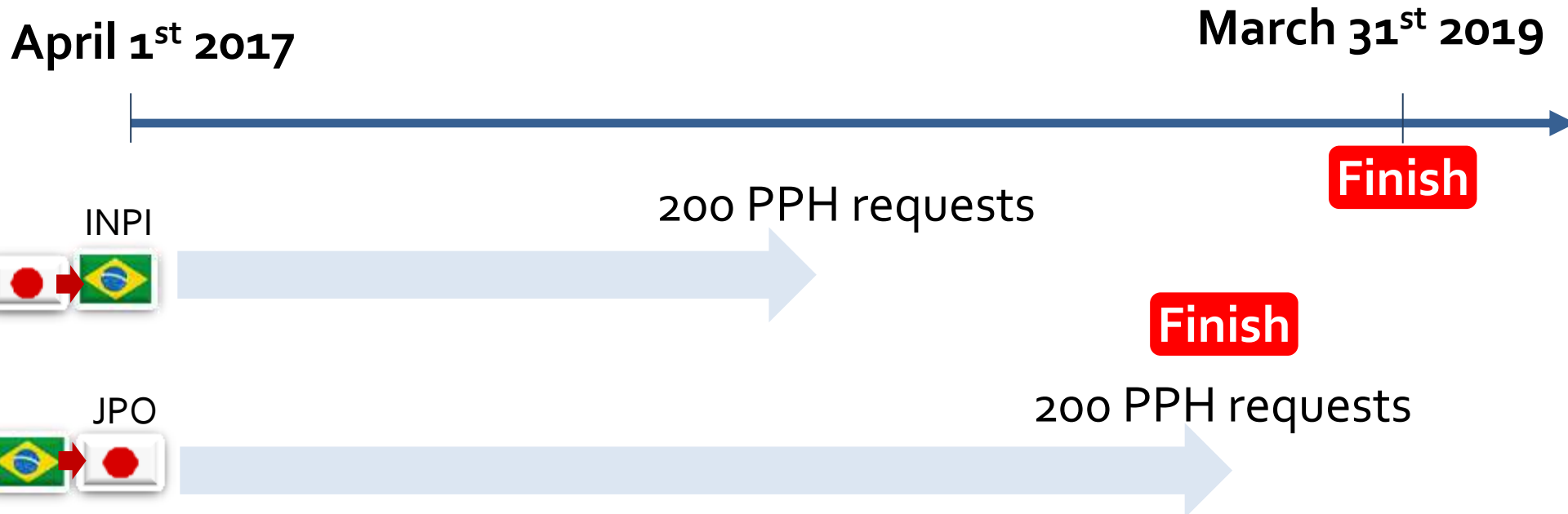
Joint Statement (Outline)

- ✓ A new Working Group focused on defining the scope of pilot project on patent work sharing between INPI and JPO is created.
- ✓ The WG includes representatives of JPO and INPI, and aims to provide a detailed technical proposal of a collaborative pilot project.

- The Working Group meetings were held twice at the INPI(1st WG meeting on November 10, 2016 and 2nd WG meeting on February 6, 2017).
- The Working Group has discussed issues to implement the JPO-INPI PPH pilot project.

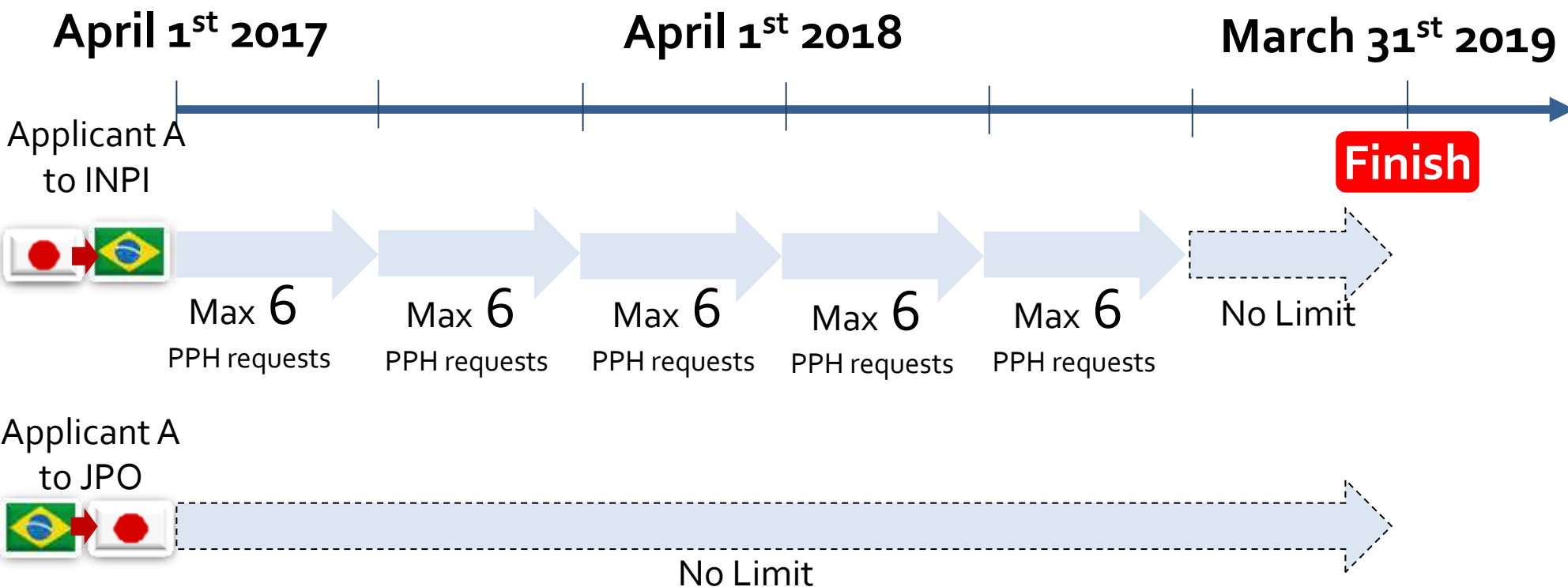


- JPO-INPI PPH will start on **April 1st, 2017**.
- JPO-INPI PPH will be finished under the following two conditions, whichever occurs first:
 - 1) a period of **2 years** has passed
 - 2) both offices have accepted **200 applications**



JPO-INPI PPH – Number of requests per applicant

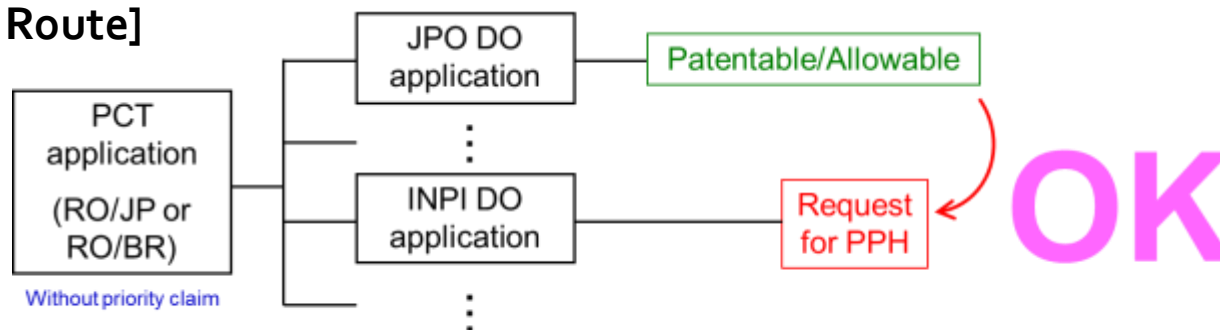
- INPI will limit the number of PPH requests made by same applicant as **6 per 4 months**. In the last 4 months, there will be no limit of PPH requirements per applicant.
- JPO will have **no limitation** with regard to number of PPH requests per applicant.



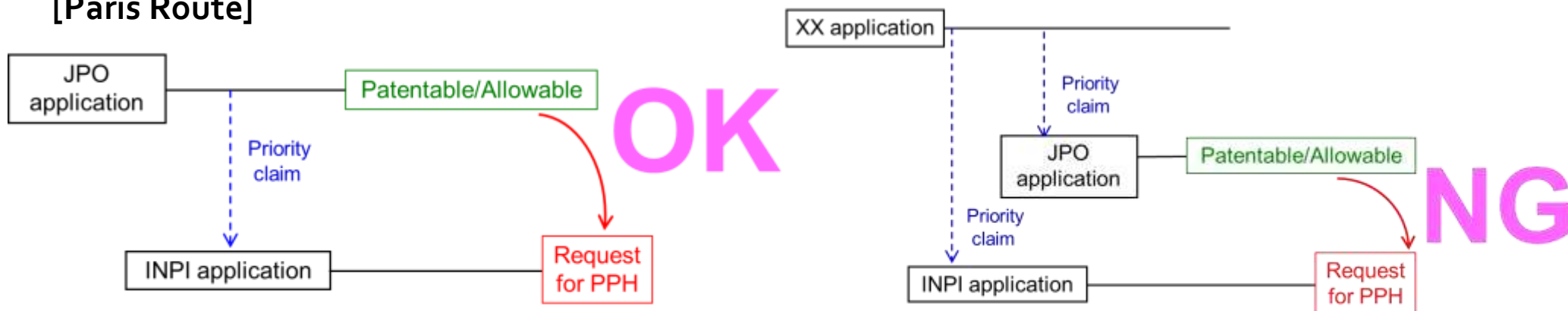
JPO-INPI PPH – Oldest application and Route

- 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]



- 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

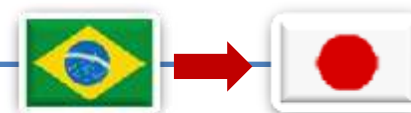
G02B,G02F,G03G,
G06F,G06K,G06M,G06N,G06Q,G06T,
G08C,G08G,G09F,G09G,G10L,G11B,G11C

IPCs in H sections

All classifications

IPCs in the other sections

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



All classifications

Comparison USPTO-INPI PPH v. JPO-INPI 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 limitation	6 requests each 4 months

Obrigado
Thank you
ありがとうございました