

**UNITED STATES
PATENT AND TRADEMARK OFFICE**



Patent Quality Chat International Patent Cooperation Initiatives

April 21, 2020

UNITED STATES
PATENT AND TRADEMARK OFFICE



To send in questions or comments during the webinar, please email:

PatentQuality@uspto.gov

www.uspto.gov/patentquality

Patent Quality

Providing high-quality, efficient examination of patent applications is paramount to [our mission](#) at USPTO. To ensure we continue to issue high-quality patents that will fuel innovation well into the future, the [Office of the Deputy Commissioner for Patent Quality](#), along with our partners across the Patents organization, promotes and supports the continuous improvement of patent products, processes and services through collaboration with internal and external stakeholders of the intellectual property community.

Highlights



[Patent Quality Chat](#)

Join us for our upcoming chat on International Patent Cooperation Initiatives on Tuesday, April 21st at noon via webinar.

[Stakeholder Training on Examination Practice and Procedure \(STEPP\)](#)

Sign up for an upcoming training developed for those interested in a better understanding of the examination process at the USPTO.

www.uspto.gov/patent/initiatives/patent-quality-chat

- 1 Patent Quality Chat
- 2 Join the Webinar
- 3 2020 Chat Series
- 4 Previous Events
- 5 General Information

2020 Chat Series

Date	Topic	Speaker
Tuesday, April 21 12 p.m. - 1 p.m. ET	International Patent Cooperation Initiatives <ul style="list-style-type: none">• Presentation slides (coming soon)• Video (coming soon)	Nelson Yang Acting Director, International Worksharing Planning and Implementation (IWPI) Jesus Hernandez Patent Attorney, Office of Policy and International Affairs (OPIA) Amber Ostrup Program Manager, International Worksharing Planning and Implementation (IWPI)

Today's speakers

- **Nelson Yang**
 - Acting Director, International Worksharing Planning and Implementation (IWPI)
- **Jesus Hernandez**
 - Patent Attorney, Office of Policy and International Affairs (OPIA)
- **Amber Ostrup**
 - Program Manager, International Worksharing Planning and Implementation (IWPI)



Agenda

- Introduction
- International patent cooperation initiatives:
 - Parallel Patent Grant (PPG) program with Mexico
 - Collaborative Search Pilot Program (CSP)
 - Global Dossier
 - Other worksharing efforts (PCT CS&E and PPH)
- Discussion



Introduction

- Dedicated teams at the USPTO leading efforts to assist U.S. inventors and businesses in protecting their patent rights worldwide:
 - The Office of International Patent Cooperation (OIPC)
 - Office of Policy and International Affairs (OPIA)



Worksharing

Increasing certainty of IP rights	Multiple examiners searching similar invention	Greater consistency between IP Offices
Reducing stakeholder costs	Enhance examination efficiencies	Further improving patent quality and timeliness
Acceleration of examination	Most relevant prior art in various languages	Engage stakeholders



International patent cooperation initiative

Parallel Patent Grant (PPG) Program

PPG: Background

- The USPTO and the Mexican Institute for Industrial Property (IMPI) signed a Memorandum of Understanding (MOU) on Technical and Strategic Collaboration
- First PPG program of the USPTO



PPG: Worksharing

- Allows a U.S. patent to serve as the basis for an expedited grant of a foreign counterpart patent by a partner IP office
- Builds on existing worksharing models by facilitating enhanced reliance on USPTO work product
- Avoids unnecessary duplication of work



PPG: Key elements

- The PPG only permits one-way reliance
- A PPG request must be submitted at the participating IP office (e.g., IMPI)



USPTO-IMPI PPG: Eligibility criteria

- The Mexican patent application shares the same earliest date with a U.S. patent granted by the USPTO
- All claims in a Mexican patent application sufficiently correspond, or be amended to correspond, to one or more claims in the U.S. patent

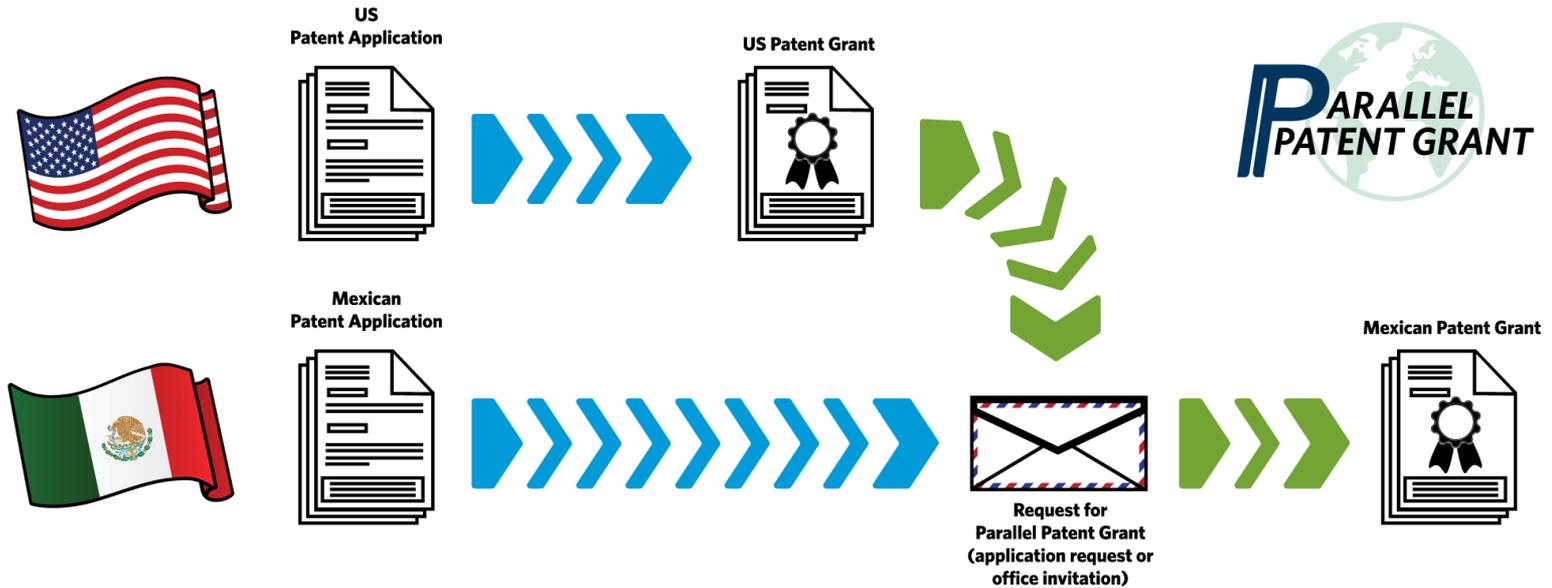


USPTO-IMPI PPG: Eligibility criteria

- The Mexican patent application must be published by IMPI; and the period for receiving third party observations at IMPI has elapsed
- All Mexican patent applications, across all technologies, may benefit from PPG



USPTO-IMPI PPG: Workflow



PPG: Benefits

- Encourages increased cooperation between IP Offices to facilitate the sharing and use of each other's work product
- Enhances examination efficiencies
- Improves patent quality
- Results in cost benefits for patent applicants



PPG: Implementation

- January 28 - MOU signed by USPTO and IMPI
- February to April - Finalize terms of implementation
- *Expected* launch of program

International patent cooperation initiative

Expanded Collaborative Search Pilot (CSP) Program

CSP: Background

- CSP provides those cross-filing their patent applications internationally with search results from multiple offices early in the examination process so the applicant can determine their next steps in patent prosecution.
 - Initial CSP: August 2015 – July 2017
 - Expanded CSP: November 1, 2017 through October 31, 2020
 - Currently in discussions on expanding pilot
- **Bilateral pilots**
 - USPTO – JPO
 - USPTO - KIPO



Goals of the CSP program

- **Increase quality**
 - Multiple examiners searching an invention may increase search quality by sharing results
- **Reduce pendency**
 - Collaborating with others or providing a better starting point can reduce time devoted to examination
- **Increase consistency**
 - Examiners using same art often come to similar conclusions
- **Increase certainty**
 - Applicants can have more confidence in resulting work product

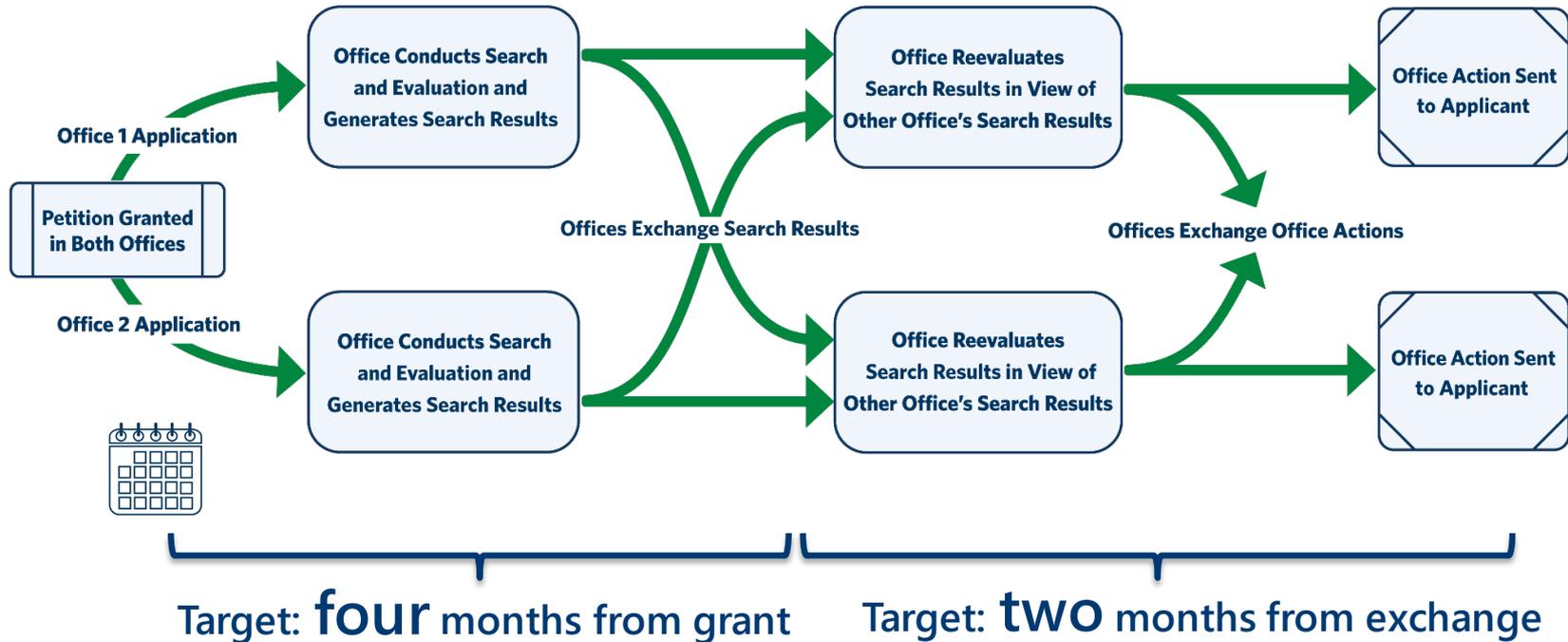


Benefits of using the CSP program

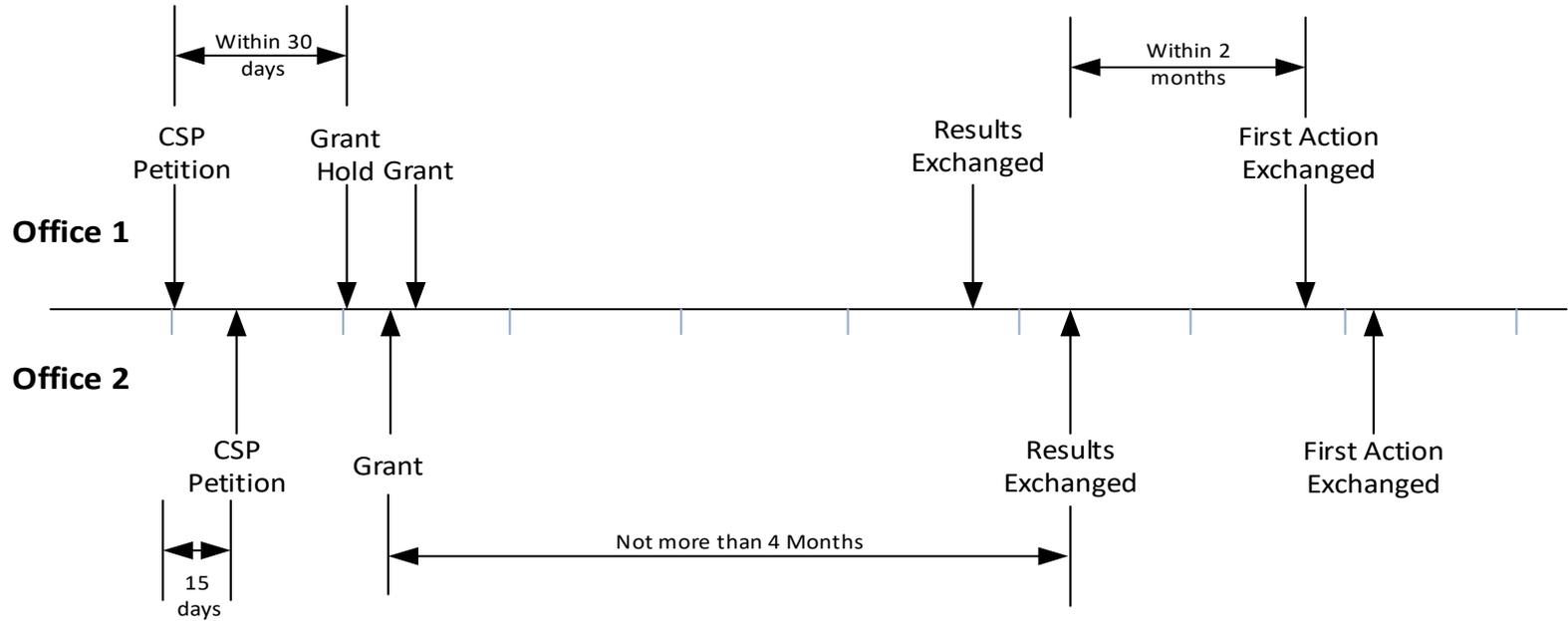
- Greater consistency in examination across IP Offices leading to more certainty of IP rights
- Applications will be taken out of turn resulting in expedited first action on merits
- Combined search expertise provides more comprehensive prior art
- It's **free** to file a CSP petition for your application



Expanded CSP process: A parallel search



Example of expanded CSP timing



Anticipated timing agreed upon by partnering IP Offices



Expanded CSP requirements

- Application eligibility
 - National utility applications that have not started examination in the IP Offices in which a request is filed are eligible for examination under the expanded CSP program
 - Applications must share a common earliest priority date and the disclosures must support the claimed subject matter as of a common date. The earliest priority date is March 16, 2013
- No-cost petition filed in USPTO; request or petition in partner IP Offices
 - Applications must have corresponding independent claims
 - Corresponding claims must be listed on petition form
 - No more than three independent and 20 total claims permitted
 - No multiple dependent claims in U.S. application



International patent cooperation initiative

Global Dossier

Global Dossier: Background

- Global Dossier is a set of business services that provides IP stakeholders with **free and secure one-stop access** to dossier information of all applications that comprise a family and that have been filed in participating IP offices

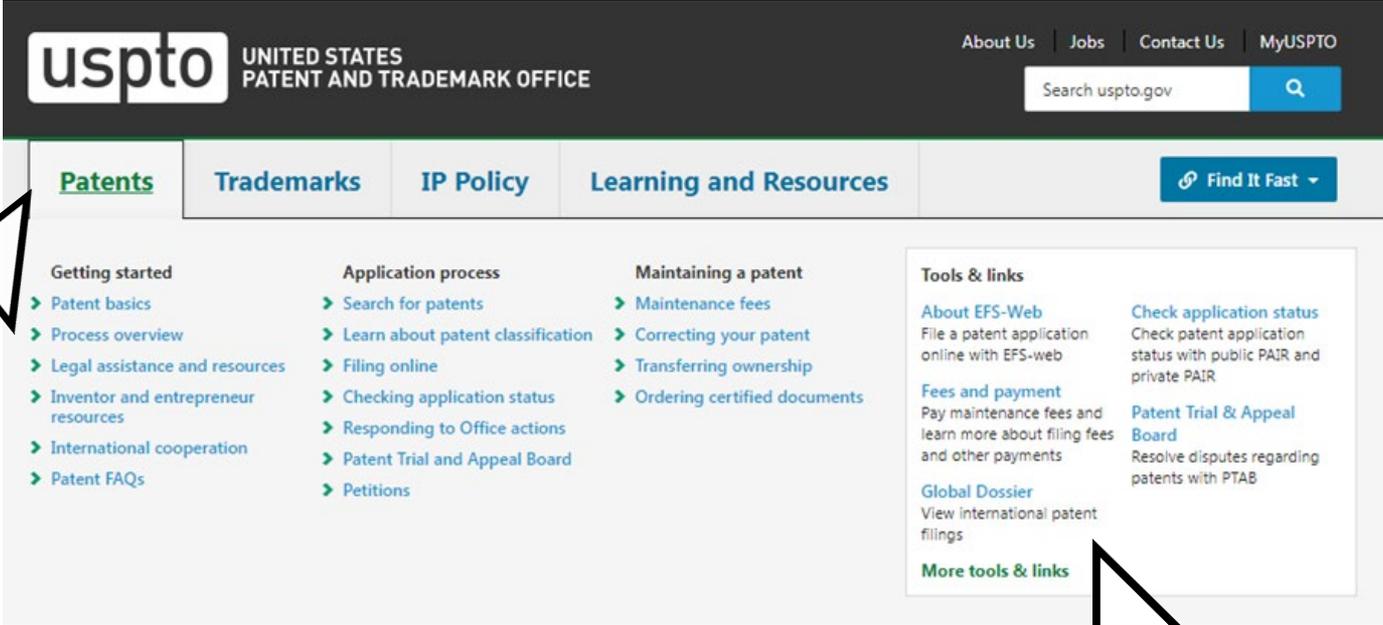
Global Dossier: Benefits

- Consolidated access to patent family data
 - View an application's patent family and counterpart prosecution histories from multiple countries in real-time
- View the most relevant art in minutes
 - Citation list allows you to see all the art cited in the patent family, with the most frequently cited art listed first
- Office action translations
 - Only location to find real-time English machine translations of Chinese, Korean, and Japanese Office actions



Global Dossier at

<https://globaldossier.uspto.gov>, or www.uspto.gov



The screenshot shows the USPTO website interface. At the top left is the USPTO logo and the text "UNITED STATES PATENT AND TRADEMARK OFFICE". To the right are links for "About Us", "Jobs", "Contact Us", and "MyUSPTO". A search bar contains "Search uspto.gov" with a magnifying glass icon. Below the header is a navigation menu with "Patents", "Trademarks", "IP Policy", and "Learning and Resources". A "Find It Fast" button is on the right. The "Patents" section is expanded, showing three columns of links: "Getting started", "Application process", and "Maintaining a patent". A "Tools & links" section is also visible, containing links for "About EFS-Web", "Fees and payment", "Global Dossier", "Check application status", and "Patent Trial & Appeal Board". A mouse cursor points to the "Global Dossier" link.

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Getting started

- Patent basics
- Process overview
- Legal assistance and resources
- Inventor and entrepreneur resources
- International cooperation
- Patent FAQs

Application process

- Search for patents
- Learn about patent classification
- Filing online
- Checking application status
- Responding to Office actions
- Patent Trial and Appeal Board
- Petitions

Maintaining a patent

- Maintenance fees
- Correcting your patent
- Transferring ownership
- Ordering certified documents

Tools & links

- About EFS-Web**
File a patent application online with EFS-web
- Fees and payment**
Pay maintenance fees and learn more about filing fees and other payments
- Global Dossier**
View international patent filings
- Check application status**
Check patent application status with public PAIR and private PAIR
- Patent Trial & Appeal Board**
Resolve disputes regarding patents with PTAB

More tools & links

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Office US Type Application Ex: XXnnnnnn

US
CN
EP
KR
JP
WIPO
CASE

Application
Pre-grant Publication
Patent

Welcome to
Global Dossier

Global Dossier Initiative

The Global Dossier Initiative is a set of business services being developed by the [IP5 Offices](#) (USPTO, EPO, JPO, KIPO, and SIPO) aimed at modernizing the global patent system and delivering benefits to all stakeholders through a single portal/user interface. Global Dossier will provide a single, secure point of access for the management of claims and prosecution.

Global Dossier Public Access

The first service being provided by the Global Dossier Initiative is a secure, online access to the file histories of related applications from participating IP Offices, which currently include the IP5 Offices.

By using this service, users can see the patent family for a specific application, containing all

Citation List **BETA**

As part of the Global Dossier Initiative, the USPTO is pleased to announce the beta release of the Citation List. The Citation List is part of the USPTO's ongoing efforts to provide a more comprehensive listing of relevant citations that are available in related applications that share a common priority claim.



Global Dossier: Patent Family

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Global Dossier

Home Public Pair Common Citation Document Citation list **BETA** Service Availability Help Email us

Office Type

★ Collections **0** ↺ History **1**

US 13565455 9 Members in Patent Family (8 currently shown)

«	+	Office ^	Application ⇅	Applicant	Title ⇅	App. Date ⇅	Priority #	Pub. #	Pub. Date	Action ⇅
IP Office Type <input checked="" type="checkbox"/> All IP5 Offices <input checked="" type="checkbox"/> EPO <input checked="" type="checkbox"/> SIPO <input checked="" type="checkbox"/> KIPO <input checked="" type="checkbox"/> JPO <input checked="" type="checkbox"/> USPTO <input type="checkbox"/> Non-IP5 Offices		CN	201310590403 View Dossier 	1) APPLIED MATERIALS, INC.,	Laser material removal methods and apparatus	08/21/2009	US 12092044	CN 103537811 A	01/29/2014	(3) Add to ★
		CN	200980133793 View Dossier 	1) The Applied Materials,	Laser material removal methods and apparatus	08/21/2009	US 12092044 US PCT/US09/54677	CN 102132378 A CN 102132378 B	07/20/2011 12/11/2013	(2) Add to ★
		EP	09811971 View Dossier 	1) Applied Materials, Inc.,	LASER MATERIAL REMOVAL METHODS AND APPARATUS	08/21/2009	US 12092044 US PCT/US09/54677	EP 2329518 A2	06/08/2011	(1) Add to ★



Global Dossier: Citation list

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Office: US Type: Application 13565455

US 13565455 LASER MATERIAL REMOVAL METHODS AND A... VIEW PATENT FAMILY

Filters

66 Total Citations
65 Currently Shown

CITATION TYPE

- All IP5 Offices 58
 - EP 0
 - JP 15
 - KR 0
 - CN 1
 - US 42
- Non-IP5 Offices 1
- Non Patent Literature 7

CITATIONS IN PATENT FAMILY

3	JP 2004342455/A	FLAT PANEL DISPLAY MANUFACTURING DEVICE TOKKI KK	12/02/2004	View
3	US 20060196536/A1	Thin film solar cell and manufacturing method ther... SHARP KK	09/07/2006	View
2	JP H06140570/A	ELECTRONIC COMPONENT HAVING DIELECTRIC THIN FILM OF HIGH DIELECTRIC CONSTANT AND MANUFACTURE TH... FUJITSU LTD	05/20/1994	View
2	US 20070232009/A1	SYSTEM AND METHOD FOR WAFER HANDLING IN SEMICONDUCTOR PROCESS TO... SCHULZ MARKO	10/04/2007	View
2	US 7353076/B2	Vacuum processing method and vacuum processing appara... HITACHI HIGH TECH CORP	04/01/2008	View
2	US 6077722/A	Producing thin film photovoltaic modules with high integrity interconnects and dual layer con... BP SOLAREX	06/20/2000	View
2	US 4892592/A	Thin film semiconductor solar cell array and method of maki... SOLAREX CORP	01/09/1990	View
2	US 20090162972/A1	METALLIZATION CONTACT STRUCTURES AND METHODS FOR FORMING MULTIPLE-LAYER ELECTRODE STRUCTURES FOR SILICON SOLA... PALO ALTO RES CT INC	06/25/2009	View
2	US 20090321399/A1	DYNAMIC SCRIBE ALIGNMENT FOR LASER SCRIBING, WELDING OR ANY PATTERNING SYS... APPLIED MATERIALS INC	12/31/2009	View
2	US 7259321/B2	Method of manufacturing thin film photovoltaic modu... BP CORP NORTH AMERICA INC	08/21/2007	View
2	US 5910854/A	Electrochromic polymeric solid films, manufacturing electrochromic devices using such solid films, and processes for making such solid films ... DONNELLY CORP	06/08/1999	View
2	US 20060103371/A1	Testing system for solar cells MANZ DIETER	05/18/2006	View
2	JP 2001250966/A	SOLAR BATTERY FUJI XEROX CO LTD	09/14/2001	View

International patent cooperation initiative

Other worksharing initiatives

International patent cooperation initiative

IP5 PCT Collaborative Search and Examination (CS&E) Pilot

IP5 PCT CS&E Pilot: Concept

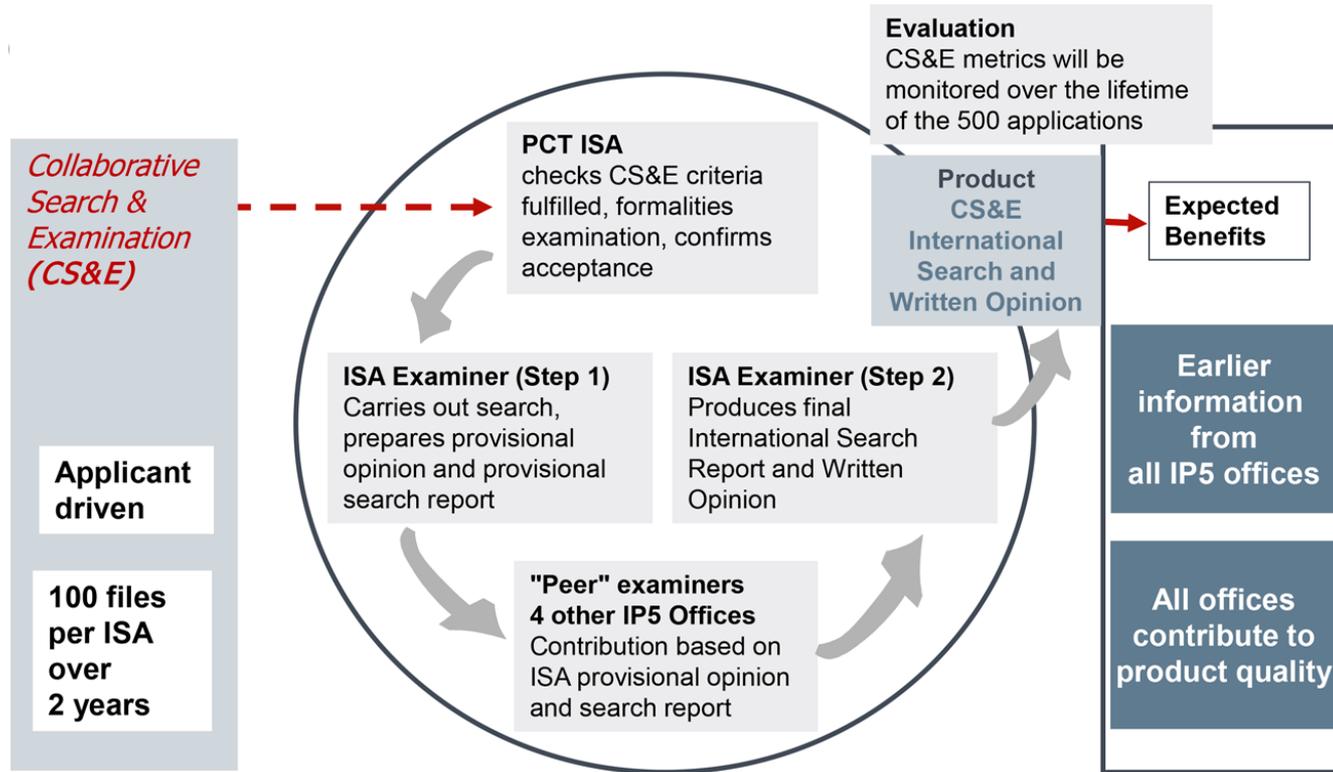
- Enables collaboration of examiners from different international authorities in different regions and with different working languages on one international application
- International search report (ISR) and written opinion (WO) under PCT Chapter I remain the opinion of the chosen International Search Authority (ISA) but are based on contributions from all participating national IP Offices

IP5 PCT Collaborative Search and Examination (CS&E) Pilot

- Began July 1, 2018 by the IP5 Offices
- Explores a collaborative approach to international searches under the Patent Cooperation Treaty (PCT) with two goals:
 - Assess expected efficiency gains
 - Determine the users' interest for this approach



IP5 PCT CS&E process model



IP5 PCT CS&E pilot limits and statistics

- Fifty applications per main International Searching Authority (ISA) per year
 - Two-year operational period
 - July 1, 2018 – June, 30 2019
 - July 1, 2019 – June 30, 2020
- Ten applications per main ISA per applicant
- Some ISAs (non-ISA/US) set limits based on technology
- 423 total applications accepted by IP5 ISAs (as of March 25, 2020)
 - EP – 95 • JP – 60 • CN – 68 • KR – 100 • USPTO - 100
 - KR and USPTO reached ceiling and are no longer accepting applications
 - U.S. applicants wishing to still participate can do so by selecting JPO as ISA



International patent cooperation initiative

Patent Prosecution Highway (PPH)

PPH: Background

- PPH is an initiative that allows applicants who received a determination of allowable claims in an application from one IP Office (national, regional, or PCT) to obtain **fast track processing** of corresponding claims in an application pending in other IP Offices



PPH benefits

- **Special status**
 - PPH applications are advanced out of turn for examination, reducing the amount of time to receive office actions and patents.
- **Improved search and examination quality**
 - Search results are shared among IP Offices. For example, a JPO examiner is normally more adept than a U.S. examiner at searching Japanese art. The JPO search results are used by the U.S. examiner to produce a more thorough examination.
- **Reduced overall pendency**
 - The efficiencies gained by worksharing help IP Offices reduce the overall application backlog, which affects all applications.



Allowance rate comparison between PPH and non-PPH prosecution at the USPTO

	Overall allowance rate	First action allowance rate
PPH	85.3%	28.1%
Non-PPH	77.3%	14%

Data is from October 1, 2019 through February 29, 2020.



Additional information on USPTO worksharing programs

- Website: www.uspto.gov/patents-getting-started/international-patent-cooperation
- Email: oipc@uspto.gov
- Phone: 571-272-2IPC or 571-272-2472



Let's chat with our speakers

- **Nelson Yang**
 - Acting Director, International Worksharing Planning and Implementation (IWPI)
- **Jesus Hernandez**
 - Patent Attorney, Office of Policy and International Affairs (OPIA)
- **Amber Ostrup**
 - Program Manager, International Worksharing Planning and Implementation (IWPI)





Thank you!

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