

IP5 Heads Meeting in Tokyo, Japan

Mr. Benoît Battistelli, President of the European Patent Office (EPO), Mr. Yoshiyuki Iwai, Commissioner of the Japan Patent Office (JPO), Mr. Lee, Soowon, Commissioner of the Korean Intellectual Property Office (KIPO), Mr. Tian, Lipu, Commissioner of the State Intellectual Property Office of the People's Republic of China (SIPO), and Ms. Teresa Stanek Rea, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office (USPTO) met in Tokyo, Japan, on 23 and 24 June 2011. Dr. Francis Gurry, Director General of the World Intellectual Property Organization (WIPO) was present at the meeting as Observer. Mr. Iwai served as Chairman of the meeting.

Mr. Banri Kaieda, Minister of Economy, Trade and Industry, Japan, made an opening remark. Mr. David Kappos, Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO) joined the meeting over the phone on 24 June 2011.



(Photograph) From left to right, Mr. Battistelli (EPO), Mr. Lee (KIPO), Mr. Iwai (JPO), Mr. Kaieda (Minister of Economy, Trade and Industry, Japan), Ms. Rea (USPTO), Mr. Tian (SIPO), Dr. Gurry (WIPO)

The Heads reaffirmed the agreed vision of the IP5 Offices, namely:

The elimination of unnecessary duplication of work between the Offices, enhancement of patent examination efficiency and quality, and guarantee of the stability of patent right.

Acknowledged the progress of the ten foundation projects and the achievements of the past year;

Approved the objectives for the 2012-2013 term of foundation projects and agreed to increase efforts to achieve them;

Reaffirmed the importance of technical and substantive patent law harmonization that would enable users to acquire patent rights in a smooth and predictable manner and emphasized the necessity of making it clear that it does not limit the freedom of each country to determine whether or not to grant a patent to each claimed invention; and agreed to participate in harmonization talks at various international fora including IP5. To support this process a study will be conducted, making the most of existing works and avoiding redundant tasks to provide a base for such harmonization discussions;

Agreed to greatly accelerate the Common Hybrid Classification project following the results of the comparative study of the existing local schemes in order to identify the areas that could be easily harmonized;

Recognized that the essence of IP5 cooperation was to establish an optimal environment enabling our Offices to utilize each other's work to the benefit of each office but also to the benefit of the applicants

and the patent system at large; acknowledged the contribution that the initiatives already in place such as the Patent Prosecution Highway (PPH), FLASH and JP-FIRST make towards the utilization process and noted that the delivery of timely actions by each IP5 Office would greatly enhance the utilization potential between the Offices;

Further recognized that enhanced utilization should be coupled with an increased awareness about the importance of search and examination quality. It should also be clear that a timely issuance of first office actions is an essential prerequisite for efficient and enhanced utilization in work sharing initiatives between the Offices. In support of this concept, IP5 offices acknowledged their intentions to progressively prioritize or accelerate their first actions and to reduce this specific pendency time.

The Heads of the five offices agreed to gather at the meeting hosted by the EPO in June 2012.

Further information on the IP5 can be found at:

www.fiveipoffices.org.