

# Discussion of IP5 on Patent Harmonization

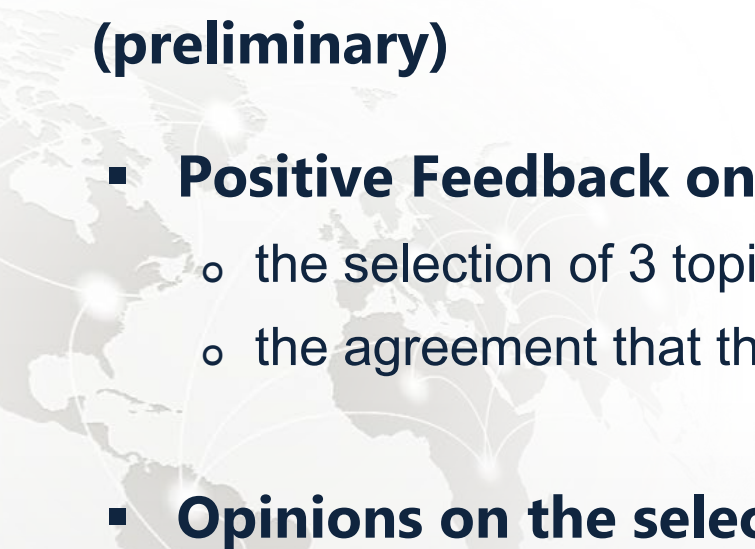
**3<sup>rd</sup> Meeting of IP5 Heads of Office and IP5 Industry 5 June 2014**

**Korean Intellectual Property Office**

- **The PHEP has been endeavoring to make fruitful discussion on Patent Harmonization**
  - IP5 Industry list was submitted in the 2<sup>nd</sup> PHEP meeting in Daejeon
  - The importance of user-driven harmonization was acknowledged by IP5
  
- **Priority Topics were selected at Ad hoc Meeting in April 2014**

(Based on **internal analysis and user consultation** of each office)

  - Citation of Prior Art
  - Unity of Invention
  - Written Description, Sufficiency of Disclosure

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- **IP5 Offices reported Consultation Results with User Groups (preliminary)**
    - **Positive Feedback on**
      - the selection of 3 topics
      - the agreement that the PHEP discussion will be user-driven
    - **Opinions on the selected Topics and Procedures**

## *Structure of the Work [KINPA, JIPA]*

### ➤ **Expected Output of Discussion**

- **Status** : Legal requirements, policy backgrounds, examination practice
- **Analysis** : commonalities and differences
- **Cases and Opinions** : submitted by stakeholders and IP experts
- **Best Practice** : future directions for harmonization considering inputs from stakeholders and each office

# Opinions from User Groups

*Process [JIPA, KINPA]*

Step	Contents
1 *	Select detailed items for study and discussion on each selected topic
2 *	<b>Collect Followings from each of IP5:</b> ( <b>Report</b> ) Legal requirements, policy backgrounds, practices in examination ( <b>Cases</b> ) Field of IP practice and applicants ( <b>Opinions</b> ) User groups and outside IP experts
3	<b>Comprehensive Analysis of the results from the individual office</b> <ul style="list-style-type: none"><li>• Factual commonalities and differences</li><li>• User views on the differences</li><li>• Etc.</li></ul>
4	<b>Draw the Best Practice or Future Directions for Harmonization</b>
5	<b>Prepare a Comprehensive Report and open to the public</b>

\* User group is expected to participate in.

## *Discussion Items [All IP5 Industry Groups]*

### ➤ **Citation of Prior Art**

- Applicants' burden
- Utilization of CCDs and electronically available documents

### ➤ **Unity of Invention**

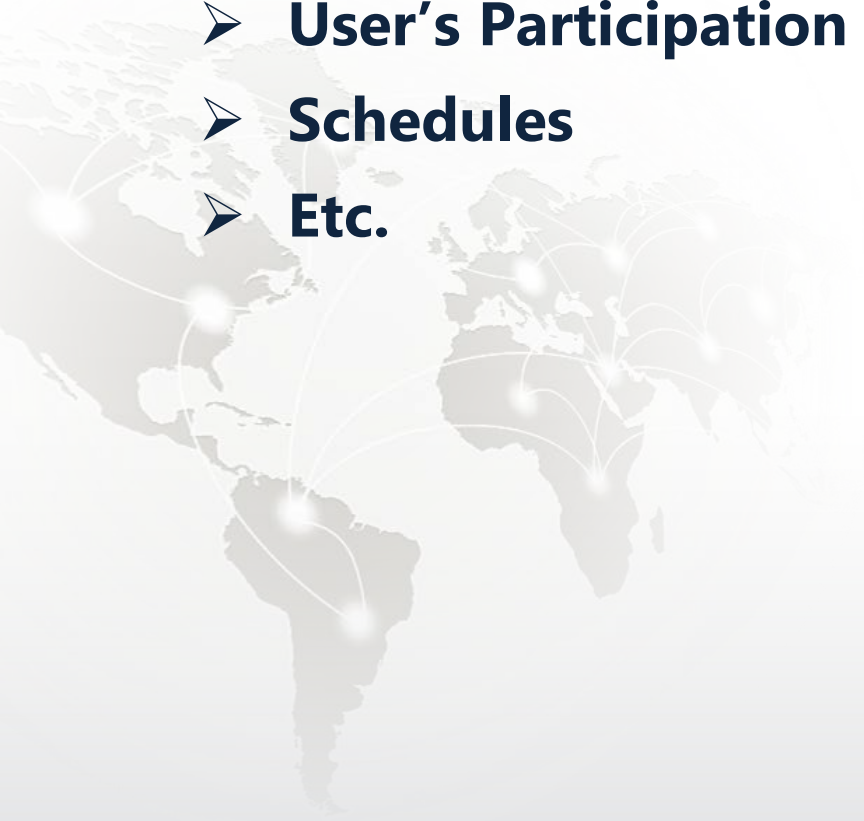
- Differences among IP5 offices and some technical fields

### ➤ **Written Description/Sufficiency of Disclosure**

- Requirements for specific technical fields  
(e.g. chemical compounds, pharmaceuticals, electric circuits)
- Best Mode requirement
- Later submission of information
- Effect on claim interpretation by written description (e.g. means plus function)

## *Further Considerations*

- **Priority Order of Three Topics**
- **User's Participation**
- **Schedules**
- **Etc.**



# Thank You