IP5 Global Dossier - EPO perspective

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IP5 Global Dossier - the EPO perspective

• EPO fully supports the IP5 Global Dossier proposal, as
  – a framework for IT-related IP5 projects
  – a user-centric vision for the IP5 Cooperation 2013-2017

• The EPO sees **two elements as essential** to the Global Dossier
  – Detailed consideration of the **main electronic building blocks**
  – **Active user participation** in a Global Dossier Task Force to ensure a user-centric approach
IP5 Global Dossier and the EPO's IT Roadmap

- The EPO's "IT Roadmap" is planned to deliver similar functionality within the European context by 2015.

- The EPO's "IT Roadmap" aims to optimise the end-to-end patent granting process in a modern digital environment.

- The EPO envisages its IT Roadmap as the EPO component of the IP5 Global Dossier.

- The EPO's "IT Roadmap" has incorporated industry participation from the beginning.
Global Dossier / IT Roadmap - building blocks

• The IT Roadmap will support the following 6 Global Dossier "blocks" of industry-office requirements in Europe:

• Global Dossier "blocks"
  – Cross Filing and Portfolio Management
  – Worksharing between Offices
  – Real-time Collaboration
    • examiner-applicant, examiner-examiner, and third-party
  – Machine Translation
  – Exchange of Non-patent Literature citations
  – Support for Due Diligence for appeals, litigation etc.
### Analysis of first "block" - Global Dossier vs IP5 and IT Roadmap

- **Example - Cross Filing and Application Management**

<table>
<thead>
<tr>
<th>Function</th>
<th>Global Dossier Description</th>
<th>ITR Plan &lt;2015 in Europe</th>
<th>Tri/IP5 plan &lt;2015</th>
<th>EPO Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refiling of first application</td>
<td>Ability for applicants to automatically refile an existing application with another patent office.</td>
<td>🎀</td>
<td>😞</td>
<td>PCT “One-click” filing allows applicant to refile EP as PCT. Could be extended to all types of applications</td>
</tr>
<tr>
<td>Uniform application document and data filing format</td>
<td>Each office can accept the format used by applicants in filing elsewhere</td>
<td>🎀</td>
<td>😞</td>
<td>EPO to convert all incoming formats to one standard internal format. IP5 only has CAF as a standard XML format.</td>
</tr>
<tr>
<td>Secure access</td>
<td>Applicants can access the global dossier in a secure fashion</td>
<td>🎀</td>
<td>😞</td>
<td>EPO providing a solution for Europe (Smart Card, username/password, SMS) No worldwide standards.</td>
</tr>
<tr>
<td>Timeline</td>
<td>Due dates and upcoming events visible to applicants</td>
<td>🎀</td>
<td>😞</td>
<td>Part of CMS functionality. Under IP5 this topic is discussed to achieve an exchange of this</td>
</tr>
<tr>
<td>Priority document access</td>
<td>No need to exchange Pdocs, Offices access each others system on-demand</td>
<td>🎀</td>
<td>😞</td>
<td>Technically possible with TDA-FWA, requires legal change</td>
</tr>
</tbody>
</table>
Results of overall EPO analysis over all 6 "blocks"

• Results of overall EPO analysis over all 6 Global Dossier "blocks" against i) current EPO IT Roadmap plans, and ii) current IP5 plans:

<table>
<thead>
<tr>
<th></th>
<th>Included</th>
<th>Partially included</th>
<th>Not included</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPO ITR</td>
<td>11</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>IP5 FPs</td>
<td>3</td>
<td>10</td>
<td>8</td>
</tr>
</tbody>
</table>

• EPO IT Roadmap has many elements of Global Dossier blocks
  – but some elements only partially

• EPO IT Roadmap could be enhanced to support Global Dossier
IP5 Global Dossier Task Force - Industry participation

EPO View

- **IP5 Global Dossier Task Force** should include
  - IP5 Offices and WIPO
  - Industry representation from each region
  - (one member each)

- **Meetings** every 6-12 months as appropriate

- **IP5 Offices host on rotational basis**; host office will:
  - act as Secretariat for both IP5 Offices, WIPO and Industry
  - ensure continuous progress up to its meeting
  - hand over to the next hosting Office

- **IP5 Global Dossier Task Force** will:
  - liaise closely with the IP5 WG2 "IT-related initiatives"
  - industry representatives also to report to future meetings of IP5 Heads and Industry

- **IP5 Industry** is requested to
  - approve this approach and
  - nominate active members from each IP5 region
IP5 Global Dossier - further enhancements

- EPO could envisage **further enhancements** through legal and procedural changes

- **Legal requirements** should reflect modern digital environment to maximise opportunities

- Examples:
  - *for IP5 cross-filings, Machine Translation of description*, with human translation of claims only
    - EPO processes Italian filings in this manner
  - *no requirement for a priority document exchange* or manual translation
  - *publication of description in one IP5 language only*
    - human translation of claims only
    - MT of description into other IP5 languages at central source
IP5 Global Dossier - Next steps

Mandate the IP5 Global Dossier Task Force to:

• Identify industry and office requirements

• Identify the digital components required

• Complete the analysis of current IT plans of each IP5 Office

• Assess the inter-relations with existing Foundation Projects

• Consider legal aspects and further opportunities

• Establish the Global Dossier Roadmap 2013-2017
Thank you for your attention!