

Work Sharing and Quality

Next Steps for the IP5 PPH: Using the Global Dossier

*2015 Meeting of IP5 Heads of Office and
IP5 Industry*

May 21, 2015

Suzhou China

AIPLA

Serving the

Creative and **Legal** Communities

- Allowance of Claims by an Office of Earlier Examination (OEE) in a Family Application
- A Copy of the most recent Office Communication in the OEE prior to allowance
- A Translation of the Communication into the language used by the Office of Later Examination (OLE)
- A Copy of allowable claims in the OEE in the language of the OLE
- A Copy of claims filed in the OLE that substantially correspond to the Allowable Claims
- A Claim Correspondence Table
- A Copy and/or list of relevant prior art (some offices)
- Examination in the OLE has NOT Begun

- Obtaining a Copy of claims allowed by the OEE
- Obtaining a Copy of the most recent Office Communication in the OEE prior to Allowance
- Obtaining a Translation of the Communication into the language used by the Office of Later Examination (OLE)
- Obtaining a Copy of allowable claims in the OEE in the language of the OLE
- Obtaining a copy of prior art and/or list
- Preparing and Filing the Allowable Claims from the OEE in the OLE
- Preparing a Claim Correspondence Table
- Determining that Examination in the OLE is NOT About to Begin

- A Copy of claims allowed by the OEE
- A Copy of the most recent Office Communication in the OEE prior to Allowance
- A Translation of the Communication into the language used by the Office of Later Examination (OLE)
- A Copy of allowable claims in the OEE in the language of the OLE

- Global Dossier Does NOT Provide:
- A Claim Correspondence Table
- A basis for determining that examination in the OLE is NOT about to begin
- Copies of Prior Art

- HOWEVER:
- Common Citation Document (CCD) Does Provide
 - *Patent and Office Published Prior Art*
 - *Translations*
 - *Non-Patent Prior Art*

- A Common Request Form Asking the OLE Office to Obtain Automatically:
 - *All relevant documents from an identified OEE via GD*
 - *All relevant prior art via the CCD*

- **HOWEVER, Applicant Would Submit:**
 - *Claim Correspondence Table*
 - *Non-Patent Prior Art – if OEE to OLE disclosure cannot avoid copyright issues*

- **AND**
 - *Pilot would provide an excellent proof of concept vehicle for cross filing – especially single portal to multi-Office PPH request*

THANK YOU FOR YOUR CONSIDERATION
OF THIS PROPOSAL