INDUSTRY REPORT:

IP5 Foundation Project
on
Common Approach to Sharing and Documenting Search

IP5 Heads and IP5 Industry Meeting
AIPLA and IPO
Porticcio, France
BASIC FOCUS OF PATENT SYSTEMS

- Promote Progress in Industry and Science
  - Disclosure in Exchange for Valuable Exclusive Rights
  - Goal is to Benefit the Public and Users

- User Interests
  - Quality Patents
  - Efficient Production and Delivery
  - Open Dialogue and Transparency

- Governments Have Similar Interests
  - IP5 Mission –
    - The elimination of unnecessary duplication of work among the offices, enhancement of patent examination efficiency and quality, and guarantee of the stability of patent rights
One of 10 Foundation Projects for IP5

- **Common Approach to Sharing and Documenting Search Strategies (lead: USPTO)**
  - **Aim:** To promote reutilization by enabling the patent examiners of each office to understand each other’s search strategy.

- **Scope**
  - Focus on Patent Search – the cornerstone to Patent Validity
  - Procedures for Identification and Recording (1) Prior Art and (2) Search Strategy
  - Identification of Necessary Tools
    - Databases, Key Words, Common Classification, etc
    - Resolution of Language Differences

- **Extremely High Value to Users**
Value to Users:

- **High Quality Patent Rights**
  - The bottom line expectation of ALL applicants from their investment in patent filings

- **Enhanced Confidence in Worksharing Procedures**
  - Dispells perceived differences in quality among Offices

- **Enhanced Reliability of Due Diligence Studies**
  - Provides a stronger basis for Venture Capital Investment decisions
  - Provides a more granular basis for evaluating acquisitions

- **Greater Certainty Facilitates Dispute Resolution and Reduces Litigation**
  - Greater credibility for validity determinations by Offices
  - Parties less willing to litigate validity

- **Offices, Judicial Systems and the Public Also Benefit**
PPH an Immediate Beneficiary

- **PPH is a Signature Worksharing Program**
  - For participating Offices
    - Reduction of Backlogs
    - Enhanced Efficiency
  
- **For Users**
  - An important strategic tool
    - Accelerated Examination
    - Significant Cost Savings (US – 1 Office Action on average equals $3,000-$5000 savings, up to $15,000 per application)
    - Strategic Flexibility
    - Enhanced Quality
  - One tool in the toolbox
Search Strategies Provide Valuable Information in Many Areas

- PCT
- PPH
- Paris Route Examination
- Proposed Global Dossier
Suggestions for Better User Understanding of Search Strategies

- Use a Common Reporting Template
- Include certain Mandatory databases to be searched
  - Add additional optional databases
- Consider integrating the search strategies into the CCD database
- Consider integrating with WIPO’s “Cross-Lingual Expansion” tool on PATENTSCOPE
  - Search queries are translated based on statistical analysis of patent documents
THE USERS THANK YOU