Conclusion of the current PHEP Projects

IP5 Heads with Industry Meeting | 12 June 2019 | Incheon
Progress

- Agreed to establish IP5 PHEP for discussion on patent harmonization (IP5 Deputy Heads Meeting, 2012)

- Agreement on the following 3 projects and selection of leading office(s) by project item (IP5 Heads Meeting, 2014)
  - Unity of Invention : EPO, CNIPA
  - Citation of Prior Art : KIPO, USPTO
  - Written Description / Sufficient Disclosure : JPO

- Agreed to discuss patent harmonization with users at the ICG meeting (IP5 PHEP Meeting, 2016)

- Report on a conclusion plan for 3 major projects and discussion on new projects selection (IP5 Deputy Heads Meeting, 2019)
Conclusion of the current PHEP Projects

Unity of Invention (EPO/CNIPA)

◆ Achievements
- Non-unity minimum reasoning in the PCT international phase and distribution to users

▪ Outcomes of the project
- Suggesting improvements in non-unity reasoning, illustrated by a complete example (including the reasoning)
- Reaching a common way of raising non-unity objections, currently not available in the ISPE
- Enhancing consistency of approach, transparency and predictability

▪ Follow-up task
- To overhaul the PHEP section of the IP5 website
- To expand agreed methodology outside the IP5 framework
Conclusion of the current PHEP Projects

Citation of Prior Art (KIPO, USPTO)

◆ Achievements
- Establishment of a final report regarding analysis results of prior art submission from the legal and IT system point of view, project outcome and follow-up measures

▪ Outcomes of the project
- Reaching a consensus to reduce the applicant’s burden of submitting prior art
- Providing a momentum to maximize the usability of work-sharing through an IT system
- Suggesting a vision for cooperation among WGs to accomplish the goals of IP5 projects

▪ Follow-up task
- To set up a relevant system to implement the endorsement of the IP5 Heads Meeting
Conclusion of the current PHEP Projects

Written Description / Sufficiency of Disclosure (JPO)

◆ Achievements
- Establishment of a final report on case studies 1~6, targeted for each office and users

▪ Outcomes of the project
- (For Users) ① understanding each office’s practice, ② preparing resources for drafting the application documents
- (For Offices) ① understanding both common points and differences between each office’s practices, ② building confidence for other offices’ examination results

▪ Follow-up task
- To publish the final report of case 4-6 on the IP5 Website
Thank you