

Patent Public Advisory Committee Meeting

Update on International Programs

May 16, 2013



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Discussion Topics

- **The Global Dossier Initiative**
- **Brief Overview of The Hague Agreement**
- **PCT/2020: Improvement of Patent Cooperation Treaty System**

The Global Dossier Initiative





Global Dossier - Update

- Reorganization of IP5 IT and many other efforts to focus on a common future state
- Global Dossier Task Force - first meeting in January 2013
 - IP5 Offices
 - WIPO
 - IP5 Industry
- Expansion including, Vancouver, ASEAN and possibly PROSUR IP offices; others
- USPTO will continue to lead pace of progress



Global Dossier – User Input

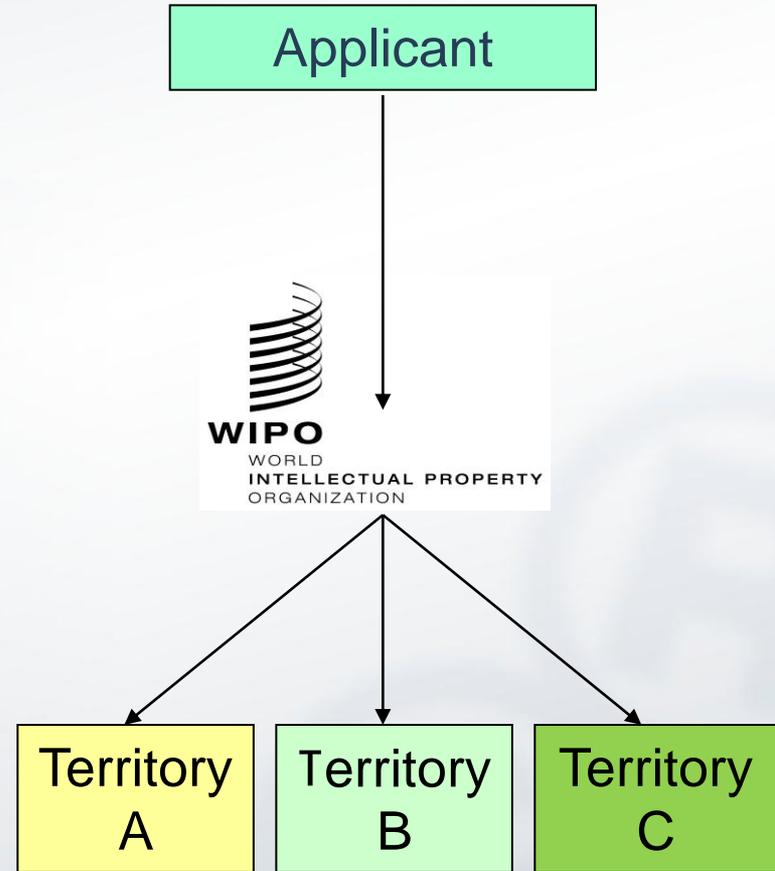
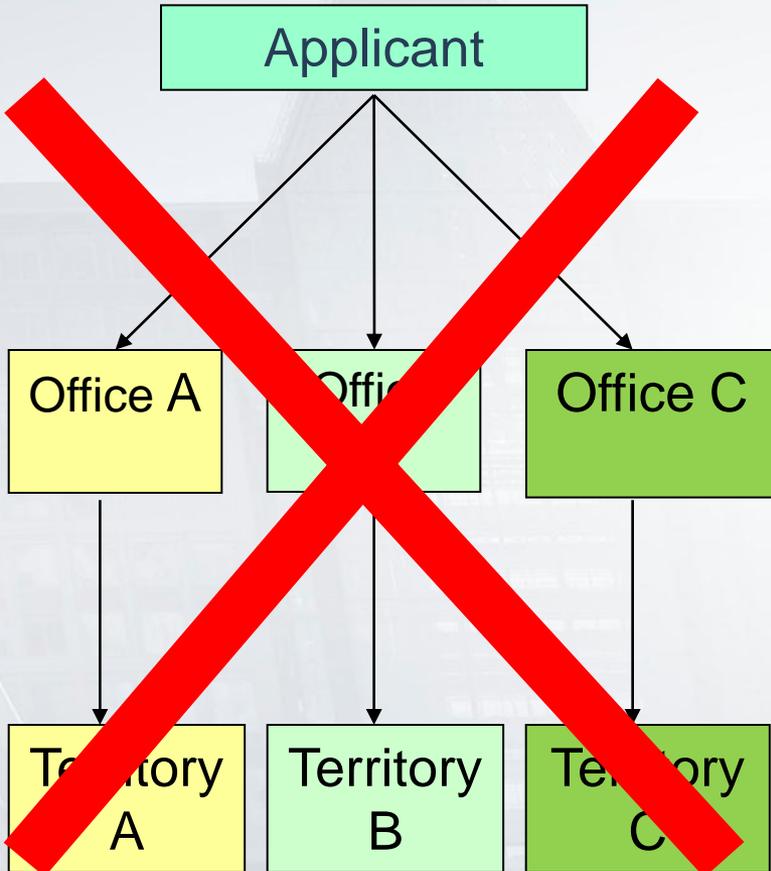
- User engagement during business requirements development is critical to success
- IP5 Industry currently identifying highest priority requirements
- USPTO values PPAC participation during this process

Brief Overview of the Hague Agreement

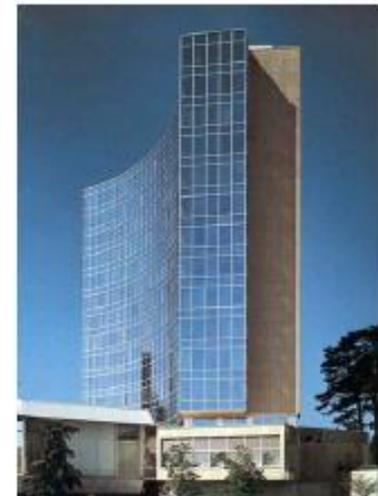
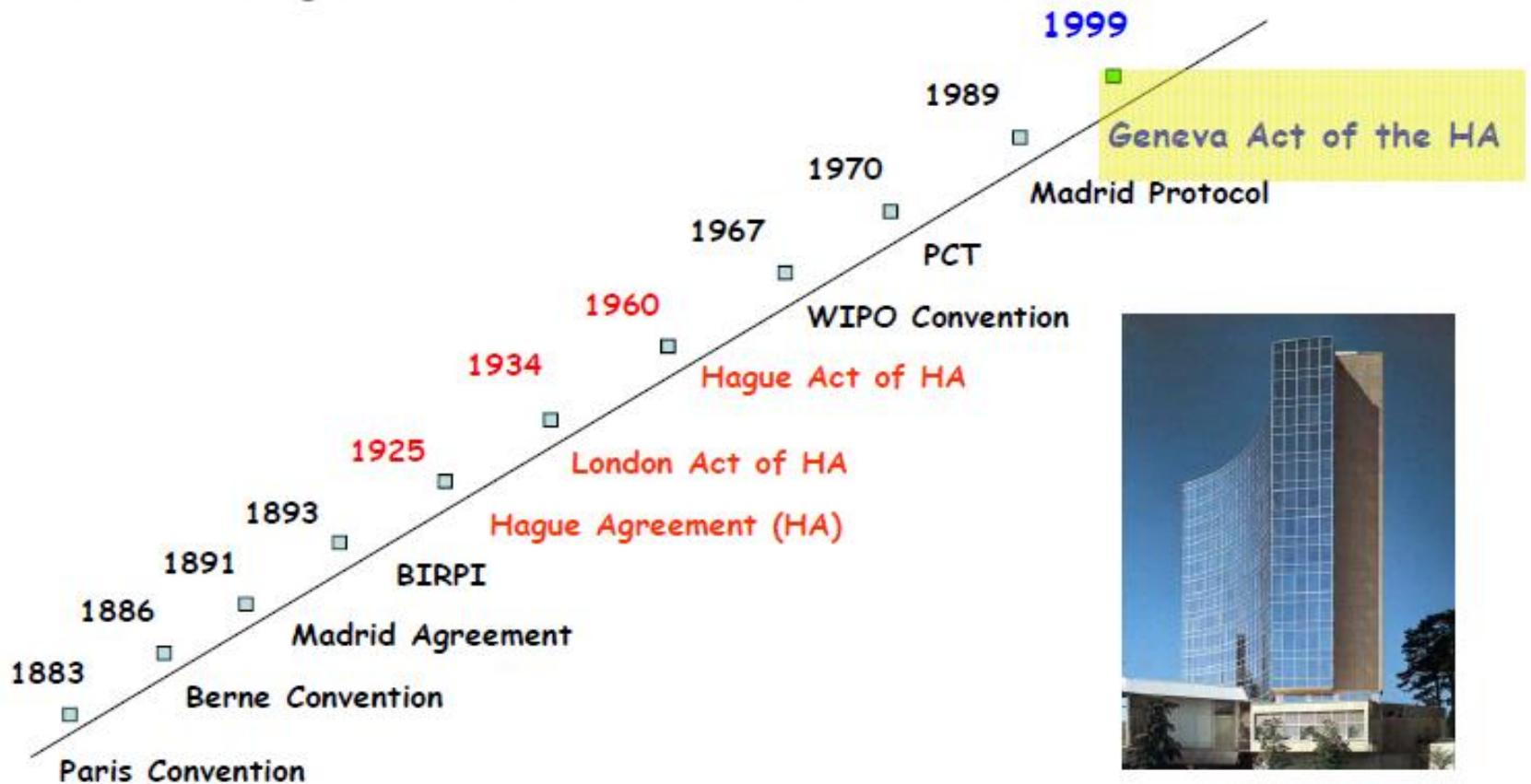




Paris Route vs. The Hague System



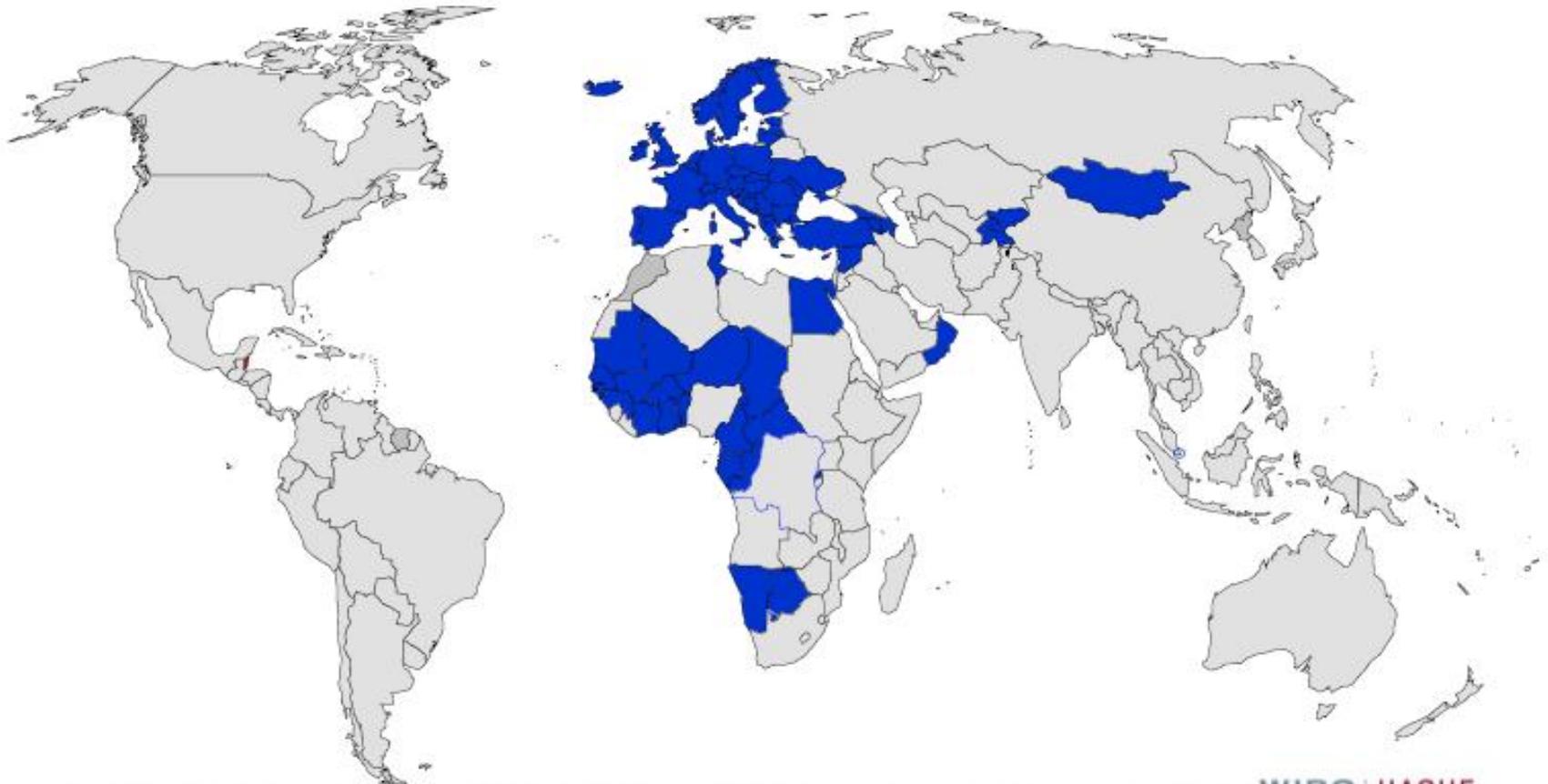
Hague System and Other Major Events From 1883



WIPO | HAGUE
The International
Design System

Geneva Act Membership

September 6, 2012



45 Members (including EU and OAPI = 70 States covered)

WIPO | HAGUE
The International
Design System



Illustrative Statistics and Figures

- Equivalent of over 10M design registrations since 1928
- Some 110,000 designs “active” today
- 96% of the 8000 rights holders have 10 or less designs
- 2440 IRs (11,971 designs) recorded in 2012



Filing an International Application

- Language: English, French, or Spanish
- Directly with WIPO, electronically or on paper
- Indirectly through USPTO
- Up to 100 different designs (same Locarno class)
- Single set of requirements apply
- Single set of fees is to be paid (in CHF)



Role of International Bureau (IB)

- Examination of Formalities
- Translation into two other languages
- Recording of the IR in the International Register
- Crediting of designation fees to accounts of CPs
- Publication in the International Designs Bulletin
 - every Friday on WIPO's website

<http://www.wipo.int/hague/en/bulletin/haguebulletin/index.jsp>



Procedure at Designated CP

- **Normal Substantive Examination by Office:**
 - To the extent it applies to national filings
 - Formalities examination is skipped
 - Statement of Grant of Protection may be issued
- **Possible Refusal:**
 - Made on same substantive grounds as for direct filings
 - Communicated in time limit (U.S. 12 months)



Effects of IR under Geneva Act

- **Article 14(1):**
 - Effect as a regularly-filed application from the date of IR
- **Article 14(2)(a):**
 - Effect as a grant of protection under the law of the Contracting Party if no refusal timely notified
- **USPTO currently preparing NPR**

PCT 20/20

Improvement of the Patent Cooperation Treaty System





Background

- The PCT has been successful
 - Over 2 million international applications filed
- The PCT was the first international work sharing system between intellectual property Offices
- Director Kappos requested that specific improvements be identified



PCT 20/20

- Developed in cooperation with UKIPO
- Series of diverse ideas identified
- Proposals focus on
 - Increasing quality
 - Increasing transparency
 - Simplification



Proposals For PCT WG (1)

- Self-Service Changes – 92bis & priority claims
- Integrate National/International Phases
 - Require response to negative comments at the national phase
- Formal Integration of the Patent Prosecution Highway into the PCT



Proposals For PCT WG (2)

- Make the Written Opinion of the International Searching Authority available to the Public After International Publication
- Mandatory Recordation of Search Strategy
- Mandatory Top-Up Searches



Additional Proposals (1)

- Limited Chapter I Claim Amendments
- Simplify Withdrawals of International Applications
- Standardized Fee Reductions for National Stage Applications



Additional Proposals (2)

- Development and Implementation of the Global Dossier and Incorporation of that System into the PCT
- International Small/Micro Entity Fee (or Discount)
- Collaborative Searching (2 or more Offices)



Thank You!