

<English version>



***Patent Prosecution  
Highway***

**Japan Patent Office**

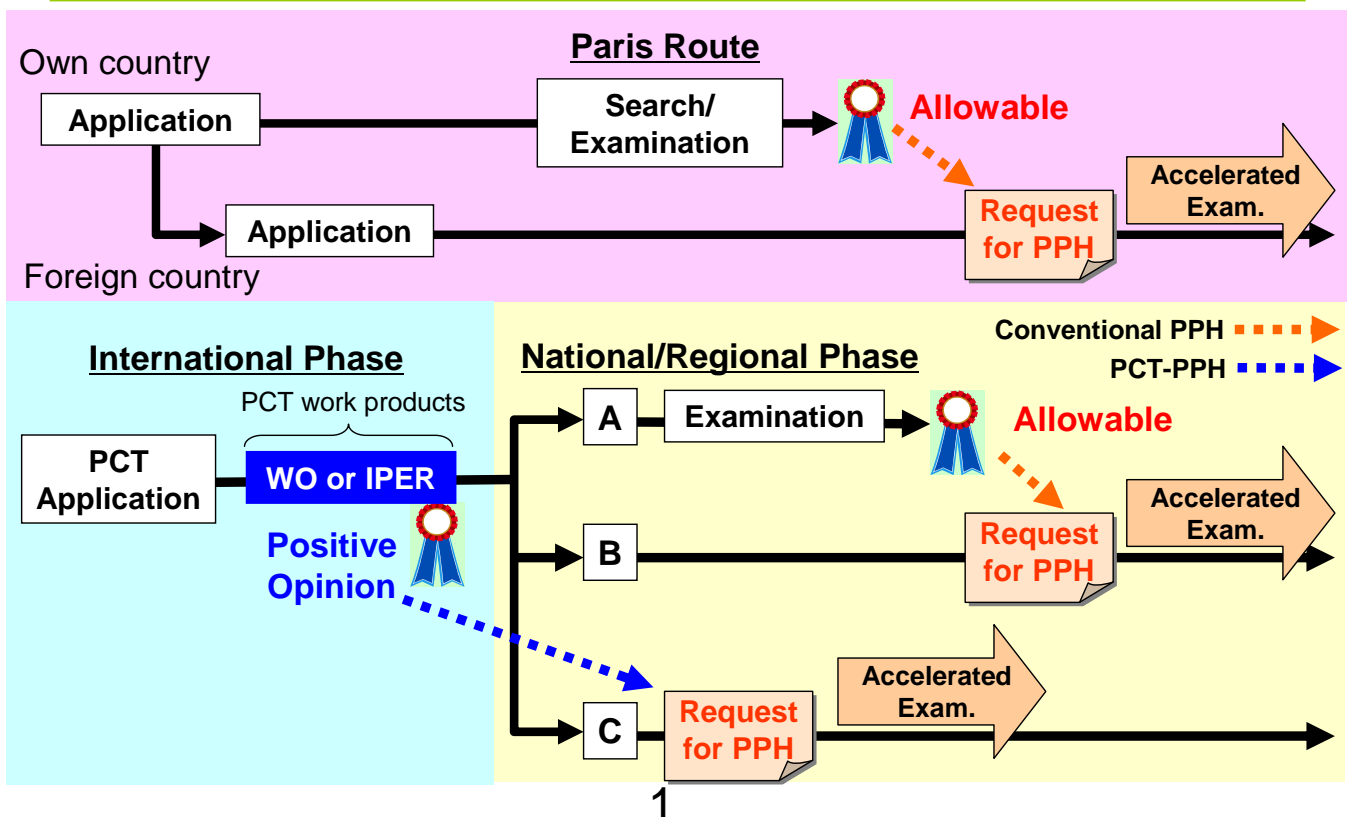
**United States Patent and Trademark Office**

# 1. Outline of Patent Prosecution Highway (PPH)

The PPH is a framework set up to allow an application that was determined to be patentable in one office, and which is on request by the applicant, to be given an accelerated examination under simplified procedures in other offices which implement this effort with that office.

This framework supports the efficient acquisition of a stable and strong patent right in multiple offices by enabling all the office to make use of all search and examination results in other offices.

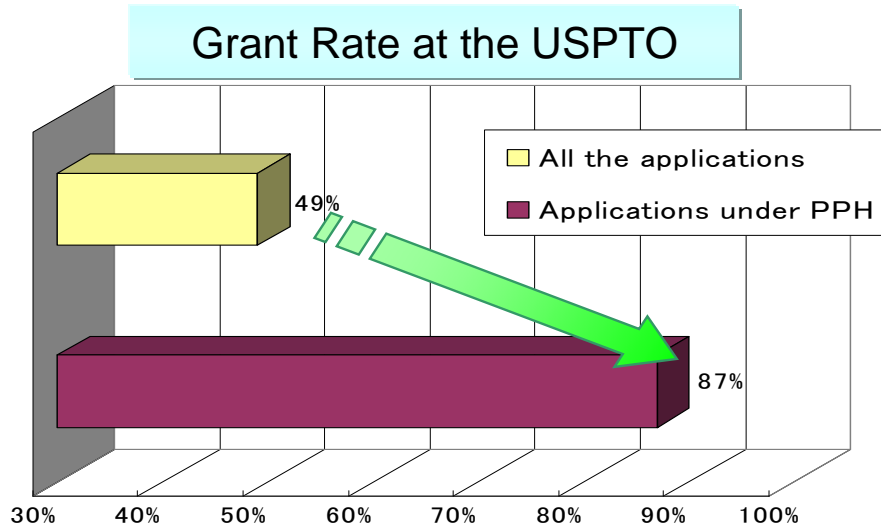
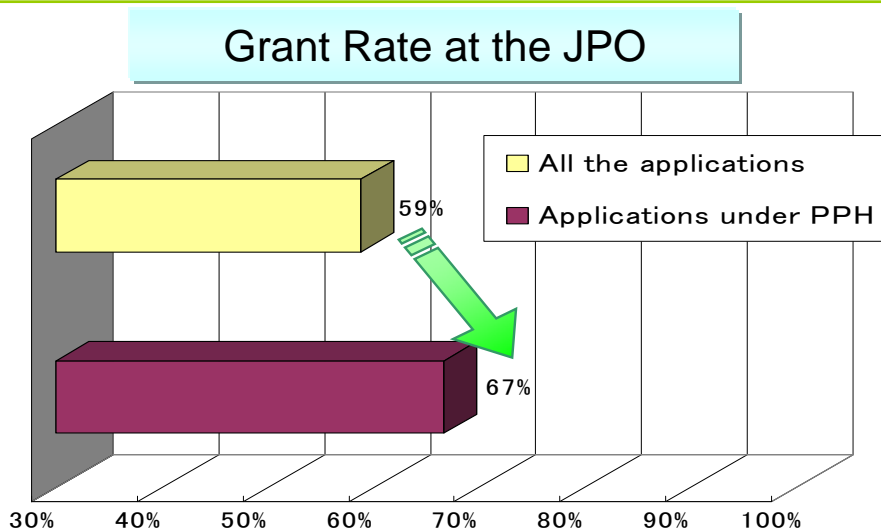
In addition, the above-mentioned framework was expanded, and a program for the Patent Prosecution Highway which allows accelerated examination with simplified procedures at the national phase of PCT applications for applications determined to be patentable in the written opinion at the international phase of PCT applications or in the international preliminary examination report (PCT-PPH) has also been launched.



## 2. Merits of PPH ~Improvement of Quality~

It is highly likely that an application for which a PPH request was filed will be allowed in the Office of Later Examination (OLE.) This means that the PPH offers to an applicant the high predictability of the examination result in the Office of Later Examination (OLE) as compared with a non-PPH application.

Also, as to a PPH application, an examiner of the Office of Later Examination (OLE) can start an examination for an invention taking into consideration all of the search/examination-related information of the Office of Earlier Examination (OEE), and hence, the resulting quality of the patent issued can be expected to be higher .



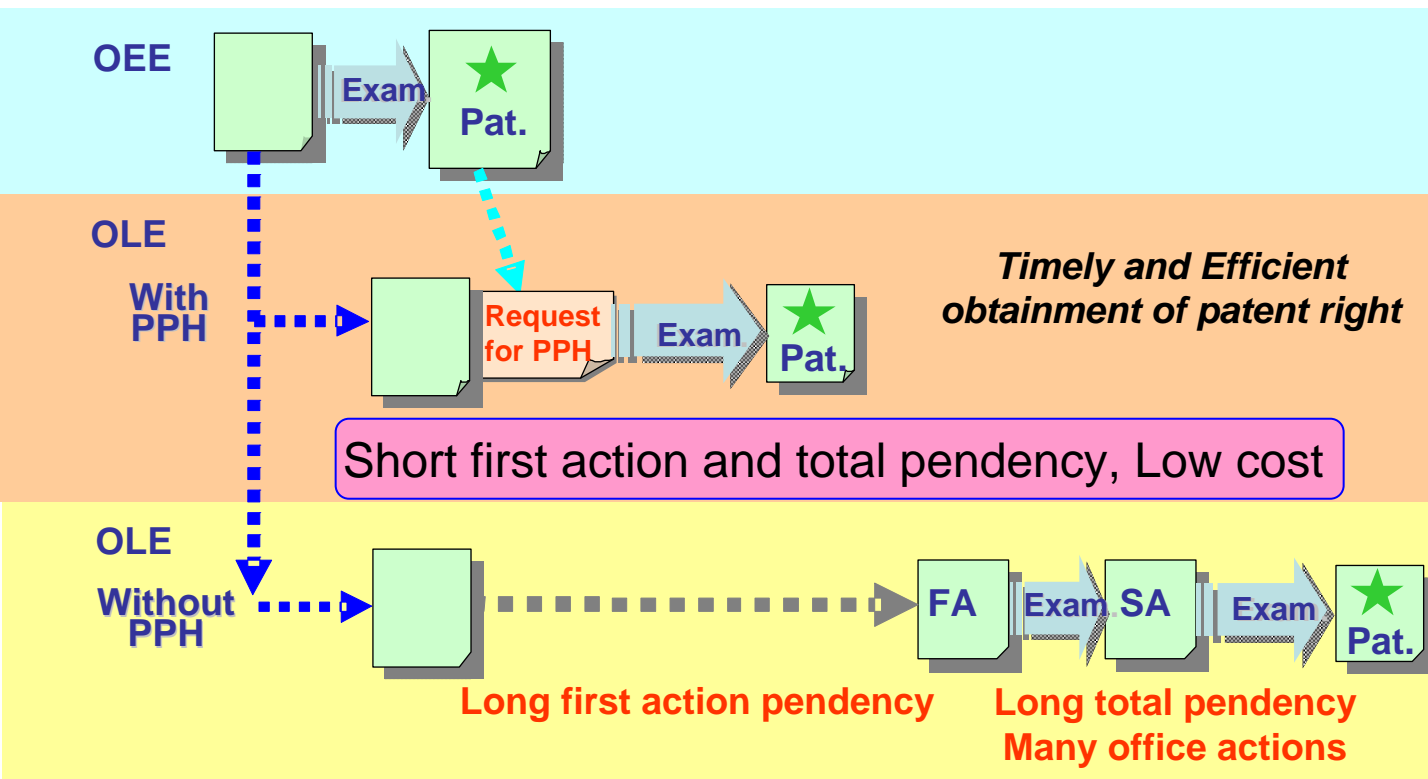
As of the end of December, 2011

### 3. Merits of PPH ~Expeditious Examination~

By utilizing the PPH, the timely and efficient obtainment of a patent right in the Office of Later Examination (OLE) becomes possible.

For example,

- (1) The Office of Later Examination (OLE) conducts examination earlier upon PPH request despite its average first action pendency.
- (2) Since the Office of Later Examination (OLE) starts its work with claims which the Office of Earlier Examination (OEE) has already determined to be patentable, the work of the Office of Earlier Examination (OEE) is not needlessly replicated in the Office of Later Examination (OLE.) This results in a shorter examination in the Office of Later Examination (OLE.)
- (3) Moreover, applicants can pay less for an examination because they need to respond to fewer office actions.



## 4. Merits of PPH ~Expeditious Examination~

In the PPH at the JPO and the USPTO, the first action pendency in the Office of Later Examination (OLE) can be reduced.

**JP -> US:**

<Without PPH> App. **24 months** (from filing date to first action)

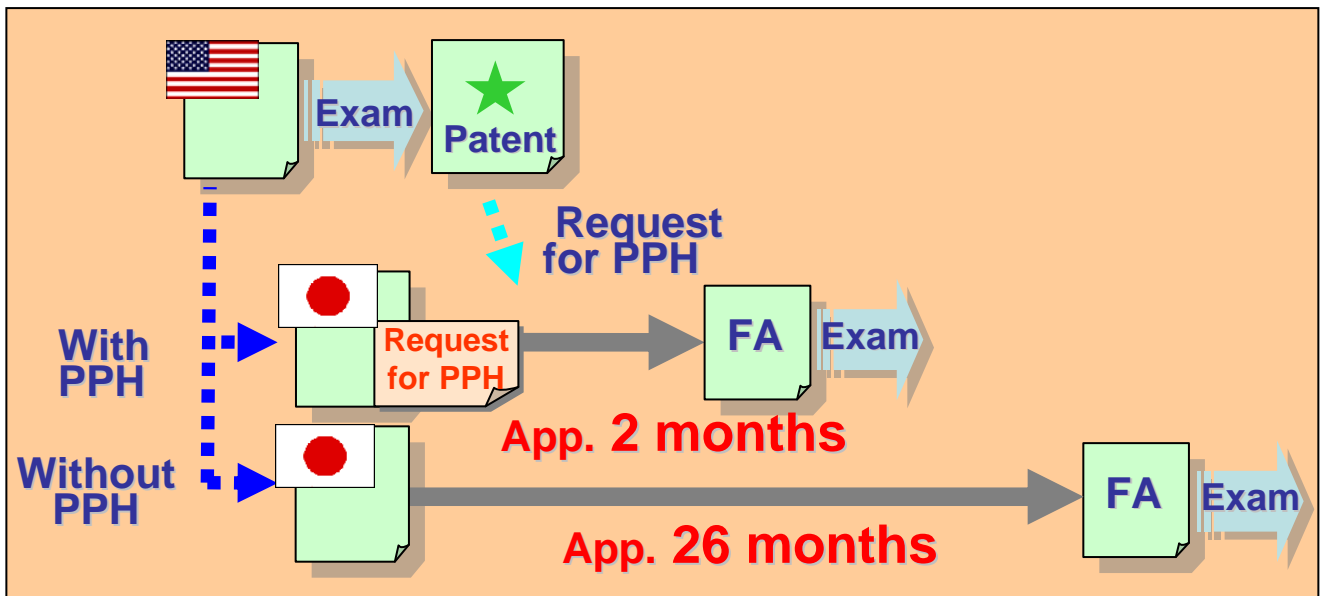
<With PPH> App. **6 months** (from PPH request to first action)

**US -> JP:**

<Without PPH> App. **26 months** (from request for exam. to first action)

<With PPH> App. **2 months** (from PPH request to first action)

### Case of US -> JP



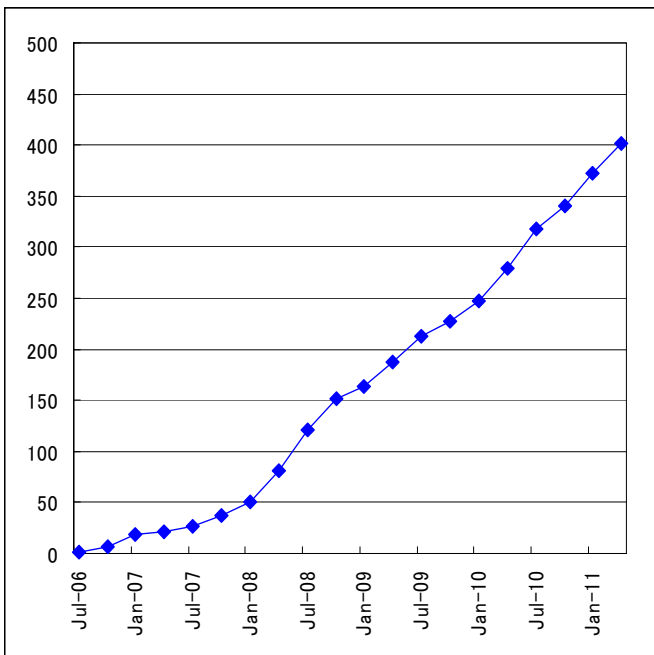
## 5. Increase of Users

The merits of the PPH, such as expeditious and appropriate examination and low cost and simple procedures, etc., have given applicants incentive to use the PPH, and as a result, the number of PPH users has been increasing.

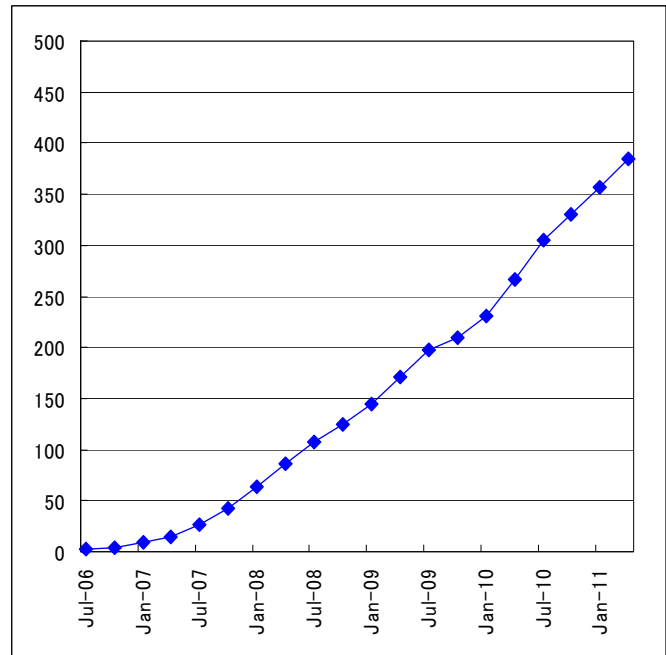
Taking the PPH between the JPO and the USPTO as an example, the number of users has been increasing sharply since January 2008, when the program was fully implemented and the result of the pilot program was publicized. As public awareness of the PPH framework and its merits has increased, the range of users has been expanding.

### Transition of Total Users\*

US → JP



JP → US



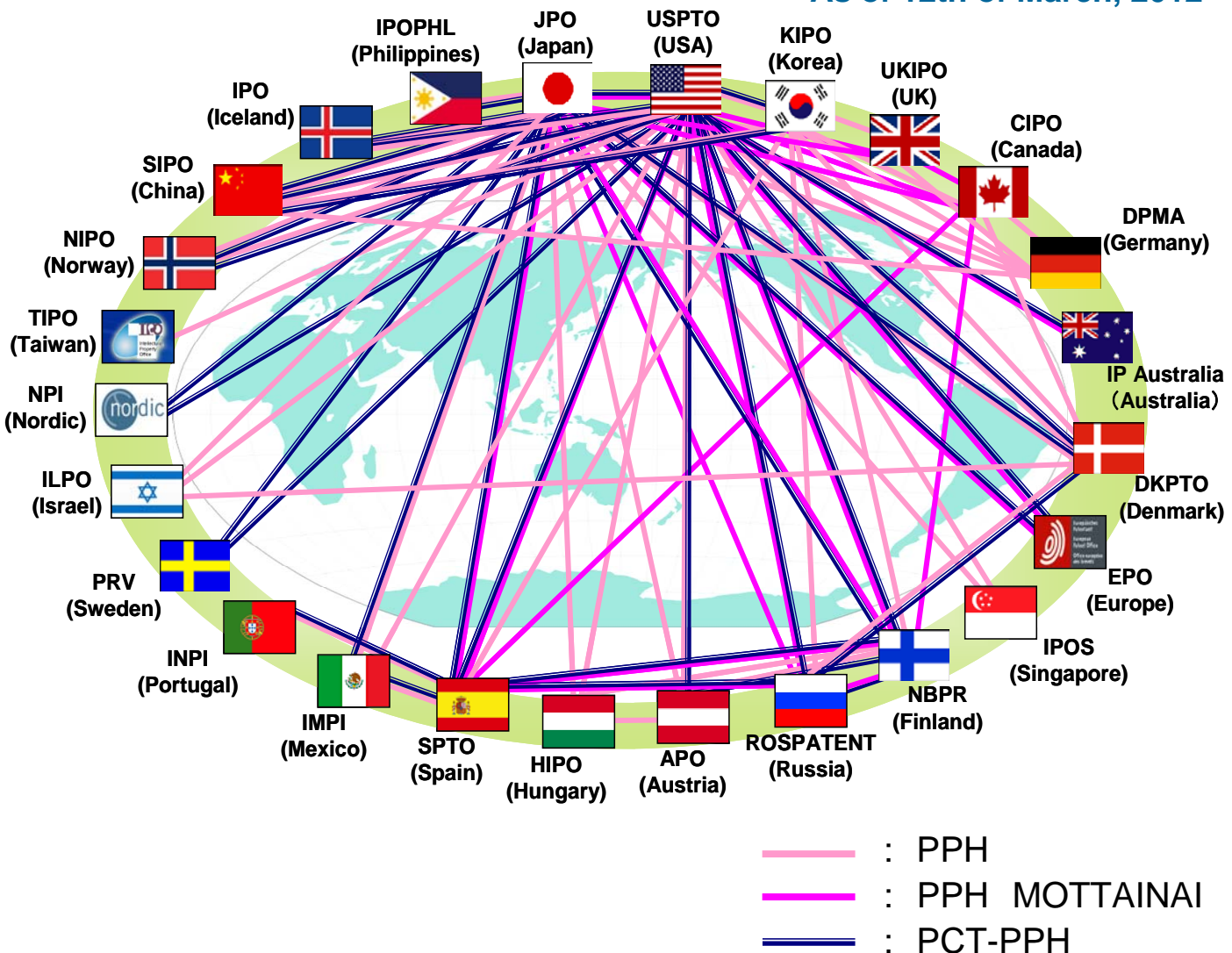
\* the number of different applicants filling PPH requests

## 6. Expansion of the PPH Network

Since the launch of the PPH pilot program between the JPO and the USPTO in July 2006, various patent offices have participated in the PPH, and the PPH network has been expanding worldwide.

As of March 2011, 25 offices have been participating in PPH programs, and 67 bilateral PPH programs exist.

As of 12th of March, 2012



# 7. PPH MOTTAINAI ~Easing of PPH requirements~

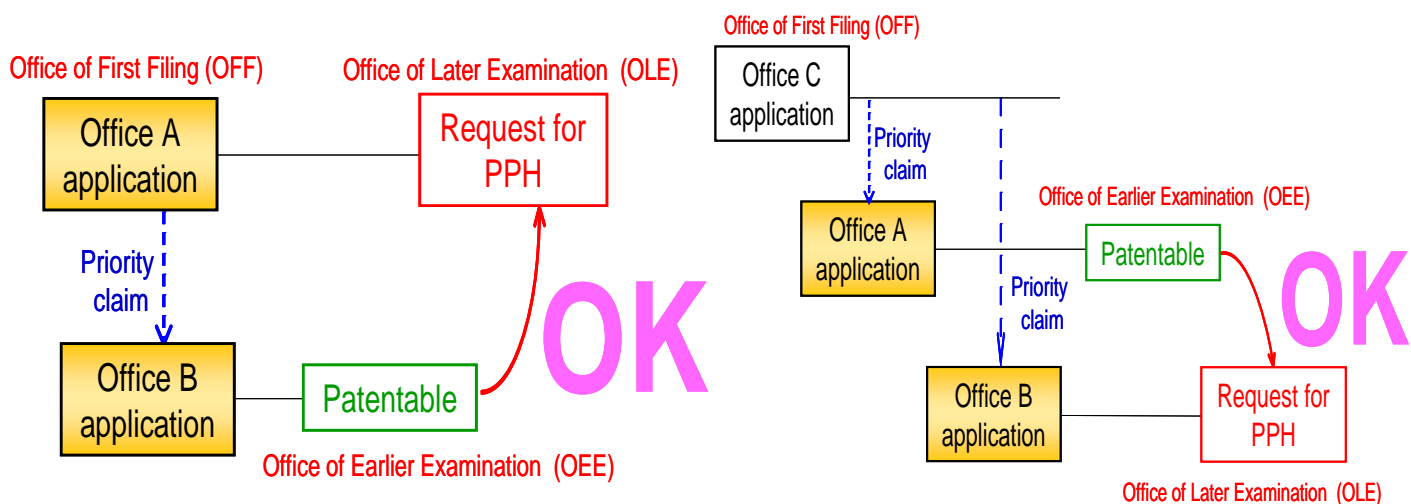
To make the PPH program more user-friendly and available for patent applicants, the PPH MOTTAINAI pilot program launched on 15<sup>th</sup> of July, 2011. 9 patent offices, i.e. Japan, U.S.A., U.K., Canada, Australia, Finland, Russia, Spain and EPO have adopted this pilot program so far.

Under this pilot program, PPH request is eligible, whether or not the office which provides the examination results is the Office of First Filing (OFF).

## The newly eligible examples under the PPH MOTTAINAI Pilot Program

### Case 1

### Case 2



※  ...the participating Office for this Pilot Program

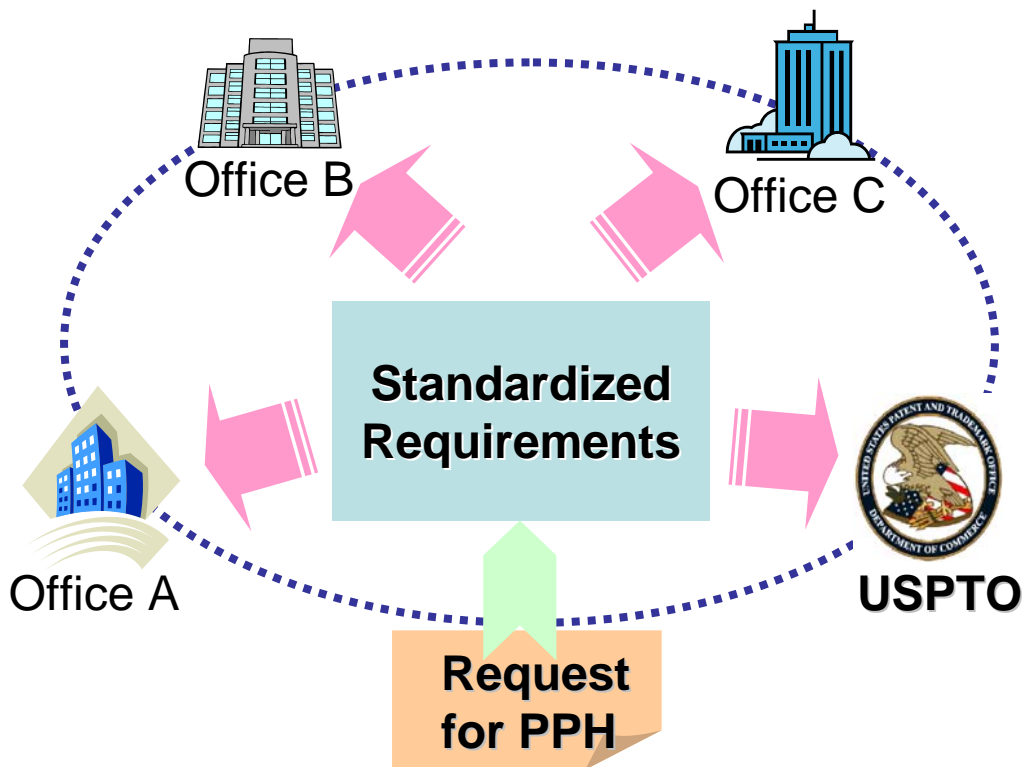
## 8. Toward the Plurilateral PPH Initiative

It is necessary to make the PPH, which is beneficial for applicants and offices as stated before, even more useful.

Therefore, we propose to develop, in cooperation with the major patent offices in the world, the Plurilateral PPH Initiative, which enables an applicant to file PPH requests at member offices under standardized requirements.

The applicants' procedural burden caused by the different requirements/procedures of each office will be eliminated, and the more efficient obtainment of patent rights worldwide will become possible.

Furthermore, for offices, workload reduction through the enhancement of work-sharing can be expected.



## 9. PPH Statistics

The cumulative number of PPH requests has been constantly increasing and it exceeded 13,000 applications as of the end of December, 2011. The number of PCT-PPH requests has also increasing and it was almost 4,000 applications as of the end of December, 2011.

### Cumulative number of PPH Requests (NOT including PCT-PPH) (As of the end of December, 2011)

		OLE																						Total
OEE		JP	US	KR	GB	CA	DE	AU	DK	EP	SG	FI	RU	AT	HU	ES	MX	PT	IL	TW	NO	CN	IS	Total
		JP	4703	1025	20 (0)	73	495	-	2	394	8	1 (0)	42	0	0	0	1	-	-	-	0	53	0	6817
		US	1438(12)	475	36 (1)	1922	40	146(7)	1	254	9	1 (0)	9	0	1	0	15	-	0	39	2	0	0	4388
		KR	160	851	4	5	1	-	0	-	-	0 (0)	0	-	-	1	-	-	-	-	-	-	-	1022
		GB	52(3)	205	19	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	277
		CA	2(2)	107	1	-	0	-	0	-	-	1 (0)	-	-	-	0	-	-	-	-	-	-	-	111
		DE	80	65	13	-	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	169
		AU	-	109	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	109
		DK	7	90	4	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	102
		EP	40	191	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	231
		SG	0	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
		FI	5 (0)	19	0	-	1	-	-	-	-	-	0	0	0	0	-	-	-	-	-	-	-	25
		RU	3 (0)	8	0	-	-	-	-	-	-	0 (0)	-	-	-	0	-	-	-	-	-	-	-	11
		AT	1	0	-	-	-	-	-	-	-	0 (0)	-	-	0	-	-	-	-	-	-	-	-	1
		HU	2	3	-	-	-	-	-	-	-	0 (0)	-	0	-	-	-	-	-	-	-	-	-	5
		ES	0 (0)	0	0	-	0	-	-	-	-	0 (0)	0	-	-	-	-	-	0	-	-	-	-	0
		MX	0	0	-	-	-	-	-	-	-	-	-	-	-	0	-	-	-	-	-	-	-	0
		PT	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-	-	-	-	-	-	-	0
		IL	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
		TW	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
		NO	0	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
		CN	1	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
		IS	0	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
		<b>Total</b>	1791	6354	1537	60	2013	536	146	3	648	17	3	52	0	1	1	16	0	0	39	2	53	0

### Cumulative number of PCT-PPH Requests (As of the end of December, 2011)

		Office of Filing																	Total	
ISAIPEA		JP	US	KR	CA	AU	DK	EP	FI	RU	AT	ES	MX	SE	XN	NO	CN	IS	Total	
		JP	765	537	-	-	-	0	188	0	1	-	0	0	0	-	-	7	0	1498
		US	10	137	8	-	5	0	11	0	1	0	0	0	-	-	0	0	172	
		KR	-	963	12	-	-	-	-	-	-	-	-	-	-	-	-	-	975	
		CA	-	3	-	20	-	-	-	-	-	-	-	-	-	-	-	-	23	
		AU	-	88	-	-	3	-	-	-	-	-	-	-	-	-	-	-	91	
		DK	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
		EP	338	814	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1152	
		FI	0	35	-	-	-	-	-	0	0	0	-	-	-	-	-	-	35	
		RU	-	7	-	-	-	-	-	-	-	0	-	-	-	-	-	-	7	
		AT	-	8	-	-	-	-	-	0	-	-	-	-	-	-	-	-	8	
		ES	0	4	-	-	-	-	-	0	0	-	-	-	-	-	-	-	4	
		MX	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
		SE	5	21	-	-	-	-	-	-	-	-	-	1	-	-	-	-	27	
		XN	0	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	
		NO	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
		CN	0	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	
	IS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0		
	<b>Total</b>	1118	2622	20	20	8	0	199	0	2	0	0	0	1	0	0	7	0	3997	

# 10. PPH Portal Website

The JPO administrates the PPH Portal Website, which provides the statistical data, the guidelines of different countries and the request forms of different countries.

Please access the PPH Portal Website for these information with updated.

<The PPH Portal Website>

URL: <http://www.jpo.go.jp/pph-portal/index.htm>

The screenshot shows the PPH Portal Website interface. At the top, there is a navigation menu with links for 'Top Booklet', 'About PPH Statistics', 'PPH MOTTAINAI Links', 'Guidelines', and 'Request Forms'. A central section displays a grid of arrows representing PPH availability between various countries. A 'Notification' table lists dates and events. A bar chart titled 'PPH - Grant Rate' shows the percentage of granted applications for different countries.

**Provision of the PPH guidelines and the request forms**

**Provision of the latest information regarding PPH**

**Provision of the PPH statistical data of different countries**

Country	PPH applications (%)	All applications including PPH and non-PPH (%)
JP	76.6%	58.9%
US	87%	49%
KR	90.3%	66.3%
GB	97.6%	64%
CA	91%	No data
DE	No data	No data
AU	100%	No data
EP	No data	No data
RU	96%	80.2%

\* The offices which meet the following requirements are indicated.  
 1, The offices which have been in the PPH network more than 1 year ago.  
 2, The offices which have received more than 50 PPH requests.