

Appendix B

OEE	The claims determined to be patentable/allowable
IP Australia	A published Accepted or Granted Standard Patent and/or in an office action. An IP Australia office action includes an "Examination Report", "Notice of Acceptance" and a "Notice of Grant/Sealing"
APO	Granted Patent Publication and/or an Office Action entitled: (i)"Erteilungsbeschluss" (Decision to grant a patent) (ii)"(Letzter) Vorbescheid" (Office Action relating to Intention to Grant)
CIPO	(i) claims which are determined to be patentable by the "Notice of Allowance", or (ii) claims clearly identified to be patentable in the latest office action ("Examiner's Report" or "Final Action Report").
DKPTO	Claims clearly identified to be patentable in the latest office action at the examination stage are able to be a base of a request for an accelerated examination under the PPH pilot program, even if the application which includes those claims is not granted for patent yet. The following case will fall within this interpretation: When a DKPTO examiner sends a notification specifying the DKPTO's intention to grant. The headings for such notifications may be either: (i)"Godkendelse" ("Grant" in English version letter) (ii)"Berigtigelse af bilag" ("Intention to Grant" in English version letter) (iii)"Resultatet af din n. tekniske behandling af din patentansøgning" ("nth technical examination of your patent application" in English version letter).
DPMA	(i) Search report ("Recherchenbericht" - Sec. 43 Patent Act in its version valid from 1 April 2014) in case all of the claims within the patent application are identified as patentable; (ii) Office action ("Prüfungsbescheid") where at least one of the claims is explicitly identified as patentable; (iii) Decision to grant a patent ("Erteilungsbeschluss"); (iv) Patent specification ("Patentschrift").
EPA	Claims are "determined to be patentable/allowable" in the latest office action at the examination stage when EPA notifies of the Decision on the Grant of the Patent (in Estonian "Patendi väljaandmise otsus" EPA VORM12-19) even if the Patent Specification (in Estonian "Patendikirjeldus" - document B1) is not published yet. The office action may be also: (i) Decision to Grant (in Estonian "Patendi väljaandmise otsus" – EPA VORM12-19); (ii) Search Report with Written Opinion. (in Estonian "Eelotsingu aruanne" – EPA VORM12-107 and "Kommentaariid" – EPA VORM12-108).
PRH	Claims are "determined to be allowable/patentable" when the DKPTO clearly identifies the claims to be allowable/patentable in the latest office action, even if the application is not granted for patent yet. The following case will fall within this interpretation: When an NBPR examiner sends a notification specifying the NBPR's intention to grant or the patentable/allowable claims are clearly identified in the office action. The headings for such notifications may be either:

	(i) "Communication of Acceptance" (in Finnish "Hyväksyvä välipäätös") (ii) "Office Action" (in Finnish "Välipäätös")
HIPO	Written Opinion (Írásos vélemény, Letter Code '77') where the claims are explicitly identified as patentable or allowable, Letter relating to Intention to Grant (Letter Code 'SM').
IPO	Granted Patent Publication and/or an Office Action entitled: "Tilkynning um veitingu einkaleyfis" (e. Notification of Grant) or "Fyrirhuguð útgáfa einkaleyfis" (e. Intention to Grant).
ILPO	Claims are "determined to be allowable/patentable" when the ILPO clearly identifies the claims to be allowable/patentable in the latest office action, even if the application is not granted for patent yet. The office action may be: הודעה על הודעה לבקשה ליקויים - Notice of examiner's objections for a patent application (i) פטנט בקשת קיבול לפני הודעה לפני מהותיים לא ליקויים - Formality examiner's objections before allowance a patent application (ii) פטנט בקשת קיבול לפני הודעה - Notice before allowance a patent application (iii) 45 לתקנה בהתאם 'מס פטנט בקשת סירוב - Notice of refusal of patent application according to rule 45 (iv)
KIPO	The following cases will fall within this interpretation: - A KIPO examiner clearly identifies those claims to be patentable/allowable in either "Notice of Submission of Opinion" or "Notice of Final Rejection" by adding the following expression of "PATENTABLE (REGISTRABLE) CLAIM(S):"
NIPO	Claims are "determined to be allowable/patentable" when the NIPO examiner clearly identifies the claims to be allowable/patentable in the latest office action, even if the application is not granted for patent yet. The office action may be either: (i) Decision to Grant a Patent (ii) Notification on patentability (iii) Decision of Refusal (iv) Appeal Decision
PPO	Granted Patent Publication or Search Report and/or Witten Opinion or Decision to grant a Patent or Decision to refuse a Patent in part
INPI	Claims are "determined to be allowable/patentable" when the INPI examiner clearly identifies the claims to be allowable/patentable in the latest office action, even if the application is not granted for patent yet. The office action may be either: (i) Search Report with Written Opinion (Relatório de Pesquisa com Opinião Escrita) (ii) Examination Report (Relatório de Exame) (iii) Decision of granting a Patent (Ofício de decisão de Concessão) (iv) Decision of partially granting a Patent (Ofício de decisão de Concessão Parcial)
ROSPATENT	Corresponding claims are considered to be allowable at Rospatent as indicated in the following documents: Granted Patent Publication and/or Office action: "Letter of inquiry" (Запрос экспертизы), "Conclusion upon the examination" (Уведомление о результатах проверки патентоспособности) and a "Decision to Grant a Patent" (Решение о выдаче патента).

	It is noted that PPH request will not be approved in case where the examination was conducted in the Eurasian Patent Office and the patent right was validated in Russia as a designated state.
IPOS	- Written Opinion - Search and Examination Report - Examination Report
SPTO	<p>Claims clearly identified to be patentable/allowable in the written opinion (Opinión escrita) of the report on the state of the art (Informe sobre el estado de la técnica) or in the latest office action at preliminary examination stage (Procedimiento de concesión con examen previo) [either Notification (Traslado del Resultado del Examen Previo y/o de las Oposiciones Presentadas por Terceros relativas a la Solicitud de Patente N° XXXXXXXXXX), Objection (Resolución Motivada relativa a la Solicitud de Patente N° XXXXXXXXXX) or Granting (Concesión con examen previo de la Solicitud de Patente XXXXXXXXXX)] are able to be a base of a request for an accelerated examination under the PPH pilot program, even if the application, which includes those claims is not granted for patent yet*. Note that the applicant cannot file a request on the basis of the report on the state of the art without written opinion, or granting at general procedure (Procedimiento general de concesión)</p> <p>* After the Refusal (Denegación de la Solicitud de Patente XXXXXXXXXX) is issued from the SPTO, the request for the accelerated examination to the JPO under PPH pilot program cannot be approved.</p>
PRV	<p>Claims are “determined to be patentable/allowable” when the PRV examiner clearly identifies the claims to be patentable/allowable in the latest office action, even if the application is not granted for patent yet.</p> <p>The office action may be either:</p> <p>(i) Technical notice (Tekniskt föreläggande)*</p> <p>(ii) Final notice (Slutföreläggande)</p> <p>(iii) Notification under §19 PATENTS ACT (Underrättelse under 19§PL)</p> <p>*The preamble of a “Technical notice” includes a summary of the invention, which indicates if the claim(s) is(are) regarded as fulfilling the criterions: novelty, inventive step and industrial applicability. If a claim is marked with “yes” for all criterion the claim is regarded as allowable.</p>
UKIPO	Notification of Grant letter
USPTO	<p>A USPTO Office action includes a “Non-Final Rejection”, “Final Rejection”, “Ex parte Quayle”, and a “Notice of Allowability”.</p> <p>The allowable/patentable claims are</p> <p>(i) The claims shown in the item of “The allowed claim(s) is/are ___” in “Notice of Allowability” of “Notice of Allowance and Fees Due”;</p> <p>(ii) The claims shown in the item of “Claim(s) ___ is/are allowed” in “Office Action Summary” of “Non-Final Rejection” or “Final Rejection”;</p> <p>(iii) The claims* shown in the item of “Claim(s) ___ is/are objected to” in “Office Action Summary” of “Non-Final Rejection” or “Final Rejection” and the USPTO examiner indicates that the claims are objected to as being dependent upon a rejected base claim, but would be allowable/patentable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.</p>

	<p>*When a claim is rejected and the USPTO examiner indicates in the Office action that certain features of the allowable/patentable invention have not been claimed and if properly claimed such claim may be given favorable consideration, the suggested and hypothetical claims are not regarded as allowable/patentable in this program.</p>
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