

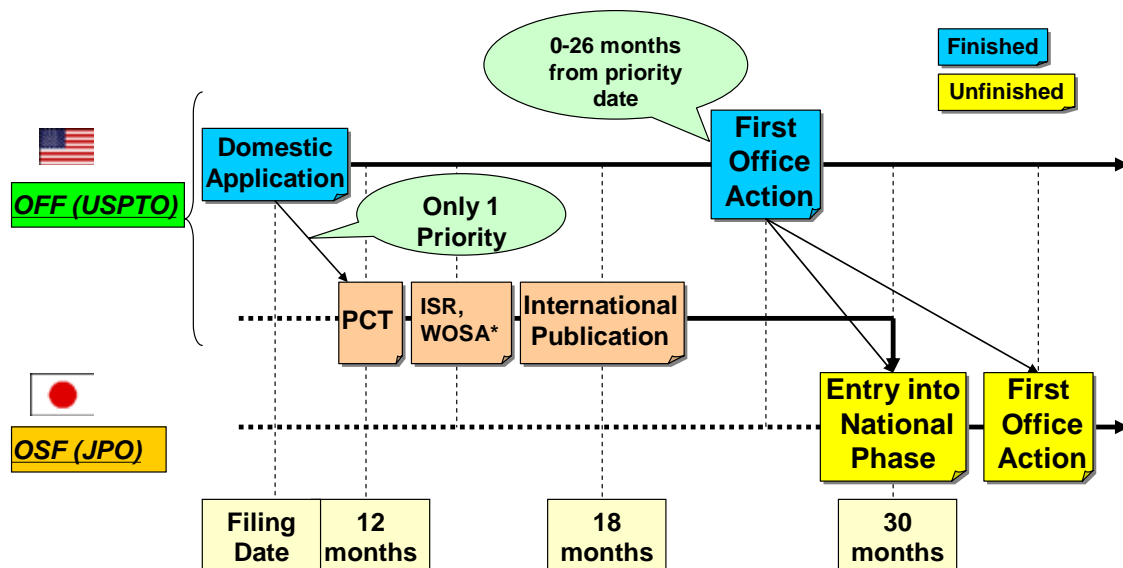
USPTO as Office of First Filing and JPO as Office of Second Filing

1. Application Requirements for the Pilot

A PCT application (for which the USPTO is OFF and the JPO is OSF), which satisfies all of the following requirements (1 to 4) on the date that a request for participation in the pilot is filed with the USPTO and which is also selected by the USPTO for participation in the pilot after the request has been filed, is qualified to participate in the pilot.

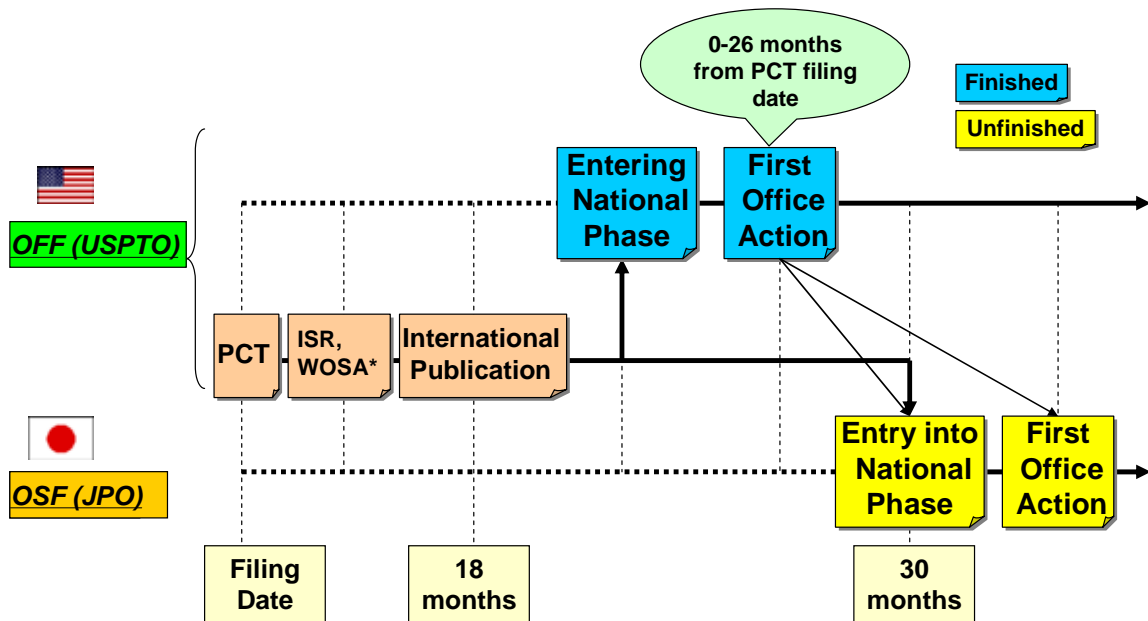
- (1) The PCT application (with a priority claim from a domestic application) is filed with the USPTO (See Case 1) or the PCT application has been filed directly (without a priority claim) with the USPTO (See Case 2).
- (2) The PCT application has not entered the national phase of the JPO.
- (3) First Action by the USPTO for the PCT application is completed within 26 months from the filing date of the domestic application (from which the PCT application claims priority) (See Case 1) or from the filing date of the PCT application (filed directly with the USPTO) (See Case 2).
- (4) The PCT application does not have multiple priority (i.e., a maximum of one priority claim is permitted).

Case 1: USPTO as OFF and JPO as OSF



* WOSA stands for Written Opinion by ISA.

Case 2: USPTO as OFF and JPO as OSF



* WOSA stands for Written Opinion by ISA.

2. Filing a Request for Participation in the Pilot

To participate in the pilot with a PCT application, which satisfies all of the requirements for participation in the pilot (1 to 4), an applicant must first file a request for the pilot with the USPTO and thereafter receive notification of selection. Please refer to the following URL for more details: http://www.uspto.gov/web/patents/pph/newroute_jpo.html

It is possible for a PCT application to enter the national phase of Japan, regardless of receipt of notification of selection by the USPTO for participation in the pilot. Therefore, whether or not an application is eligible for the pilot, the applicant should take the necessary procedures with the JPO within the permitted time limit (30 months from which the PCT application claims priority) for PCT applications to enter national phase of Japan.

To file a request for the pilot with the JPO with the application selected by the USPTO, an applicant must submit a written statement.

The written statement should include the following (1) and (2):

- (1) Request for participation in the Analogous New Route Pilot Project with notification of selection by the USPTO, and
- (2) Copies of the First Office Action (FOA) by the USPTO and the claim(s) at

the time of the FOA. If the documents are available from PAIR,¹ there is no need to attach them. Translations of the documents are not necessary.

The applications for the pilot will be examined in an expeditious way in the JPO in order to obtain the result of the pilot in a limited time period. Please note that a request for examination must be submitted for the application to be examined at the JPO.

The examination at the JPO can be performed even faster when the documents required for the domestic document (including translations of the PCT application, request for examination, and aforementioned written statement) are submitted online to the JPO on the date that the application enters the national phase of Japan. Please use the PCT application number when proceeding with the domestic procedure.

Thank you for your understanding and cooperation.

3. End of the Pilot

The Pilot Project will be finished when one of the following occurs: (1) 50 applications have been accepted by each office or (2) one year has passed since the start of the project.

¹ <http://portal.uspto.gov/external/portal/pair>

Sample Written Statement

This sample written statement is written in English to help the applicants' understanding and the JPO accepts written statements in Japanese only not English.

Copies of First Office Action by the USPTO and the claim(s) at the time of FOA are available from PAIR

[Contents of the written statement]

We would like to participate in the Analogous New Route Pilot Project after the receipt of notification of selection by the USPTO.

Copies of First Office Action by the USPTO and the claim(s) at the time of FOA are NOT available from PAIR

[Contents of the written statement]

We would like to participate in the Analogous New Route Pilot Project after the receipt of notification of selection by the USPTO.

[List of submitted documents]

[Name of document]

Copy of First Office Action by the USPTO for the corresponding U.S. application (Date) 1

[Name of document]

Copy of Claims at the time of First Office Action by the USPTO 1

[Submitted documents]

[Name of document]

Copy of First Office Action by the USPTO for the corresponding U.S. application (Date)

[Contents]

Please attach copy here.

[Name of document]

Copy of Claims at the time of First Office Action by the USPTO.

[Contents]

Please attach copy here.