

Quality Management System for Patent Examination at the JPO

Quality Management Office, Japan Patent Office



- 1 Quality Management System (QMS)
- 2 Quality Verification and Assurance
- 3 External Evaluation and Global Cooperation

1. Quality Management System (QMS)

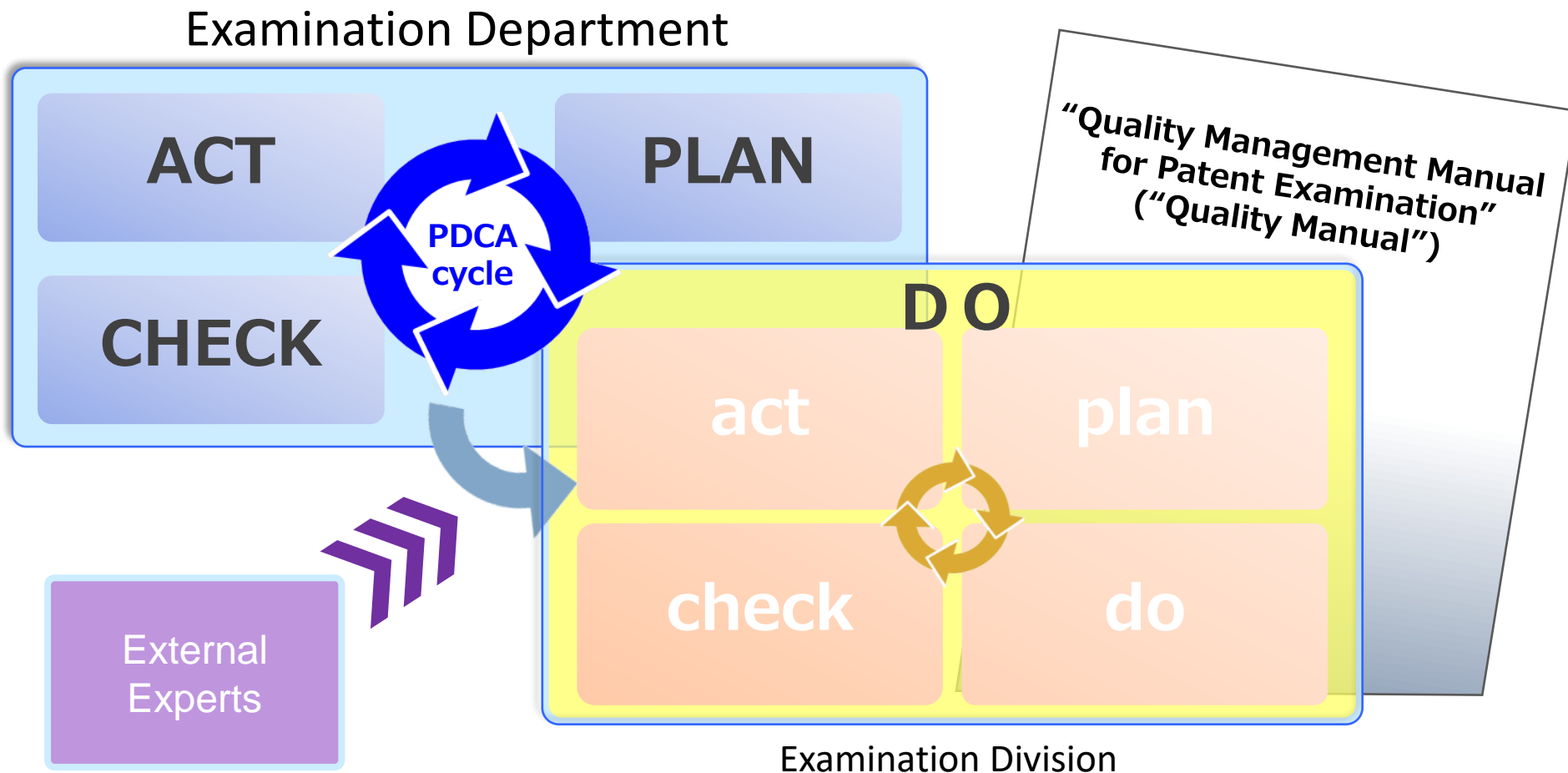
1. i. Quality Policy on Patent Examination

- *We grant robust, broad and valuable patents.*
- *We meet wide-ranging needs and expectations.*
- *We all dedicate ourselves to improving quality, cooperating with concerned persons and parties.*
- *We contribute to improving the quality of patent examination globally.*
- *We continually improve operations.*
- *We raise the knowledge and capabilities of our staff.*



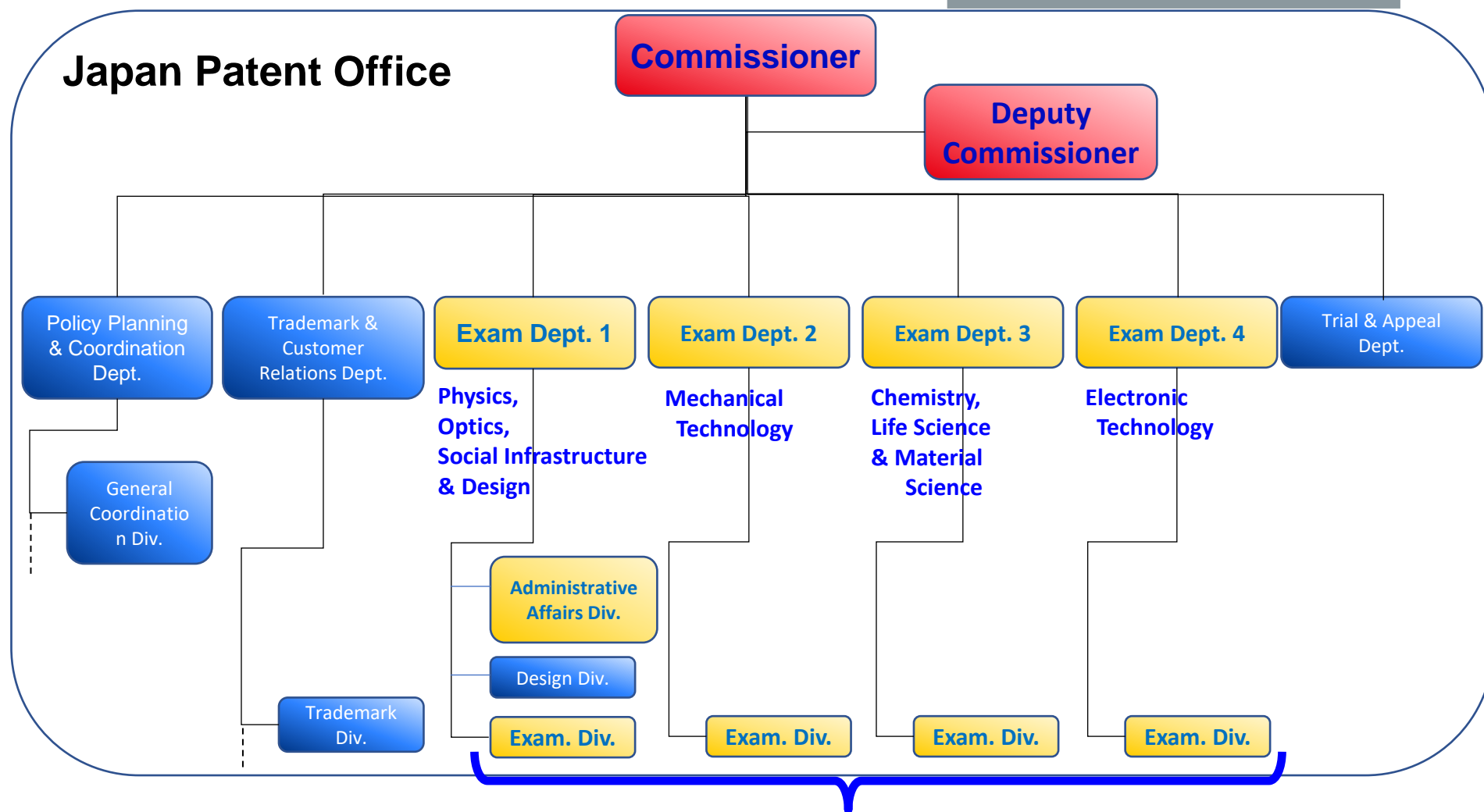
<https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/document/policies/pamphlet.pdf>

1.ii. Quality Manual / PDCA Cycle in QMS



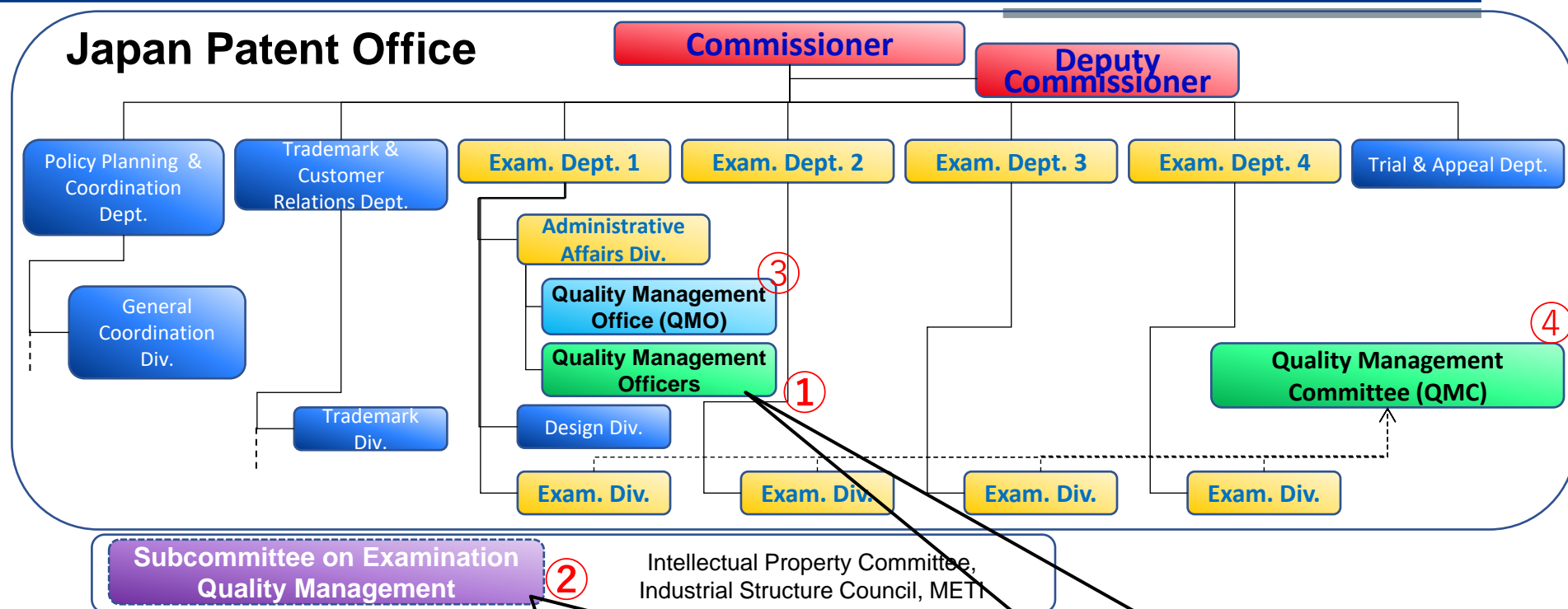
https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/tokkyo/document/tokkyo_manual/manual.pdf

1.iii. Organizational Chart of JPO



- 38 Examination Divisions
- Around 130 Directors

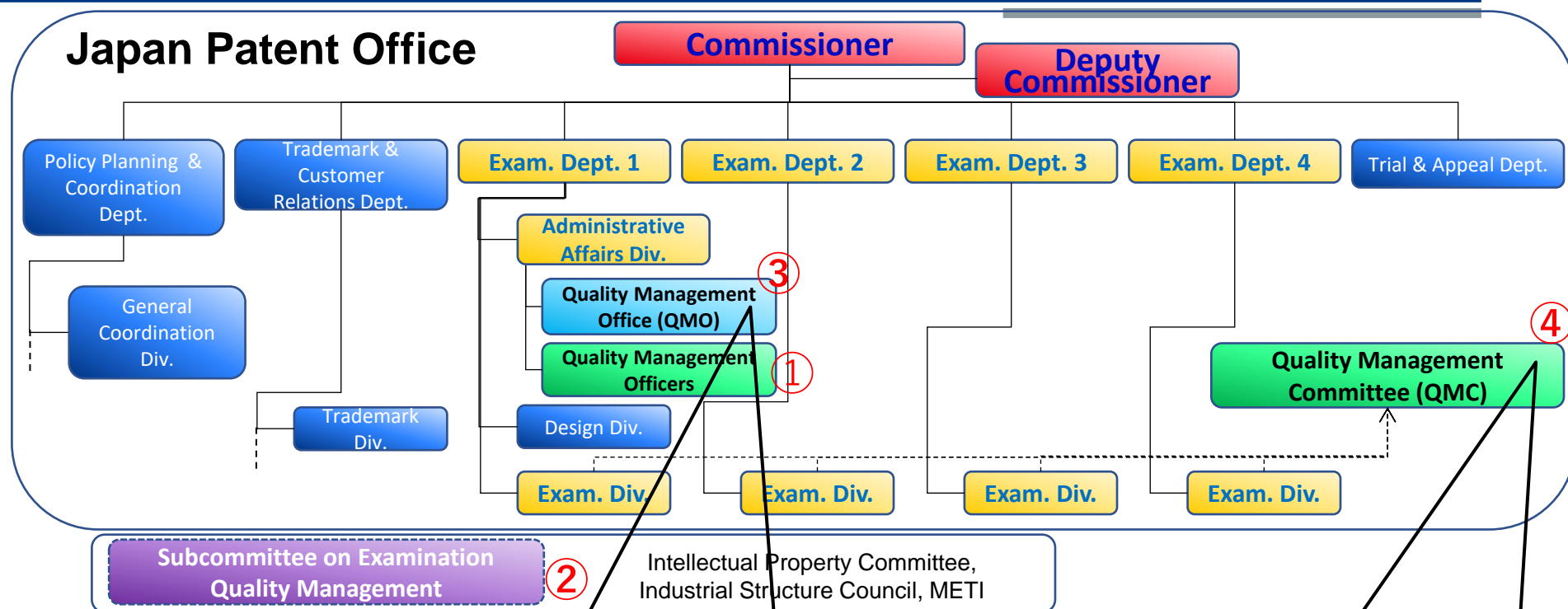
1.iv. Organization of Quality Management (1)



The JPO receives evaluations on the status of its quality management system from the Subcommittee's 8 external experts.

Around 100 Quality Management Officers for quality audit

1.iv. Organization of Quality Management (2)



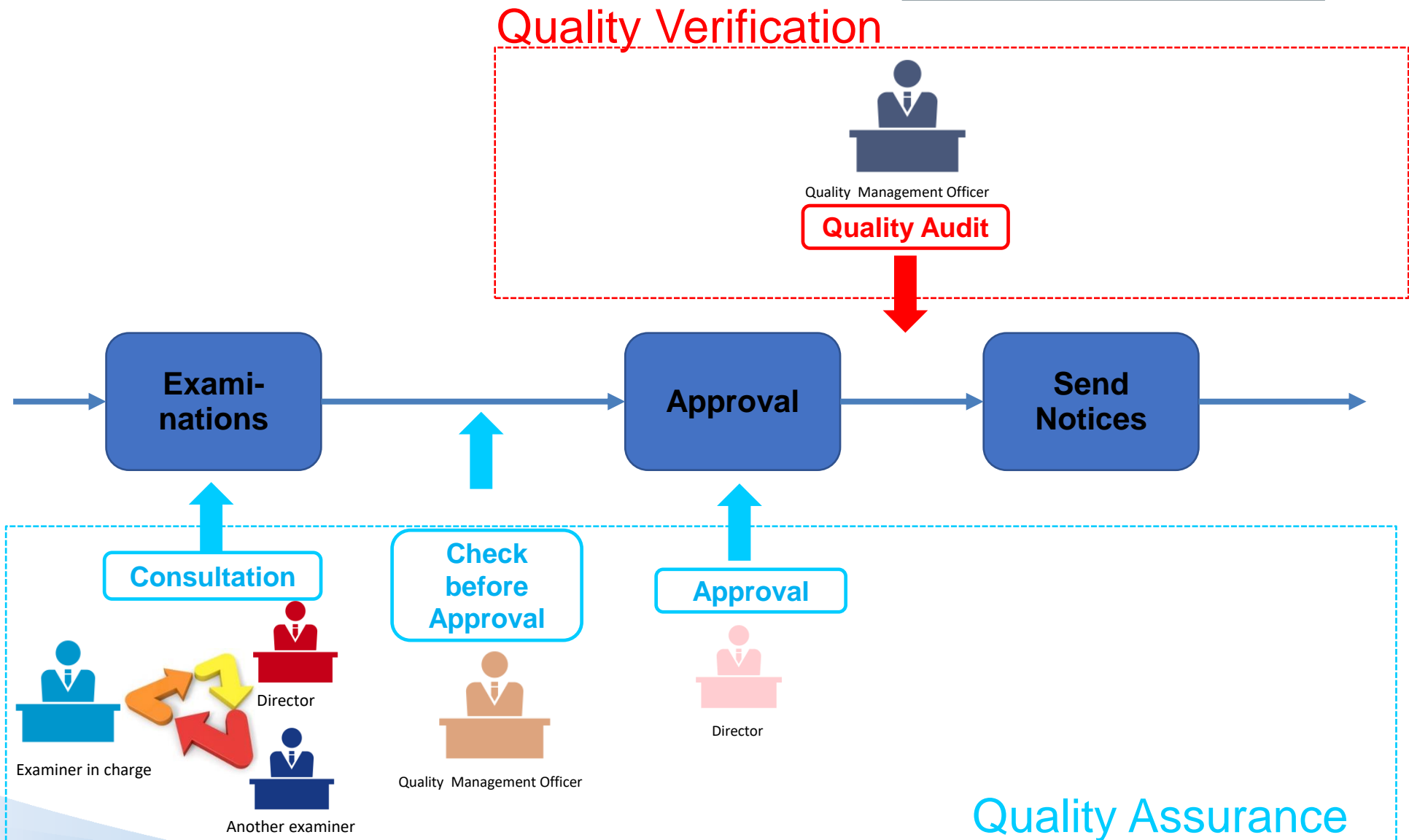
5 Examiners & 40 Researchers

- supporting initiatives
- obtaining facts on examination processes
- planning necessary initiatives

1 Chairperson & 12 Members

- analyzing & evaluating data
- reporting the results
- feedback to examiners

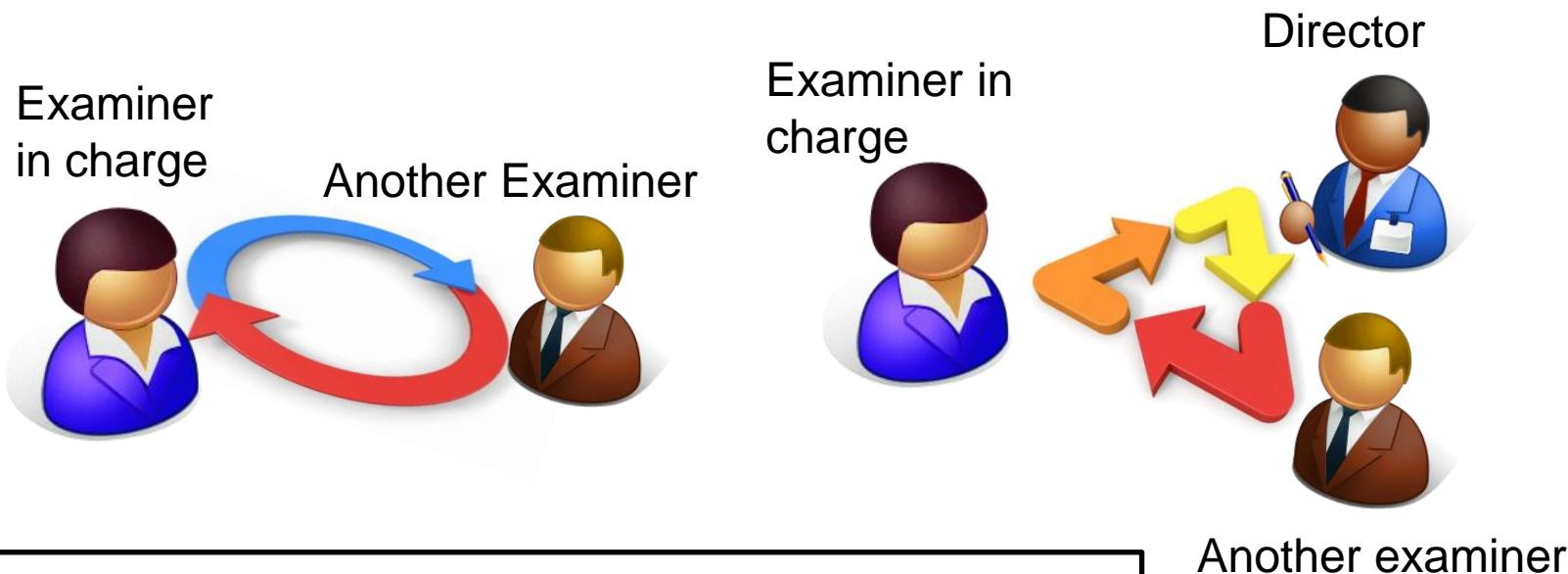
1.v. Workflow of Patent Examinations and Quality Management System



2. Quality Verification and Assurance

2. i. Consultation

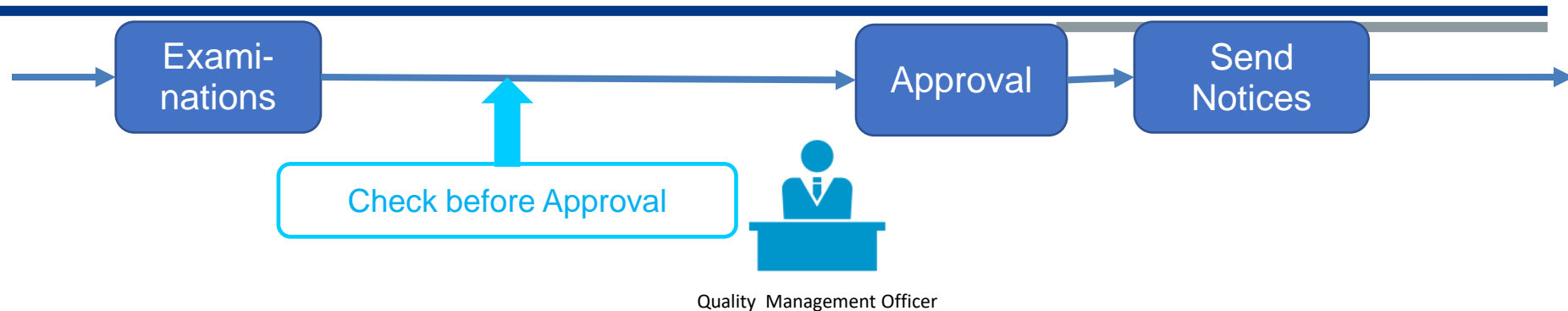
Around 24,000 cases



- Opinion/Knowledge Sharing
- Sharing Expertise in Search
- Reducing Discrepancies in Judgments

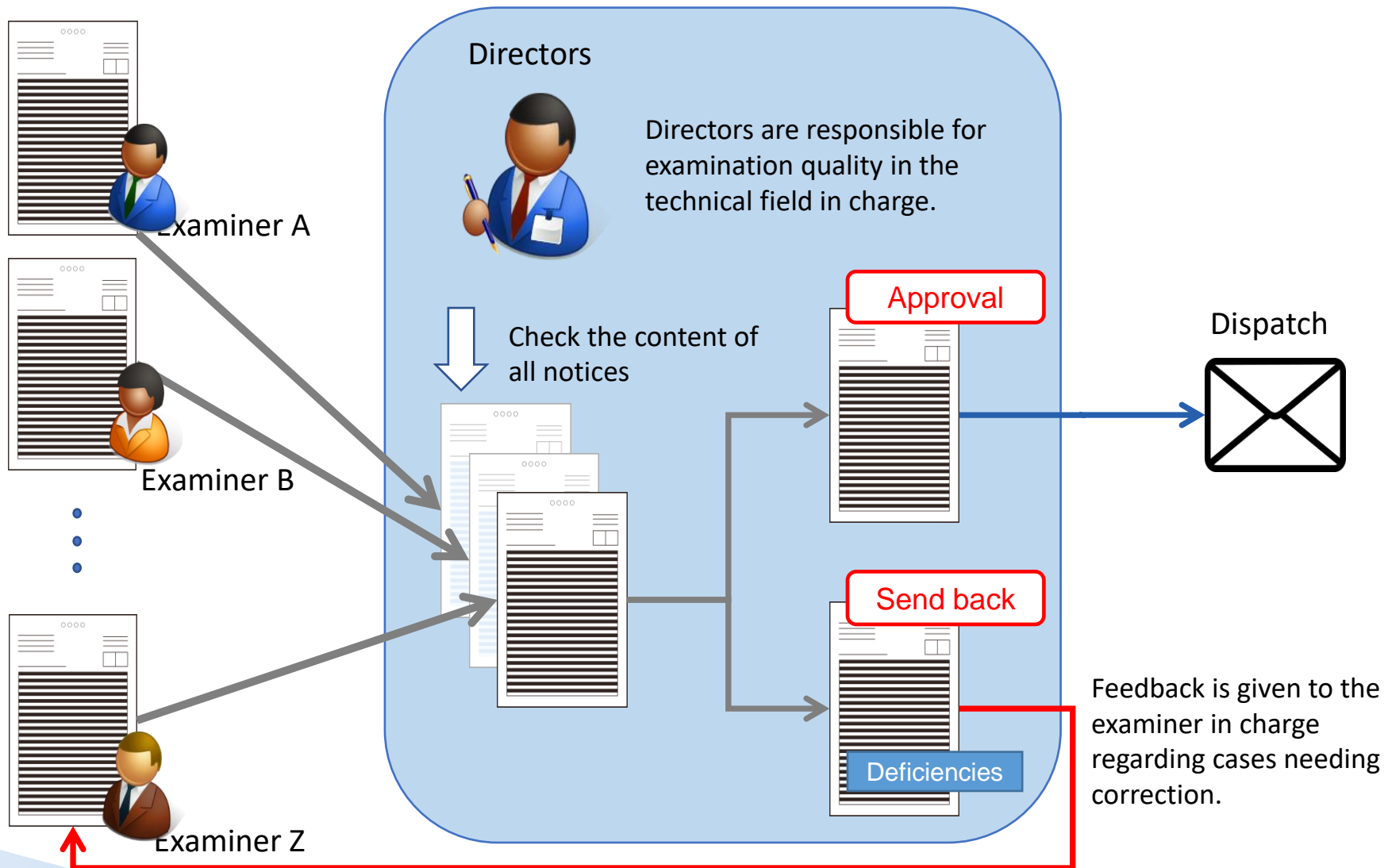
※ Consultations are conducted not only with an examiner / examiners from the same Examination Division, but also with a Director or an examiner / examiners from a different Examination Division.

2. ii. Check before Approval

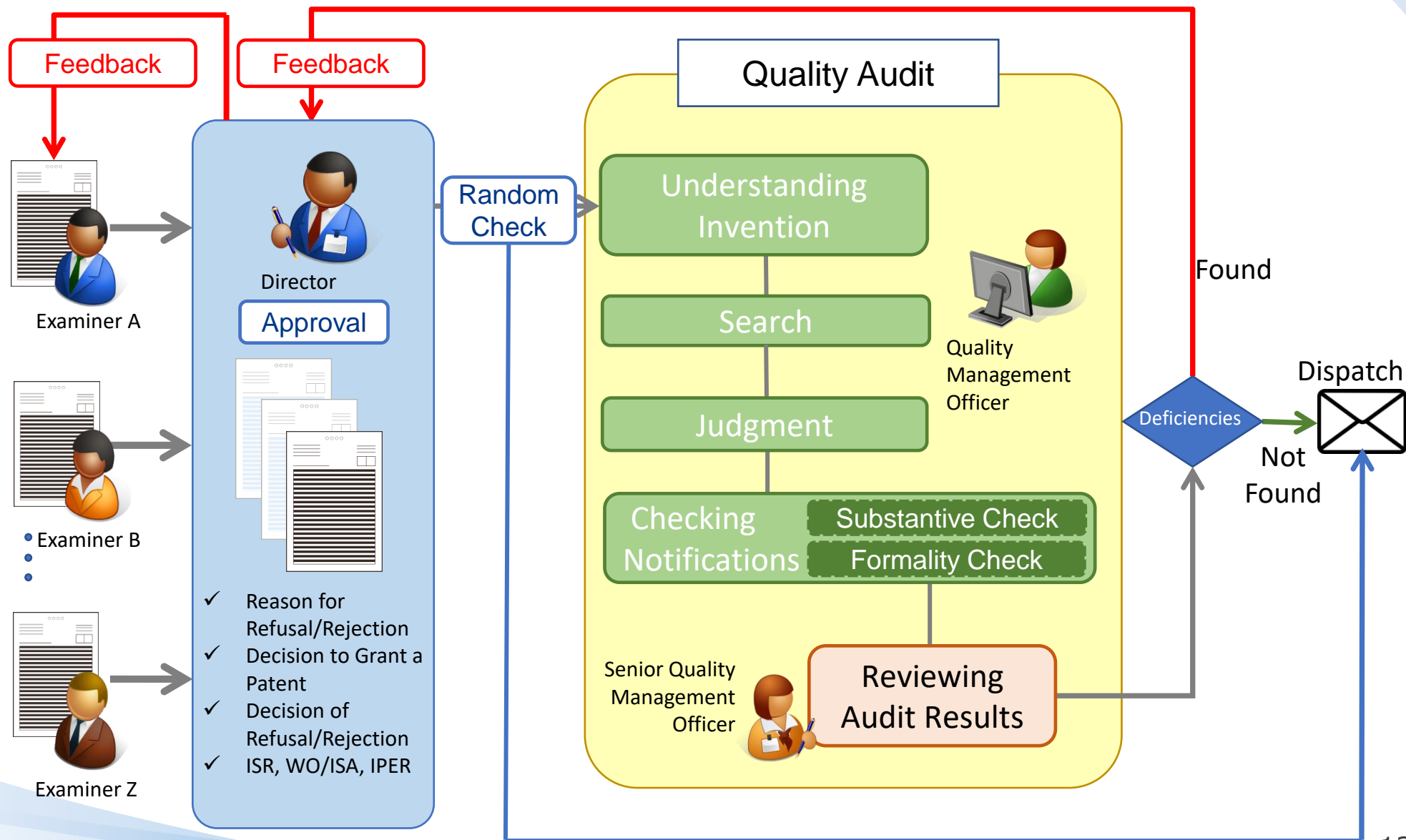


- Persons responsible for checking: **Quality Management Officers** (Total around 100)
- Number of notices and decisions checked: **2,400** (per year)
- Points to be checked:
 - (a) **validity of searches** conducted by examiners;
 - (b) **validity of judgments** made by examiners;
 - (c) **whether drafting notices** prepared by examiners **are clearly stated** for applicants to easily understand the drafting notices
- Re-searches: Done for some cases
- Ways for checking: Notices and decisions are **selected by Directors in each of the Examination Divisions**

2. iii. Approval



2. iv. Quality Audit

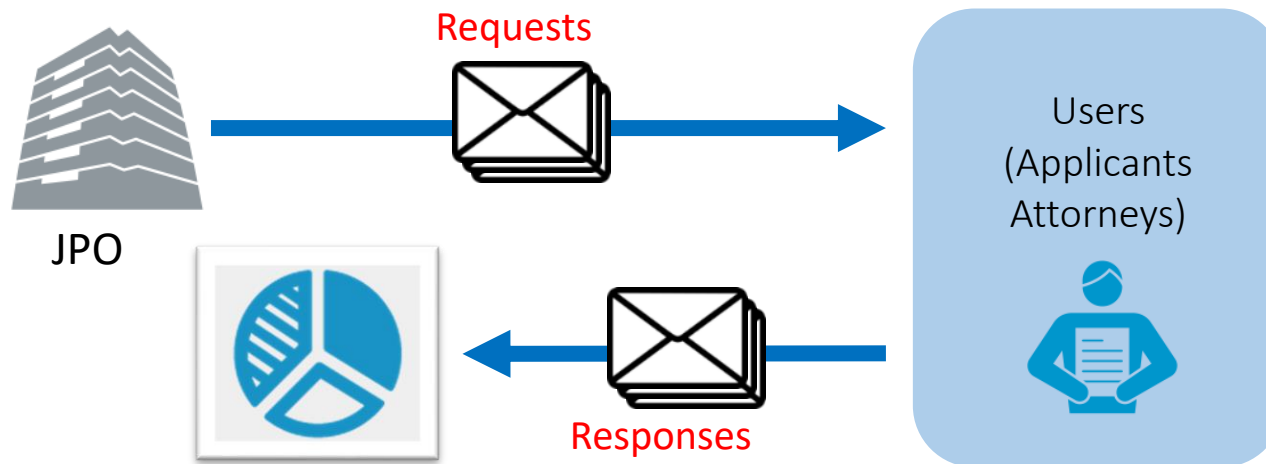


3. External Evaluation and Global Cooperation

3. i. User Satisfaction Survey (1)

Number of applicants and applications covered by the user satisfaction survey

National Applications	About 650 (Applicants)
PCT Applications	About 380(Applicants)



**High response rates of
over 80%!!**

<https://www.jpo.go.jp/e/resources/report/user/index.html>

3. i. User Satisfaction Survey (2)

Examples of Question

- Are you satisfied with the overall quality of patent examination at the JPO during the last fiscal year?
- Please evaluate the quality of JPO's patent examination regarding the following aspects below:
 - Thorough and easy-to-understand description in notifications of reasons for refusal
 - Consistency of judgements among examiners
 - Domestic patent literature searches
 - Level of examiners' expertise in technical details
 - Communication with examiners such as face-to-face interviews and telephone conversations
 - Scope of patent that was granted after examination

Feedback to Examination
Divisions

[Patent (Sheet 1)] Overall Quality of Patent Examination on National Applications (1/2)

Please answer questions [1] to [4], according to your experience in the patent examination process (excluding appeal examination) in FY2021.

[1] How would you rate the overall quality of patent examination at the JPO in FY2021? [Required]

☐ Satisfied ☐ Somewhat Satisfied ☐ Neutral ☐ Somewhat Unsatisfied ☐ Unsatisfied

[2] How would you rate the following items in patent examination at the JPO in FY2021? [All items are required]

Please select Not Sure/No Experience in items 8, 8-1, and 8-2 if you did not communicate with examiners directly.

Item 9 means whether the scope of granted patent is sufficient or not, in view of the contents of the application and prior art.

	Satisfied	Somewhat Satisfied	Neutral	Somewhat Unsatisfied	Unsatisfied	Not Sure/No Experience
1. Thorough and easy-to-understand description in notifications of reasons for refusal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Thorough and easy-to-understand description in decision of refusal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3-1. Application of the main paragraph of Article 29 (1) (patent eligibility and industrial applicability)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3-2. Application of Article 29 (1) (novelty)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3-3. Application of Article 29 (2) (inventive step)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3-4. Application of Article 36 (4) (i) and Article 36 (6) (requirements for description and claims)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Consistency of judgements among examiners	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4-1. Consistency of judgements among examiners on Article 29 (2) (inventive step)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4-2. Consistency of judgements among examiners on Article 36 (4) (i) and Article 36 (6) (requirements for description and claims)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5-1. Prior art searches (Domestic patent literature searches)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5-2. Prior art searches (Foreign patent literature searches)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5-3. Prior art searches (Non-patent literature searches)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Level of examiners' expertise in technical details	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Responses to written opinions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Communication with examiners in face-to-face interviews and telephone conversations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8-1. Communication with examiners in face-to-face interviews	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8-2. Communication with examiners in telephone conversations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Scope of patents granted after examination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

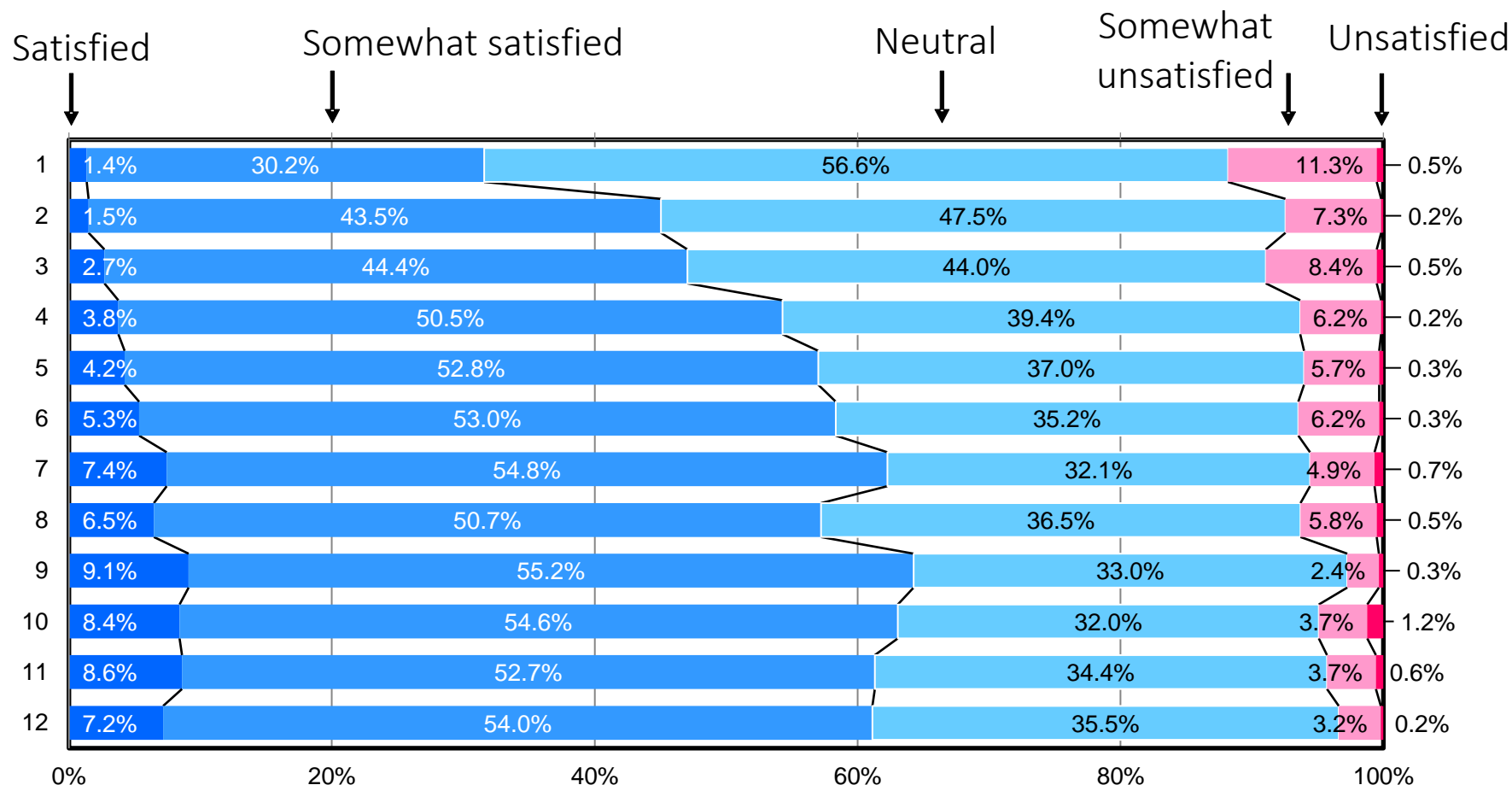
5-grade Evaluation

5: Satisfied,
4: Somewhat Satisfied
3: Neutral
2: Somewhat Unsatisfied
1: Unsatisfied

Please feel free to comment on "8. Communication with examiners in face-to-face interviews and telephone conversations" (e.g. specific reasons for satisfaction/unsatisfaction).

Please feel free to comment on items in [2] (e.g. specific reasons for satisfaction/unsatisfaction).

3. i. User Satisfaction Survey (3)



**Figure 1: Satisfaction level with overall quality of patent examination on national applications
(overall satisfaction level)**

3. i. User Satisfaction Survey (4)

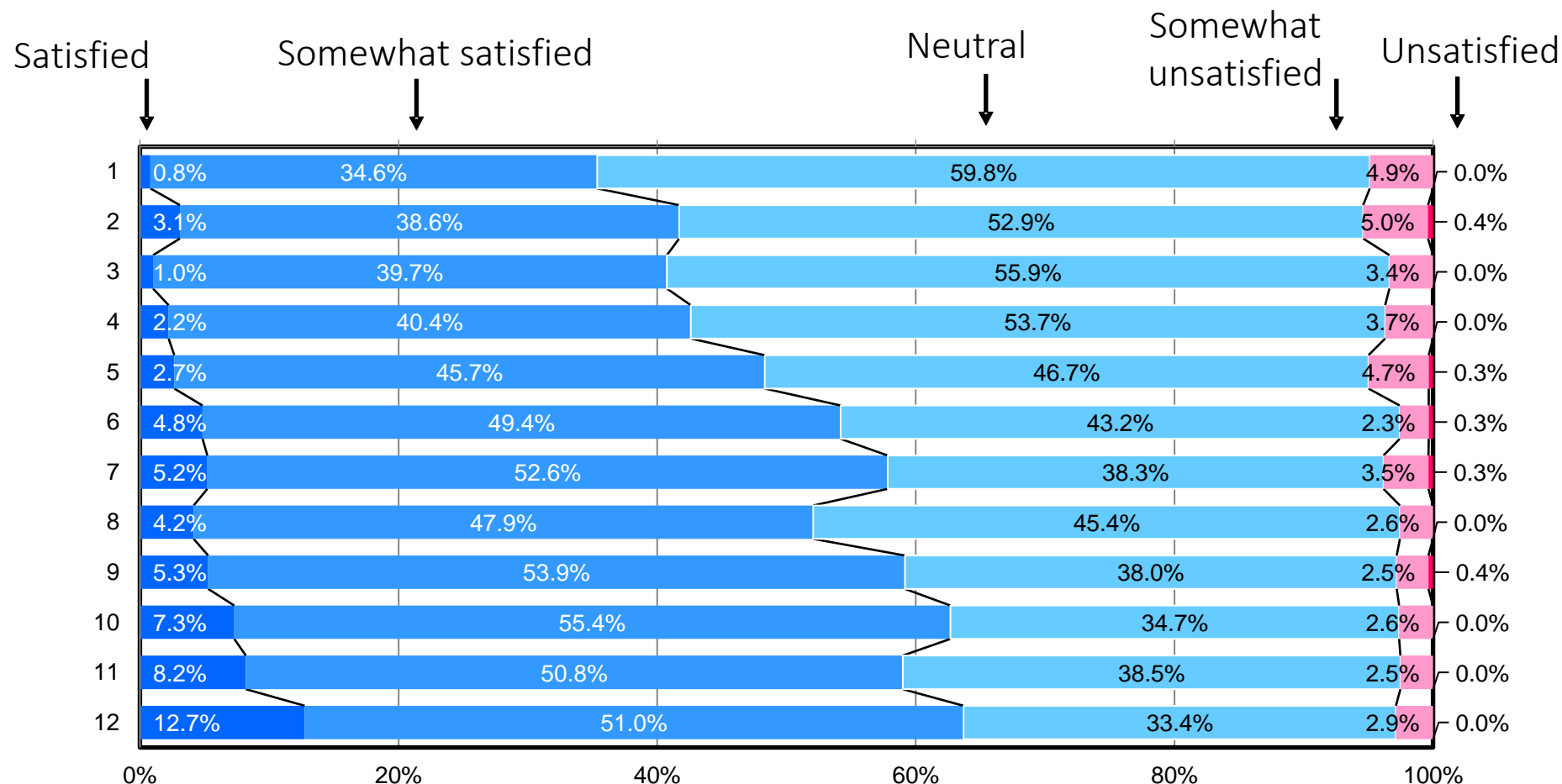


Figure 3: Satisfaction level with overall quality of the international search and international preliminary examination on PCT applications (overall satisfaction level)

3. ii. External Evaluation on Quality Management

◆ Subcommittee on Examination Quality Management

- Meetings has been held every year since 2014.
- The committee members include a wide range of specialists including businesspersons, legal experts, and others with relevant knowledge and experience.
- Committee meetings are open to the public. Anyone who wants to listen to the meeting discussions should file a request in advance.
- A report is issued every year (in Japanese and English).

<https://www.jpo.go.jp/e/introduction/hinshitu/shinsa/index.html>



3. ii. External Evaluation on Quality Management

1	Status of creation of the Quality Policy, Quality Manual, and other documents
2	Clarity of procedures for examinations and quality management
3	Publication of the fundamental principles of quality management etc. to users of IP systems and dissemination of such information to the staff
4	Examination implementation system
5	Quality management system
6	Initiatives for quality improvement
7	Initiatives for quality verification
8	Examination quality analysis and identification of issues
9	Status of improvement of policies, procedures, and structures to achieve high-quality examinations (evaluation items from (1) to (5))
10	Status of improvement of quality management initiatives (evaluation items from (6) to (8))
11	Communication of information on initiatives for examination quality improvement

Very Satisfactory

Satisfactory

Generally Achieved

Needs Improvement

3. iii. Invitation for users' Opinions for Examination Quality Improvement



*Personal information will only be used for inquiries as to the cases on which you have presented, and will not be used for any other purpose.

Opinion Submission Form for Examination Quality Improvement

Title: [mandatory]	Opinion for Examination Quality Improvement
Your Name: [mandatory]	
E-mail Address: [mandatory]	
E-mail Address (Please enter your e-mail address again for confirmation.) : [mandatory]	
Telephone Number:	
Application Number:	
	<input type="checkbox"/> Patents
Category:	
Details: [mandatory]	
Relation to the application:	<input type="checkbox"/> Applicant (including an employee such as an inventor and a member of IP Department) <input type="checkbox"/> Representative <input type="checkbox"/> Others
Attachment(s):	ファイルを選択 選択されていません

Contact Information

Application Number

Details of Feedback

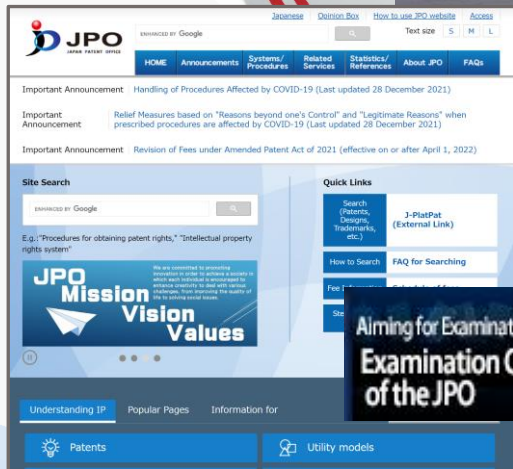
Analysis

Feedback to
Examination
Division

3. iv. Global Cooperation

Sharing Information & Collaborating on QMS with Other Patent Offices

JPO's QMS



Aiming for Examination of the Utmost Quality in the World
Examination Quality Management
of the JPO

IP5

fiveIPoffices

European Patent Office /// Japan Patent Office ///
Korean Intellectual Property Office /// State Intellectual
Property Office of the People's Republic of China ///
United States Patent and Trademark Office

PCT-MIA



Foreign Patent Offices

- Examiner exchange program
- QMO Officer exchange program
- Training for emerging countries