

Report on FY2020
Annual User Satisfaction Survey
on Patent Examination Quality

September 2020

Japan Patent Office

Summary

1. Survey method and response rate

The FY2020 Survey was conducted online to reduce the respondents' burden.

Table 1: Type of Questionnaire Sheet, number of applicants surveyed and response rate

Type of Questionnaire Sheet	Number of applicants	Response rate
Sheet 1: Overall quality of patent examination on national applications	669	87.0%
Sheet 2: Overall quality of the international search and international preliminary examination on PCT applications	335	85.1%

2. Satisfaction level with overall quality of patent examination on national applications (Sheet 1)

Respondents at the rate of 97.3% evaluated the level of satisfaction with the overall quality of patent examination on national applications (overall satisfaction level) as *neutral* or higher, up from 93.7% in the previous year (Figure 1).

In terms of individual items, 97.0% of the respondents evaluated the level of satisfaction with “communication with examiners in face-to-face interviews and telephone conversations” as *neutral* or higher, up from 96.2% last year, and we achieved positive responses (the sum of “Satisfied” and “Somewhat satisfied”) of 71.0%, higher than our objective of 60% or higher and up from last year’s 60.6% (Figure 2). Items “communication with examiners in face-to-face interviews” and “communication with examiners in telephone conversations,” which were newly introduced this year, received positive responses of 72.1% and 65.4%, respectively.

The proportions of the respondents who evaluated “consistency of judgements among examiners” and “application of the Article 29 (2): inventive step” as *neutral* or higher were 86.2% and 88.3%, respectively (Figures 3 and 4). They are relatively as low as last year (85.7% and 88.2%) although these items were treated as those to be addressed on a priority basis (priorities).

Other items with relatively low percentages of *neutral* or higher evaluations are “non-patent literature searches” (85.9%), “application of the Article 36 (4) (i) and Article 36 (6): descriptive requirements for description and claims” (87.8%), “foreign patent literature searches” (88.3%), and “level of examiners’ expertise in technical details” (89.3%).

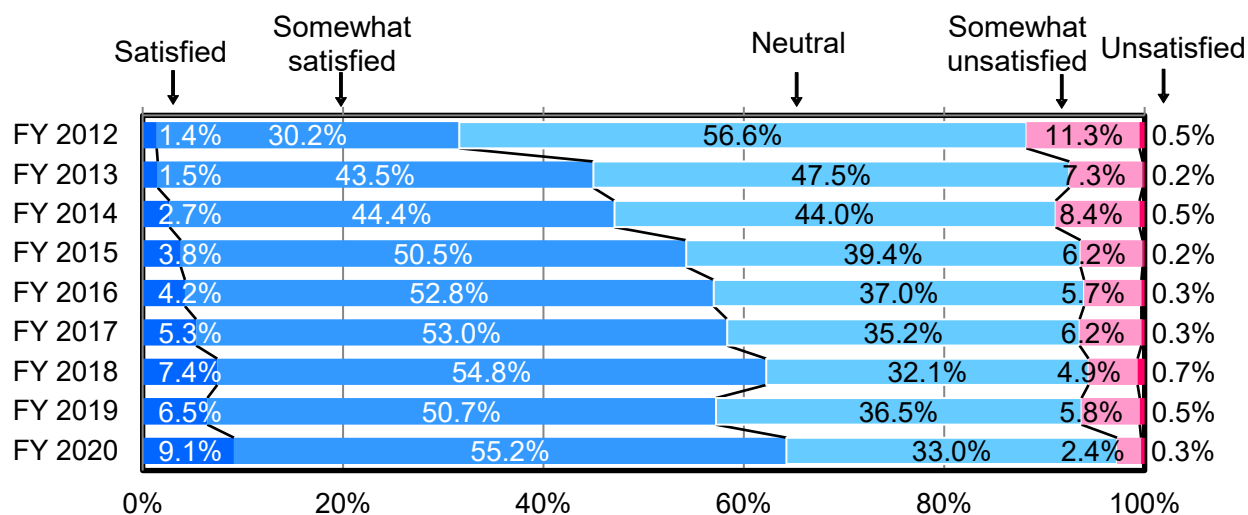


Figure 1: Satisfaction level with overall quality of patent examination on national applications (overall satisfaction level)

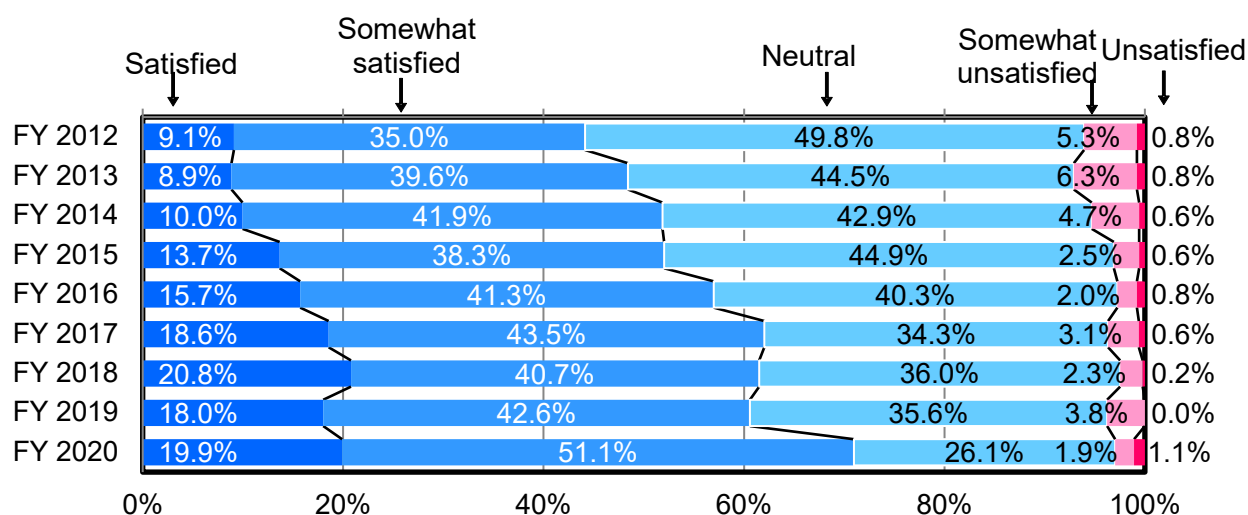


Figure 2: Satisfaction level with communication with examiners in face-to-face interviews and telephone conversations

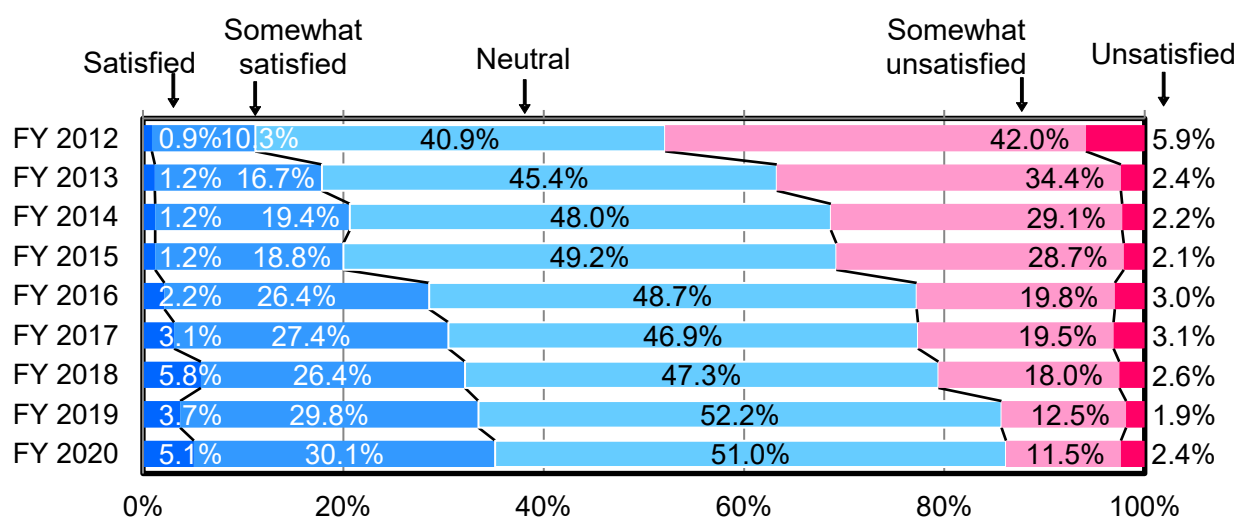


Figure 3: Satisfaction level with consistency of judgements among examiners

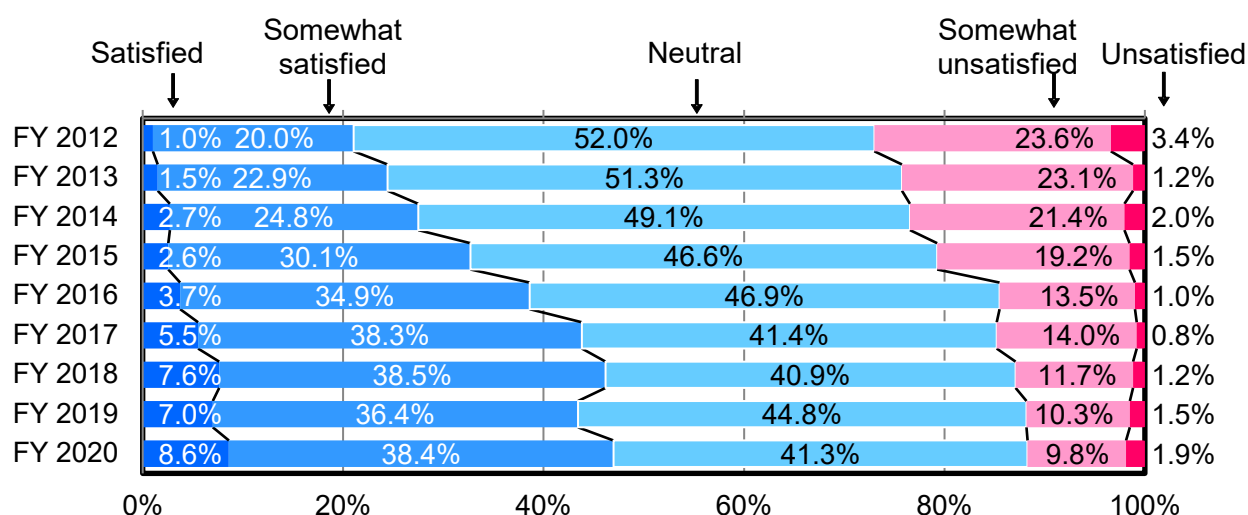


Figure 4: Satisfaction level with application of the Article 29 (2): inventive step

3. Satisfaction level of overall quality of the international search and international preliminary examination on PCT applications (Sheet 2)

Respondents at the rate of 97.2% (97.4% last year) evaluated the level of satisfaction with the overall quality of the international search and international preliminary examination on PCT applications (overall satisfaction level) as *neutral* or higher (Figure 5).

In terms of individual items, “consistency of judgements in the international phase” and “judgement on novelty/inventive step” received *neutral* or higher responses of 91.8% and 91.2%, respectively. They are as relatively low as last year (92.9% and 90.4%) although these items were treated as those to be addressed on a priority basis (priorities) (Figures 6 and 7)¹.

¹ However, “consistency of judgements in the international phase” showed improvement in the

Other items with relatively low percentages of *neutral* or higher evaluations are “foreign patent literature searches” (83.6%), “consistency of judgements in the international and national phases” (85.3%), “non-patent literature searches” (85.3%), and “reasoned statement regarding novelty/inventive step” (92.3%).

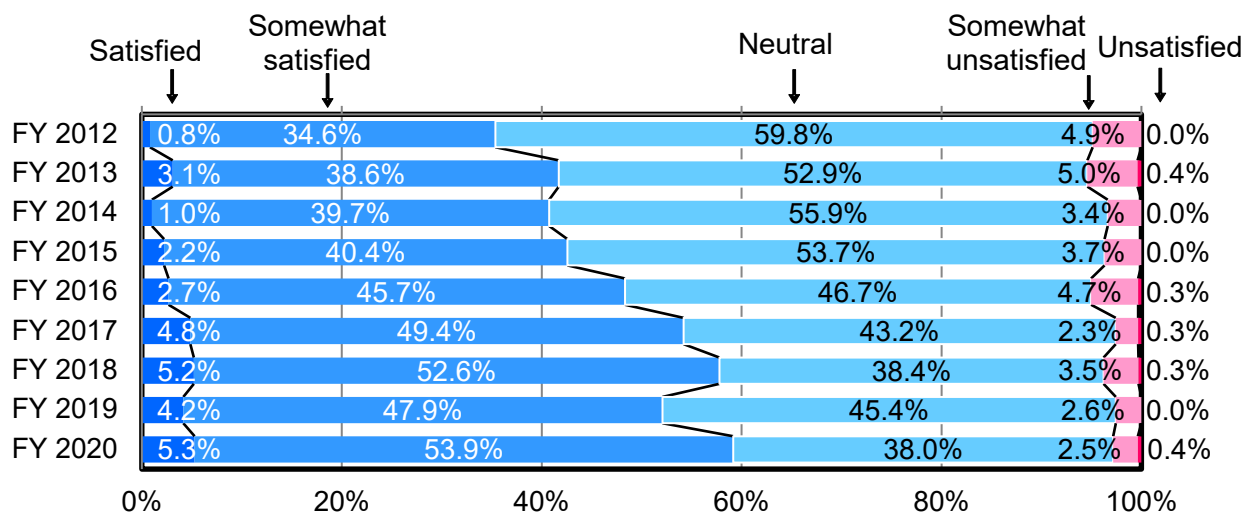


Figure 5: Satisfaction level with overall quality of the international search and international preliminary examination (overall satisfaction level)

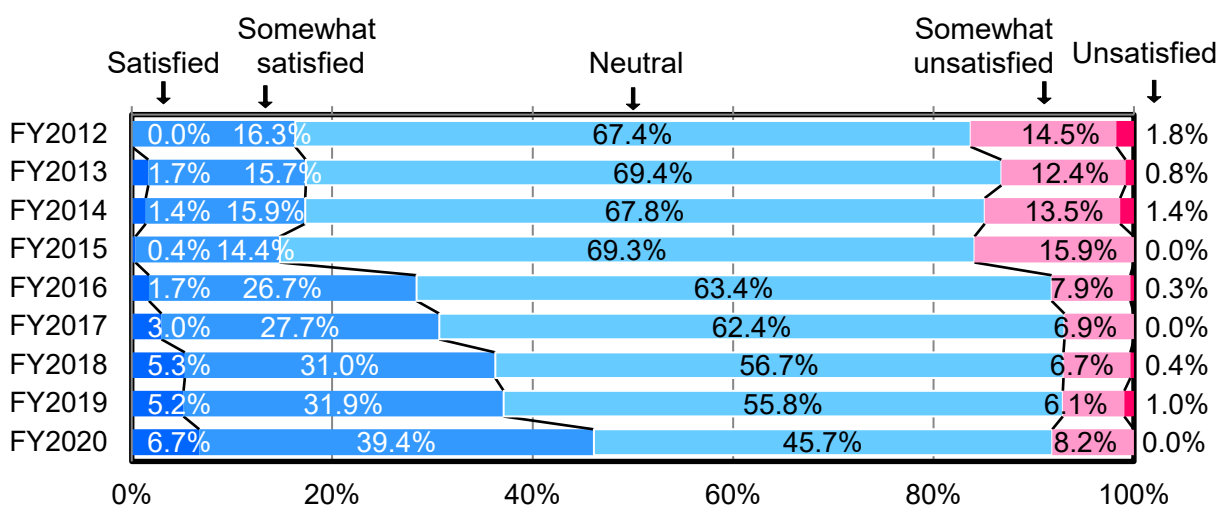


Figure 6: Satisfaction level with consistency of judgements in the international phase

percentage of positive responses from last year's 37.1% to 46.1%.

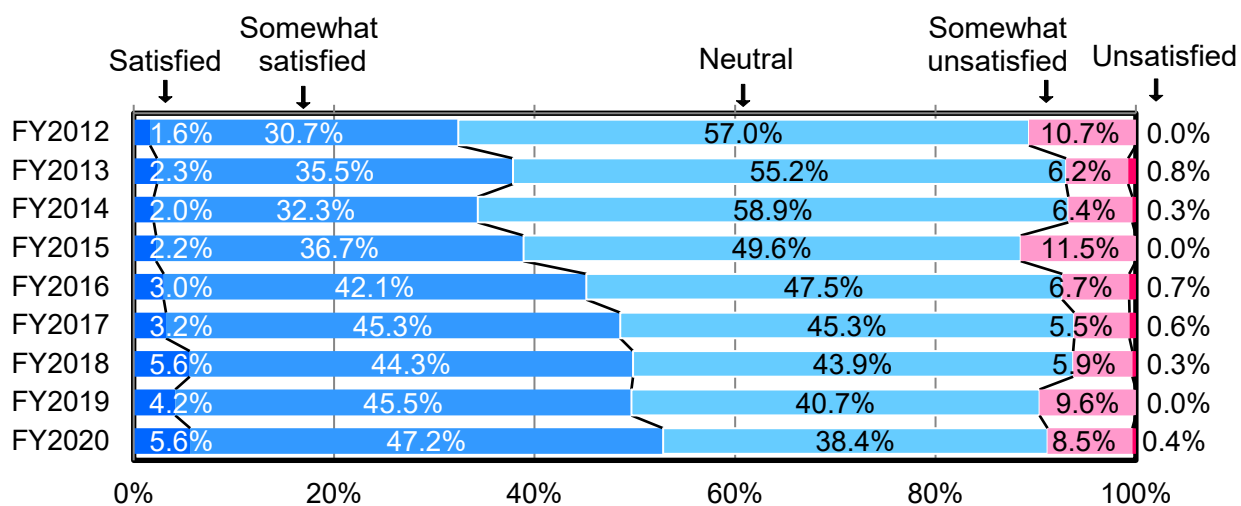


Figure 7: Satisfaction level with judgement on novelty/inventive step

4. Comparison with other national/regional Offices

Table 2 shows the aggregated results of a multiple-choice question as to in what items the JPO outperforms or is more desirable to perform than the other Offices in patent examination. While the respondents show their support for the JPO's examination in many items, they seem to expect more of our prior art searches.

Table 2: Offices which the respondents think are superior or preferable for each evaluation item

(excluding responses “No examination experience at the Office/Not sure”)

Evaluation Item	JPO	USPTO	EPO	CNIPA	KIPO
Thorough and easy-to-understand description in notifications of reasons for refusal	210 (59.8%)	75 (21.4%)	109 (31.1%)	61 (17.4%)	56 (16.0%)
Judgement on industrial applicability and patent eligibility	110 (31.3%)	36 (10.3%)	54 (15.4%)	25 (7.1%)	22 (6.3%)
Judgement on novelty/inventive step	172 (49.0%)	49 (14.0%)	133 (37.9%)	44 (12.5%)	31 (8.8%)
Judgement on descriptive requirements	134 (38.2%)	49 (14.0%)	67 (19.1%)	22 (6.3%)	20 (5.7%)
Consistency of judgements among examiners	169 (48.1%)	9 (2.6%)	111 (31.6%)	18 (5.1%)	18 (5.1%)
Prior art searches	151 (43.0%)	44 (12.5%)	154 (43.9%)	52 (14.8%)	19 (5.4%)
Level of examiners' expertise in technical details	183 (52.1%)	17 (4.8%)	111 (31.6%)	28 (8.0%)	19 (5.4%)
Responses to written opinions	174 (49.6%)	54 (15.4%)	70 (19.9%)	35 (10.0%)	21 (6.0%)
Communication with examiners in face-to-face interviews	129 (36.8%)	50 (14.2%)	17 (4.8%)	9 (2.6%)	11 (3.1%)
Communication with examiners in telephone conversations	104 (29.6%)	69 (19.7%)	11 (3.1%)	18 (5.1%)	8 (2.3%)
Scope of patent that was granted after examination	124 (35.3%)	50 (14.2%)	72 (20.5%)	21 (6.0%)	31 (8.8%)

5. Result Analysis

(1) Correlation between the levels of satisfaction with each evaluation item and the overall quality of patent examination on national applications

Correlation coefficients can be used to measure relationships between the levels of satisfaction with each evaluation item and with the overall quality of patent examination. The greater the correlation coefficient of each evaluation item, the stronger the relationship with the level of satisfaction with the overall quality.

Figure 8 shows correlation between the levels of satisfaction with each evaluation item and the overall quality of patent examination on national applications, with the former on the x-axis and the latter on the y-axis. The JPO should improve on a priority basis evaluation items which received low levels of satisfaction (left side) in spite of high correlation coefficients with the overall level of satisfaction (upper side). This year's Survey reveals that evaluation items "consistency of judgements among examiners²" and "application of the Article 29 (2): inventive step" are the priorities.

² "Consistency of judgements among examiners on the Article 29 (2): inventive step" on the upper left in the figure is included in "consistency of judgements among examiners".

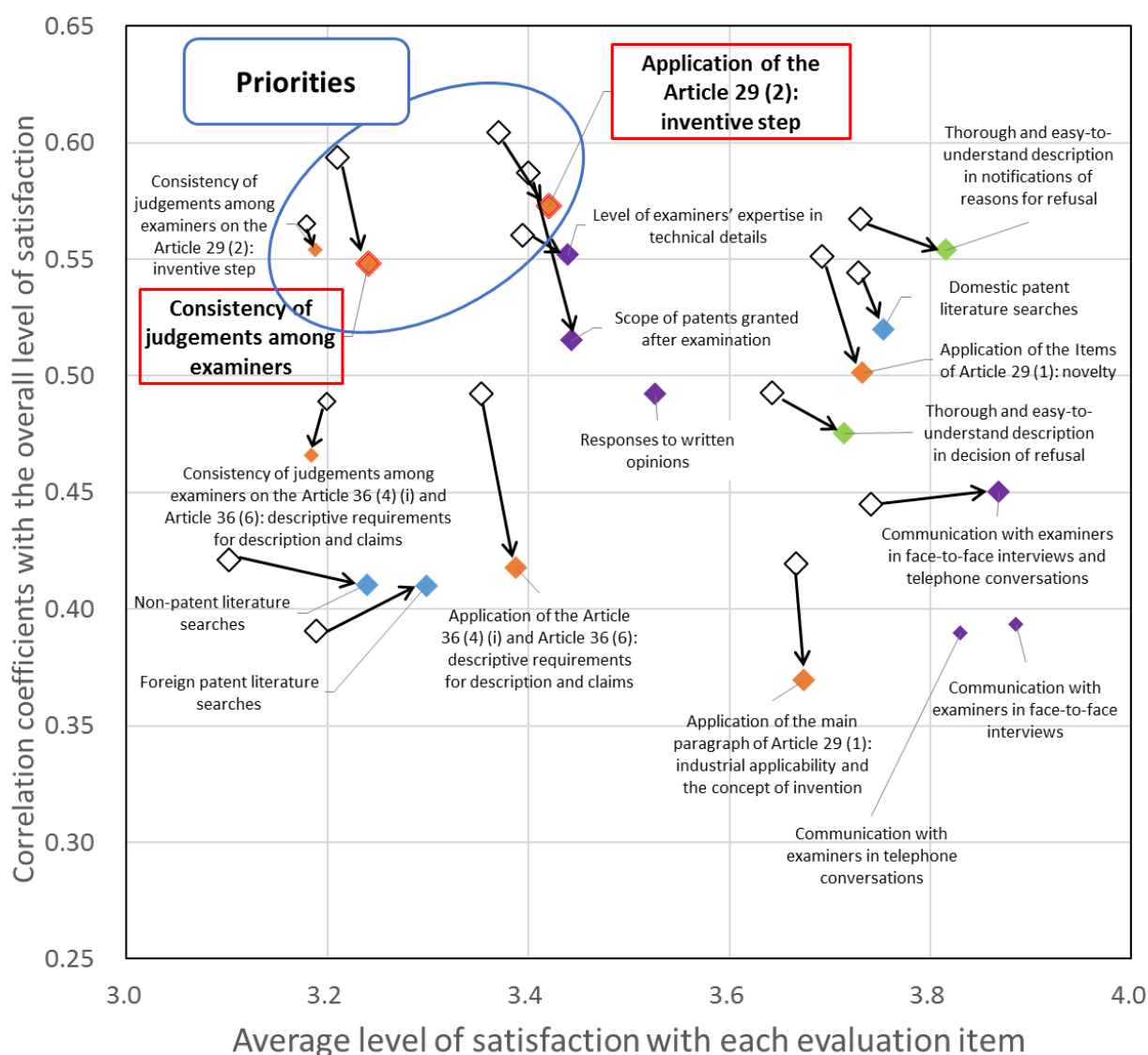


Figure 8: Average level of satisfaction for each evaluation item and correlation coefficients with overall satisfaction level (national applications)³

³ Plots are colored according to evaluation type: Light blue for prior art searches; orange for judgements; green for descriptions in notifications; purple for others. White plots representing Survey results and arrows representing changes in correlation coefficients are from the previous year's Survey.

(2) Correlation between individual evaluation items and overall satisfaction level (PCT applications)

Figure 9 shows correlation between the levels of satisfaction with each evaluation item and the overall quality of the international search and international preliminary examination on PCT applications, with the former on the x-axis and the latter on the y-axis. As in Figure 8, the JPO should improve on a priority basis evaluation items which received low levels of satisfaction (left side) in spite of high correlation coefficients with the overall level of satisfaction (upper side). This year's Survey reveals that evaluation items "consistency of judgements in the international phase" and "judgement on novelty/inventive step" are the priorities.

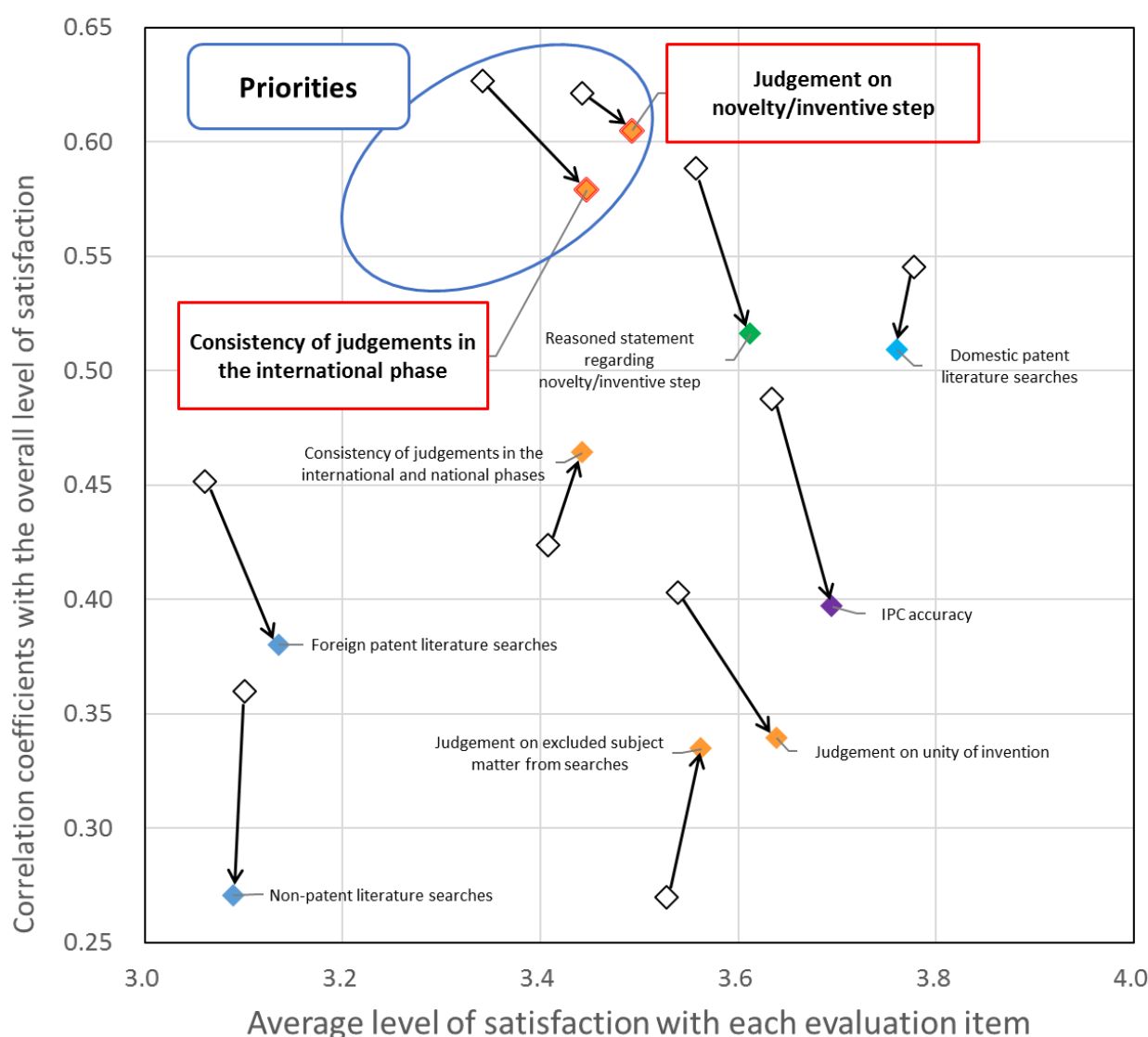


Figure 9: Average level of satisfaction for each evaluation item and correlation coefficients with overall satisfaction level (PCT applications)⁴

⁴ Plots are colored according to evaluation type: Light blue for prior art searches; orange for judgements; green for descriptions in notifications; purple for others. White plots representing Survey results and arrows representing changes in correlation coefficients are from the previous year's Survey.

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1. Overview

(1) Background

Globally reliable, high-quality examination and proper patent grant by the Japan Patent Office (JPO) are keys for supporting domestic enterprises in developing global business activities smoothly, driving innovation, and maintaining sound business practices. Based on this premise, the JPO released its Quality Policy on Patent Examination (hereafter “*Quality Policy*”) in 2014, which outlines fundamental principles of its quality management policies designed to achieve the utmost examination quality in the world¹. The Quality Policy declares, under one of its six fundamental principles: “We meet wide-ranging needs and expectations,” that the JPO understands and respects broad-ranging needs of and expectations for patent examination so that it may contribute to the benefit of Japanese society and the satisfaction of people connected with the patent system.

Carefully listening to the opinions of users is essential to continuously formulate measures for achieving quality assurance in patent examination. The JPO has conducted its User Satisfaction Survey (hereafter “*Survey*”) annually since FY2012 and has reflected valuable feedback from users in its quality management initiatives.

This report shows a summary of the Survey results, detailed analyses of responses and overall findings as follows.

(2) Objective

This Survey aims to collect users’ opinions on and identify the current quality of the JPO’s patent examination, international search and international preliminary examination and works as a means for the JPO to improve its patent examination practices in the future.

In other words, this Survey corresponds to the “Check” phase of the PDCA (Plan, Do, Check, Act) cycle outlined in the Quality Management Manual for Patent Examination since it evaluates patent examination procedures. The Survey results will be used to continuously improve the patent examination practices based on one of the principles of the Quality Policy: “We continually improve operations.”

(3) Method

This Survey was conducted using two types of online questionnaires (see Appendix):

¹ In this Report, the term “patent examination” means examination on inventions, including International Search and International Preliminary Examination under the PCT, and establishment of Reports of Utility Model Technical Opinion, as defined in the Quality Policy. Any reference to “patent examination” in the context of national applications means examination on inventions in national applications.

Sheet 1 asks respondents how they would evaluate the overall quality of patent examination on national applications in FY 2019 and Sheet 2 asks them how they would evaluate the overall quality of the international search and international preliminary examination on PCT applications in FY 2019. In the questionnaire sheets, a 5-point scale is used to indicate the level of satisfaction with multiple evaluation items, in which 5 indicates *satisfied*, 4 - *somewhat satisfied*, 3 - *neutral*, 2 - *somewhat unsatisfied*, and 1 – *unsatisfied*.

Respondents received an individual password to access the online Questionnaire Sheets by e-mail and were asked to answer the questions anonymously or otherwise from the end of April to the end of July. An English translation of the questionnaires was provided to respondents outside Japan.

Tables 1 and 2 show how applicants were selected and how many were selected for each questionnaire sheet. It should be noted that respondents to Sheets 1 and 2 overlap to some degree. The number of respondents is 718, excluding the overlap.

Table 1: Method of selecting and number of applicants for Sheet 1

	Method of selecting applicants	No. of applicants	Total
Sheet 1 (Overall quality of patent examination on national applications)	Non-individual, <u>domestic residents</u> , who filed 50 or more national applications as a lead applicant in FY2018, obtained one or more final decisions in FY2019 and have one or more published applications	554	669
	Non-individual, <u>foreign residents</u> , who filed 50 or more national applications as a lead applicant in FY2018, obtained one or more final decisions in FY2019 and have one or more published applications	42	
	<u>Small-scale applicants</u> ² who filed less than 50 national applications as a lead applicant in FY2018	23	
	Top 50 <u>patent attorneys</u> who filed the most applications in FY2018	50	

² Small-scale applicants were selected from manufacturers with capital of not more than 300 million yen or less than 300 employees; and which previously had interviews or discussions with the JPO.

Table 2: Method of selecting and number of applicants for Sheet 2

	Method of selecting applicants	No. of applicants	Total
Sheet 2 (Overall quality of the international search and international preliminary examination on PCT applications)	Non-individual, <u>domestic residents</u> , who filed 18 or more PCT applications as a lead applicant in FY2019 and received one or more international search and international preliminary examination reports in FY2019	285	335
	<u>Small-scale applicants</u> ³ who filed less than 18 PCT applications as a lead applicant in FY2019	20	
	Top 30 <u>patent attorneys</u> who filed the most PCT applications in FY2019	30	

³ Small-scale applicants were selected from manufacturers with capital of not more than 300 million yen or less than 300 employees; and which previously had interviews or discussions with the JPO.

(4) Response rate and breakdown of respondents by industry sector

Table 3 shows year-on-year trends in response rates⁴ and Table 4 is a breakdown of respondents by industry sector. Anonymous responses account for 43.1% of all responses to sheet 1 and 42.8% of all the responses to sheet 2 (58.8% and 62.3% respectively in the FY2019 Survey). The number of respondents is 621, excluding those overlapping in sheets 1 and 2.

Table 3: Response rate of Questionnaire Sheets

	FY 2020 (Responded/ Sent)	FY 2019	FY 2018	FY 2017	FY 2016	FY 2015	FY 2014	FY 2013	FY 2012
Sheet 1	87.0% (582/669)	88.0%	90.0%	90.6%	89.3%	85.5%	86.8%	91.8%	91.4%
Sheet 2	85.1% (285/335)	90.5%	93.5%	92.3%	91.2%	87.4%	88.7%	90.6%	91.8%

Table 4: Breakdown of respondents by industry sector

Attribute (Sector) ⁵		Sheet 1		Sheet 2	
		Responses	Percentage	Responses	Percentage
Domestic applicants	Metal	13	2.2%	8	2.8%
	Construction	10	1.7%	1	0.4%
	Machinery	70	12.0%	39	13.7%
	Chemistry	35	6.0%	27	9.5%
	Food/medicine	14	2.4%	6	2.1%
	Electronics	85	14.6%	39	13.7%
	Others (manufacturing)	37	6.4%	19	6.7%
	Others (non-manufacturing)	22	3.8%	8	2.8%
	Institutes/public research organization	14	2.4%	6	2.1%
Patent attorneys		22	3.8%	10	3.5%
Foreign-resident applicants		9	1.5%	0	0.0%
Anonymous respondents		251	43.1%	122	42.8%
Total		582	100.0%	285	100.0%

⁴ Questionnaire Sheets A and C used in the previous Surveys were replaced with Sheets 1 and 2 in FY 2020 Survey. In Table 3, the response rates of Sheets 1 and 2 in and before FY 2019 indicate those in Sheets A and C.

⁵ Respondents were sorted into 9 sectors (10 including representatives) according to various industrial classifications, such as TOPIX Sector indices (33 sectors), Teikoku Databank Industry Classification and Japan Standard Industry Classification.

(5) Changes from last year

The following changes were made to the questionnaires for this fiscal year:

i) Added questions on communication

In order to analyze respondents' evaluation of communication in detail, we added evaluation items, "communication with examiners in face-to-face interviews" and "communication with examiners in telephone conversations," to Sheet 1 for the overall quality of patent examination on national applications. We also added an item, "responses to written opinions," to find out how respondents would rate our examiners' responses to written opinions as we came across some comments in last year's Survey that the respondents were not sure whether their written opinions had been properly considered.

ii) Revised questions in comparison with other national/regional Offices

Questions regarding "aspects the JPO outperforms other IP Offices," "aspects other IP Offices outperform the JPO," and "frequency of more appropriate citations being presented by other national/regional Offices" were put together into one question "Please select all Offices you think are superior (or preferable) for the following items in patent examination." to make the comparison more objective, as well as to reduce respondents' burden.

2. Aggregated Results

(1) Satisfaction level with overall quality of patent examination on national applications (Sheet 1)

Figure 1 shows year-to-year changes in levels of satisfaction with the overall quality of patent examination on national applications (overall satisfaction level)⁶. More than 90% of respondents have evaluated the overall quality as neutral or higher since 2013, with 97.3% this fiscal year.

Figures 2 to 14 indicate year-to-year changes in levels of satisfaction with individual evaluation items⁷.

In terms of individual items, 97.0% of the respondents evaluated the level of satisfaction with “communication with examiners in face-to-face interviews and telephone conversations” as *neutral* or higher, up from 96.2% last year, and we achieved positive responses (the sum of “Satisfied” and “Somewhat satisfied”) of 71.0%, higher than our objective of 60% or higher and up from last year’s 60.6% (Figure 13).

Other items with high percentages of *neutral* or higher evaluations are “domestic patent literature searches” (98.3%, Figure 9), “application of the main paragraph of Article 29 (1): industrial applicability and the concept of invention” (96.9%, Figure 4), “thorough and easy-to-understand description in decisions of refusal” (96.8%, Figure 3), “thorough and easy-to-understand description in notifications of reasons for refusal” (96.7%, Figure 2), and “application of the Items of Article 29 (1): novelty” (95.9%, Figure 5).

The proportions of the respondents who evaluated “application of the Article 29 (2): inventive step” and “consistency of judgements among examiners” as *neutral* or higher were 88.3% and 86.2%, respectively (Figures 6 and 8). They are relatively as low as last year (88.2% and 85.7%) although these items were treated as those to be addressed on a priority basis (priorities), according to the Survey results in the previous fiscal year.

⁶ In any graph showing a year-to-year change in this report, the vertical axis represents the fiscal year of Survey. As the Survey each year questions user satisfaction with examination conducted by the JPO in the previous fiscal year, the FY2020 Survey covers user satisfaction with examination conducted in FY2019.

⁷ Individual items of responses to written opinions, communication with examiners in face-to-face interviews, and communication with examiners in telephone conversations were introduced for this fiscal year and items, such as consistency of judgements among examiners on the Article 29 (2) and consistency of judgements among examiners on the Article 36 (4) (i) and Article 36 (6): descriptive requirements for descriptions and claims, were introduced last fiscal year, all of which are not included in the y-o-y change graphs. Please see Table 5 for evaluation of each item.

Other items with relatively low percentages of *neutral* or higher evaluations are “non-patent literature searches” (85.9%, Figure 11), “application of the Article 36 (4) (i) and Article 36 (6): descriptive requirements for description and claims” (87.8%; Figure 7), “foreign patent literature searches” (88.3%; Figure 10), and “level of examiners’ expertise in technical details” (89.3%, Figure 12).

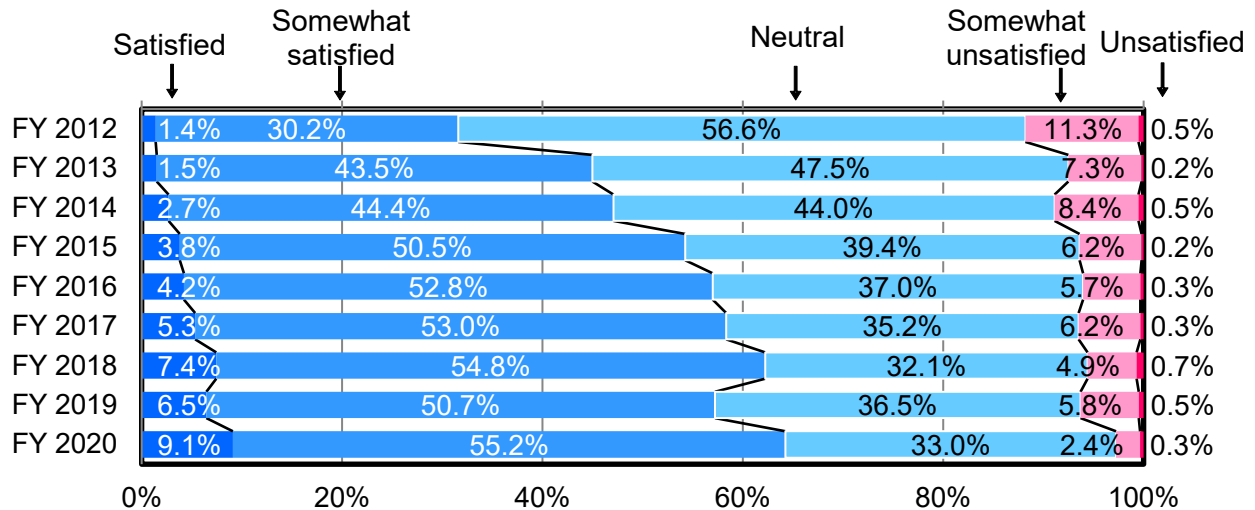


Figure 1: Satisfaction level with overall quality of patent examination on national applications (overall satisfaction level)

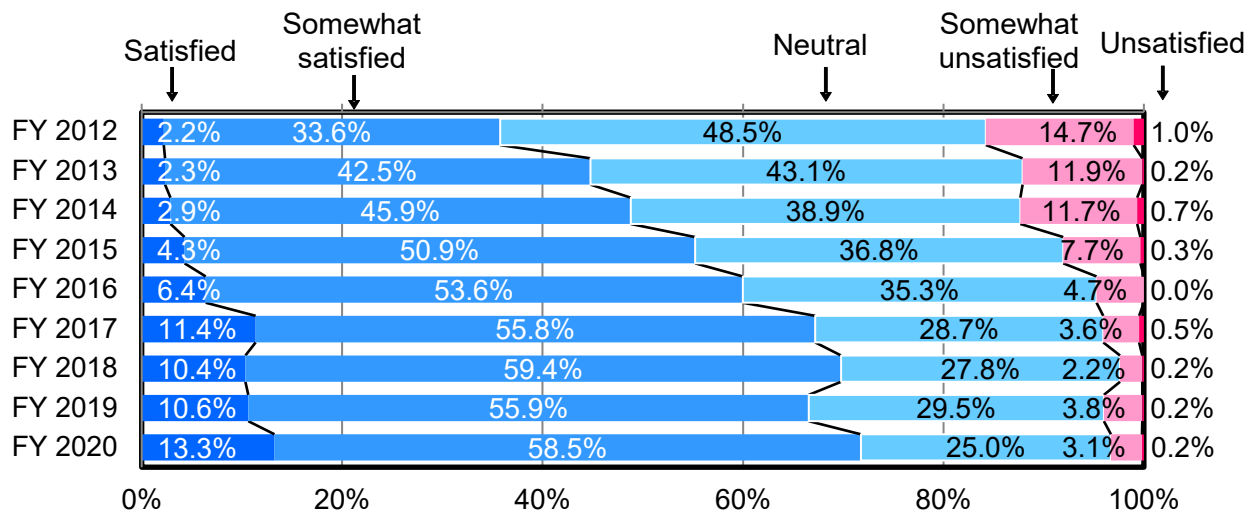


Figure 2: Satisfaction level with thorough and easy-to-understand description in notifications of reasons for refusal

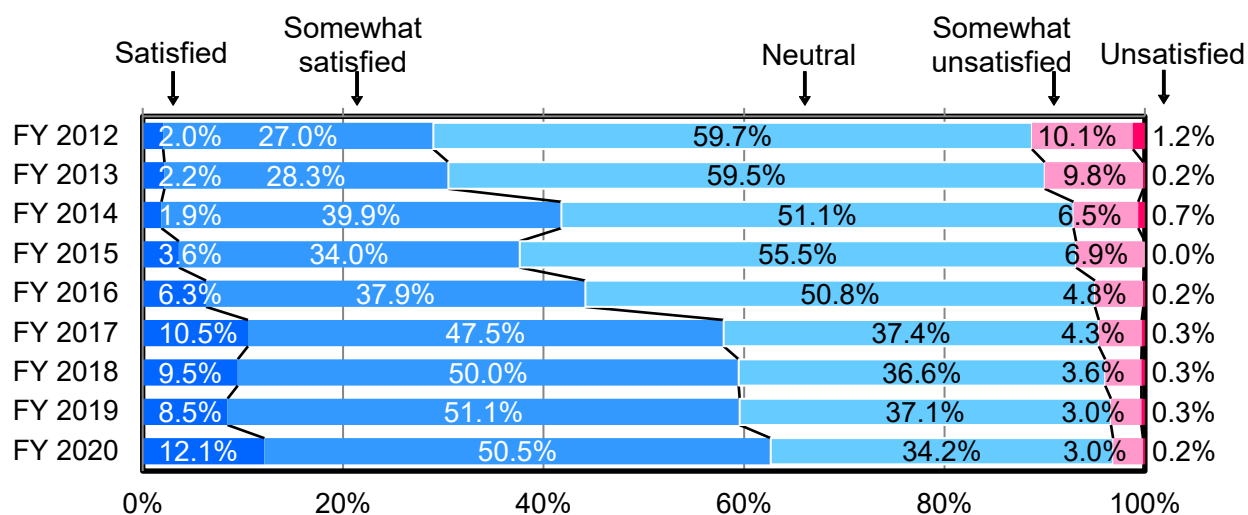


Figure 3: Satisfaction level with thorough and easy-to-understand description in decision of refusal

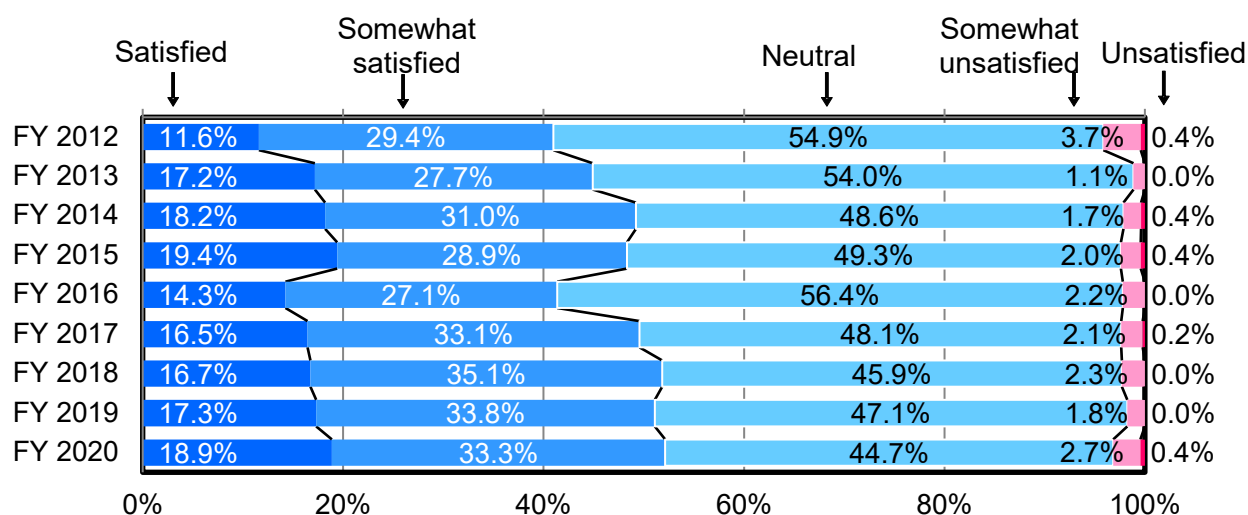


Figure 4: Satisfaction level with application of the main paragraph of Article 29 (1): industrial applicability and the concept of invention

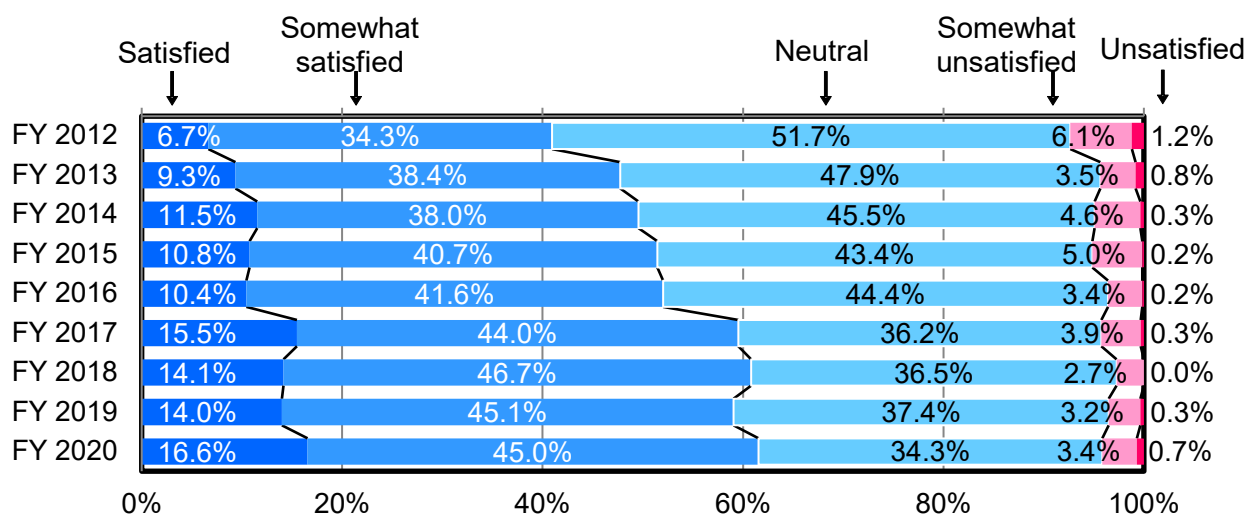


Figure 5: Satisfaction level with application of the Items of Article 29 (1): novelty

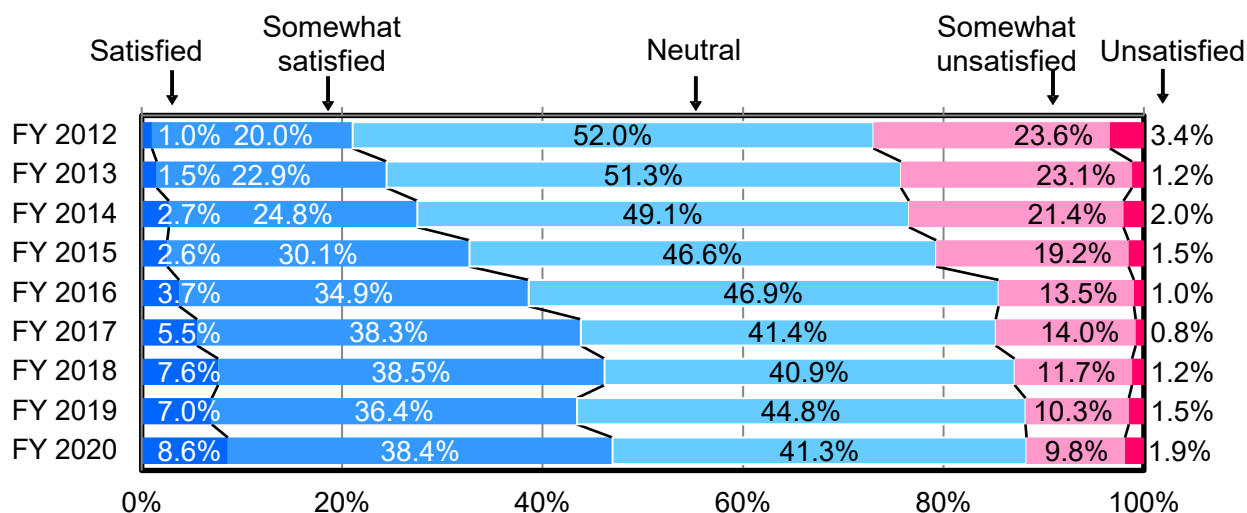


Figure 6: Satisfaction level with application of the Article 29 (2): inventive step

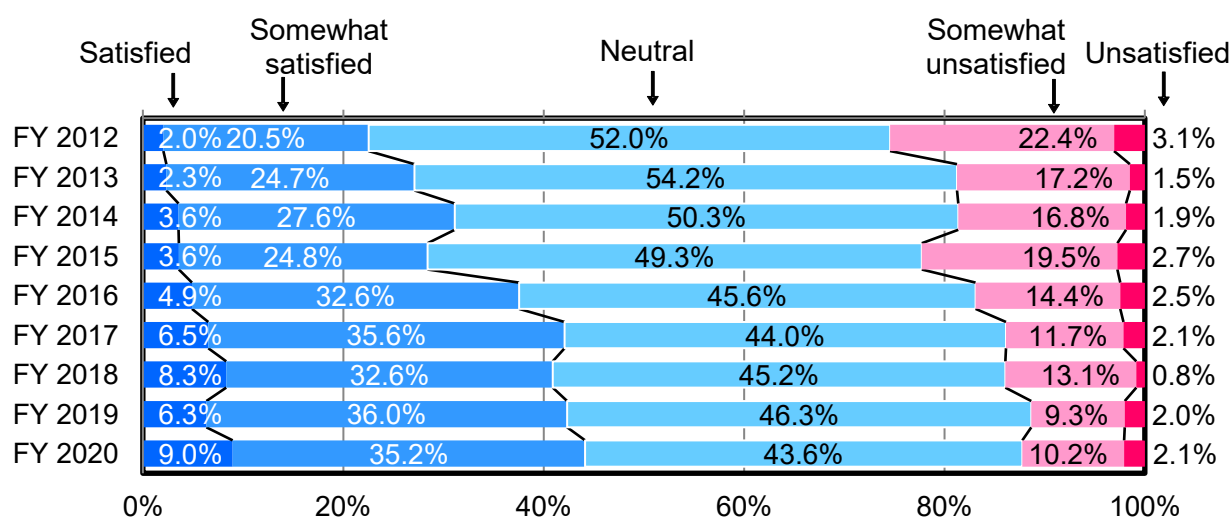


Figure 7: Satisfaction level with application of the Article 36 (4) (i) and Article 36 (6): descriptive requirements for description and claims

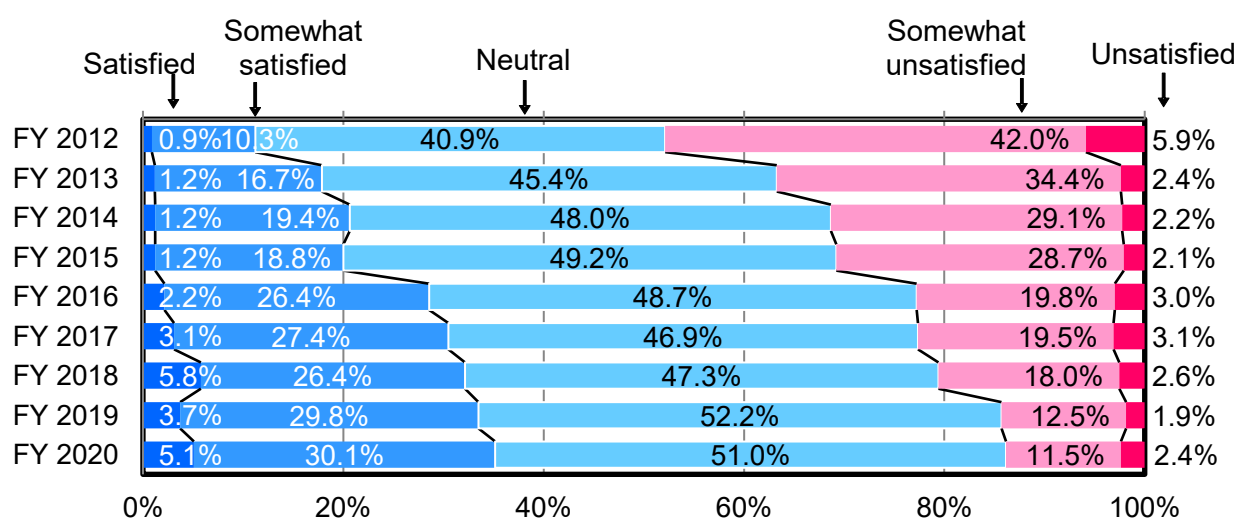


Figure 8: Satisfaction level with consistency of judgements among examiners

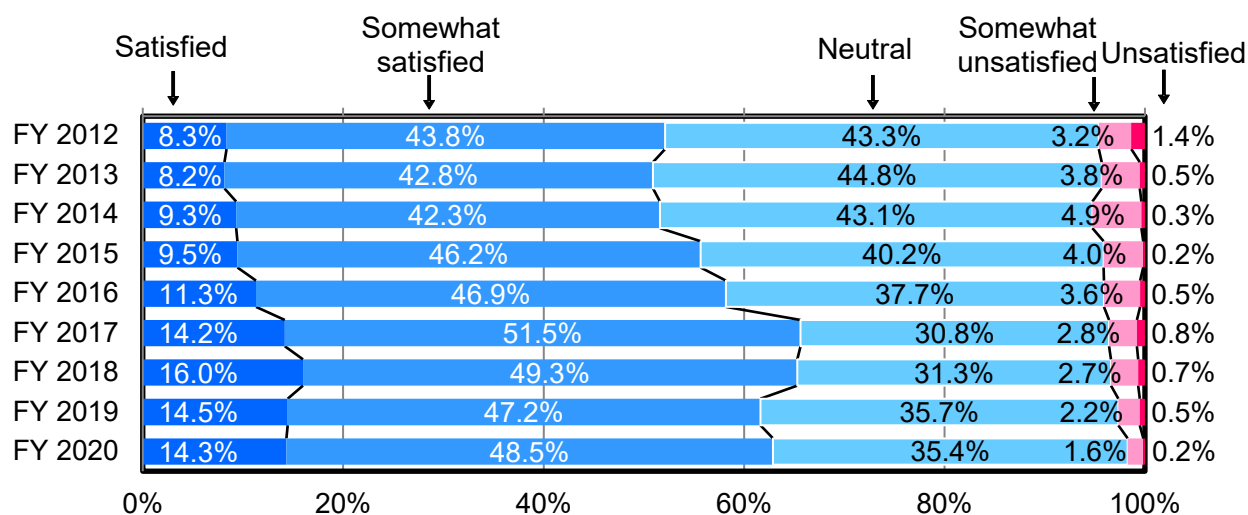


Figure 9: Satisfaction level with domestic patent literature searches

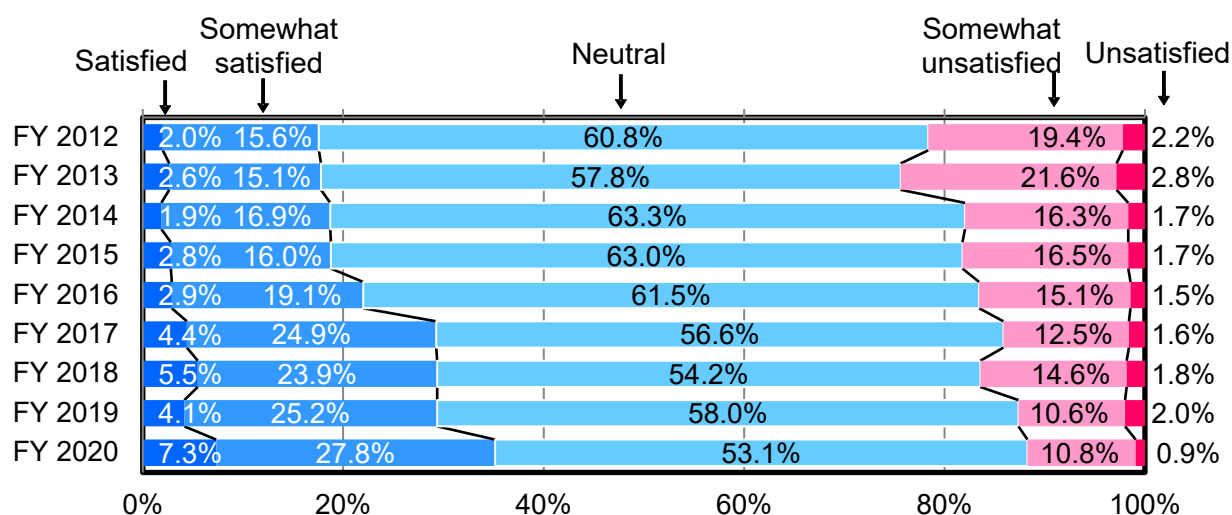


Figure 10: Satisfaction level with foreign patent literature searches

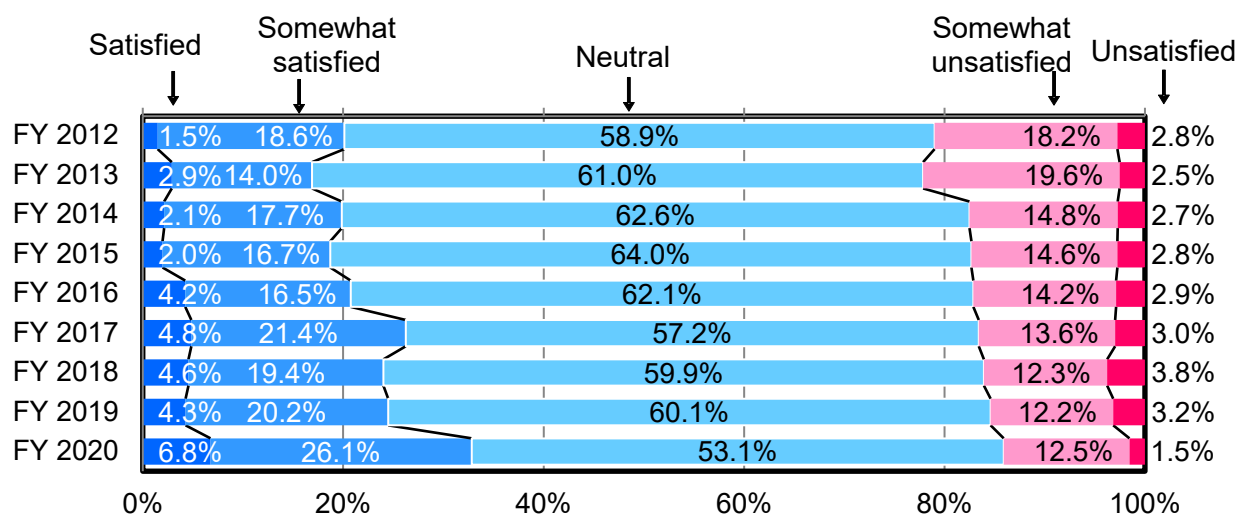


Figure 11: Satisfaction level with non-patent literature searches

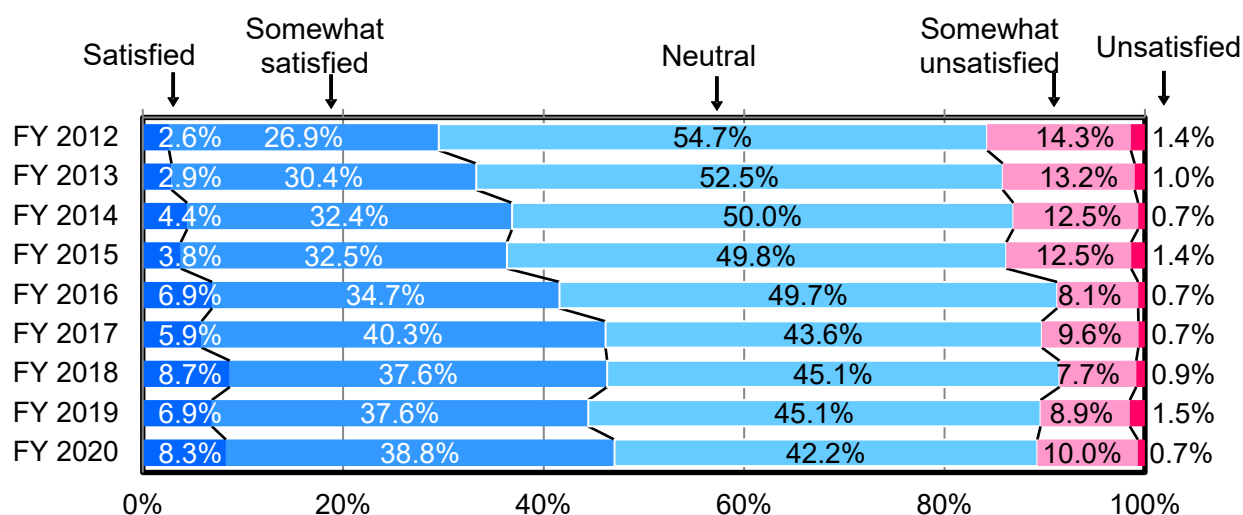


Figure 12: Satisfaction level with level of examiners' expertise in technical details

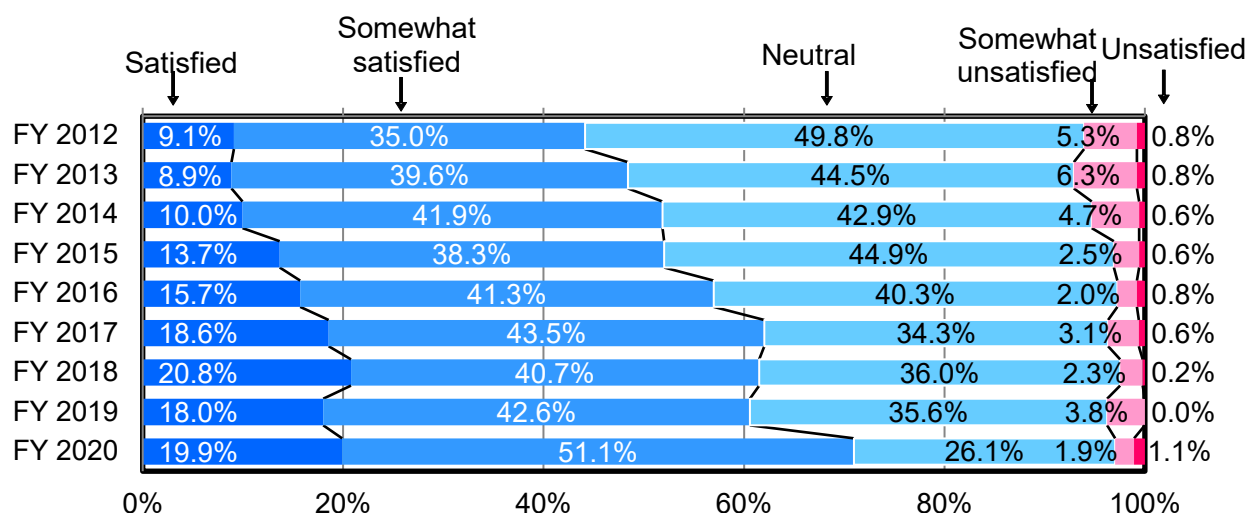


Figure 13: Satisfaction level with communication with examiners in face-to-face interviews and telephone conversations

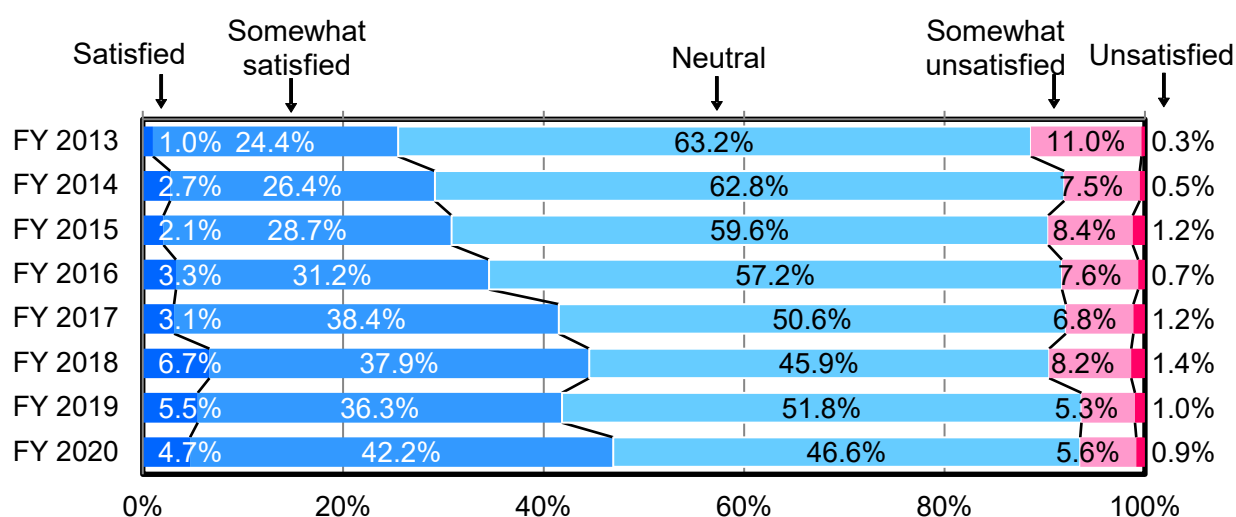


Figure 14: Satisfaction level with scope of patents granted after examination

Table 5 lists satisfaction levels of the overall quality of patent examination and the individual evaluation items (national applications).

In this fiscal year, the item “communication with examiners in face-to-face interviews and telephone conversations” was classified into “communication with examiners in face-to-face interviews” and “in telephone conversations” for detailed evaluation. These two items received positive responses of 72.1% and 65.4%, respectively, which indicates that the satisfaction level of “communication with examiners in face-to-face interviews” is relatively higher.

Table 5: Satisfaction levels of the overall quality of patent examination and the individual evaluation items (national applications)

Evaluation item		Satisfied	Somewhat Satisfied	Neutral	Somewhat Unsatisfied	Unsatisfied	Not sure/No experience or response
Overall evaluation							
Overall quality of patent examination		53 (9.1%)	321 (55.2%)	192 (33.0%)	14 (2.4%)	2 (0.3%)	0
Individual evaluation items							
Thorough and easy-to-understand description in notifications of reasons for refusal		77 (13.3%)	340 (58.5%)	145 (25.0%)	18 (3.1%)	1 (0.2%)	1
Thorough and easy-to-understand description in decision of refusal		69 (12.1%)	287 (50.5%)	194 (34.2%)	17 (3.0%)	1 (0.2%)	14
Application of provisions	Application of the main paragraph of Article 29 (1): industrial applicability and the concept of invention	84 (18.9%)	148 (33.3%)	199 (44.7%)	12 (2.7%)	2 (0.4%)	137
	Application of the Items of Article 29 (1): novelty	96 (16.6%)	261 (45.0%)	199 (34.3%)	20 (3.4%)	4 (0.7%)	2
	Application of the Article 29 (2): inventive step	50 (8.6%)	223 (38.4%)	240 (41.3%)	57 (9.8%)	11 (1.9%)	1
	Application of the Article 36 (4) (i) and Article 36 (6): descriptive requirements for description and claims	52 (9.0%)	204 (35.2%)	253 (43.6%)	59 (10.2%)	12 (2.1%)	2
Consistency of judgements among examiners		28 (5.1%)	165 (30.1%)	280 (51.0%)	63 (11.5%)	13 (2.4%)	33
	on the Article 29 (2): inventive step	30 (5.2%)	175 (30.4%)	261 (45.4%)	91 (15.8%)	18 (3.1%)	7
	on the Article 36 (4) (i) and Article 36 (6): descriptive requirements for description and claims	36 (6.3%)	151 (26.3%)	283 (49.3%)	91 (15.9%)	13 (2.3%)	8
Prior art searches	Domestic patent literature searches	83 (14.3%)	281 (48.5%)	205 (35.4%)	9 (1.6%)	1 (0.2%)	3
	Foreign patent literature searches	40 (7.3%)	152 (27.8%)	290 (53.1%)	59 (10.8%)	5 (0.9%)	36
	Non-patent literature searches	35 (6.8%)	135 (26.1%)	275 (53.1%)	65 (12.5%)	8 (1.5%)	64
Level of examiners' expertise in technical details		48 (8.3%)	224 (38.8%)	244 (42.2%)	58 (10.0%)	4 (0.7%)	4
Responses to written opinions		44 (7.6%)	246 (42.7%)	256 (44.4%)	29 (5.0%)	1 (0.2%)	6
Communication with examiners		74 (19.9%)	190 (51.1%)	97 (26.1%)	7 (1.9%)	4 (1.1%)	210

	in face-to-face interviews	69 (21.4%)	164 (50.8%)	76 (23.5%)	12 (3.7%)	2 (0.6%)	259
	in telephone conversations	66 (21.6%)	134 (43.8%)	98 (32.0%)	4 (1.3%)	4 (1.3%)	276
Scope of patents granted after examination		27 (4.7%)	242 (42.2%)	267 (46.6%)	32 (5.6%)	5 (0.9%)	9

*Percentages in brackets represent the ratio of responses of each item / valid responses (excluding Not sure / No experience or response). The percentages may not reach the sum of 100 due to rounding.

(2) Satisfaction level of overall quality of the international search and international preliminary examination on PCT applications (Sheet 2)

Figure 15 shows year-to-year changes in levels of satisfaction with the overall quality of the international search and international preliminary examination on PCT applications (overall satisfaction level). More than 90% of respondents have evaluated the overall quality as neutral or higher since our first Survey in 2013, with 97.2% this fiscal year.

Figures 16 to 25 indicate year-to-year changes in levels of satisfaction with individual evaluation items

Individual items with high percentages of *neutral* or higher evaluations are “IPC accuracy” (98.9%, Figure 16), “judgement on unity of invention” (98.0%, Figure 18), “judgement on excluded subject matter from searches” (97.8%, Figure 17), and “domestic patent literature searches” (97.2%, Figure 23).

The proportions of the respondents who evaluated “judgement on novelty/inventive step” and “consistency of judgements in the international phase” as *neutral* or higher were 91.2% and 91.8%, respectively⁸ (Figures 19 and 21). They are as relatively low as last year (90.4% and 92.9%) although these items were treated as priorities based on the Survey result in the previous fiscal year.

Other items with relatively low percentages of *neutral* or higher evaluations are “foreign patent literature searches” (83.6%, Figure 24), “consistency of judgements in the international and national phases” (85.3%, Figure 22), “non-patent literature searches” (85.3%, Figure 25), and “reasoned statement regarding novelty/inventive step” (92.3%, Figure 20).

⁸ However, “consistency of judgements in the international phase” showed improvement in the percentage of positive responses from last year’s 37.1% to 46.1%.

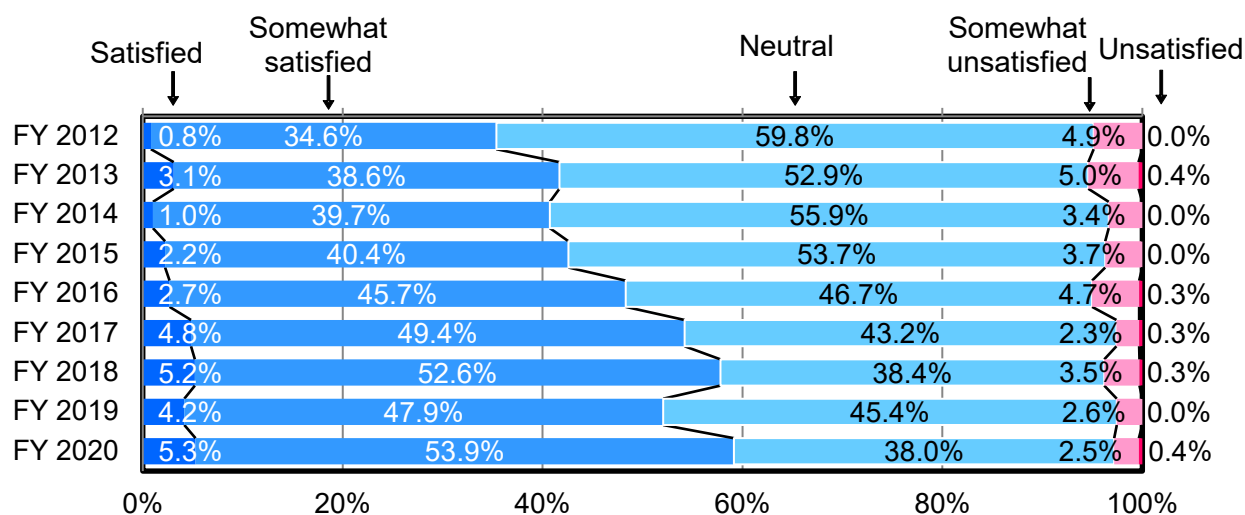


Figure 15: Satisfaction level with overall quality of the international search and international preliminary examination (overall satisfaction level)

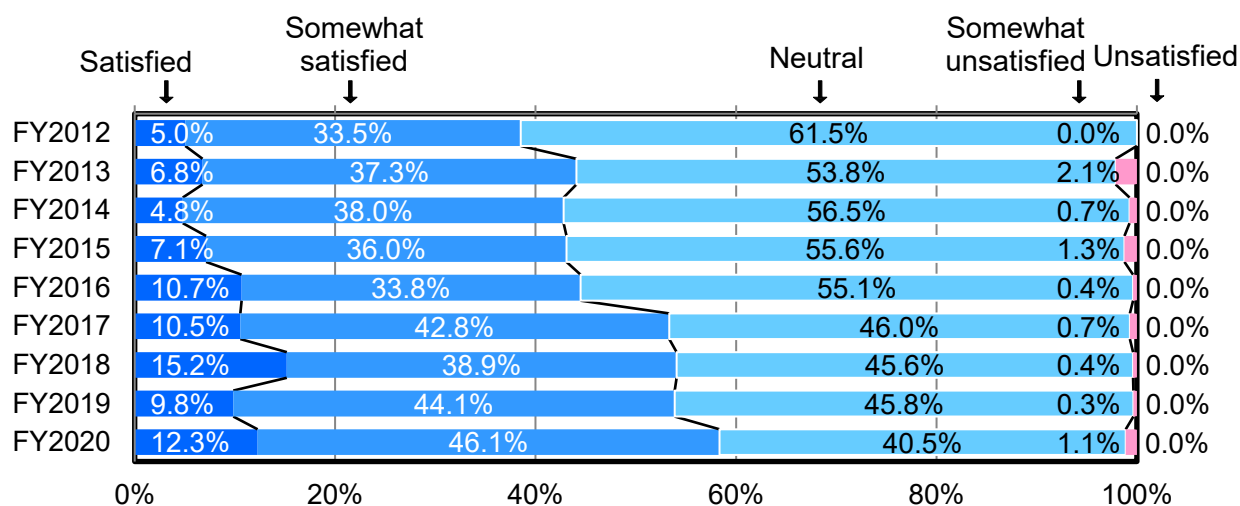


Figure 16: Satisfaction level with IPC accuracy

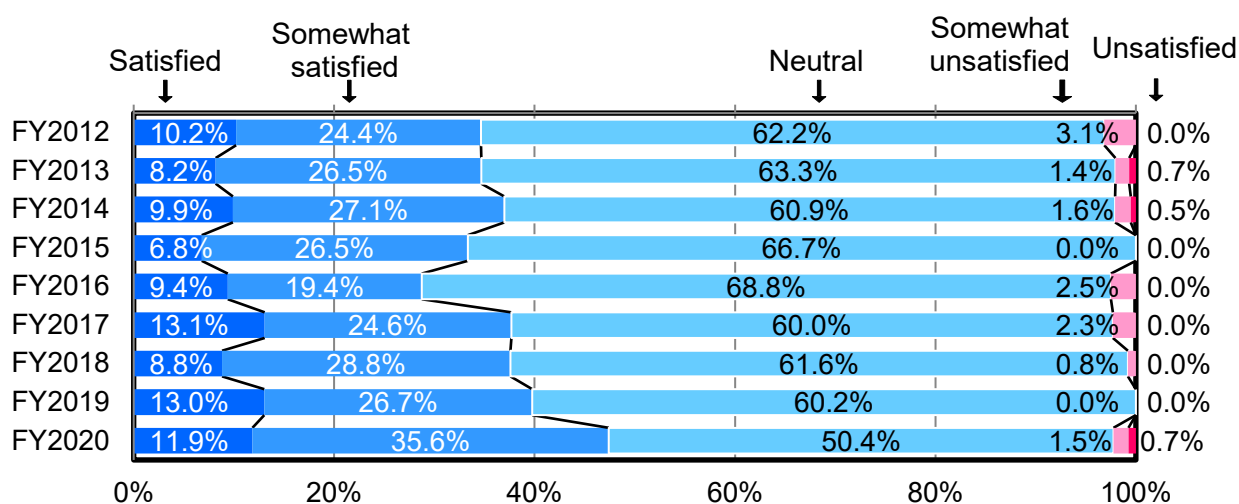


Figure 17: Satisfaction level with judgement on excluded subject matter from searches

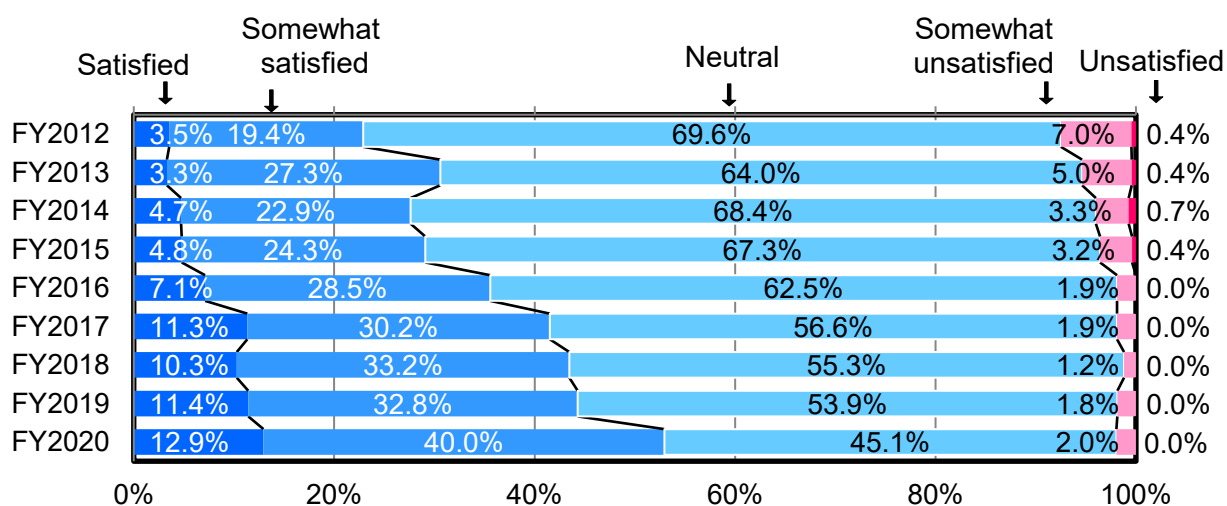


Figure 18: Satisfaction level with judgement on unity of invention

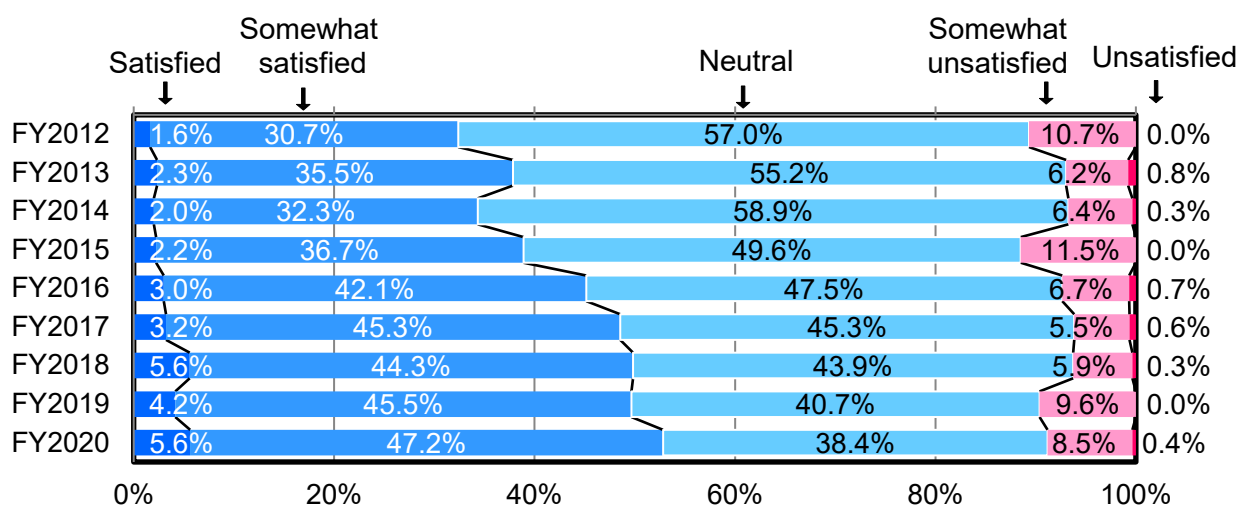


Figure 19: Satisfaction level with judgement on novelty/inventive step

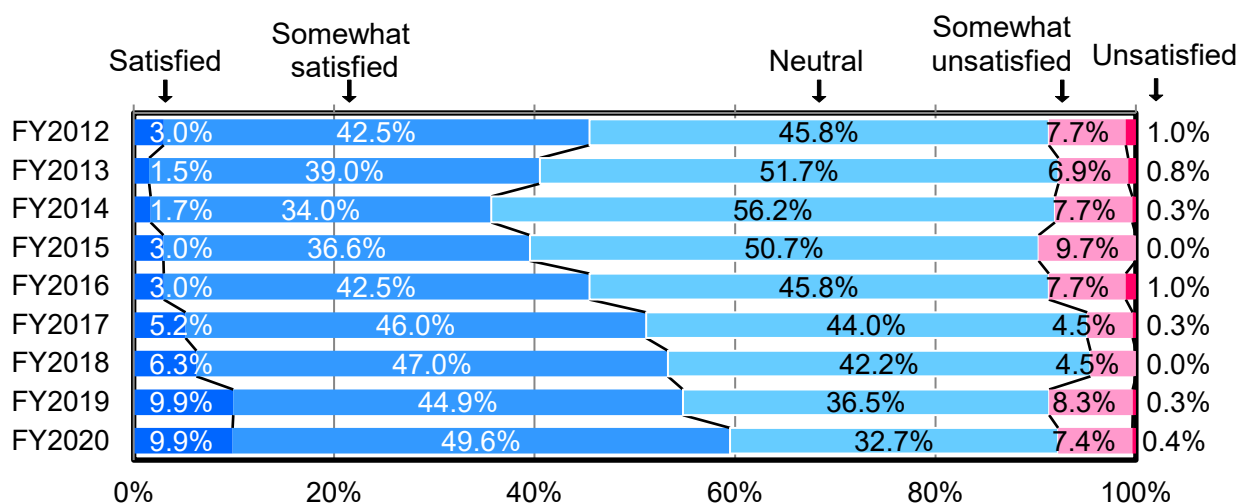


Figure 20: Satisfaction level with reasoned statement regarding novelty/inventive step

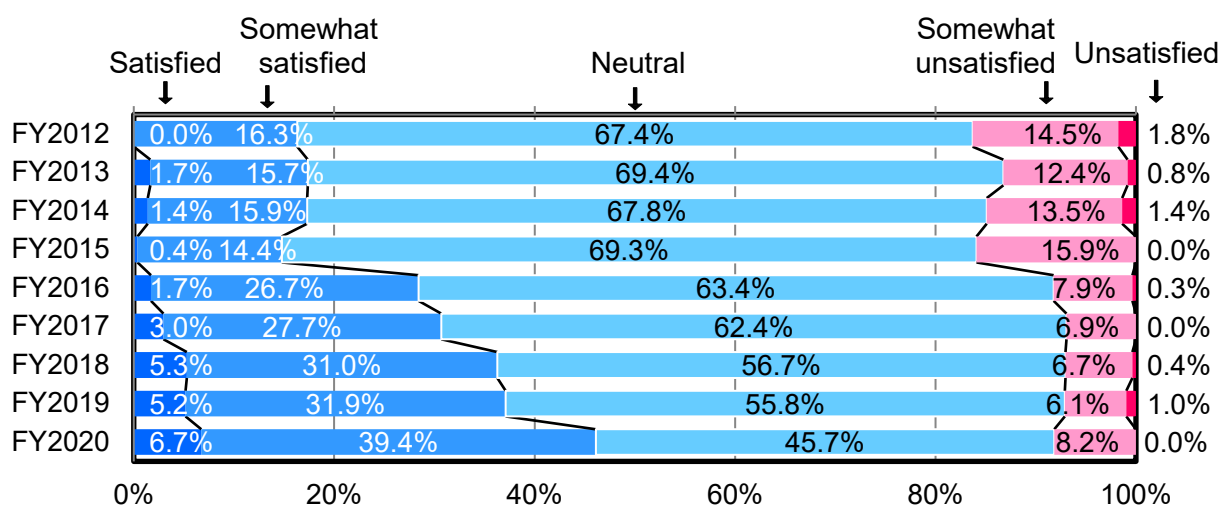


Figure 21: Satisfaction level with consistency of judgements in the international phase

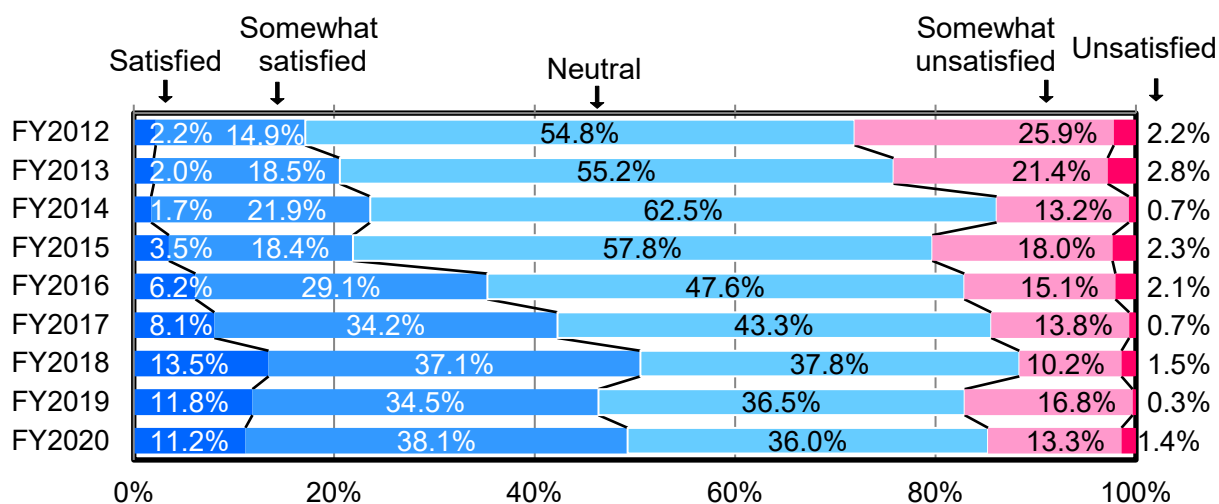


Figure 22: Satisfaction level with consistency of judgements in the international and national phases

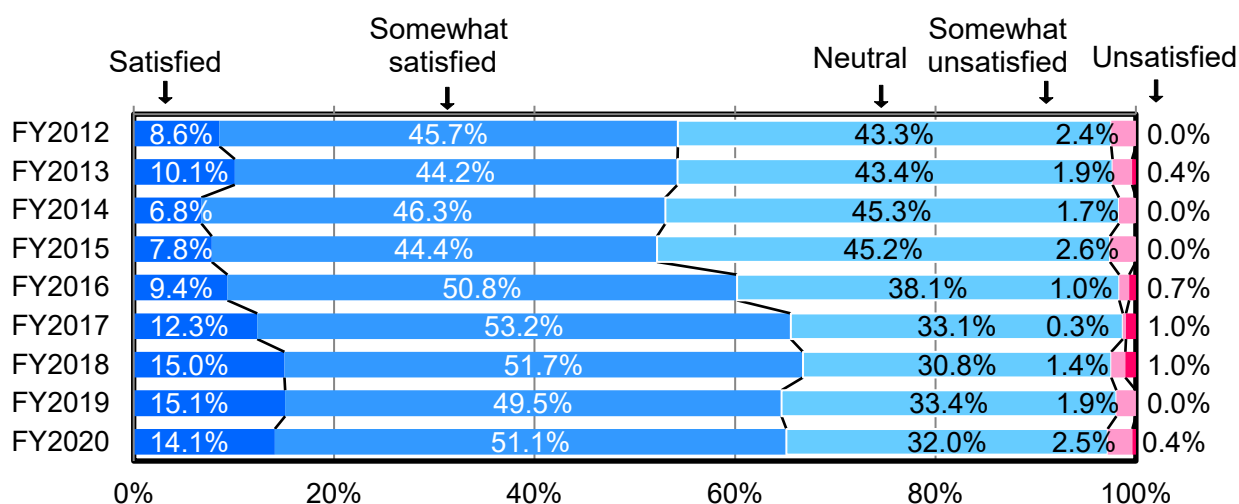


Figure 23: Satisfaction level with domestic patent literature searches in the international search and international preliminary examination

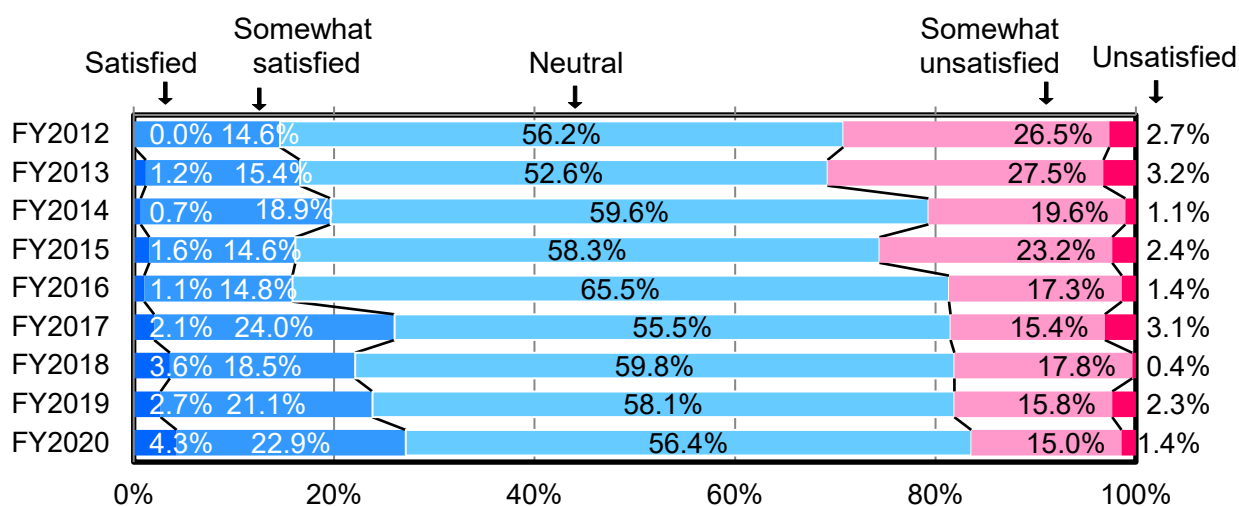


Figure 24: Satisfaction level with foreign patent literature searches in the international search and international preliminary examination

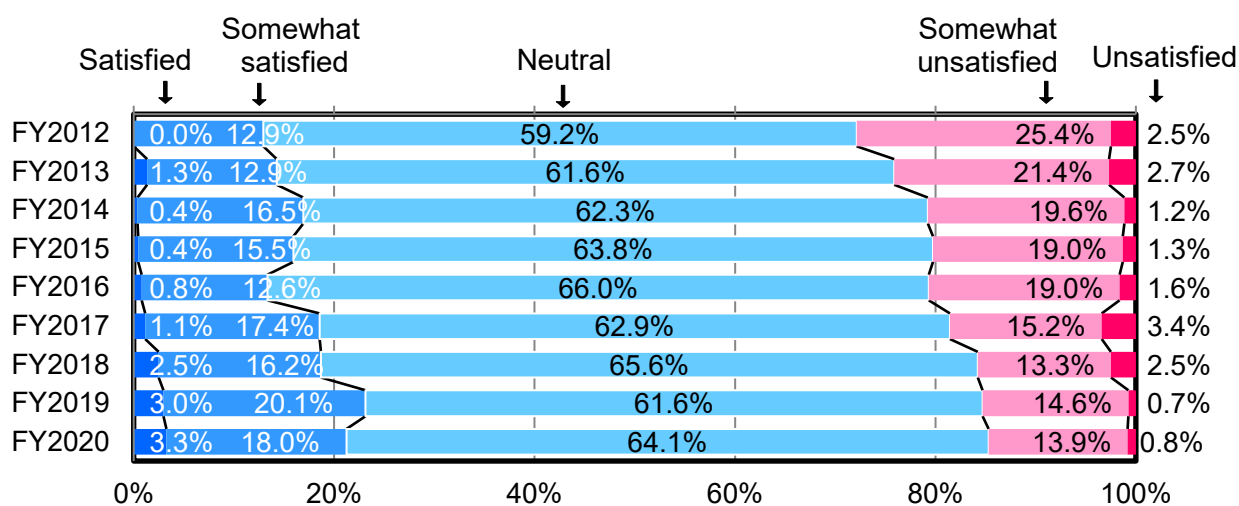


Figure 25: Satisfaction level with non-patent literature searches in the international search and international preliminary examination

Table 6 lists satisfaction levels of the overall quality and the individual evaluation items of the international search and international preliminary examination on PCT applications.

Table 6: Satisfaction levels of the overall quality and the individual evaluation items of the international search and international preliminary examination on PCT applications

Evaluation item		Satisfied	Somewhat Satisfied	Neutral	Somewhat Unsatisfied	Unsatisfied	Not sure/No experience or response
Overall evaluation							
Overall quality of the international search and international preliminary examination		15 (5.3%)	153 (53.9%)	108 (38.0%)	7 (2.5%)	1 (0.4%)	1
Individual evaluation items							
IPC accuracy		33 (12.3%)	124 (46.1%)	109 (40.5%)	3 (1.1%)	0 (0.0%)	16
Judgement on excluded subject matter from searches		16 (11.9%)	48 (35.6%)	68 (50.4%)	2 (1.5%)	1 (0.7%)	150
Judgement on unity of invention		33 (12.9%)	102 (40.0%)	115 (45.1%)	5 (2.0%)	0 (0.0%)	30
Judgement on novelty/inventive step		16 (5.6%)	134 (47.2%)	109 (38.4%)	24 (8.5%)	1 (0.4%)	1
Reasoned statement regarding novelty/inventive step		28 (9.9%)	141 (49.6%)	93 (32.7%)	21 (7.4%)	1 (0.4%)	1
Consistency of judgements in the international phase		19 (6.7%)	111 (39.4%)	129 (45.7%)	23 (8.2%)	0 (0.0%)	3
Consistency of judgements in the international and national phases		31 (11.2%)	106 (38.1%)	100 (36.0%)	37 (13.3%)	4 (1.4%)	7
Prior art searches	Domestic patent literature searches	40 (14.1%)	145 (51.1%)	91 (32.0%)	7 (2.5%)	1 (0.4%)	1
	Foreign patent literature searches	12 (4.3%)	64 (22.9%)	158 (56.4%)	42 (15.0%)	4 (1.4%)	5
	Non-patent literature searches	8 (3.3%)	44 (18.0%)	157 (64.1%)	34 (13.9%)	2 (0.8%)	40

*Percentages in brackets represent the ratio of responses of each item / valid responses (excluding Not sure / No experience or response). The percentages may not reach the sum of 100 due to rounding.

(3) Comparison with other national/regional Offices

Table 7 shows the aggregated results of a multiple-choice question as to in what items the JPO outperforms or is more desirable to perform than the other Offices in patent examination. While the respondents show their support for the JPO's examination in many items, they seem to expect more of our prior art searches.

Table 7: Offices which the respondents think are superior or preferable for each evaluation item

(excluding responses “No examination experience at the Office/Not sure”)

Evaluation Item	JPO	USPTO	EPO	CNIPA	KIPO
Thorough and easy-to-understand description in notifications of reasons for refusal	210 (59.8%)	75 (21.4%)	109 (31.1%)	61 (17.4%)	56 (16.0%)
Judgement on industrial applicability and patent eligibility	110 (31.3%)	36 (10.3%)	54 (15.4%)	25 (7.1%)	22 (6.3%)
Judgement on novelty/inventive step	172 (49.0%)	49 (14.0%)	133 (37.9%)	44 (12.5%)	31 (8.8%)
Judgement on descriptive requirements	134 (38.2%)	49 (14.0%)	67 (19.1%)	22 (6.3%)	20 (5.7%)
Consistency of judgements among examiners	169 (48.1%)	9 (2.6%)	111 (31.6%)	18 (5.1%)	18 (5.1%)
Prior art searches	151 (43.0%)	44 (12.5%)	154 (43.9%)	52 (14.8%)	19 (5.4%)
Level of examiners' expertise in technical details	183 (52.1%)	17 (4.8%)	111 (31.6%)	28 (8.0%)	19 (5.4%)
Responses to written opinions	174 (49.6%)	54 (15.4%)	70 (19.9%)	35 (10.0%)	21 (6.0%)
Communication with examiners in face-to-face interviews	129 (36.8%)	50 (14.2%)	17 (4.8%)	9 (2.6%)	11 (3.1%)
Communication with examiners in telephone conversations	104 (29.6%)	69 (19.7%)	11 (3.1%)	18 (5.1%)	8 (2.3%)
Scope of patent that was granted after examination	124 (35.3%)	50 (14.2%)	72 (20.5%)	21 (6.0%)	31 (8.8%)

3. Result Analysis

(1) Correlation between the levels of satisfaction with each evaluation item and the overall quality of patent examination on national applications

Correlation coefficients can be used to measure relationships between the levels of satisfaction with each evaluation item and with the overall quality of patent examination. The greater the correlation coefficient of each evaluation item, the stronger the relationship with the level of satisfaction with the overall quality.

Figure 26 shows correlation between the levels of satisfaction with each evaluation item and the overall quality of patent examination on national applications, with the former on the x-axis and the latter on the y-axis. The JPO should improve on a priority basis evaluation items which received low levels of satisfaction (left side) in spite of high correlation coefficients with the overall level of satisfaction (upper side). This year's Survey reveals that evaluation items "consistency of judgements among examiners"⁹ and "application of the Article 29 (2): inventive step" are the priorities.

⁹ "Consistency of judgements among examiners on the Article 29 (2): inventive step" on the upper left in the figure is included in "consistency of judgements among examiners".

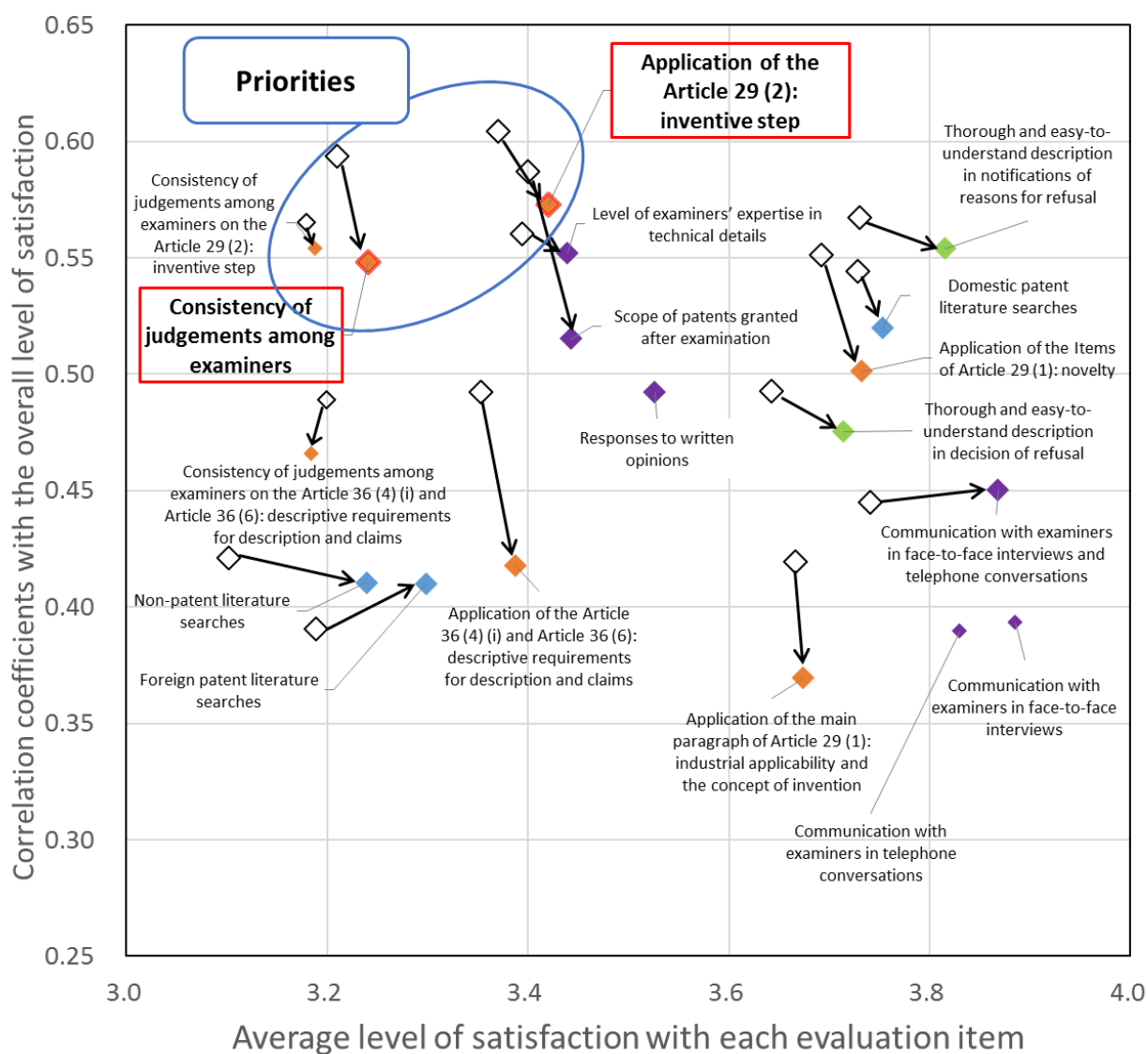


Figure 26: Average level of satisfaction for each evaluation item and correlation coefficients with overall satisfaction level (national applications)¹⁰

¹⁰ Plots are colored according to evaluation types: Light blue for prior art searches; orange for judgements; green for descriptions in notifications; purple for others. White plots representing Survey results and arrows representing changes in correlation coefficients are from the previous year's Survey.

(2) Correlation between individual evaluation items and overall satisfaction level (PCT applications)

Figure 27 shows correlation between the levels of satisfaction with each evaluation item and the overall quality of the international search and international preliminary examination on PCT applications, with the former on the x-axis and the latter on the y-axis. As in Figure 26, the JPO should improve on a priority basis evaluation items which received low levels of satisfaction (left side) in spite of high correlation coefficients with the overall level of satisfaction (upper side). This year's Survey reveals that evaluation items "consistency of judgements in the international phase" and "judgement on novelty/inventive step" are the priorities.

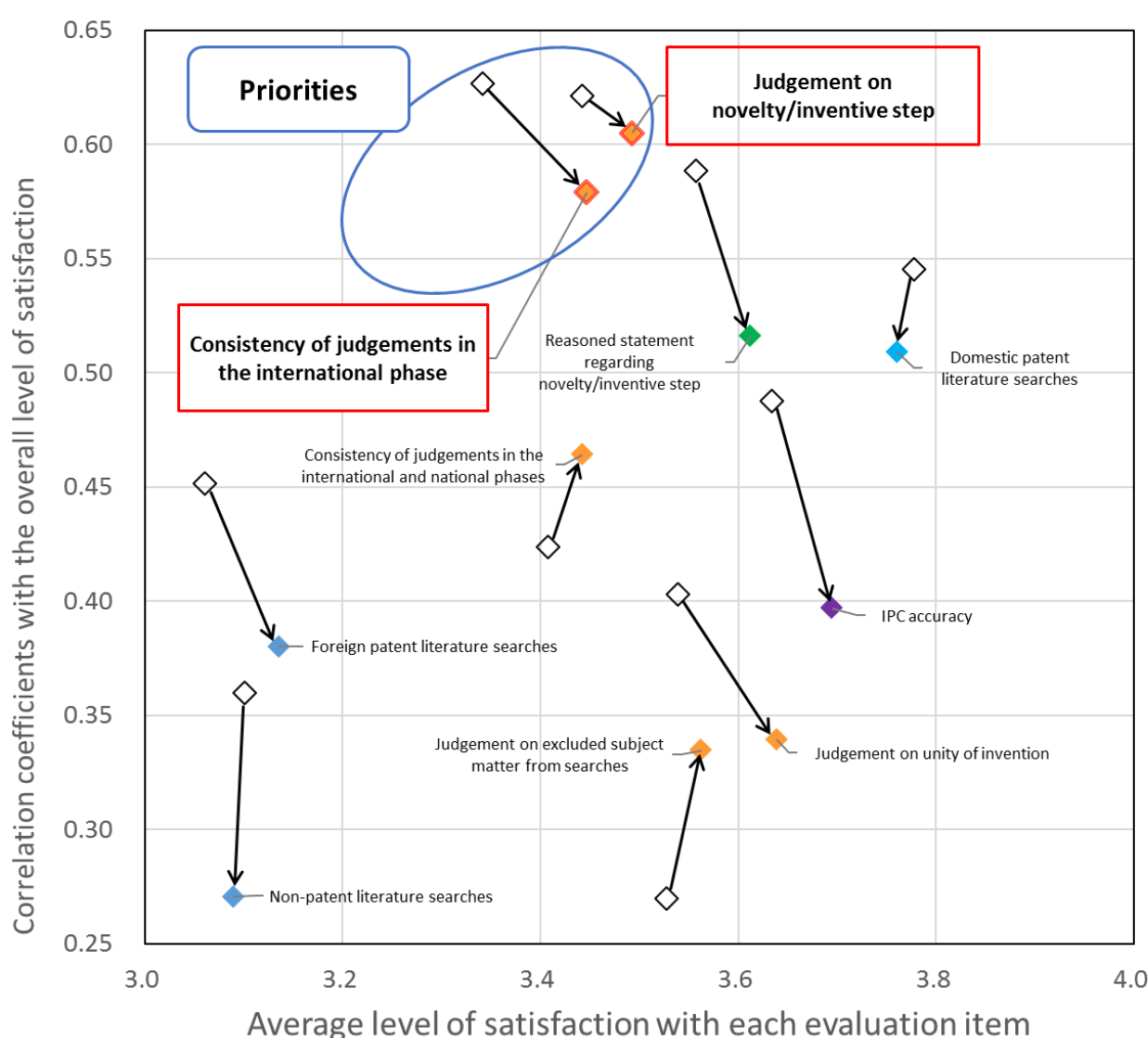


Figure 27: Average level of satisfaction for each evaluation item and correlation coefficients with overall satisfaction level (PCT applications)¹¹

¹¹ Plots are colored according to evaluation types: Light blue for prior art searches; orange for judgements; green for descriptions in notifications; purple for others. White plots representing Survey results and arrows representing changes in correlation coefficients are from the previous year's

4. Summary of the Survey results

This year's Survey showed that 97.3% of the respondents evaluated the level of satisfaction with the overall quality of patent examination on national applications as *neutral* or higher (Figure 1). The correlation analysis of the levels of satisfaction with each evaluation item and the overall quality revealed that "consistency of judgements among examiners" and "application of the Article 29 (2): inventive step" continued to be considered as priorities for improvement (Figure 26).

It was also shown that 97.2% of the respondents evaluated the level of satisfaction with the overall quality of the international search and international preliminary examination on PCT applications as *neutral* or higher (Figure 15). The correlation analysis of the levels of satisfaction with each evaluation item and the overall quality revealed that "consistency of judgements in the international phase" and "judgement on novelty/inventive step" continued to be considered as priorities for improvement (Figure 27).

While making steady progress in current measures and initiatives to improve examination quality, we will address issues, such as "consistency of judgements among examiners" and "application of the Article 29 (2): inventive step," which were identified in this Survey with the help of other analysis results produced by us. We will also commit to making continuous efforts to maintain and improve our examination quality based on invaluable information obtained from a large number of users in the Survey.

5. The Survey in the future

We have been conducting this Survey since FY 2012 on the same scale, thanks to our users' understanding and active cooperation.

In this fiscal year's Survey, conducted online to reduce respondents' burden, we added questions to compare our examination quality with that of other national/regional Offices and found that the respondents support many evaluation items of our examination quality.

We will continue the Survey in the coming years to keep understanding our users' needs, considering further improvement in evaluation methods, the timing and method of the Survey, methods to select applications and applicants to be surveyed and Survey questions among others.

This year's Survey results will be the basis of discussions on what to be improved in the implementation status and system of quality management in the Subcommittee on Examination Quality Management under the Intellectual Property Committee of the Industrial Structure Council.

Acknowledgment

We would like to express our gratitude to all the respondents for their cooperation in taking this Survey. We would also appreciate our users' continuous support as we need to continue to conduct the User Satisfaction Survey and improve patent examination and other operating practices based on Survey results, which will lead to a higher examination quality.

<Appendix> Questionnaire Sheets of FY 2020 Survey



[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 FY 2019 (from 1st April 2019 to 31st March 2020).

[1] Overall Quality of Patent Examination

How would you rate the overall quality of patent examination at the JPO in FY 2019? [***Required**]

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

[2] Evaluation of Individual Items

How would you rate the following items in patent examination at the JPO in FY 2019? [***All items are required**]

*If you did not communicate with examiners, please select *Not sure/No experience* in items 8, 8-1, and 8-2

*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) (industrial applicability and the concept of invention)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3-2. Application of the Items 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 the 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 the Article 36 (4) (i) and Article 36 (6) (descriptive 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 (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 (descriptive 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"/>

Please feel free to comment on item 8 (e.g. reasons for satisfaction/dissatisfaction).

Please provide comments on the other items in [2] (e.g. reasons for satisfaction/ dissatisfaction).

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

[3] Comparison with other national/regional Offices

Please select all Offices you think are superior (or preferable) for the following items in patent examination.

*Please leave all boxes unchecked if you feel that no Office is superior for any item or if you are unable to compare.

*Please check the box(es) in 0. *No examination experience at the Office/Not sure* if you are unsure about an Office's examination quality or if you have an insufficient number of application examinations by an Office to make a viable comparison.

*JPO: Japan Patent Office, USPTO: United States Patent and Trademark Office, EPO: European Patent Office, CNIPA: China National Intellectual Property Administration, KIPO: Korean Intellectual Property Office

	JPO	USPTO	EPO	CNIPA	KIPO
0. No examination experience at the Office/Not sure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1. Thorough and easy-to-understand description in notifications of reasons for refusal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Judgement on industrial applicability and patent eligibility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Judgement on novelty/inventive step	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Judgement on descriptive requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Consistency of judgements among examiners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Prior art searches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Level of examiners' expertise in technical details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Responses to written opinions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Communication with examiners in face-to-face interviews	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Communication with examiners in telephone conversations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Scope of patent that was granted after examination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide any comments on items in [3] or other national/regional Offices than those above.

[4] Additional comments/requests

Please provide any other comments/requests/suggestions in the column below.

(For specific application comments, please submit using the [User Satisfaction Survey on specific applications](#))

[Sheet 2] Overall Quality of the International Search and International Preliminary Examination on PCT Applications

Please answer questions [1] to [3], according to your experience in the international search and international preliminary examination process in FY2019 (from 1st April 2019 to 31st March 2020).

[1] Overall Quality of the International Search and International Preliminary Examination including ISRs (Form PCT/ISA/210), WO/ISAs (Form PCT/ISA/237), and IPERs (Form PCT/ISA/409)

How would you rate the overall quality of the international search and international preliminary examination at the JPO in FY 2019? **[*Required]**

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

[2] Evaluation of Individual Items

How would you rate the following items in the international search and international preliminary examination at the JPO in FY 2019? **[*All items are required]**

*Item 2 means judgement on excluded subject matter from searches falling under mathematical theories, methods of doing business, and mere presentations of information etc.

*item 7 means consistency of judgements between the international phase at the JPO and the national phase at the JPO.

	Satisfied	Somewhat Satisfied	Neutral	Somewhat Unsatisfied	Unsatisfied	Not Sure / No experience
1. IPC accuracy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Judgement on excluded subject matter from searches*	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Judgement on unity of invention	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Judgement on novelty/inventive step	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Reasoned statement regarding novelty/inventive step	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Consistency of judgements in the international phase	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Consistency of judgements in the international and national phases*	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8-1. 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"/>
8-2. 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"/>
8-3. 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"/>

Please provide comments on items in [2] (e.g. reasons for satisfaction/ dissatisfaction).

[3] Additional comments/requests

Please provide any other comments/requests/suggestions in the column below.

(For specific PCT application comments, please submit using the [User Satisfaction Survey on specific applications](#))