



Outline of Patent Prosecution Highway (PPH)

TENTATIVE TRANSLATION

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Examination Policy Planning Office

Administrative Affairs Division

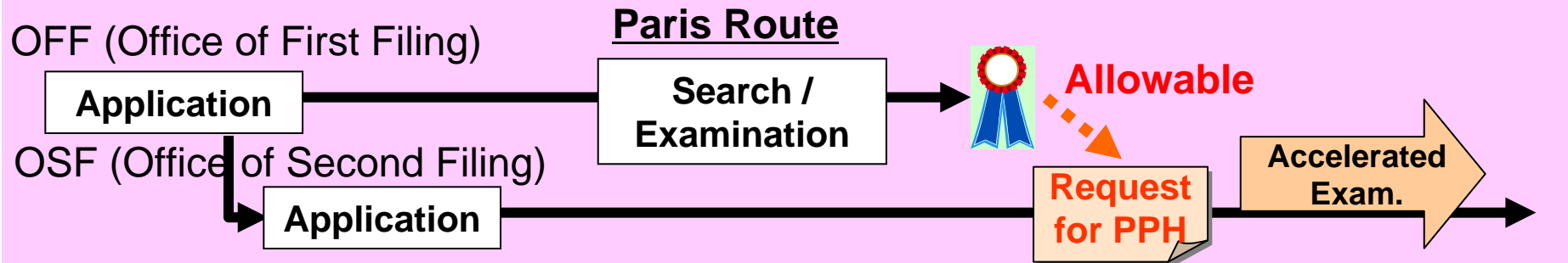
First Patent Examination Department

Japan Patent Office



Patent Prosecution Highway (PPH)

- If a patent application has been determined to be patentable in OFF (RO), the corresponding application is qualified for accelerated examination in OSF (DO)
- PPH offers global patent procurement with low pendency and low cost for applicants / Reduction of search and examination duplication and improvement of quality for patent offices

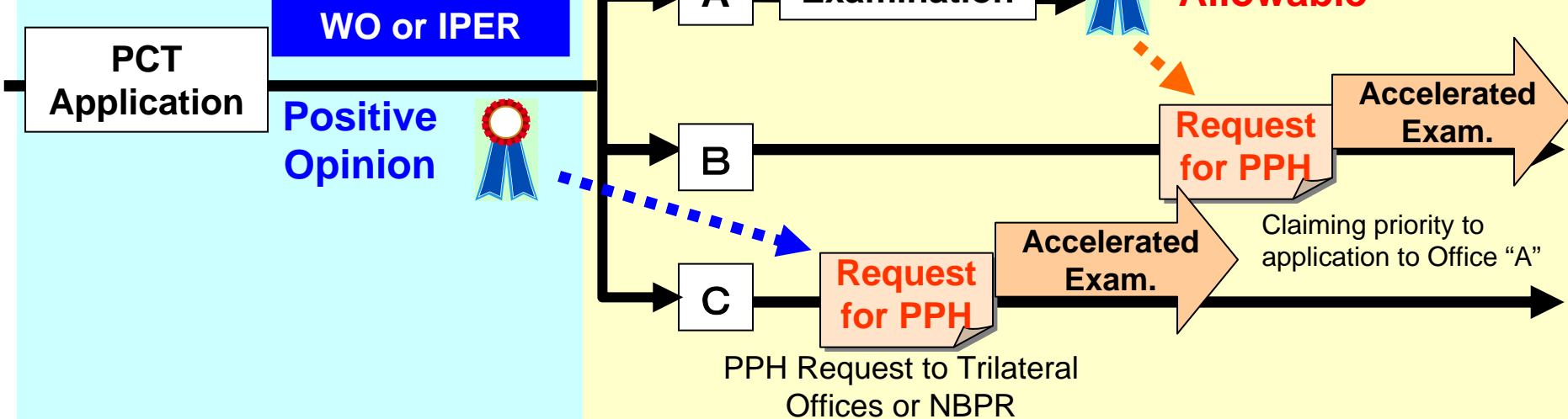


PCT International Phase

National/Regional Phase

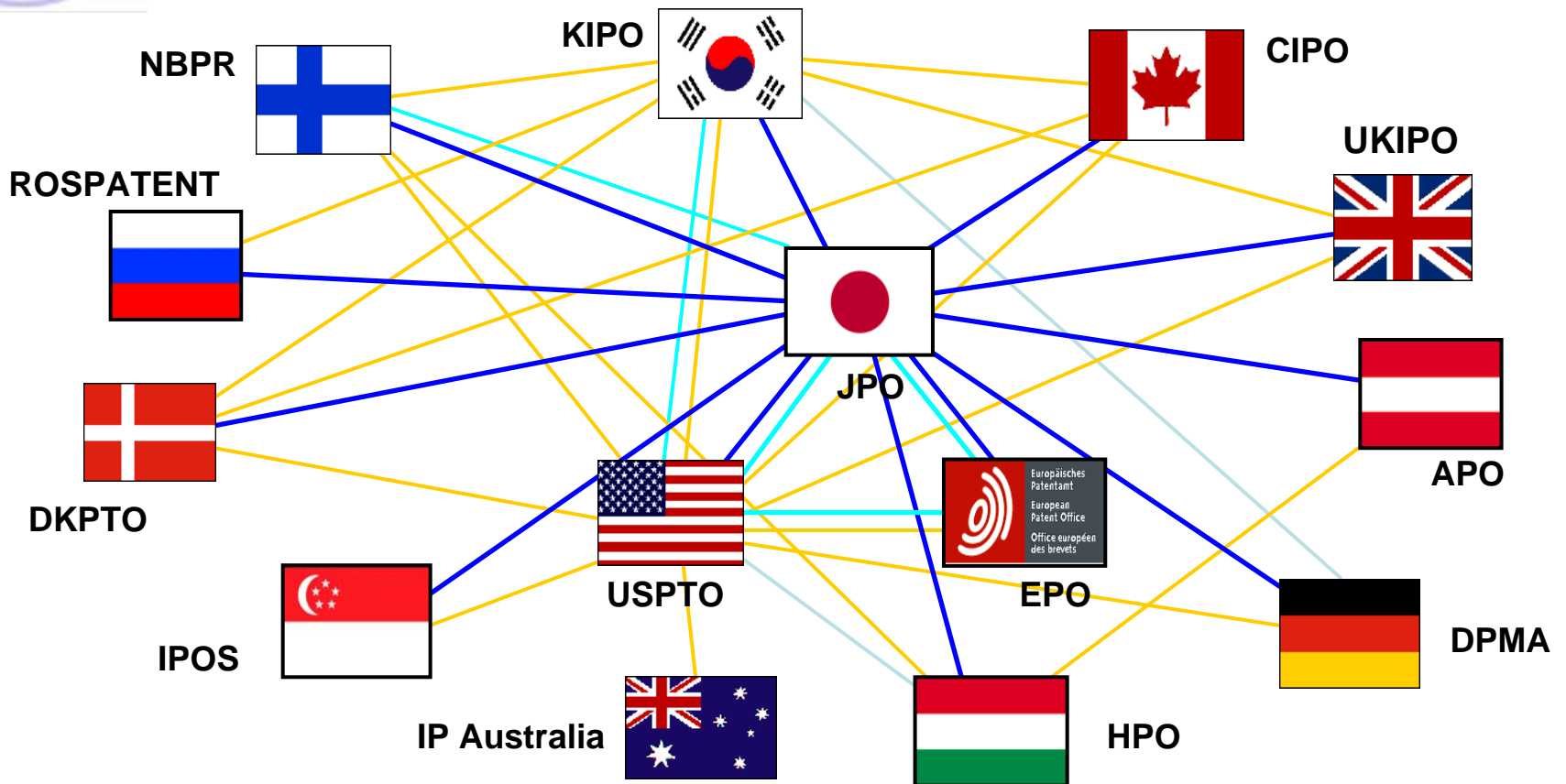
PPH (Paris Route) PCT-PPH

PCT Work Products of Trilateral Offices or NBPR





The PPH network



Legend:

- Blue line: Network with JPO
- Cyan line: PCT-PPH in Trilateral Offices
- Yellow line: Other network

As of 1st July 2010



Number of Requests for PPH

		OSF													
OFF		JPO	US PTO	KIPO (*1)	UK IPO	DPMA	CIPO	IP-AU	DK PTO	EPO (*2)	IPOS	NBPR	ROS PATENT	APO	HPO
	JPO		1920	371	16	220	0	-	1	1	0	0	8	0	0
	USPTO	738		173	16	1	837	40	0	18	1	0	-	-	-
	KIPO	86	397		0	-	0	-	0	-	-	-	0	-	-
	UK-IPO	12	79	0		-	-	-	-	-	-	-	-	-	-
	DPMA	45	15	-	-		-	-	-	-	-	-	-	-	-
	CIPO	0	26	0	-	-		-	0	-	-	-	-	-	-
	IP-AU	-	32	-	-	-	-		-	-	-	-	-	-	-
	DKPTO	1	15	0	-	-	0	-		-	-	-	-	-	-
	EPO	0	30	-	-	-	-	-	-		-	-	-	-	-
	IPOS	0	1	-	-	-	-	-	-	-		-	-	-	-
	NBPR	3	3	0	-	-	-	-	-	-	-		-	-	0
	ROS PATENT	0	-	0	-	-	-	-	-	-	-	-		-	-
	APO	0	-	-	-	-	-	-	-	-	-	-	-		0
	HPO	0	-	-	-	-	-	-	-	-	-	-	-	0	

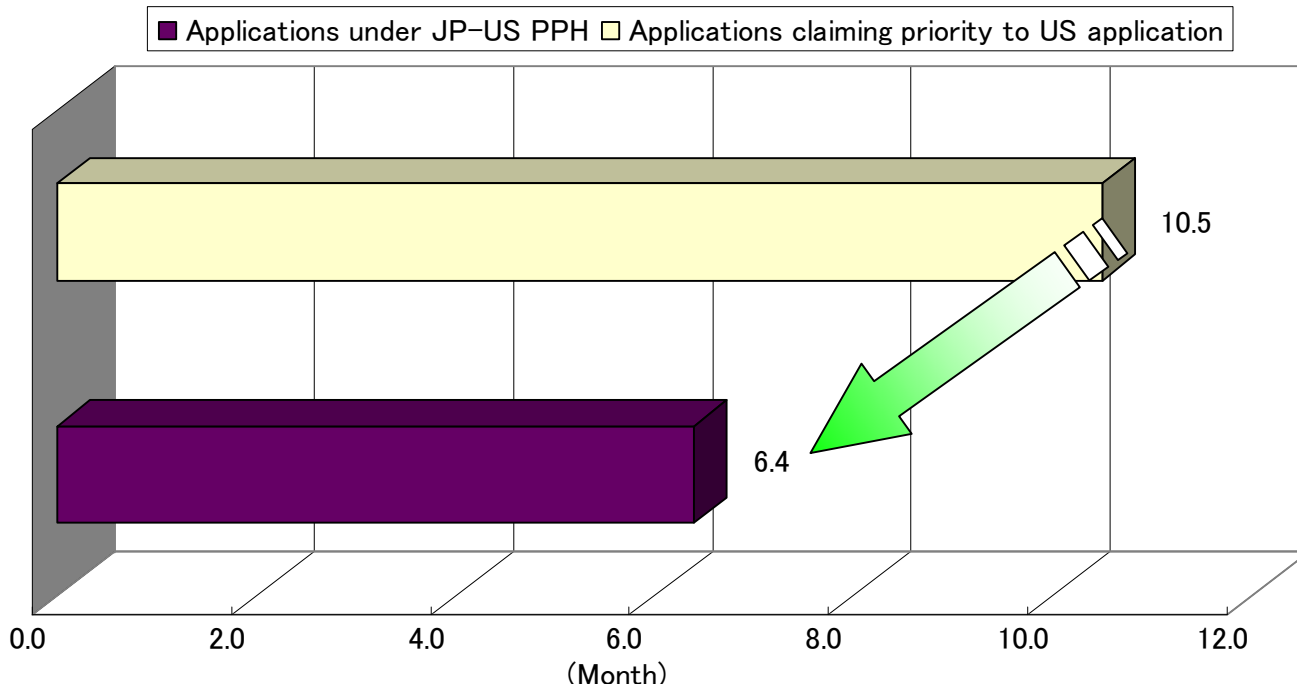
As of 31st January 2010(*1: As of 31st March 2010, *2: As of 1st March 2010)



Advantages of PPH

(1) *Expeditious examination & Cost effectiveness*

Expeditious examination and Cost saving due to decreasing number of office actions



Average Pendency from FA to Final Action(2009CY)



Advantages of PPH

(2) Reduction of FA pendency

For PPH application, FA pendency is greatly reduced.

From JPO to USPTO:

<not using PPH> 25 months (from application to FA) (As of July 2009)

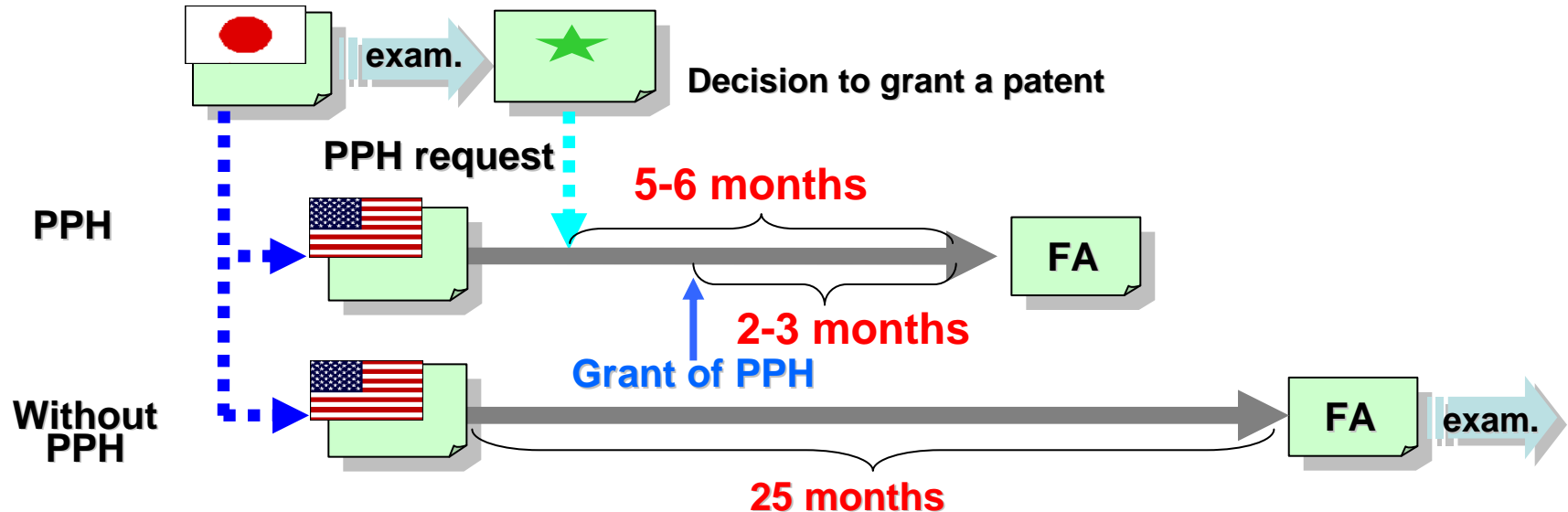
<using PPH> 2-3 months (from grant of PPH request to FA)

From USPTO to JPO:

<not using PPH> 28.5 months (from application to FA) (As of 2008(FY))

<using PPH> 2-3 months (from grant of PPH request to FA)

In the case where OFF is JPO, OSF is USPTO:



Note: The terms written above is only for your convenience and JPO has no responsibility and no control on the months written above.



Advantages of PPH

(3) High grant rate

- If a patent application has been determined to be patentable in OFF, the corresponding application has high grant rate in OSF
- More stable patent right through examinations by OFF and OSF for the same invention

Case: OFF is JPO, OSF is USPTO

Grant rate of all applications in USPTO

Grant rate of PPH applications
(OFF: JPO, OSF: USPTO)

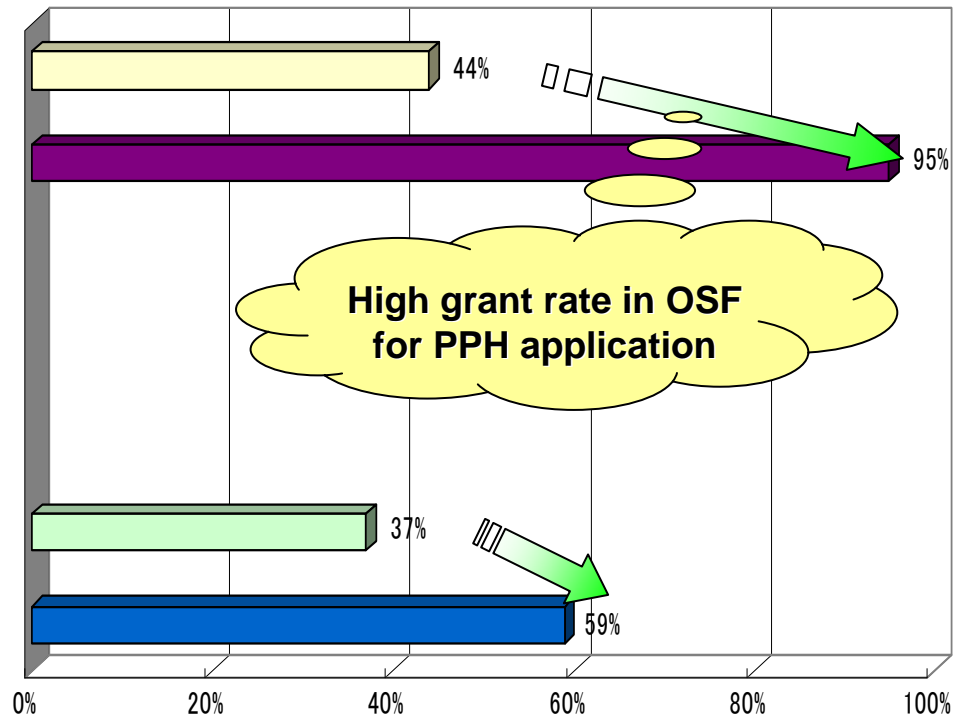
(Source: USPTO Website July 2009)

Case: OFF is USPTO, OSF is JPO

Grant rate of Applications claiming
priority to US applications

Grant rate for PPH
(OFF: USPTO, OSF: JPO)

(2009(CY))





Requirements, Required Documents etc. for PPH

-Case of PPH request from JP to U.S.-

Requirements	<ol style="list-style-type: none">1. The U.S. application is in certain relation with the JP application. Ex.) The U.S. application is a Paris Convention application validly claiming priority to one of more applications filed in the JPO2. JPO application has at least one claim that was determined by the JPO to be allowable/patentable.3. All the claims in each U.S. application sufficiently correspond or are amended to sufficiently correspond to the allowable/patentable claims in JP applications.
List of Required Documents	<ol style="list-style-type: none">1. A copy of all claims and its English translations2. A copy of the latest JPO office actions (other than “Decision to Grant a Patent”) and its English translation3. Copies of all cited documents*4. Claims Correspondence Table <p>* Submission of U.S. patents, U.S. patent application publications, or other documents that are submitted for IDS is not required.</p>
Procedures after grant of PPH requirement	Fast track the examination.
Fee for PPH request	Free (from 25th May 2010)

As a rule, requirements for PPH are similar to other offices. Please see the comparative table between countries in reference materials and PPH guidelines of each country for details.



For further details

- **JPO website**

(In Japanese)

http://www.jpo.go.jp/cgi/link.cgi?url=/torikumi/t_torikumi/patent_highway.htm

(In English)

http://www.jpo.go.jp/torikumi/t_torikumi/pph_pct/pct.htm

- **USPTO website**

http://www.uspto.gov/patents/init_events/pph/index.jsp

- **PPH portal Website**

(In English)

http://www.jpo.go.jp/cgi/link.cgi?url=/torikumi/t_torikumi/patent_highway.htm



*Thank you for your
attention!*

