

GLOBAL PPH REQUEST FORM

Request for Accelerated PPH Examination at the Danish Patent and Trademark Office (DKPTO) under the Global PPH Pilot Program

1 DK application number: _____

Corresponding **Office of Earlier Examination (OEE)** application/publication
number: _____

2 Work product/Office action attached:

Copy of translated OEE work product/office action attached:

or

OEE work product/office action available via Dossier Access System:

Specify "Dossier Access System?": _____

or

OEE work product(s)/office actions on file from previous PPH application:

Provide DK application number: _____

3 Claims attached:

Translated copy of claims found to be allowable by the OEE:

or

Translated claims available via Dossier Access System:

4 Claim correspondence table attached:

5 Copy of non-patent literature or patent citations attached:

(Please note that whilst this is not a requirement at this stage, examination of your application may be delayed if the examiner has need to request such documents from you at a later stage)

**PLEASE MAKE SURE THAT THIS FORM IS THE UPPERMOST DOCUMENT WHEN REQUESTING
PPH**

How to complete the GLOBAL PPH REQUEST FORM and file a PPH request

Tick the relevant boxes under each of the items in the request form and provide other relevant information. As minimum items 1 to 4 in the form must be completed in order for the DKPTO to grant the request for accelerated PPH processing:

Item 1 – Application numbers

Both the DK application number (PA YYYY NNNNN) and the Office of Earlier Filing (OEE) application (being the basis for requesting PPH) or publication number must be filled in. Note, the applications before the Office of Earlier Examination (OEE) and the DKPTO application must have the same earliest date (which may be the priority date or the filing date).

Item 2 – Work product/Office action

A copy of the latest work product (see Annex F of the Framework Conditions for the Global PPH system (<http://www.jpo.go.jp/ppph-portal/globalpph.htm>) stating which claims have been assessed allowable by the OEE is required. A work product is a written statement from an OEE which is relevant to the allowability of the claims of the corresponding OEE application. A working product can be e.g. an Office Action from a national office, or a PCT Written Opinion or a PCT Preliminary Examination Report from an International Authority.

If work product is available via Dossier Access system, please specify (see <http://www.jpo.go.jp/ppph-portal/filewrapper.htm>).

Item 3 – Claims

Machine translation of claims allowed by the OEE is accepted and must be furnished in English or Danish. Please note, that the examiner may require manual translation if the machine translation is deemed to be of insufficient quality.

Item 4 – Claim correspondence table

A claim correspondence table that shows the relationship between the claims of the DK application and those of the OEE that were considered allowable, see Annex 2 below.

Item 5 – Copy of non-patent literature or patent citations

Furnishing of non-patent literature is not a requirement when requesting PPH. However, non-patent literature may be difficult to obtain for the DKPTO. We therefore advice that you provide this when requesting PPH to avoid that the examiner has need to request such documents from you at a later stage.

Usually it will not be necessary to furnish patent citations or translations of these as the DKPTO has access to most patent citations via regular databases or search files. However, if not available to the DKPTO, the DKPTO may require copies of patent citations raised against the OEE application. Further, the DKPTO may require translation of foreign language citations if deemed necessary by the examiner.

Other information

A DK application filed under the Global PPH pilot program must fulfil the eligibility requirements as listed in Annex B of the Framework Conditions for the Global PPH system (<http://www.jpo.go.jp/ppph-portal/globalpph.htm>) including the requirement that the claims in the OEE and DK application must “sufficiently correspond” (see Annex 1 below).

If the PPH request is found to be deficient, the DKPTO will inform the applicant. The application will not lose its PPH status if more than one opportunity to correct deficiencies is needed.

A request for PPH processing is free of charge at the Danish Patent and Trademark Office.

Patent applications subject to a secrecy order (War material) are excluded and not subject to PPH processing at the DKPTO.

Where to file the request for PPH at the Danish Patent and Trademark Office

A request for accelerated PPH processing at the DKPTO must contain the required documentation and be sent to either pvs@dkpto.dk or by regular postal service to:

Danish Patent and Trademark Office
Helgeshøj Allé 81
2630 Taastrup

ANNEX 1: Definition of “Sufficiently Corresponding Claims”:

All claims on file, as originally filed or as amended, for examination under the PPH must sufficiently correspond to one or more of those claims indicated as allowable in the **Office of Earlier Examination (OEE)**.

Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the **Office of Later Examination (OLE)** are of the same or similar scope as the claims in the OEE, or the claims in the OLE are narrower in scope than the claims in the OEE.

In this regard, a claim that is narrower in scope occurs when an OEE claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). When possible, the narrower claim on file should be presented in dependent form.

A claim in the OLE which introduces a new/different category of claims to those claims indicated as allowable in the OEE may not sufficiently correspond to those claims indicated as allowable in the OEE. A claim in the OLE which introduces a new/different category of claims but the patentability of which would be viewed by the OLE as dependent on the patentability of the claim allowed by the OEE would be considered to sufficiently correspond, otherwise the claims in the OLE of a new/different category would not be considered to sufficiently correspond to those that were allowed by the OEE.

For example:

- If the OEE claims are only directed to a new product, then the claims in the OEE directed to a use of the new product and to a composition comprising the new product are considered to sufficiently correspond.
- If the OEE claims are only directed to a process of manufacturing a product, then the claims in the OEE directed to product claims that are dependent on the corresponding process claims are not considered to sufficiently correspond.

ANNEX 2: Example of Claim correspondence table:

DK Application claim	Corresponding OEE claim	Comment
1 to 5	1 to 5	Applicant has amended the claims to the present claims having the same scope as the claims of the applicant's corresponding OEE application. OEE claims 1 to 5 have been indicated as allowable in the notice dated ____.
6	6+7	Claim 6 has the features of the OEE claims 6+7.
7		Claim 7 has the additional feature “X” in relation to OEE claim 5 and is supported in the description (page xx).