

<English version>



# *Patent Prosecution Highway*

Japan Patent Office

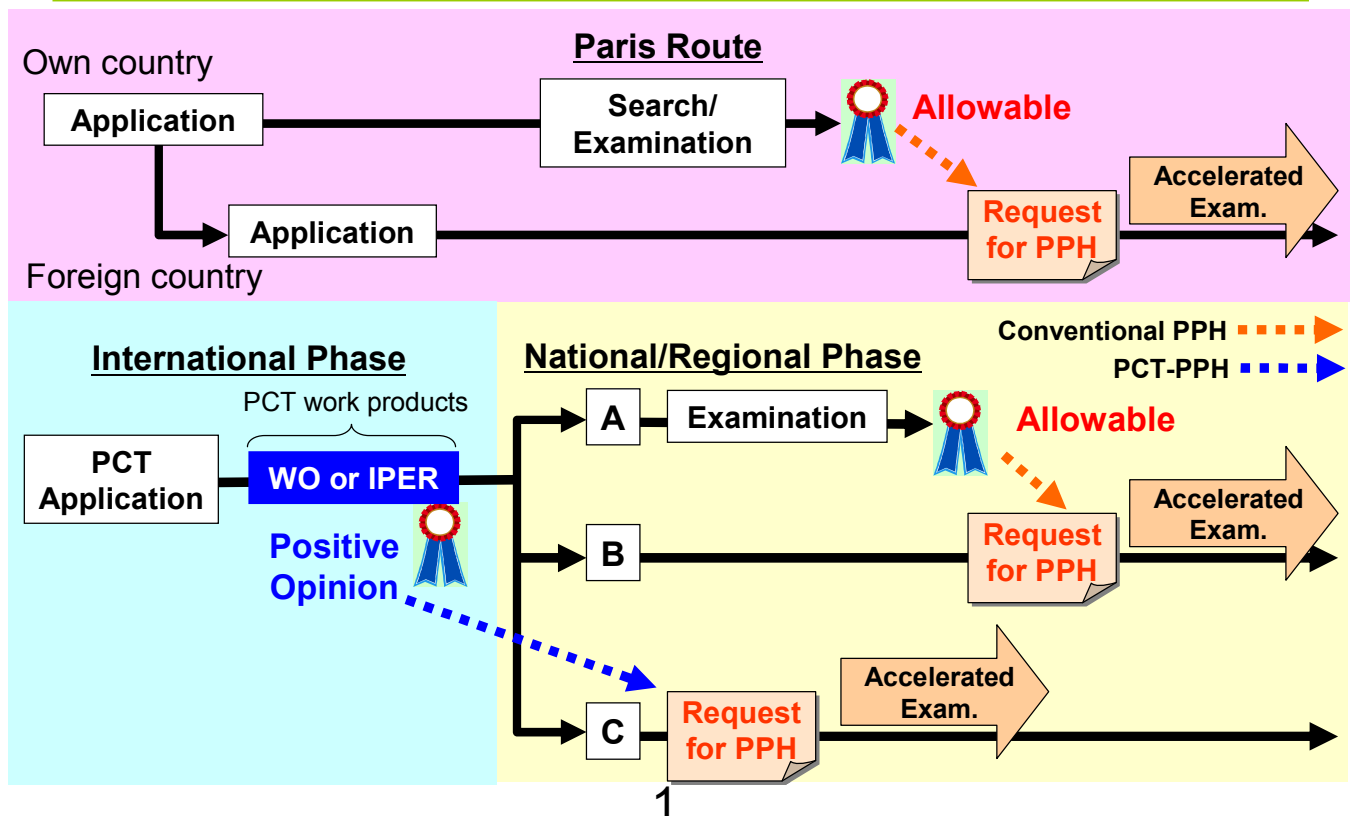
United States Patent and Trademark Office

# 1. Outline of Patent Prosecution Highway (PPH)

The PPH is a framework set up to allow an application that was determined to be patentable in one office, and which is on request by the applicant, to be given an accelerated examination under simplified procedures in other offices which implement this effort with that office.

This framework supports the efficient acquisition of a stable and strong patent right in multiple offices by enabling all the office to make use of all search and examination results in other offices.

In addition, the above-mentioned framework was expanded, and a program for the Patent Prosecution Highway which allows accelerated examination with simplified procedures at the national phase of PCT applications for applications determined to be patentable in the written opinion at the international phase of PCT applications or in the international preliminary examination report (PCT-PPH) has also been launched.

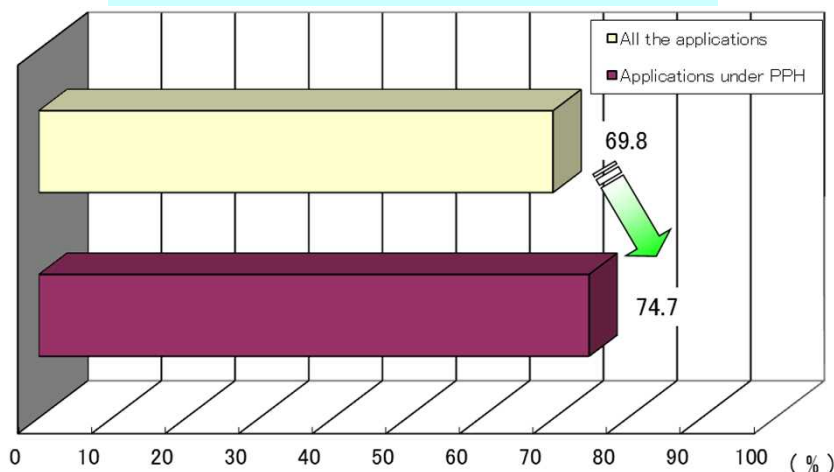


## 2. Merits of PPH ~Improvement of Quality~

It is highly likely that an application for which a PPH request was filed will be allowed in the Office of Later Examination (OLE.) This means that the PPH offers to an applicant the high predictability of the examination result in the Office of Later Examination (OLE) as compared with a non-PPH application.

Also, as to a PPH application, an examiner of the Office of Later Examination (OLE) can start an examination for an invention taking into consideration all of the search/examination-related information of the Office of Earlier Examination (OEE), and hence, the resulting quality of the patent issued can be expected to be higher .

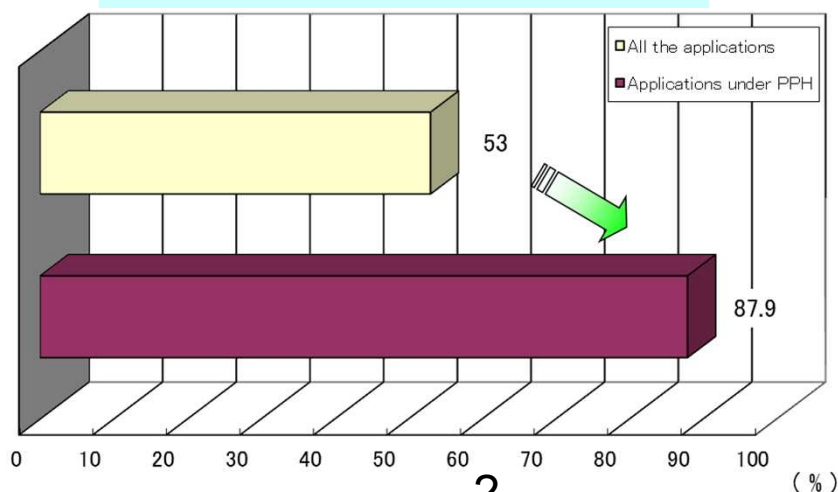
Grant Rate at the JPO



Period for All applications at JPO  
: Jan. –Dec. 2013

Period for PPH applications at JPO  
: Jan. –Jun. 2014

Grant Rate at the USPTO



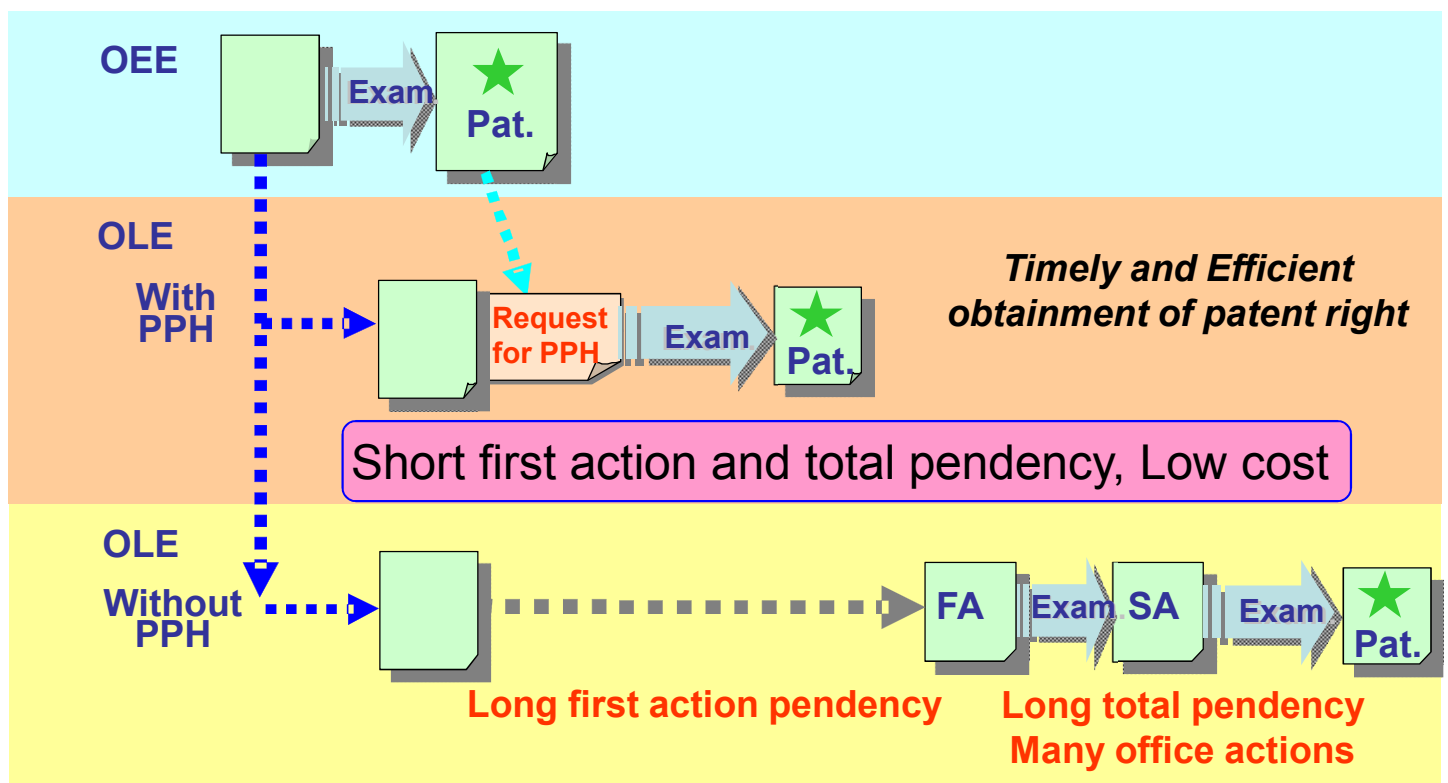
Period at the USPTO  
: Jul. –Dec. 2013

### 3. Merits of PPH ~Expeditious Examination~

By utilizing the PPH, the timely and efficient obtainment of a patent right in the Office of Later Examination (OLE) becomes possible.

For example,

- (1) The Office of Later Examination (OLE) conducts examination earlier upon PPH request despite its average first action pendency.
- (2) Since the Office of Later Examination (OLE) starts its work with claims which the Office of Earlier Examination (OEE) has already determined to be patentable, the work of the Office of Earlier Examination (OEE) is not needlessly replicated in the Office of Later Examination (OLE.) This results in a shorter examination in the Office of Later Examination (OLE.)
- (3) Moreover, applicants can pay less for an examination because they need to respond to fewer office actions.



## 4. Merits of PPH ~Expeditious Examination~

In the PPH at the JPO and the USPTO, the first action pendency in the Office of Later Examination (OLE) can be reduced.

### JP -> US:

<Without PPH> App. **18 months** (from filing date to first action)

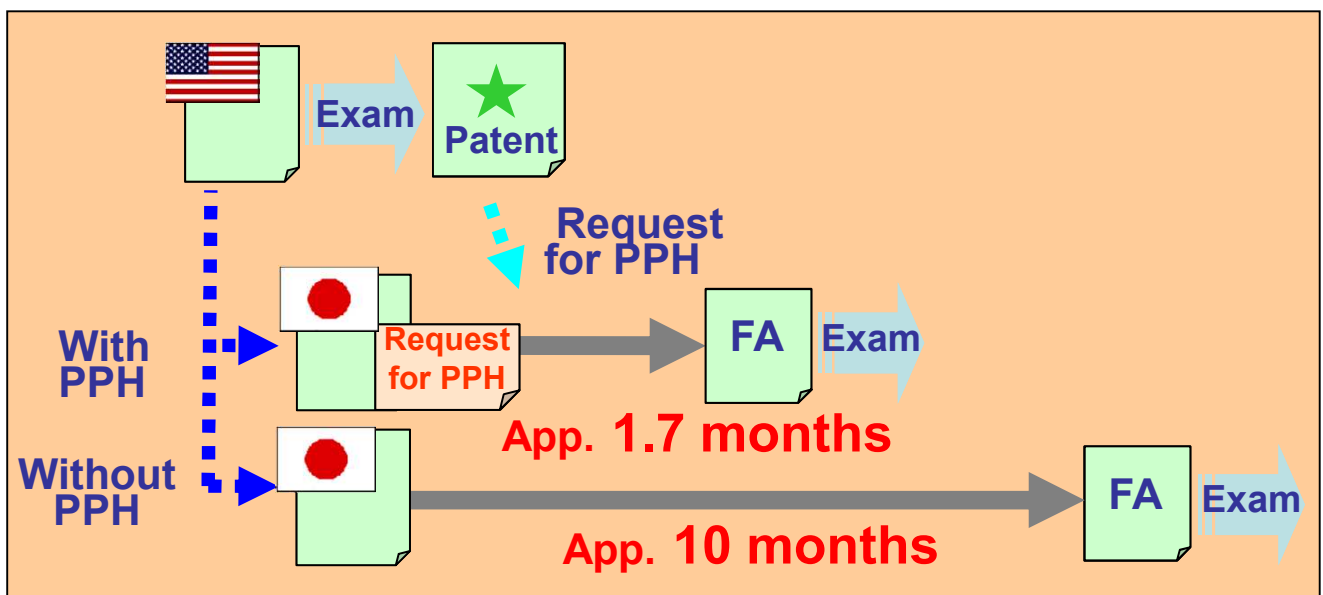
<With PPH> App. **4.4 months** (from PPH request to first action)

### US -> JP:

<Without PPH> App. **10 months** (from request for exam. to first action)

<With PPH> App. **1.7 months** (from PPH request to first action)

### Case of US -> JP

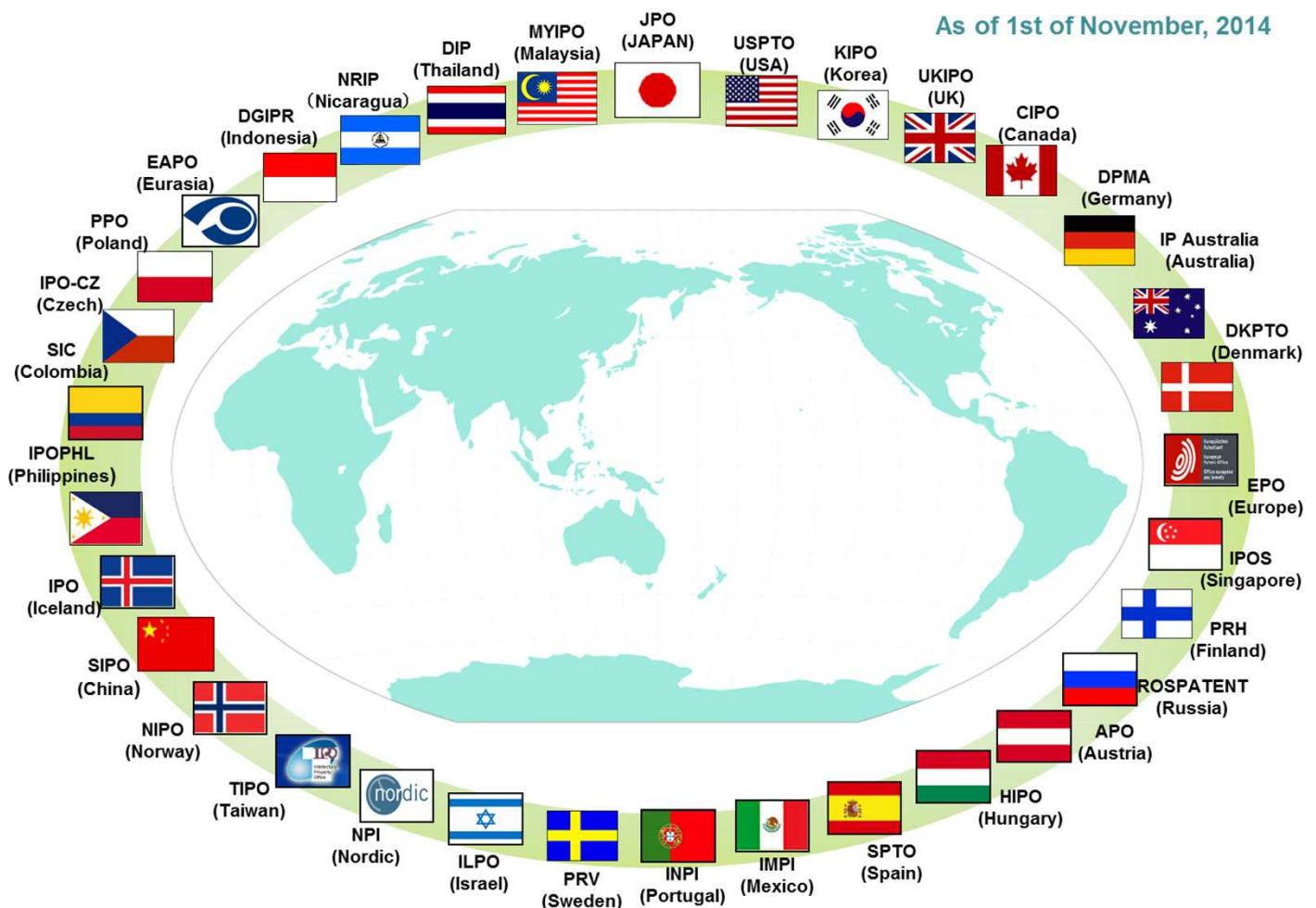




## 5. Expansion of the PPH Network

Since the launch of the PPH pilot program between the JPO and the USPTO in July 2006, various patent offices have participated in the PPH, and the PPH network has been expanding worldwide.

As of November 2014, 33 offices have been participating in PPH programs.



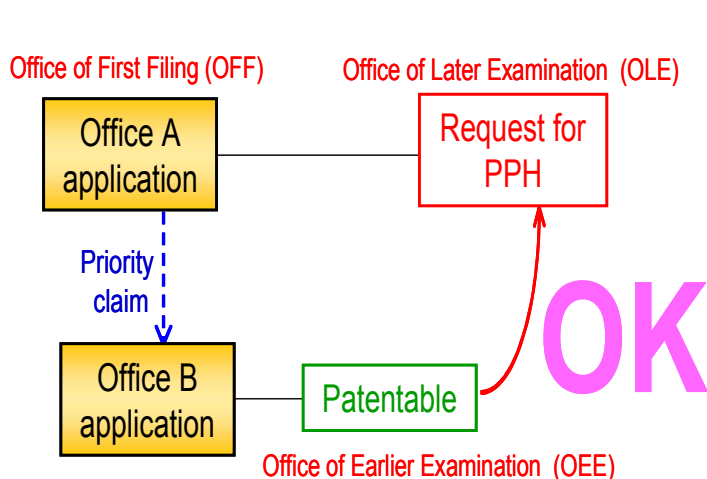
## 6. PPH MOTTAINAI ~Easing of PPH requirements~

To make the PPH program more user-friendly and available for patent applicants, the PPH MOTTAINAI pilot program launched on 15<sup>th</sup> of July, 2011.

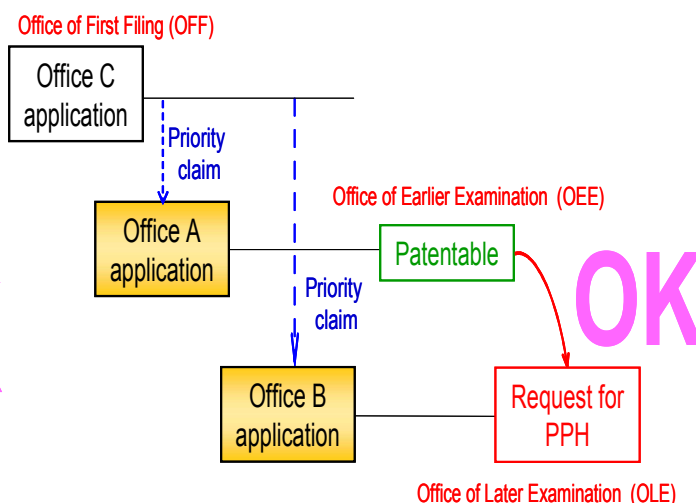
Under this pilot program, PPH request is eligible, whether or not the office which provides the examination results is the Office of First Filing (OFF).

### The newly eligible examples under the **PPH MOTTAINAI** Pilot Program

#### Case 1



#### Case 2



※  ...the participating Office for this Pilot Program

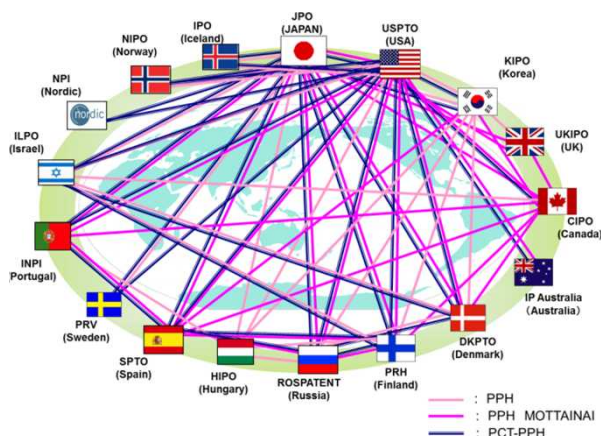
## 7. Global PPH

The launch of a “Global PPH” pilot program within the framework of multiple countries: this program was created by making use of common factors found in the PPH. It commenced on January 6, 2014.

The Global PPH pilot program enables participating offices to effectively use all types of PPH systems (regular type PPH, the PPH MOTTAINAI, and the PCT-PPH), enhancing user-friendliness.

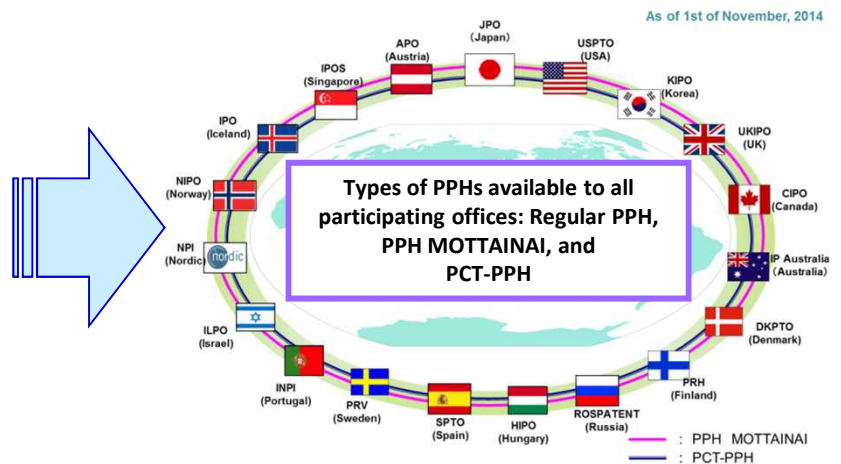
### Before launching Global PPH

17 offices at the start of Global PPH



### Global PPH

(From January 6, 2014)





## 8. PPH Statistics

The cumulative number of PPH filed worldwide has been constantly increasing and it exceeded 61,000 applications as of the end of June 2014.

### Cumulative number of PPH Requests (NOT including PCT-PPH) (As of the end of June, 2014)

Office of Earlier Examination	Office of Later Examination																														TOTAL		
	JP	US	KR	GB	CA	DE	AU	DK	EP	SG	FI	RU	AT	HU	ES	MX	PT	SE	IL	TW	NO	CN	IS	PH	CO	CZ	PL	EA	ID	NI		TH	
	JP		10133*	3232 (0)	48(0)	282 (110)	1421 (0)	21(0)	4(0)	1860 (0)	29	2(1)	143(16)	0	0(0)	0(0)	70	0(0)	0(0)	3(0)	949	2(0)	3526(2)	0(0)	0	-	-	0	0	3**	-	26	21754
	US	3363(241)		1635 (0)	158 (8)	4574(1366)	281 (6)	699 (29)	10(0)	1296 (0)	29	4(2)	146(18)	0	2(0)	1(0)	211	0(0)	2(0)	58(0)	711	27(0)	2013(6)	0(0)	0(0)	13	0	-	-	-	0	-	15233
	KR	320(3)	2204*		6(0)	16 (8)	13 (0)	0(0)	0(0)	11(0)	1	0(0)	15(0)	0	0(0)	2(0)	0	0(0)	0(0)	1(0)	-	0(0)	161(1)	0(0)	-	-	-	-	-	-	-	-	2750
	GB	136(22)	579	65(0)		42 (32)	15 (6)	6(0)	0(0)	-	-	0(0)	2(0)	-	0(0)	0(0)	-	0(0)	0(0)	0(0)	-	0(0)	-	0(0)	-	-	-	-	-	-	-	-	845
	CA	20(18)	322*	15(0)	0(0)		1 (1)	3(0)	0(0)	-	-	2(1)	5(0)	-	0(0)	0(0)	0(0)	0(0)	0(0)	2(0)	-	0(0)	3	0(0)	-	-	-	-	-	-	-	-	373
	DE	153	162	32(0)	7(0)	51 (3)		-	-	-	-	0(0)	-	0(0)	0(0)	0(0)	-	-	-	-	-	49	-	-	-	-	-	-	-	-	-	-	454
	AU	8(7)	390*	4(0)	0(0)	18 (18)	-	0(0)	-	-	0(0)	0(0)	0(0)	-	0(0)	0(0)	-	0(0)	0(0)	1(0)	-	0(0)	-	0(0)	-	-	-	-	-	-	-	-	421
	DK	38	172	26(0)	0(0)	3 (1)	-	0(0)	-	-	0(0)	1(0)	-	0(0)	0(0)	-	0(0)	0(0)	0(0)	0(0)	-	0(0)	32	0(0)	-	-	-	-	-	-	-	-	272
	EP	315(185)	1490*	32(0)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	28(7)	-	-	-	-	-	-	-	-	-	-	1865
	SG	3	7	0	-	-	-	-	-	-	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	-	-	-	-	-	10
	FI	13	52*	9(0)	0(0)	8 (2)	0 (0)	0(0)	0(0)	-	-	3(0)	0	0(0)	0(0)	-	0(0)	0(0)	0(0)	0(0)	-	0(0)	5	0(0)	-	-	0	-	-	-	-	-	90
	RU	6(1)	50*	4(0)	0(0)	3 (3)	-	1(0)	0(0)	-	-	0(0)	-	-	0(0)	0(0)	-	0(0)	0(0)	0(0)	-	0(0)	4	0(0)	-	-	-	-	-	-	-	-	68
	AT	4(1)	11*	0	-	-	0(0)	-	-	-	-	0	-	-	0	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	17
	HU	2	6	0(0)	0(0)	0(0)	-	0(0)	0(0)	-	-	0(0)	0(0)	0	0(0)	-	0(0)	0(0)	0(0)	0(0)	-	0(0)	-	0(0)	-	-	-	-	-	-	-	-	8
	ES	0	4*	0(0)	0(0)	0(0)	-	0(0)	0(0)	-	-	0(0)	0(0)	-	-	-	0	0(0)	0(0)	0(0)	1	0(0)	0	0(0)	-	1	-	-	-	-	-	-	6
	MX	0	7	0	-	0(0)	-	-	-	-	-	-	-	-	-	0	-	-	-	-	-	0	-	-	-	-	-	-	-	-	-	-	7
	PT	0	0	0(0)	0(0)	1 (1)	-	0(0)	0(0)	-	-	0(0)	0(0)	-	0(0)	0(0)	-	-	0(0)	0(0)	-	0(0)	0	0(0)	-	-	-	-	-	-	-	-	1
	SE	2	38*	0(0)	0(0)	0(0)	-	0(0)	0(0)	-	-	1(1)	0(0)	-	0(0)	0(0)	-	0(0)	0(0)	0(0)	-	0(0)	0(0)	0(0)	-	-	-	-	-	-	-	-	41
	IL	0	17*	0(0)	0(0)	4 (3)	-	2(0)	0(0)	-	-	0(0)	2(0)	-	0(0)	0(0)	-	0(0)	0(0)	0(0)	-	0(0)	-	0(0)	-	-	-	-	-	-	-	-	25
	TW	4	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17
	NO	1	13	0(0)	0(0)	0(0)	-	0(0)	0(0)	-	-	0(0)	0(0)	-	0(0)	0(0)	-	0(0)	0(0)	0(0)	-	-	-	0(0)	-	-	-	-	-	-	-	-	14
	CN	29(3)	329*	25(0)	-	7 (7)	7 (0)	-	0	18(0)	0	0	8	0	-	0	1	0	0(0)	-	-	-	-	-	-	-	0	-	-	-	-	-	424
	IS	0	2	0(0)	0(0)	0(0)	-	0(0)	0(0)	-	-	0(0)	0(0)	-	0(0)	0(0)	-	0(0)	0(0)	0(0)	-	0(0)	0	-	-	-	-	-	-	-	-	-	2
	PH	0	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
	CO	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
	CZ	-	0	-	-	-	-	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
	PL	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	2
	EA	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
	ID	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
	NI	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
TH	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
TOTAL	4418	16003*	5079	219	5009	1738	732	14	3185	59	9	325	0	2	3	282	0	2	65	1661	29	5824	0	0	14	0	0	0	3**	0	26	44701	

※ The number of the parentheses shows the cumulative number of PPH MOTTAINAI requests out of the total number of PPH requests.

The figures marked with "\*" include the number of PCT-PPH requests made during the period from 1st of January to end of June, 2014.

The number of the requests filed to Indonesia (marked with "\*\*") are as of the end of December, 2013.

### Cumulative number of PCT-PPH Requests (As of the end of June, 2014)

	Office of Filing																							TOTAL			
		JP	US	KR	GB	CA	AU	DK	EP	FI	RU	AT	HU	ES	MX	PT	SE	IL	NO	CN	IS	PH	CZ		PL	EA	ID
ISA/IPEA	JP	3112	1690*	387	1	6	12	0	736	0	14	0	0	1	16	0	7	1	0	1066	1	36	-	0	0	22*	7108
	US	42	568	58	0	61	53	0	119	0	21	0	0	1	-	0	0	3	0	56	0	10	0	-	-	-	992
	KR	74	2927*	160	1	1	18	0	15	0	2	0	0	0	-	0	0	1	0	476	0	-	-	-	-	-	3675
	CA	10	42*	2	0	219	1	0	-	0	1	-	0	0	0	0	0	0	0	-	0	-	-	-	-	-	275
	AU	0	281*	1	1	0	32	0	-	0	0	-	0	0	-	0	0	0	0	0	-	0	-	-	-	-	315
	EP	883	2488*	83	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	62	-	-	-	-	-	-	3516
	FI	4	53*	3	0	0	0	0	-	1	1	0	0	0	-	0	0	0	0	1	0	-	-	-	-	-	63
	RU	3	52*	1	1	0	0	0	-	0	0	-	0	0	-	0	3	0	0	9	0	-	-	-	-	-	69
	AT	0	31*	2	-	-	-	-	0	-	0	-	-	-	-	-	-	-	-	0	-	-	-	-	-	-	33
	ES	2	10*	0	0	0	0	0	-	0	1	-	0	0	10	0	0	0	0	-	0	-	-	-	-	-	23
	SE	27	126*	1	0	0	0	0	-	0	0	-	0	0	-	0	1	0	0	0	0	-	-	-	-	-	155
	IL	2	15*	0	0	0	0	0	-	0	0	-	0	0	-	0	0	2	0	-	0	-	-	-	-	-	19
	XN	9	68	0	0	0	0	1	-	0	0	-	0	0	-	0	0	0	0	-	0	-	-	-	-	-	78
	CN	77	562*	31	-	-	-	0	21	0	2	0	-	-	0	0	-	-	-	-	-	-	-	-	0	-	693
	TOTAL	4245	8913*	729	4	287	116	1	891	1	42	0	0	2	26	0	11	7	0	1670	1	46	0	0	0	22*	17014

\* The figures marked with "\*" are as of the end of December, 2013.

## 9. PPH Portal Website

The JPO administrates the PPH Portal Website, which provides the statistical data, the guidelines of different countries and the request forms of different countries.

Please access the PPH Portal Website for these information with updated.

<The PPH Portal Website>

URL: <http://www.jpo.go.jp/pph-portal/index.htm>

**Provision of the PPH guidelines and the request forms**

**Notification**

Date	Event
1 November 2014	IPCS requests
23 October 2014	New PPH
1 October 2014	New PPH Pilot (East)
	New PPH MOTTAINAI
	New PPH
1 September 2014	New PPH (Easing c)
1 August 2014	New PPH
1 July 2014	SPIC requests
1 June 2014	New PPH
1 May 2014	New PPH
14 April 2014	New PPH
January 2014	New Glo

OFF/OEE/ISA of IPAA

**PPH - Grant Rate**

Country	PPH applications (%)	All applications including PPH and non-PPH (%)
JP	74.7	69.8
US	87.9	85
KR	87.3	87.9
GB	100	95
CA	91	65
DE	No data	No data
AU	100	No data
EP	No data	No data
RU	98	87
MX	100	98
TW	95	63

**Notes:**

- Grant Rate = (# of decisions to grant a patent) / ((# of decisions to grant a patent) + (# of withdrawal and abandonment after first office action)). This definition reflects that examination in Australia generally results in one of three outcomes: acceptance, withdrawal or abandonment, but not refusal.
- Grant Rate = (# of decisions to grant a patent) / ((# of decisions to grant a patent) + (# of decisions of refusal) + (# of withdrawal and abandonment after first office action) + (# of withdrawal and abandonment prior to first office action)).

\* The offices which meet the following requirements are indicated:  
1. The offices which have entered PPH network more than 1 year ago.  
2. The offices which have received more than 50 PPH requests.

**PPH - First**

Country	PPH applications (%)	All applications including PPH and non-PPH (%)
JP	74.7	69.8
US	87.9	85
KR	87.3	87.9
GB	100	95
CA	91	65
DE	No data	No data
AU	100	No data
EP	No data	No data
RU	98	87
MX	100	98
TW	95	63

**Provision of the PPH statistical data of different countries**