



DANISH PATENT AND TRADEMARK OFFICE

Patent Prosecution Highway (PPH) – a fast-track to patents

TURNING IDEAS INTO ASSETS®

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Why PPH?

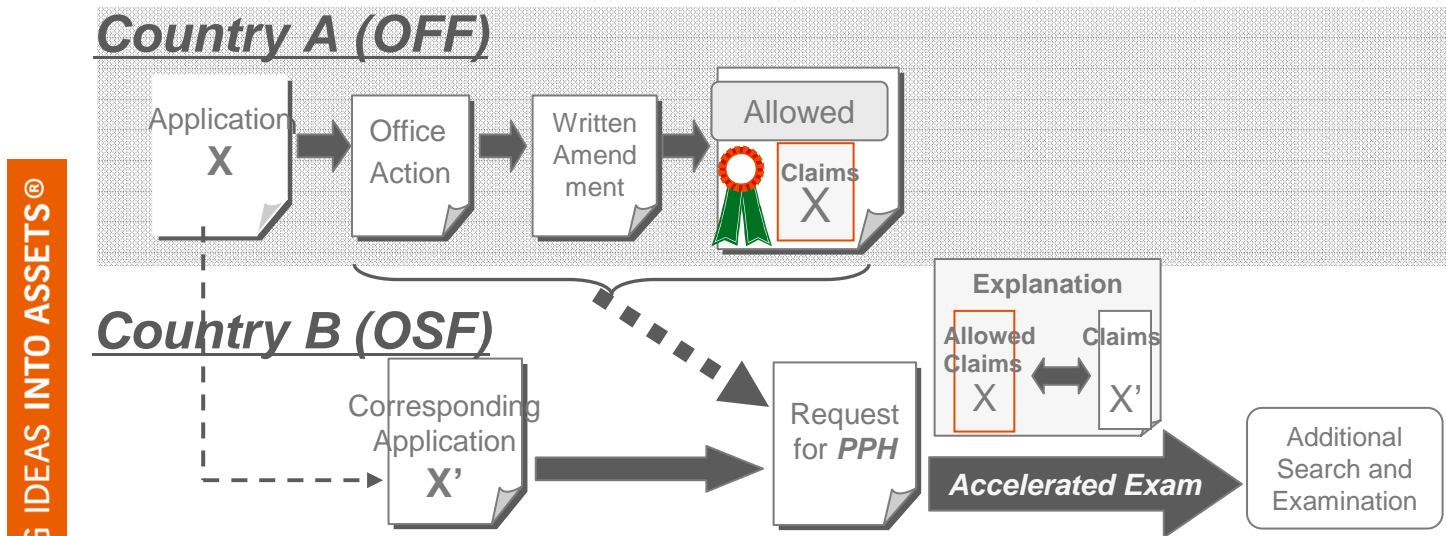
Denmark commenced its PPH participation in 2008 for the same reasons as many other countries;

- To investigate whether the PPH mechanism could increase work sharing among Paris route applications and thus reduce backlogs and
- To investigate if applicants through a fast-track procedure could get **faster, more predictable and less costly** access to markets which are important for the Danish industry



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What is PPH?



- Bilateral agreements
- Voluntary arrangement for applicants
- PPH is not mutual recognition or transfer of rules or practice



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Benefits from PPH

PPH promotes that

- Patent offices undertake **less "duplication of work"**
- The **quality** of the patent offices' search and examination increase, because patent office number two is in possession of the search and examination reports from the first patent office when performing its own search and examination
- Patent applications are processed **faster, at lower costs and with higher predictability of the outcome**



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DKPTO's PPH agreements



JPO: 1 July 2008



USPTO: 3 November 2008



KIPO: 1 March 2009



CIPO: 1. October 2009

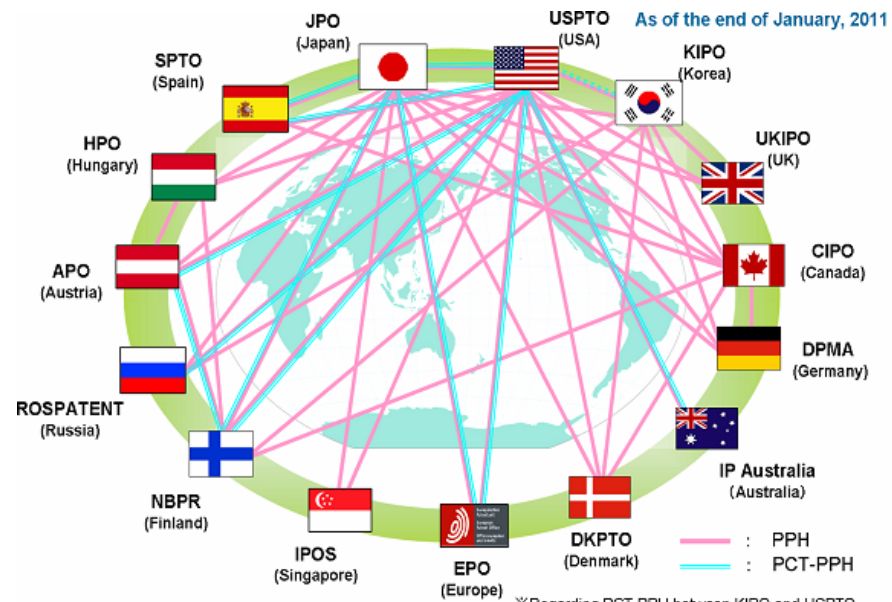


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Coverage of the PPH programmes

Currently 15 Patent Offices participate:

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※Regarding PCT-PPH between KIPO and USPTO, KIPO (ISA/IPEA)→USPTO program has launched. USPTO (ISA/IPEA)→KIPO program has not launched yet.



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4 main requirements for using PPH

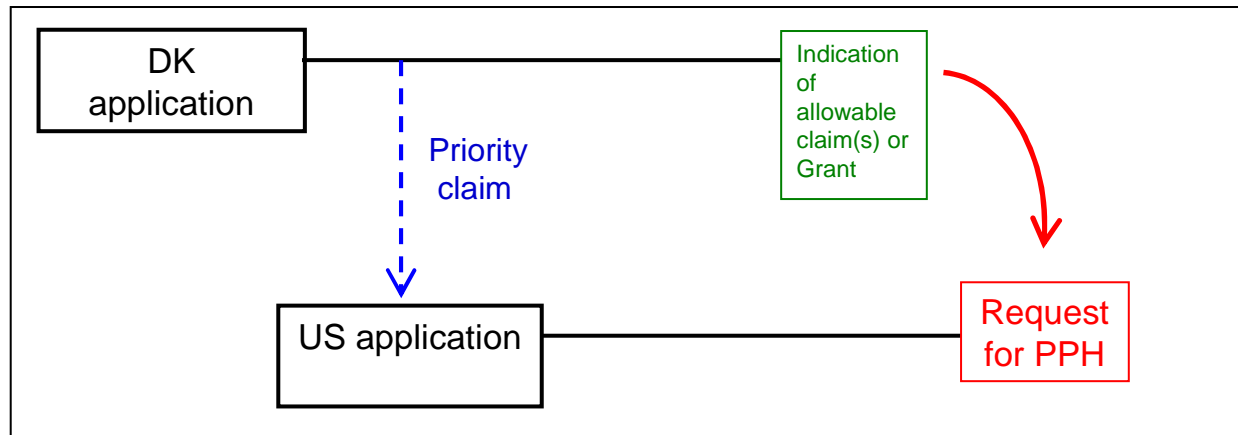
1. The OSF application is a national application which is clearly linked to an OFF national application;
 - There must be a priority claim between the applications, or
 - The applications must be PCT national phase applications
2. The OFF has found the patent claims (at least one claim) patentable
3. All patent claims at the OSF "corresponds" to the patent claims at the OFF application
4. OSF has not yet begun "examination"
(not a requirement in all PPH agreements)



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Example 1

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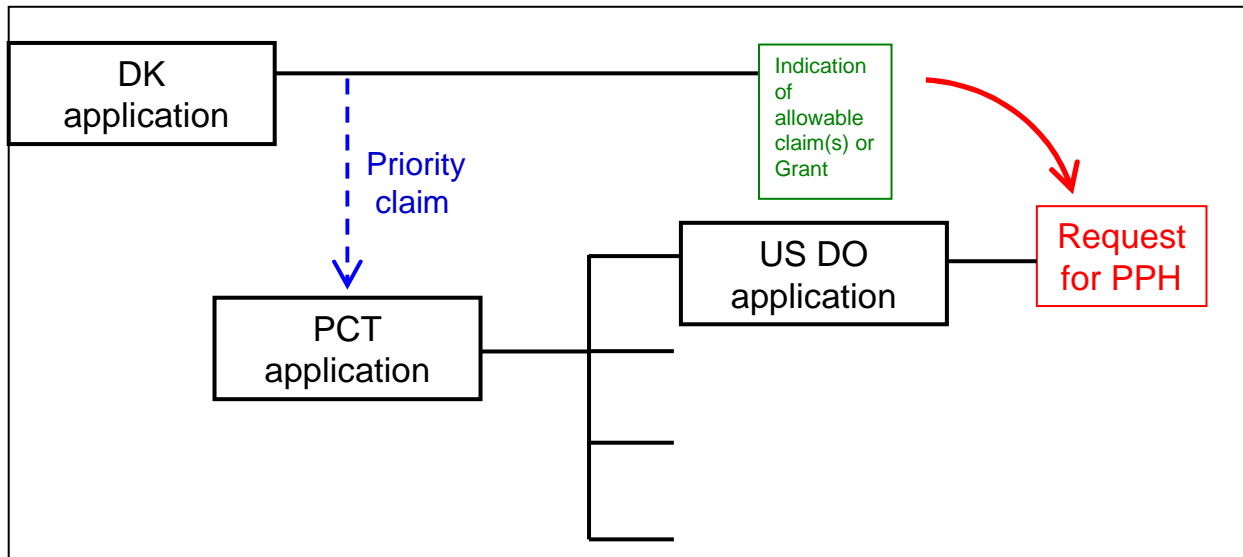




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Example 2

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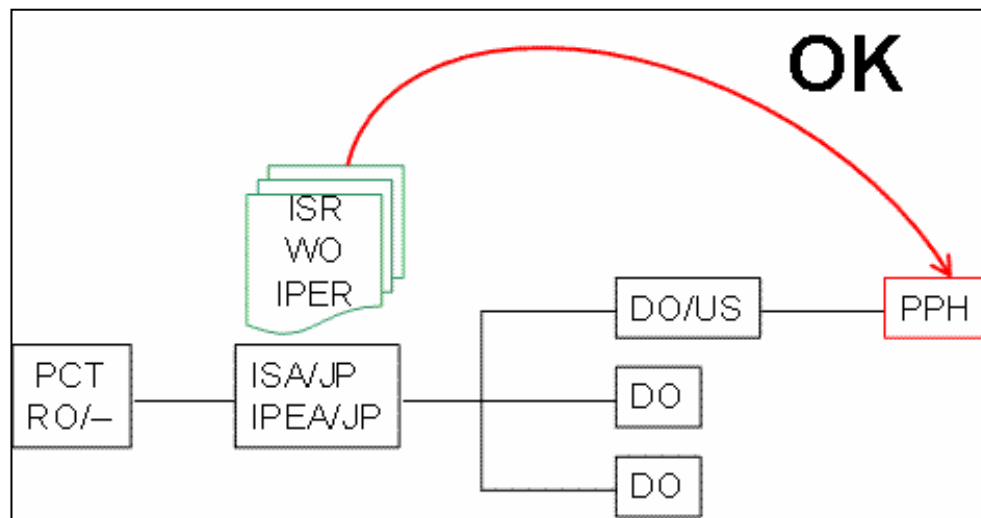
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Example 3

PCT products

(for the moment on a test basis in selected PPH agreements)

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PPH Request Package – Typical Content

- A PPH request form
- A copy of the "office actions" from OFF regarding the OFF-application
 - In either english or the official language of the OSF
- A copy of the accepted patent claims in english or OSF language
- A "Claim correspondance table"
- A copy of the documents cited by the OFF



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Further information

DKPTO's PPH website:

- About PPH
- Applicant's guide
- Forms
- Links to JPO, USPTO, KIPO and CIPO PPH-sites
- The global PPH website
<http://www.jpo.go.jp/pph-portal/index.htm>
- Contacts in DKPTO:
 - Barbara Suhr-Jessen
 - Flemming K. Mejl
 - Christina Klingenberg

