

## Statement of Cooperation

### Between the United States Patent and Trademark Office and the Japan Patent Office on Enhanced Mutual Cooperation

The United States Patent and Trademark Office (USPTO) and the Japan Patent Office (JPO) (hereinafter referred to as “both sides”) recognize that the efficient and expeditious protection of Intellectual Property Rights, including patents, is critical to fostering technological innovation and accelerating economic development.

Therefore, both sides have cooperated closely to harmonize patent procedures, and to enhance consistency in the quality of patent examination, through programs such as the Patent Prosecution Highway (PPH). Both sides confirm that the PPH program has been successfully established, and that the program has helped reduce workloads and redundancies.

Recognizing the growing need for more effective work-sharing mechanisms, and for greater cooperation, both sides will take the following actions, in accordance with their respective national laws and regulations. These actions are taken with a view to streamlining and harmonizing the international patent system:

#### 1. Cooperation on work-sharing initiatives including PPH and Strategic Handling of Applications for Rapid Examination (SHARE) to the maximum extent possible

Cooperate on enhancing work-sharing initiatives, including PPH and SHARE, by tracking and evaluating the results of these initiatives. These evaluations will measure the benefits that accrue both to applicants who participate in the initiatives, and to examiners who implement the initiatives.

#### 2. Cooperation on the examiner exchange program

Enhance the examiner exchange program, to (a) provide examiners with a greater understanding of both sides’ respective search systems, search indexes and search/examination practices, and (b) further the efficiency of work-sharing initiatives.

#### 3. Cooperation on a hybrid classification system

Explore developing a hybrid classification system, to promote efficient and high-quality patent document searching.

#### 4. Cooperation on the use of a search system, and on the development of a common search database

Conduct discussions on developing IT tools that enhance search practices.

#### 5. Cooperation on sharing searches and recorded search history information

Conduct discussions to encourage the exchange of search strategies and search histories. This can assist both sides in their efforts to ensure thoroughness and consistency in their search practices.

6. Cooperation on utilizing the PCT system as a global infrastructure

Explore measures to improve the PCT system, so that such system can be utilized as a global infrastructure. Such measures may include but are not limited to Parallel Processing, which combines international and national processing under the PCT system.

7. Cooperation on the harmonization of substantive patent laws of different countries/regions

Promote further advancement of discussion on the Substantive Patent Law Treaty, in close cooperation with European nations, with a view to early realization of patent system harmonization.

8. Cooperation on studying relationship between innovation and intellectual property

Share information on the relationship between intellectual property policy and innovation.

9. Cooperation on improving the quality of patent applications

Conduct discussion on policies aimed at improving the quality of patent applications, with a particular focus on applicant responsibility.

10. Cooperation on trademark-related matters

Continue and enhance cooperation on trademark-related matters, via both bilateral operations, and through the work conducted at the Trademark Trilateral.

Signed in Geneva, Switzerland  
24 September, 2008

Takashi Suzuki

Commissioner  
Japan Patent Office

Jon Dudas

Under Secretary of Commerce  
for Intellectual Property  
and Director of the United States  
Patent and Trademark Office