

JPO and USPTO aim to further improve PPH

The Japan Patent Office (JPO) and the United States Patent and Trademark Office (USPTO) intend to further improve their Patent Prosecution Highway (PPH) programs.

PPH is a fast-track examination framework that enables users to make a simple request to accelerate examination of a patent application pending at an Office (Office of later examination) when a corresponding application has been found allowable/patentable by another Office (Office of earlier examination).

In order to further improve the user experience under PPH, the two Offices will each set a target deadline for issuing office actions for PPH applications and strive to meet the target as they examine each application, making it easier for users to predict the timing of examination.

More specifically, to ensure that the original goals of the PPH are achieved, both Offices will set the targets below for the extent to which examination is accelerated under the program, i.e. time taken to issue an office action under the PPH after the examiner can start examination upon a PPH request or the applicant's response to an office action.

With almost 30% of all PPH applications in the world having been filed with the JPO or the USPTO in 2020, the two Offices will continue to lead the effort to promote the PPH as the original initiators of this innovative scheme, which began in 2006.

This improvement to the Offices' already successful PPH programs will take effect 01 January 2022.

Targets set by the two Offices

JPO

Average period from completion of PPH request to first office action	within three (3) months
Average period from applicant's response to subsequent office action	within three (3) months

USPTO

Average period from completion of PPH request to first office action on the merits	within three (3) months
Average period from applicant's response to the first office action on the merits to subsequent office action	within three (3) months

(Note 1) The “completion of PPH request” is the point in time when the formal processing (i.e. eligibility check) of a PPH request is completed. At the USPTO, the expression represents the mail date of a decision on petition granting special status under the PPH.

(Note 2) The starting point of “applicant's response” is the point in time when the formal processing of the applicant's response is completed and the application is forwarded to the examiner for the next office action.

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