

IP5 PPH metrics

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European Patent Office /// Japan Patent Office ///

Korean Intellectual Property Office ///

National Intellectual Property Administration, PRC ///

United States Patent and Trademark Office

Reporting on calendar year 2023



IP5 PPH metrics 2023

The IP5 Patent Prosecution Highway (IP5 PPH) programme leverages fast-track patent examination procedures already available at the offices to allow applicants to obtain corresponding patents faster and more efficiently. It also permits each office to exploit the work previously done by the other office.

The IP5 PPH metrics support the IP5 PPH programme and aim to facilitate the optimal quantification of benefits derived from the PPH and the transparent and reliable reporting on PPH procedural data. It should enable applicants to make informed decisions regarding the use of PPH.

Six metric definitions are used for this purpose:

1. Number of PPH requests filed

Definition: Total number of applications for which a PPH request was made (no rejection rate reported)

This metric shows the number of PPH requests an IP5 Office has received from each of the other IP5 Offices. Calculations are done on a calendar year basis, i.e. total number of applications for which a PPH request was made in a calendar year.

2. Pendency to First Office Action

Definition: Time savings resulting from PPH on pendency to a first substantive communication from the examiner

This metric shows the pendency to first office action of PPH applications compared to all applications received by an IP5 Office.

The pendency of “PPH applications” is calculated from the point in time when the formal processing (i.e. eligibility check) of the PPH request is completed. The pendency for “all applications” is calculated from the date at which all formalities have been completed, including payment of the required fees and request for examination where relevant. At that date, the file is available to start the search or examination.

The date of the “First Office Action” is the date when the first working product in the substantive examination phase (i.e. first office action which an applicant has to respond to) is issued.

“All applications” are defined as all applications received by an IP5 Office including the PPH applications. The pendency is calculated for applications which received a first office action in the calendar year.

3. Pendency to Final Office Action

Definition: Time savings resulting from PPH on pendency to grant and/or rejection

This metric shows the pendency to final office action of PPH applications compared to all applications received by an IP5 Office.

The pendency of “PPH applications” is calculated from the point in time when the formal processing (i.e. eligibility check) of the PPH request is completed. The pendency for “all applications” is calculated from the date at which all formalities have been completed, including payment of the required fees and request for examination where relevant. At that date, the file is available to start the search or examination.

The date of the “Final Office Action” is the date at which the final action in examination is delivered by the examiner (decision to grant or to refuse), or the applicant’s request for the abandonment (or withdrawal) of the application is accepted by the office.

“All applications” are defined as all applications received by an IP5 Office including the PPH applications. The pendency is calculated for applications which received a final office action in the calendar year.

4. Number of Office Actions before Final Decision

Definition: Office actions reduction resulting from PPH

This metric shows the number of office actions for PPH applications compared to all applications received by an IP5 Office.

The final office action is not counted as an “office action”, i.e. grants. “All applications” are defined as all applications received by an IP5 Office including the PPH applications. This metric is calculated using applications which received a final office action in the calendar year.

5. Positive First Action at Office of Later Examination (OLE)

Definition: Number of grants in a first substantive communication from the examiner (for PPH- and all applications)

This metric shows the number of applications (for PPH- and all applications) for which a positive first action was issued at the OLE, compared to the total number of disposals.

Definition of “Positive First Action”?

“First Office Action” is the first working product in the substantive examination phase (i.e. first office action which an applicant has to respond to).

“All applications” are defined as all applications received by an IP5 Office including the PPH applications.

This metric is calculated using applications which received a first office action in the calendar year.

Disclaimer

Each country and region does not only maintain its own patent law but also patent examination and grant procedures vary from country to country. The scope of an individual patent application can also differ according to location. These factors limit the degree to which the patenting activity in different countries and regions can be directly compared. The procedural data presented in the metrics does therefore not provide for a direct comparison of the pendency and time savings of PPH requests at each IP5 Office.

6. Grant at Office of Later Examination (OLE)

Definition: Number of grants (for PPH- and all applications)

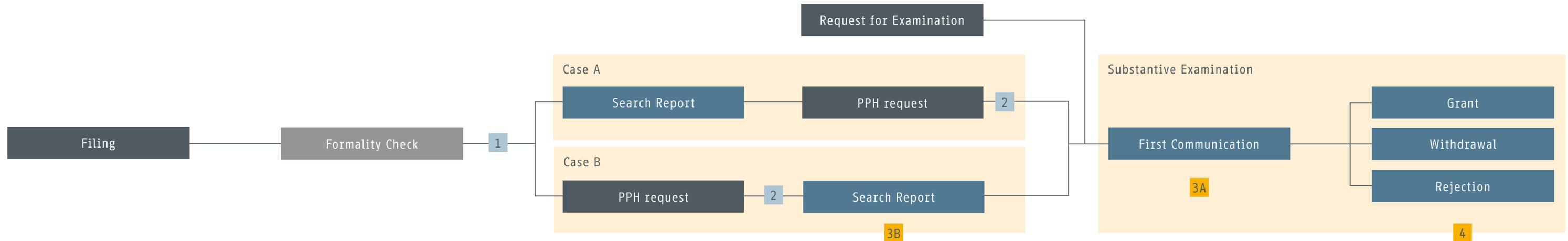
This metric shows the number of applications (for PPH- and all applications) for which a grant was issued at the OLE, compared to the total number of disposals.

“All applications” are defined as all applications received by an IP5 Office including the PPH applications.

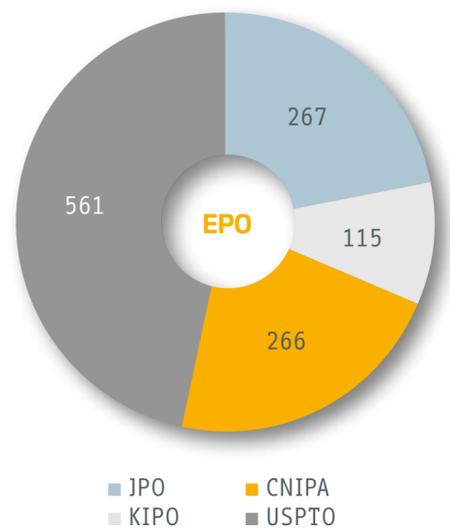
This metric is calculated using applications which received a final office action in the calendar year.

The procedural data for each IP5 Office is available here:

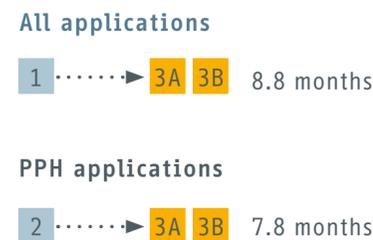
- [European Patent Office \(EPO\)](#)
- [Japan Patent Office \(JPO\)](#)
- [Korean Intellectual Property Office \(KIPO\)](#)
- [National Intellectual Property Administration of the People’s Republic of China \(CNIPA\)](#)
- [United States Patent and Trademark Office \(USPTO\)](#)



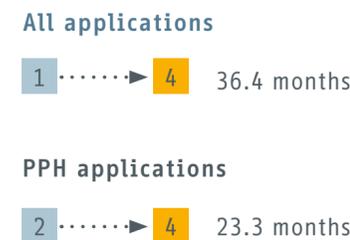
1. Number of PPH requests filed



2. Pendency to First Office Action



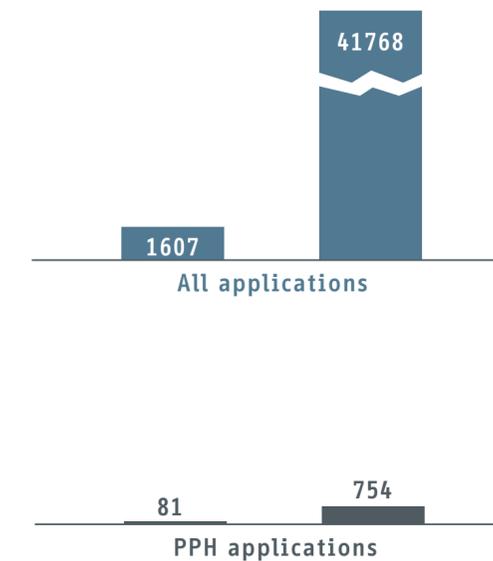
3. Pendency to Final Office Action



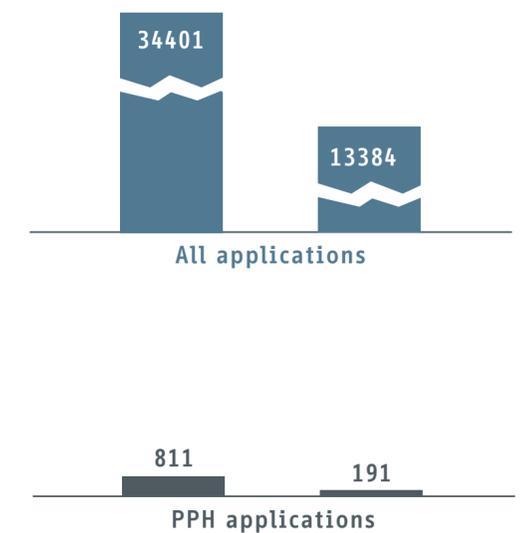
4. Number of Office Actions before Final Decision



5. Positive First Action at OLE



6. Grant at OLE



Definitions of metrics as agreed by IP5 Offices

1. Number of PPH requests filed
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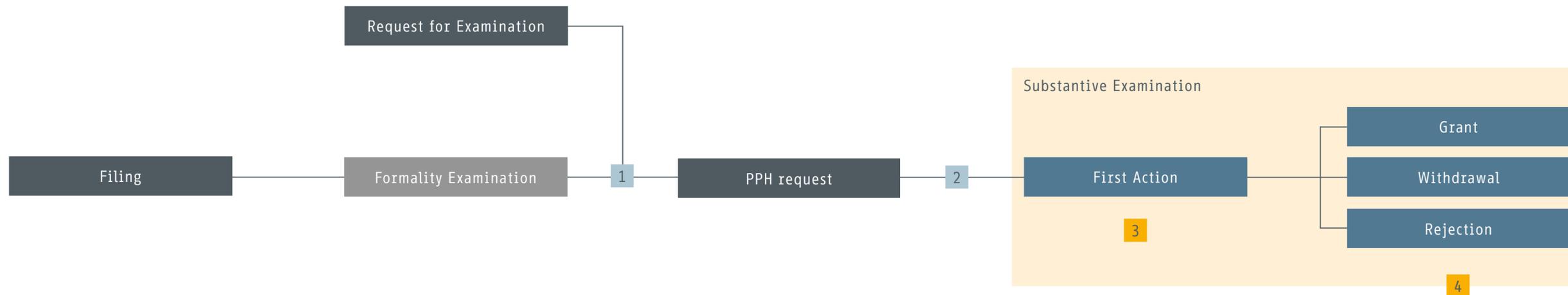
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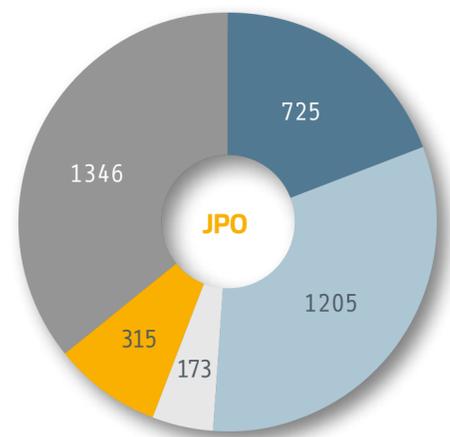
4. Number of Office Actions before Final Decision
Office actions reduction resulting from PPH

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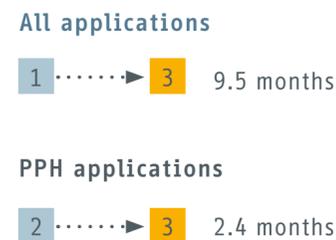


1. Number of PPH requests filed



■ EPO ■ KIPO ■ USPTO
■ JPO ■ CNIPA

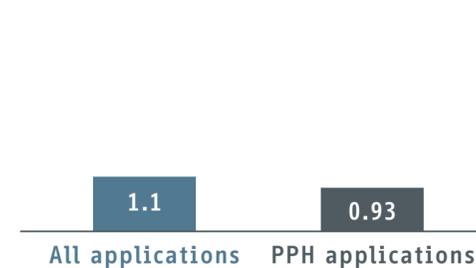
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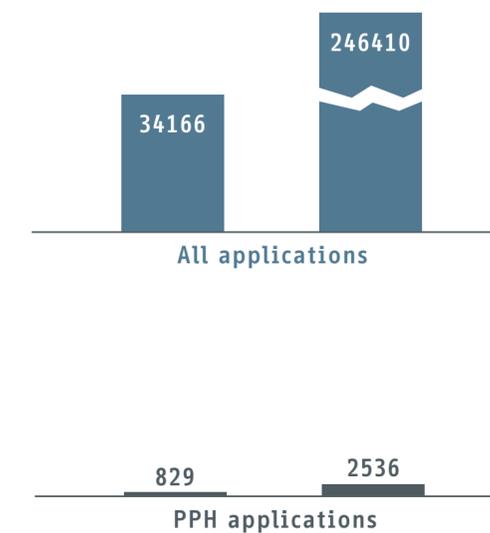
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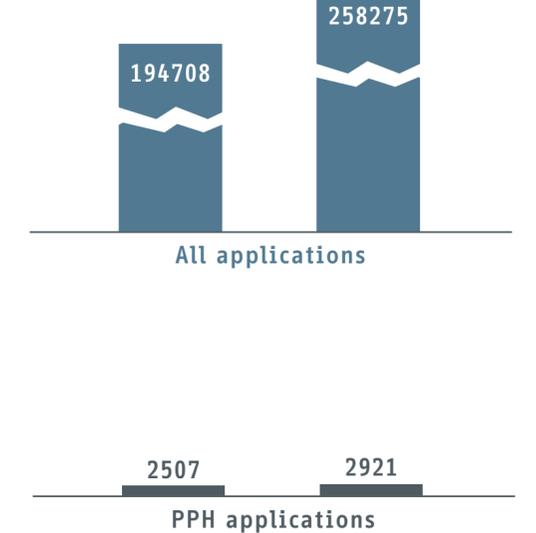
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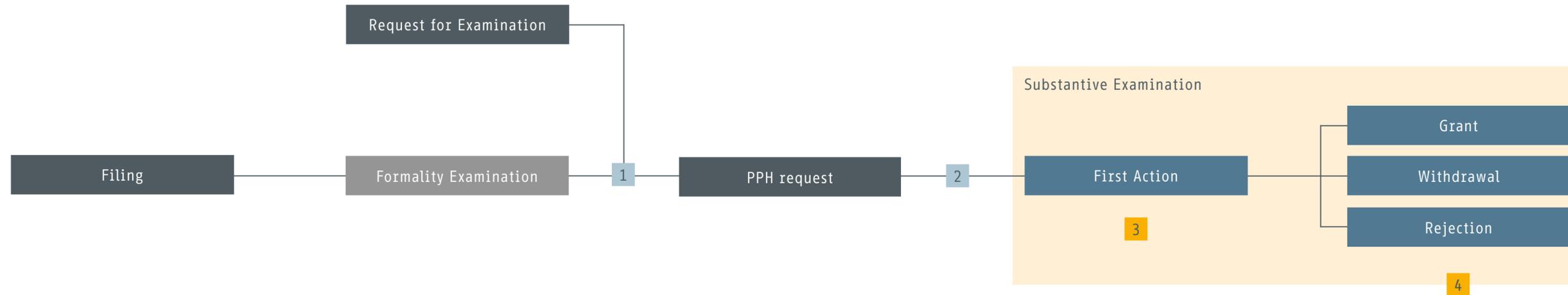
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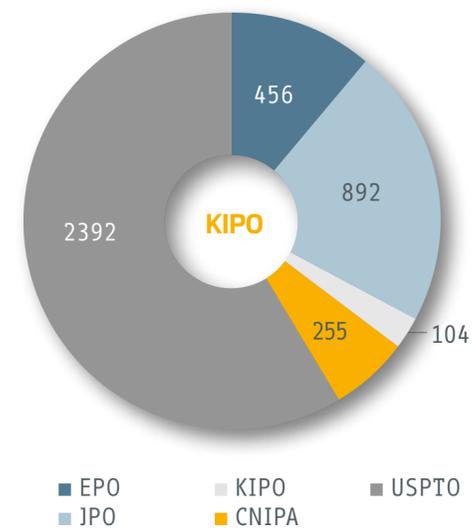
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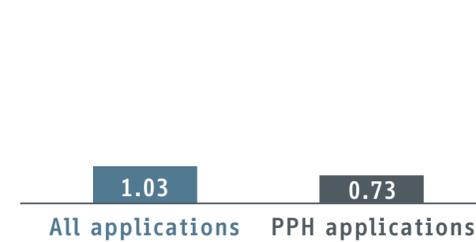
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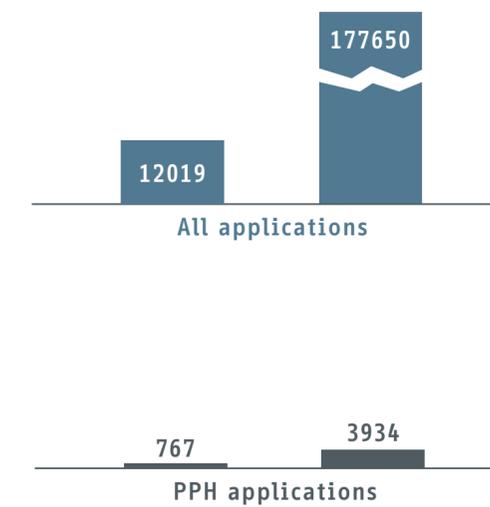
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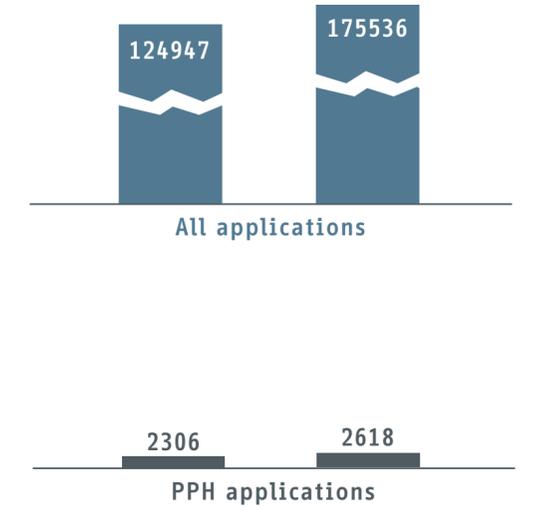
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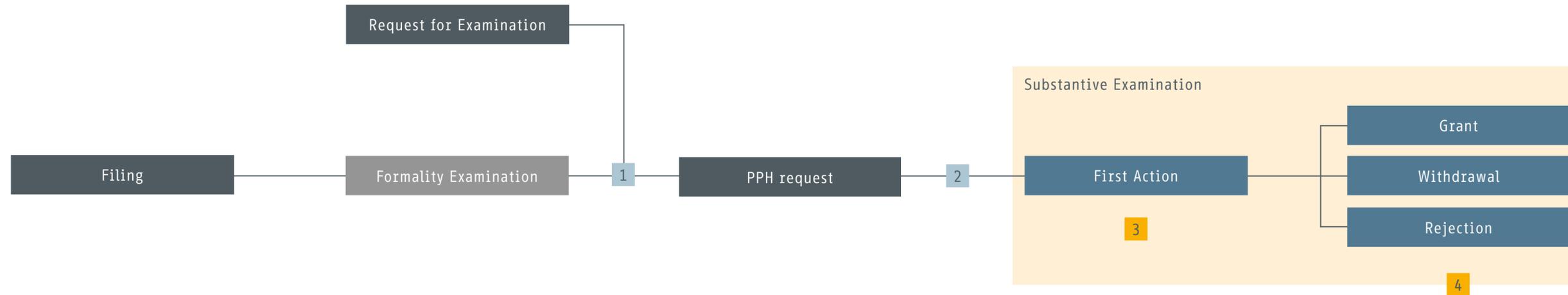
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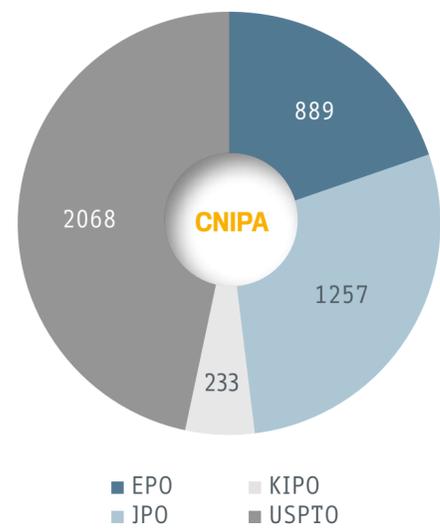
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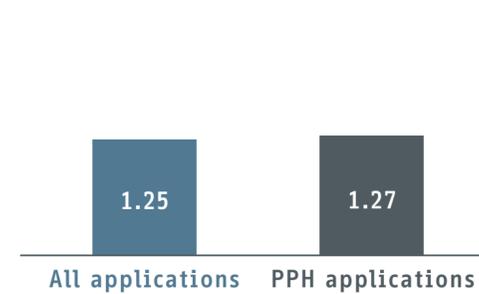
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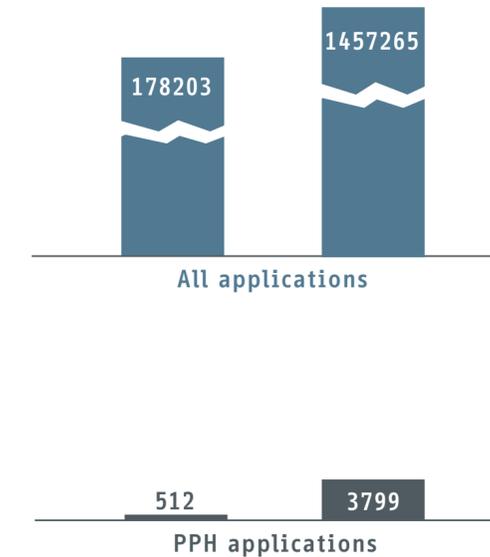
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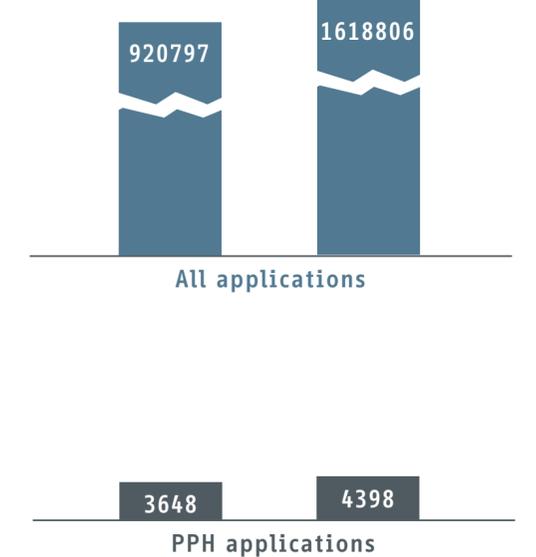
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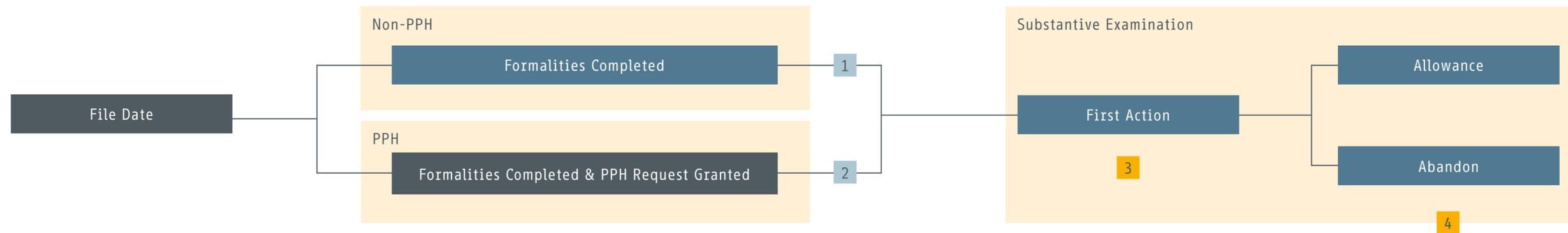
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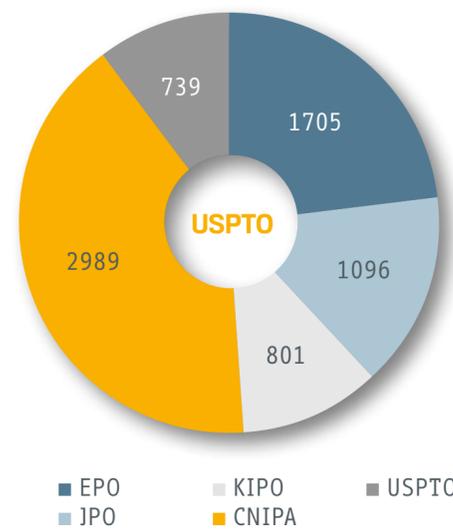
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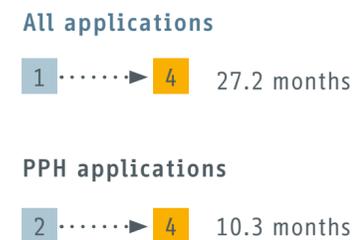
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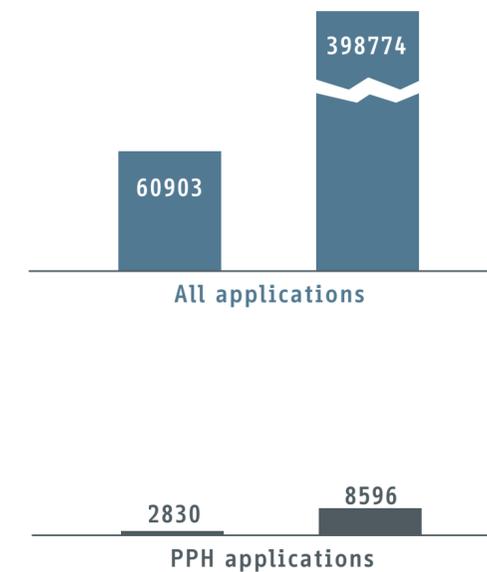
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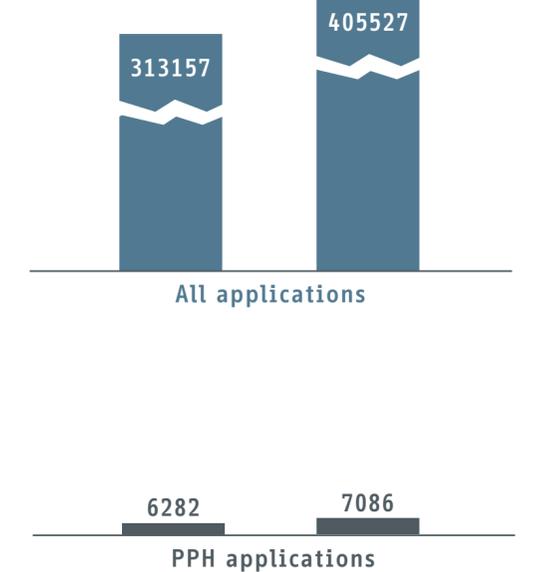
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