Patent Quality Chat
Collaborative Search Pilot Program (CSP)

April 10, 2018

Email questions to PatentQuality@uspto.gov
To send in questions or comments during the webinar, please email:

PatentQuality@uspto.gov
Patent Quality

Providing high-quality, efficient examination of patent applications is paramount to our mission at USPTO. To ensure we continue to issue high-quality patents that will fuel innovation well into the future, the Office of the Deputy Commissioner for Patent Quality, along with our partners across the Patents organization, promotes and supports the continuous improvement of patent products, processes and services through collaboration with internal and external stakeholders of the intellectual property community.

Highlights

Patent Quality Chat
Tune into our next Patent Quality Chat on April 10th discussing “Strengthening your IP Internationally using the expanded Collaborative Search Pilot”.

Quality Metrics
See our new metrics approach, categorizing into product, process and perception indicators.

Stakeholder Training on Examination Practice and Procedure (STEPP)
Sign up for an upcoming training developed for those interested in a better understanding of the examination process at the USPTO.

Areas of Focus
Collaboration with our stakeholders has directed our focus within three areas, where we can best improve patent quality.

Email questions to PatentQuality@uspto.gov
## 2018 Chat Series

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<th>Date</th>
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| Tuesday, April 10 Noon - 1 p.m. ET | Strengthening your IP Internationally using the expanded Collaborative Search Pilot  | **Dan Hunter**  
Director for International Work Sharing, Planning and Implementation in the Office of International Patent Cooperation (OIPC)  
• Presentation Slides (coming soon)  
• Video (coming soon) |
| Tuesday, March 13 Noon - 1 p.m. ET | Subject Matter Eligibility: Guidance & Examination Resources  | **Bob Bah**  
Deputy Commissioner for Patent Examination Policy  
• Presentation Slides  
• Video |

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Patent Quality Chat

Collaborative Search Pilot Program (CSP)

Dan Hunter
Director for International Work Sharing, Planning and Implementation

Amber Ostrup
Program Manager for Collaborative Search Pilot Program

Email questions to PatentQuality@uspto.gov
Overview/Agenda

• Who We Are
• OIPC’s Mission and Vision
• Why Work Sharing
• CSP – A Look Back
• CSP – The Road Ahead

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OIPC’s Mission and Vision

MISSION
In cooperation with domestic and international IP partners, we lead efforts to assist U.S. inventors and businesses in protecting their patent rights worldwide, and we support the global innovation community.

VISION
To be the trusted and recognized global leader in modernizing the domestic and international patent system.
Office of International Patent Cooperation

Deputy Commissioner
Mark Powell

International Patent Legal Administration (IPLA)
Charles Pearson, Director

International Programs
Maria Holtmann, Director

International Patent Business Solutions (IPBS)
Nelson Yang, Acting Director

International Work Sharing Planning & Implementation (IWPI)
Dan Hunter, Director

Classification Standards & Development (CSD)
Chris Kim, Acting Director

Classification Quality & International Coordination (CQIC)
Chris Kim, Director

International Outreach & Administration (IOA)
Jessica Patterson, Director
International Work Sharing, Planning, and Implementation (IWPI)

The mission of IWPI is to enhance the patent process through international work sharing and cooperation in an effort to improve patent quality and prosecution for examiners and applicants.
Why Work Sharing

Offices and Applicants want:

• Faster and less expensive examination of patent applications
• More certainty as to intellectual property rights granted
• More consistent results across Offices
IP5 Cross-Filing Activity

CSP provides those cross-filing their patent applications internationally with search results from multiple Offices early in the examination process so the applicant can determine their next steps in patent prosecution.
Why Collaborative Search Pilot (CSP)?

• **CSP provides faster examination by**
  - Expediting examination and first office action on merits in multiple offices
  - Coordinating of the timing of initial examination
    - Parallel prosecution in multiple offices

• **CSP provides cheaper examination for both applicant and office by**
  - Reducing number of actions to complete examination by
    - Getting a search on common claims from examiners in different offices prior to examination – yielding a more complete prior art search before the examiner

• **CSP provides more certainty by**
  - Providing best art from different search databases, often in different languages, at the start of prosecution

• **CSP provides more consistent results by**
  - Providing similar actions in multiple offices using common art
A Look Back

Initial Collaborative Search Pilots
Two Different Approaches
August 2015 – September 2017
A Look Back

JPO Pilot

Serial Search and Evaluation Prior to Examination
A Look Back

KIPO Pilot

Parallel Search and Evaluation Prior to Examination
Findings and Interpretations from Initial CSP

- Unequal use by applicants in each priority Office
- Many applicants did not provide reference evaluation
- Examiners focused on internal search resources
- Inconsistent timing of activities between offices
- USPTO’s First Action Interview (FAI) program was burdensome to applicants and examiners in conjunction with CSP
The Road Ahead

• No dependency of First Action Interview (FAI)
• One Pilot – Multiple Offices
• Reduce unnecessary delays
• Parallel search and evaluation prior to FAOM
Expanded Collaborative Search Pilot (CSP) Program

November 1, 2017 - October 31, 2020
CSP Video

Visit: https://youtu.be/fRavRzRMByk
Highlights of Using Expanded CSP

• Fast tracked
  – Expediting examination and first office action on merits in multiple offices

• Coordination of the timing of initial examination
  – Parallel prosecution in multiple offices

• Increased certainty and consistency
The Expanded CSP Process – A Parallel Search

One common process allows for multi-office collaboration

Target: 4 months from grant  
Target: 2 months from exchange
A Fixed Timeframe

Anticipated timing agreed upon by partnering IP Offices
Benefits of CSP

- **Increase Quality**
  - Multiple examiners searching an invention may increase search quality by sharing results

- **Reduce Pendency**
  - Collaborating with others or providing a better starting point can reduce time devoted to examination

- **Increase Consistency**
  - Examiners using same art often come to similar conclusions

- **Increase Certainty**
  - Applicants can have more confidence in resulting work product

- **USPTO Examiner** will consider references cited in exchanged search results and provide a copy in FAOM reducing IDS burden
When to File for Expanded CSP

• Applications unexamined in each office(s)
• Claim priority can be to any application
  – Provisional
  – PCT
  – Foreign or National priority
• Unpublished and published
When to File for Expanded CSP Con’t

• Filing strategies
  – Submit your CSP petition at application filing or later
  – PCT initial entry into system with or without initial PCT search results
  – Foreign priority does not need to be to participating offices
How to File for Expanded CSP

Filing CSP petitions

- File USPTO petition via EFS Web
- File petitions in requested Offices within 15 days of earliest petition.
- USPTO Petition includes waivers of 35 U.S.C 122 to permit sharing information with the requested office.
- Only independent claims (up to three) need to correspond in this pilot
- You can have up to 20 total claims
Don’t Delay, File Today

For more information please visit www.uspto.gov/CollaborativeSearch or email USPTO at CSP@uspto.gov.

- On-site and video presentations with your clients
- Info cards
- Forums, conferences, etc.
- Video
CSP Contacts and Website

E-mail: CSP@USPTO.gov
Website: uspto.gov/CollaborativeSearch

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Let’s Chat about Collaborative Search Pilot Program (CSP)

Dan Hunter
Director for International Work Sharing, Planning and Implementation

Amber Ostrup
Program Manager for Collaborative Search Pilot Program

Email questions to PatentQuality@uspto.gov
Next Patent Quality Chat
TBD

May 8, 2018
Other Patent Quality-Related Events

https://www.uspto.gov/about-us/events

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<td>Understanding Utility Model Patents in China (virtual)</td>
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<td>April 19</td>
<td><strong>Inventor Info Chat</strong> “Understanding the Application Data Sheet (ADS)” (virtual)</td>
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<td>April 25</td>
<td><strong>Design Day 2018</strong> (in Alexandria and via webcast in all USPTO regional offices)</td>
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Thank you for joining us today!

Patent Quality Chat
Webinar Series 2018
April 10, 2018

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