

Patent Cooperation Treaty (PCT) Committee for Technical Cooperation

**Thirty-Second Session
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APPOINTMENT OF THE SAUDI AUTHORITY FOR INTELLECTUAL PROPERTY (SAIP) AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

Document prepared by the International Bureau

This document revises the second footnote to the table in paragraph 21.05 of the Initial Report on the Quality Management System of the Saudi Authority for Intellectual Property set out in Annex II to the original document published on July 11, 2022. With regard to the expected date for full compliance for the documentation of search processes required under paragraph 21.26 of Chapter 21 of the International Search and Preliminary Examination Guidelines, the necessary IT development work will be completed to allow full compliance within 18 months of appointment. This revised document also corrects some typographic errors in the English version of the original document identified during the translation.

INTRODUCTION

1. The Committee is invited to give advice to the PCT Assembly on the proposed appointment of the Saudi Authority for Intellectual Property (SAIP) as an International Searching and Preliminary Examining Authority under the PCT.

BACKGROUND

2. In a letter dated February 17, 2022, the Chief Executive Officer (CEO) of SAIP, Dr. Abdulaziz Al-Swailem, requested the Director General of WIPO to convene a session of the Committee for Technical Cooperation (PCT/CTC) in order to give advice to the PCT Assembly concerning the appointment of SAIP as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the PCT.

3. The documentation in support of the application, received by the International Bureau on May 19, 2022, is set out in Annexes I to III:

- (a) Annex I sets out the application by SAIP for appointment as an ISA/IPEA;
- (b) Annex II sets out the initial report by SAIP on its quality management system; and
- (c) Annex III sets out the report by the Korean Intellectual Property Office (KIPO) on the assistance that it provided to SAIP in its assessment of the extent to which it meets the criteria for appointment, as referred to in paragraph (a) of the Understanding with regard to the procedures for appointment of International Authorities (see paragraph 5, below).

4. The appointment of ISAs and IPEAs under the PCT is a matter for the Assembly of the PCT Union and is governed by Articles 16 and 32(3) of the PCT. Articles 16(3)(e) and 32(3) require that, before the Assembly makes a decision on such an appointment, it shall seek the advice of the PCT Committee for Technical Cooperation.

5. At its forty-sixth (27th extraordinary) session, held in Geneva from September 22 to 30, 2014, the PCT Union Assembly adopted an Understanding with regard to the procedures for appointment of International Authorities. The Assembly modified the Understanding at its fiftieth (29th extraordinary) session, held in Geneva from September 24 to October 2, 2018. The Understanding, as modified, which applies to any application for appointment as an International Authority after the closure of the fiftieth session of the PCT Assembly, reads as follows:

“Procedures for Appointment of International Authorities

“(a) A national Office or an intergovernmental organization (“Office”) seeking appointment is strongly recommended to obtain the assistance of one or more existing International Authorities to help in the assessment of the extent to which it meets the criteria, prior to making the application.

“(b) Any application for appointment of an Office as an International Authority is to be made well in advance of its consideration by the PCT Assembly so as to allow time for an adequate review by the Committee for Technical Cooperation (PCT/CTC). The PCT/CTC should meet as a true expert body at least three months in advance of the PCT Assembly, if possible back-to-back with a session of the PCT Working Group (usually convened around May/June of any given year), with a view to giving its expert advice on the application to the PCT Assembly.

“(c) Consequently, a written request to the Director General to convene the PCT/CTC is to be sent by the Office preferably by March 1 of the year in which the application is to be considered by the PCT Assembly and in any case in time to allow the Director General to send out letters of convocation of the PCT/CTC not less than two months prior to the opening of the session.

“(d) Any such application should be made on the understanding that the Office seeking appointment must meet all substantive criteria for appointment at the time of the appointment by the Assembly and is prepared to start operation as an International Authority as soon as reasonably possible following appointment, at the latest around 18 months following the appointment. With regard to the requirement that the Office seeking appointment must have in place a quality management system and internal review arrangements in accordance with the common rules of international search, where such system is not yet in place at the time of the appointment by the Assembly, it shall be sufficient that such system is fully planned and, preferably, that similar systems are

already operational in respect of national search and examination work to demonstrate the appropriate experience.

“(e) A complete application for appointment for consideration by the PCT/CTC should be submitted to the Director General at the latest two months prior to the opening of the session of the PCT/CTC using the standard form made available for the purpose by the International Bureau. The application should contain all the information indicated as mandatory within the notes to that form. Where questions in the form are not relevant to the application, the Office should, where appropriate, replace the questions with alternatives which serve an equivalent purpose.

“(f) Any such application is then to be submitted to the PCT Assembly (usually convened around September/October of any given year), together with any advice given by the PCT/CTC, with a view to deciding on the application.”

6. The standard form for making an application for appointment referred to in paragraph (e) of the Understanding is set out in the Annex to document PCT/A/50/3.

7. In accordance with paragraph (b) of the Understanding, this session of the Committee has been convened to take place on the same dates as the fifteenth session of the PCT Working Group. The fifty-fifth (23rd ordinary) session of the Assembly of the PCT Union, the next session after this session of the Committee has been tentatively scheduled to take place from July 3 to 7, 2023.

REQUIREMENTS TO BE SATISFIED

8. The minimum requirements for an Office to act as an ISA are set out in Rule 36.1, as follows:

“The minimum requirements referred to in Article 16(3)(c) shall be the following:

“(i) the national Office or intergovernmental organization must have at least 100 full-time employees with sufficient technical qualifications to carry out searches;

“(ii) that Office or organization must have in its possession, or have access to, at least the minimum documentation referred to in Rule 34, properly arranged for search purposes, on paper, in microform or stored on electronic media;

“(iii) that Office or organization must have a staff which is capable of searching the required technical fields and which has the language facilities to understand at least those languages in which the minimum documentation referred to in Rule 34 is written or is translated;

“(iv) that Office or organization must have in place a quality management system and internal review arrangements in accordance with the common rules of international search;

“(v) that Office or organization must hold an appointment as an International Preliminary Examining Authority.”

9. Rule 63.1 sets out equivalent minimum requirements for acting as an International Preliminary Examining Authority, except that item (v) requires the Office to hold an appointment as an International Searching Authority, so that, in order to meet the requirements, it is essential to be appointed as both types of Authority.

10. *The Committee is invited to give its advice on this matter.*

[Annex I follows]

APPLICATION FOR APPOINTMENT AS AN INTERNATIONAL SEARCHING
AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

Original Language: English

1 – GENERAL

(a) Name of Office or intergovernmental organization:

Saudi Authority for Intellectual Property (SAIP)

(b) Date on which application for appointment was received by the Director General:

May 19, 2022

(c) Session of the Assembly at which appointment is to be sought:

Fifty-Fifth (23rd Ordinary) Session

(d) Expected date at which operation as ISA/IPEA could commence:

January 2024

(e) Existing ISA/IPEA(s) assisting in assessment of extent to which criteria are met:

Korean Intellectual Property Office (KIPO)

2 – MINIMUM REQUIREMENTS FOR APPOINTMENT

2.1 – SEARCH AND EXAMINATION CAPACITY

Rules 36.1(i) and 63.1(i): The national Office or intergovernmental organization must have at least 100 full-time employees with sufficient technical qualifications to carry out searches and examinations.

(a) Employees qualified to carry out search and examination:

SAIP currently has 87 employees capable of conducting search and examination activities working full-time at several organizational levels. SAIP will have 13 additional employees by the end of Q3 2022 bringing the total number of full-time employees capable of doing S&E work to 100. Examiners have required educational and technological qualifications to carry out examinations in their area of expertise covering Chemistry, Biochemistry, Mechanical, Instruments, Electrical and Agricultural. The minimum educational qualification among SAIP examiners is a Bachelor's degree; 10 per cent of SAIP examiners hold Master's and 5 per cent of examiners hold Ph.D. degrees. The average years of experience for SAIP examiners is 12.9 years.

Table 1. Number of patent examiners in each technical field

Technical field	Number (based on full-time equivalent)	Experience as examiners (years, on average)	Breakdown of qualifications
Mechanical	20	11.4	1 - Examiners: 32 2 - Examination specialist: 14 3 - Senior specialist: 20 4 - Experts: 14 5 - Examination Division heads: 4 6 – Advisor: 3
Electrical/electronic	8	3.1	
Chemistry	38	11.2	
Instrumentation	17	8.2	
Environmental Science	1	22.1	
Pharmaceutical Science	2	13.4	
Bacteriology	1	1	
Total	87		

(b) Training Programs

SAIP has developed various training programs that fall under two major classes:

The first program caters for newly hired examiners. It is a special intensive training program lasting up to 10 months. This training program is designed to ensure that all examiners understand search and examination standards and procedures to perform patent examinations properly. This program starts with 10 weeks in class sessions on the following:

- 1 - Introduction to IP – IP History, National IP Strategy, SAIP organization, Impact of IP
- 2 - Legal framework of IP – National laws, Law/Regulation/Guidelines of Patent.
- 3 - Patent procedures – Examination processes and procedures workflow, Quality policy.
- 4 - Patent application – SAIP forms, Requirements for filing, Description, Claims
- 5 - Theories and Practices on Patentability – Eligible subject matter, Industrial applicability, Sufficient disclosure, Claim scope, Novelty, Inventive step, Unity of invention.
- 6 - Prior art Search – Internal and external databases, International classification, Search technique.
- 7 - Examination - Drafting S&E Reports, Assessment of patentability criteria, Answers and amendments from applicant.
- 8 - International Cooperation on Examination - International Treaties and agreements, PCT procedures, CSP.
- 9 - Appeal and litigation – Enforcement of IP, Committee procedures, Court decisions.

Once new joiners finish the orientation, an eight-month training will be conducted through on-the-job training, where it covers several technical competencies and knowledge SAIP examiners must master. Finally, after going through these two programs, they will be able to perform search and examination activities.

The second program aims to develop and enhance examiners' knowledge and technical capability. This training program strives to ensure continuous development of examiners' technical skills and capabilities in search and examination. Furthermore, the program is linked to the SAIP promotion system, where examiners must complete a minimum requirement of training hours. The program is conducted by holding a seminar with an external specialist, taking a field trip to a company, research center...etc., as well as online technology training courses.

Furthermore, SAIP has signed a partnership agreement that includes knowledge transfer with the Intellectual Property Office of Singapore (IPOS) and KIPO to train SAIP staff through workshops sessions, which will enrich SAIP examiners' knowledge and diversify their technical experience.

In addition, SAIP has signed an Examiners capability building agreement with the European Patent Office (EPO), this training program is a special designed training program by EPO to SAIP examiners focusing on enhancing SAIP Examiners knowledge, technical capabilities and competencies, most importantly this program includes how to use EPOQUE Net.

To manage these training programs, SAIP has created a training plan for each program; after execution of each program HR Department keeps record including attended employees and the training topics.

Table 2. Sample of SAIP Newly-Hired Examiners In-Class Training Program

Program Name	Topic	Duration
Onboarding Saudi Intellectual Property Authority (in class session)	Introduction to the Authority and its departments and the human resources policies Strategic map of the Authority, administrative structure, and the quality system WIPO's global IP regulatory organization Intellectual property fields focusing on patents Intellectual property litigation Intellectual property enforcement Readings in intellectual property	7 weeks
Intellectual property system, patent system (in class session)	The Authority and its association with government agencies and systems Scientific research and intellectual property Patent examiner role as innovation facilitator The National Intellectual Property Strategy in the Kingdom and its role as the national innovation system Patent management functions and competences Processes and procedures for filing and granting patents in the Authority DL-001 IP Introductory Guide The history and trends of the patent system from national perspective The patent system (law) in the Kingdom Identify key elements that make up patent legislation Legal basis for the examination process, and granting conditions Legal basis for the examination process, and granting conditions Patent application requirements	

Program Name	Topic	Duration
New Examiner Technical Training Program Part 1 (in class session)	Patent components in terms of technical bibliographies information Type of international IP conventions and treaties Registration, protection, classification Historical view, obligations and rights, analytical view of international IP conventions and treaties The legal basis for the examination process Discussion and exercises on life cycle of patent invention, full description, claims and decision-making skills by review of previous completed applications Discussion and exercises on prior art search, novelty, inventive step, unity of invention by review of previous completed applications Electronic systems for substantive examination, which include the use of databases for patent search, patent search strategies, patent search report Discussion and exercises on family request (invention classification systems (IPC, CPC)), take advantage of the results of the examination for other offices by review of previous completed applications How to draft examination reports and comment on the results Amendments to order Discussion ring:	3 weeks
New Examiner Technical Training Program Part 2 (in class session)	Examples of completed applications; exercises Registration for the WIPO DL101 course (Arabic version) Part II: Applied Training “Case Studies” The importance of researching previous technology Review, applications completed requests, discussion, exercises Part II: Applied Training “Case Studies” Part II: Applied Training “Case Studies” Comprehensive program testing Comprehensive evaluation of the program - end-of-program ceremony Applied training “study cases”	

2.2 –MINIMUM DOCUMENTATION

Rules 36.1(ii) and 63.1(ii): That Office or organization must have in its possession, or have access to, at least the minimum documentation referred to in Rule 34, properly arranged for search purposes, on paper, in microform or stored on electronic media.

(a) Access to the minimum documentation for search purposes:

SAIP has full access to PCT Minimum Documentation for patent search purposes. In addition to the internal database, SAIP has full subscription to Derwent (SequenceBase, Search with simplicity, and Innovation), SciFinder (a CAS Solution), and SDL (Saudi Digital Library) databases, which allow examiners to access millions of patent documents. SAIP has also signed a partnership agreement with EPO that provides access to the

EPOQUENET database and is currently activated for examiners. In addition to that, examiners utilize PATENTSCOPE, Google patent, and USPTO free databases to conduct patent documents search.

(b) Search systems:

SAIP has its own in-house developed searched system where examiners conduct searches on the local documentation database. SAIP also uses the EPOQUENET database, along with a full subscription for several patent search databases such as Derwent SequenceBase, Search with simplicity, and Innovation and SciFinder (A CAS Solution) which allow examiners to access huge numbers of patent documents.

As for non-patent search and access to documentation, SAIP uses SDL (Saudi Digital Library), Derwent and EPOQUENET databases, in addition to open source.

Examiners are given special access to the Derwent, SciFinder (a CAS Solution), and SequenceBase databases to conduct chemicals and reactions search, which provide access to large numbers of related documents.

2.3 – LANGUAGES

Rules 36.1(iii) and 63.1(iii): That Office or organization must have a staff which is capable of searching and examining the required technical fields and which has the language facilities to understand at least those languages in which the minimum documentation referred to in Rule 34 is written or is translated.

(a) Language(s) in which national applications may be filed and processed:

Arabic

(b) Other languages in which large numbers of examiners are proficient:

Most of SAIP's staff are Bilingual (Arabic & English). Besides, English language proficiency is a mandatory and essential requirement in SAIP's hiring criteria, as one of the job interview requirements is to assess candidate's English proficiency level (as they must have the knowledge and capability to conduct search and examination in English).

(c) Services available to assist search or understanding of prior art in other languages:

As for other languages and translation, SAIP uses WIPO translations and Google translate tools for translating into languages other than English.

2.4 –QUALITY MANAGEMENT

Rules 36.1(iv) and 63.1(iv): That Office or organization must have in place a quality management system and internal review arrangements in accordance with the common rules of international search,

National quality management system meeting the requirements of Chapter 21 of the International Search and Preliminary Examination Guidelines:

SAIP has a Quality Policy in place that ensures the highest level of quality standards are applied and followed in its IP operations and all services, as explained in detail in

Chapter 21 of this application. SAIP has established a two-tier systematic approach to ensure the effectiveness of its QMS, which is composed of two parts: (1) Quality Control (QC), which is performed at the examination level, and (2) Quality Assurance (QA), which is performed at the operational quality level. QC is done during both formality and substantive examination, where a two-level process of control is implemented, with examiners' quality of work being reviewed by their Supervisors, and if necessary, divisions' heads.

QA is performed by Operational Quality Division that is independent of the examiners. This process starts by collecting random samples from previous applications and checking the quality of performed examinations against a specified checklist in an internal system, as per SAIP Quality Policy and examination Procedures and guidelines. Reports are then generated by the Operational Quality Division with QA/QC results, on a quarterly basis through the year.

SAIP also has a Quality Committee, formed via an executive order by the CEO and chaired by the Organization Excellence Executive Director, to review, direct, supervise and manage the overall organization's quality performance, including examination activities.

Furthermore, the Operational Quality Division issues an annual report, which shows a full review of QA/QC during the year, including challenges & recommendations, and sets corrective actions to be executed.

In addition to that, there are frequent reports that show the numbers and statistics to track the performance and status of the recommendations set at the beginning of the year.

These reports are reviewed by SAIP's Executive Director of Operations Support along with the Quality Committee, as recommendations and corrective actions are endorsed by the IP Operation VP and approved by the CEO. Moreover, the CEO monitors the overall organization quality performance as per SAIP approved authority matrix.

3 – INTENDED SCOPE OF OPERATION

(a) Language(s) in which services would be offered:

Arabic and English.

(b) State(s) or receiving Office(s) for which Authority would offer to be competent:

The Middle East and North Africa (MENA) regional countries and the native Arabic speaking countries.

(c) Limitations on scope of operation:

SAIP will not perform international search and preliminary examination in applications filed in languages other than Arabic and English.

(d) Other International Authorities which would remain competent for applications filed at the Office in its capacity as receiving Office:

United States Patent and Trademark Office (USPTO)

Intellectual Property Office of Singapore (IPOS)

China National Intellectual Property Administration (CNIPA)

European Patent Office (EPO)

Korean Intellectual Property Office (KIPO)

Egyptian Patent Office (EGPO)

Federal Service for Intellectual Property (ROSPATENT) (Russian Federation)

Canadian Intellectual Property Office (CIPO)

4 – STATEMENT OF MOTIVATION

Under the leadership of the Custodian of the Two Holy Mosques, Vision 2030 was launched in 2016, as a roadmap drawn up by His Royal Highness the Crown Prince Mohammed Bin Salman, to harness the strengths God bestowed upon Saudi Arabia (The strategic position, investment power and place at the center of the Arab and Islamic worlds). The Vision was cascaded into strategic objectives to enable effective implementation through Vision Realization Programs. Strategic objectives are listed below:

- A vibrant society;
- A thriving economy, and;
- An ambitious nation.

SAIP aims to contribute to fostering the competitiveness of the national economy, with its vision to become a globally respected, fully integrated IP authority, and to position itself as the IP hub in the MENA region by 2030.

Saudi Arabia has been a member of WIPO since 1982, and the Kingdom joined the PCT in 2013. SAIP has joined 12 WIPO treaties, including the Paris Convention and the Budapest Treaty.

The recent rapid increase in the number of international patent applications (PCT) submitted by Saudi organizations including companies, research institutes, and universities has positioned Saudi Arabia as a leading country in the region. This trend is clearly reflected in WIPO's annual statistics, and it necessitates the designation of SAIP as an ISA/IPEA.

Currently, in the Arab countries with an estimated population of 400 million, there is only one office that handles Arabic language international patent applications around the globe i.e., the Egyptian Patent Office. We at SAIP seek the opportunity to become the second ISA/IPEA to handle international patents applications in Arabic, which will encourage more applicants to apply for more international patent applications seeking written opinion reports. With SAIP's joining, this shall help release some of the workloads on other ISAs/IPEAs, especially those receiving applications in Arabic and English.

There are currently 46 Technology and Innovation Support Centers (TISCs) based in Saudi Arabia that work with SAIP to raise IP awareness and help inventors in realizing their innovative potential as well as creating, protecting, and managing their IP rights. The continuous work and effort of these TISCs shall result in an increasing number of applications filed from Saudi Arabia.

In addition, major leading companies and institutes in Saudi Arabia are investing in R&D, with the Kingdom ranking 26th out of 156 countries in R&D development in the “READINESS FOR FRONTIER TECHNOLOGIES INDEX” issued by the United Nations Conference on Trade and Development.

An example of a leading R&D organization is Saudi Aramco, which manages a global network of 12 R&D centers, in the field of oil and gas. Aramco has also launched its innovation project “LAB7”, intending to turn more breakthrough ideas into real-life projects.

In addition, Saudi Basic Industries Corporation (SABIC) has established five R&D and Innovation centers, equipped with the latest modern facilities in MENA, USA, Europe, Southeast Asia, and Northeast Asia.

Moreover, King Abdullah University for Science and Technology (KAUST) manages 12 R&D centers that serve its strategic objectives. KAUST’s achievements are outstanding; out of enormous patent production, it has established 35 companies, owned by its faculty and students that contribute to Saudi Arabia’s knowledge base ecosystem. Five of these companies have already expanded their line of operations outside the campus.

Finally, the King Fahd University for Petroleum and Minerals (KFUPM) created Dhahran Techno Valley Company DTVC, which plays a key role in the establishment of a knowledge-based ecosystem in the eastern province of Saudi Arabia.

These heavy R&D investments have led to increasing awareness and encouragement towards R&D and innovation, which unquestionably supports an increasing volume of applications filed from Saudi Arabia.

Taking all these developments in Saudi Arabia and the region, SAIP will definitely benefit from Saudi Arabia's strategic position and influence among the region to promote the PCT within Saudi Arabia and the region by becoming the second Arabic ISA/IPEA.

5 – APPLICANT STATE(S)

(a) Regional location:

The SAIP headquarters is located in Riyadh, the capital city of the Kingdom of Saudi Arabia.



(b) Regional organization memberships:

1- SAIP has been a member of WIPO since 1982, where Saudi Arabia is a signatory to 12 different WIPO treaties.

2- Saudi Arabia is a member of the Gulf Cooperation Council (GCC), a group of nations that collaborate on a variety of issues. In the area of intellectual property, Saudi Arabia adheres to the GCC IP law, which was established in 1981 and to which all GCC countries are bound.

3- The Arab League: Saudi Arabia is a member of the Arab League, whose members are cooperating on several matters, including trade, economy, security, and mutual support.

Saudi Arabia is also a current member of 48 different global treaties.

(c) Population:

There are 35,013,414 people living in Saudi Arabia, including citizens and ex-pats.

(d) GDP per capita:

20,110 United States dollars.

(e) Estimated national R&D expenditure (% of GDP):

0.8%

(f) Number of research universities:

Saudi Arabia has more than 40 authorized research institutions distributed across the Kingdom, including 32 universities.

(g) Summary of national patent information network:

SAIP stores and publishes information related to patents on its website www.saip.gov.sa, which can be accessed by anyone. SAIP also publishes a periodic official quarterly bulletin, that includes all information and updates regarding patents, such as new patents and changes to any existing ones.

(h) Major local industries:

Saudi Arabia's industries are grouped into two major categories:

1- Oil, gas and Energy Industries: Saudi Arabia is one of the major oil producers globally, both in both upstream and downstream oil & gas industries, as well as a key member of OPEC & OPEC+.

2- Non-oil & Gas Industries: Non-oil and gas sectors have been growing in Saudi Arabia in recent years as part of the 2030 Vision's key aim of increasing the country's non-oil earnings.

(i) Major trading partner States:

The United States of America, Eswatini, China, India, Japan, Malaysia, Egypt, Italy, the United Kingdom, Pakistan, and the Republic of Korea, as well as all GCC nations, have commercial attachés in Saudi Arabia. Saudi Arabia also has trade agreements with a

number of countries including European Union countries, Singapore, Iceland, Norway, and Liechtenstein.

(j) Other key information:

Saudi Arabia is keen to encourage and facilitate the effective creation, development, management, and protection of IP at the national level. Therefore, SAIP has started the works of the National Intellectual Property Strategy (NIPST). The goal of the national IP strategy is to strengthen Saudi Arabia's ability to create economically or socially valuable IP assets to meet national needs and to increase economic growth.

SAIP launched IP clinics, which is one of the initiatives that contribute to the generation and use of intellectual property rights through providing IP advice, guidance, and services for innovation-based enterprises from SMEs and individuals from inventors, authors, and entrepreneurs.

6 – PROFILE OF PATENT APPLICATIONS

(a) Number of national applications received – by technical field:

Year	2017	2018	2019	2020	2021
Technical Field					
Mechanical	349	382	380	300	341
Electrical/electronic	368	351	354	332	458
Instrumentation	473	530	501	530	701
Chemistry	1,220	1,300	1,770	1,670	1,410
Biotech	45	80	70	88	97
*Other fields	528	524	523	506	562
Unclassified	208	232	53	142	0
** Total	3,191	3,399	3,651	3,568	3,569

* Other fields are furniture, games, other consumer goods and civil engineering applications

** This number is counted for unclassified applications as well.

(b) Number of national applications received – by route:

Year	2017	2018	2019	2020	2021
Route					
National first filing/internal priority	77	86	83	158	163
Paris priority	789	849	877	959	940
PCT national phase entry	2,325	2,464	2,691	2,451	2,466
Total	3,191	3,399	3,651	3,568	3,569

(c) Number of international applications received from nationals and residents of Saudi Arabia:

Year \ Technical Field	2017	2018	2019	2020	2021
Mechanical	13	19	15	12	18
Electrical/electronic	11	15	11	9	12
Chemistry	2	4	2	1	2
Biotech	0	2	2	0	1
Total	26	40	30	22	33

(d) Average time taken for national patent processing:

Indicator	Measured from	Time (months)
To search and conduct first examination	From examination payment until sending first substantive examination	6.8
To grant	From first action (FA) until granting	9.5

(e) National workload:

Measure	Number of applications
All pending applications	5,227
Applications awaiting search (where relevant fees have been paid)	N/A*
Applications awaiting first examination (where relevant fees have been paid)	2,084

* For national patent processing, SAIP performs the search and first examination as a single process.

(f) Time and environment for examiners for search and examination:

The time spent on carrying out a patent search on national applications depends on the complexity of the technology and the examiners experience and seniority; each application will take from 16 up to 30 working hours to conduct the search and examination process. SAIP has the appropriate hardware and software facilities that enable its staff to perform the search and examination processes. SAIP prepares for each examiner appropriate hardware tools to perform their tasks in a highly efficient manner, where each examiner has dual-screens and high-speed processors in their computers, as well as a fast internet connection to their devices to access all internal and external databases and search platforms.

7 – SUPPORT REQUIRED

SAIP's vision is to depend on its resources acting as an International Searching and Preliminary Examining Authority under the PCT. SAIP also seeks further cooperation from international authorities for further collaboration and partnerships including for any advisory support.

8 – OTHER

International Cooperation

SAIP has an advisory board established by the CEO called “Advisory Board for Intellectual Property Experts”. The Board’s role is advisory, and it is administratively-linked to the CEO with the following duties:

- Provide advice and recommendations on the topics referred to it by the CEO.
- Express opinion about the development of SAIP Intellectual Property fields.
- Examine SAIP's goals, strategies, and policies to ensure that it remains relevant in the face of global change, and any additional duties required by the Board and stated by CEO.

The advisory board consists well-known IP sector experts around the globe. Full details can be found on SAIP’s website.

9 – ASSESSMENT BY OTHER AUTHORITIES

The Korean Intellectual Property Office (KIPO) served as a partner office that assisted SAIP in assessment of whether SAIP meets the requirements for appointment as an International Authority under the PCT System.

Annex III contains the report of KIPO on the extent to which SAIP meets the criteria for appointment as an International Authority under the PCT System.

[Annex II follows]

INITIAL REPORT ON QUALITY MANAGEMENT SYSTEMS

prepared by the Saudi Authority for Intellectual Property

Original Language: English

The Authority should provide general background information relevant to the quality management system (QMS) as set forth in this template.

The descriptions below each main heading of this template should be considered examples of the type and arrangement of information that should be included under each heading. Each Authority may provide additional information beyond that set forth in this template as desired.

INTRODUCTION (PARAGRAPHS 21.01 - 21.03)

In this introduction, each Authority should include a summary of all changes to their quality management system that have taken place since the previous report on their Quality Management System, and any other matters considered to be interest in relation to quality management.

If applicable, the Authority may at this point indicate any recognized normative reference or basis for their quality management system besides Chapter 21, such as ISO 9001, under the heading "Normative Reference for QMS"

For example: "Normative reference for QMS: ISO 9001, EQS (European Quality System)"

Each Authority should then provide at least the information indicated in the descriptive boxes, under the following headings. Authorities may include process charts if this would facilitate the understanding of an aspect of the report.

SAIP, Saudi Authority for Intellectual Property, is an integrated body for intellectual property at the kingdom of Saudi Arabia. It was established in 2018 and it is organizationally linked to the Prime Minister. It aims to regulate, support, develop, sponsor, protect, enforce and upgrade the fields of IP in the Kingdom in accordance with international best practices.

SAIP's vision is to become an integrated authority for intellectual property with global standing and an essential element for IP in the Middle East and North Africa by 2030. To ensure the organization is working toward this vision, SAIP has established its own QMS to ensure patent search and examination processes and services are performed in a high-quality manner.

SAIP's QMS is in full compliance with the requirements set forth in Chapter 21 of the PCT International Search and Preliminary Examination Guidelines (hereinafter referred to as the PCT Guidelines).

1. LEADERSHIP AND POLICY

21.04 Confirm that the following are clearly documented, and that this documentation is available internally:

- (a) The quality policy established by top management.*
- (b) The roles and names of those bodies and individuals responsible for the QMS, as specified by top management.*
- (c) An organizational chart showing all those bodies and individuals responsible for the QMS.*

(a) SAIP adapted an operational Quality Policy, which has been reviewed by the Quality Committee and approved by the CEO, wherein it represents the obligation of all SAIP staff to follow the highest quality standards in providing its services following the bodies and instruction in the Quality Policy. This policy is considered the main reference to be adhered to by all staff.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

The SAIP Quality Policy is built on four main elements:

- High-quality services
- Continuous improvements
- Client satisfaction, towards services' quality and quick response time
- Transparency

(b) The following bodies are the divisions, committees, and officials of SAIP that responsible for managing the QMS within the organization:

Chief Executive Officer (CEO):

The CEO is obligated to perform the following activities:

- 1- Approves the operational quality policy
- 2- Approves all development initiatives and recommendations
- 3- Approves all recommendations and suggestions mentioned in the annual quality report
- 4- Approves committees' forming and initiation
- 5- Endorse and oversee quality reports results and provide needed support

VP of IP operation:

Supervises all initiatives and recommendations raised by the Quality Committee and Operational Quality Division that address concerns, areas of development, and opportunities related to policies and IP examinations processes and procedures.

Executive Director of Operations Support:

The Executive Director of Operations Support is obligated to:

- 1- Promote recommendations to the quality committee to improve policies and procedures related to IP examination requests, processes, and operation.
- 2- Set up operations quality KPIs and annual targets.
- 3- Review and approve the quality control and quality assurance plans and procedures in the Operation Quality Division.
- 4- Review all SAIP Quality Policy and examination Procedures and guidelines.

Quality Committee:

The Quality Committee was formed by an executive order from the CEO and chaired by the Organization excellence Executive Director to review, direct, supervise and manage the overall organization's quality performance, including examinations and covering the following activities:

- 1- Reviews and approves the annual quality plan.
- 2- Supervises the implementation of the approved recommendations related to quality.
- 3- Reviews the quality performance in the organization.
- 4- Analyzes the quality performance and sets up recommendations to improve all quality methodology and related activities.
- 5- Approves project initiatives associated with quality within the organization, as well as follows up on their implementation status.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

- 6- Reviews, approve and monitors periodic quality published reports.

Head of Operational Quality:

The Head of Operational Quality is obligated to the following activities:

- 1- Prepares quality control and quality assurance plans.
- 2- Identifies operational quality KPIs and annual targets in coordination with the Planning and Performance Management Division.
- 3- Reviews all SLAs within all operational departments.
- 4- Sets up and updates the quality policy (when needed).
- 5- Initiates corrective action recommendations based on quality control and quality assurance frequent reports.
- 6- Endorses the quality control and quality assurance forms within the operational departments.
- 7- Identifies the IP examination evaluation requests, quality assurance and annual targets.
- 8- Reviews development indicatives toward IP application operation policies and procedures.

Executive Director of Patents

The Executive Director of Patents is obligated to:

- 1- Keep abreast of latest patent examination practices and trends and identify improvement opportunities to SAIP practices to optimize operational efficiency
- 2- Collect feedback related to patent examination challenges from Operational Quality Division and Board of Appeals and extract lessons learned.
- 3- Supervise examination operations and provide support when needed ensuring alignment to pre-defined guidelines
- 4- Oversee patent registration ensuring alignment to SAIP's internal policies and procedures

Heads of each Examination Divisions :

The Heads of each Examination Divisions Head obligated to:

- 1- Ensure meeting examination quality requirements, through the procedure of quality control evaluation, as per approved operational quality procedures.
- 2- Prepare examination policies and procedure improvement opportunities reports.
- 3- Coordinate with the Operational Quality Division to identify the examination of special needs of each examination department.
- 4- Develop and review forms and tools alongside the Operational Quality Division to ensure the applications' examination process is conducted as per set requirements.

Operational Quality Supervisors

The Operation Quality Supervisors are obligated to the following activities:

- 1- Follow up on operational quality assurance procedures' execution plans.
- 2- Prepare annual IP examination department's quality performance reports.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

- 3- Monitor the execution of approved corrective action.
- 4- Review all corrective actions that have been prepared based on the results of quality control and assurance reports.
- 5- Review quality control and quality assurance forms, if any changes occur.
- 6- Collect all initiatives related to the improvement of policies and procedures for the examinations of intellectual property applications.
- 7- Collect the results of customer satisfaction analysis and discuss them with the relevant IP Examination Divisions.

Executive Director of Organizational Excellence

The Executive Director of Organizational Excellence is obligated to:

- 1- Develop and approve KPIs and annual targets for SAIP, including all examiners, Operational Quality and IP Services
- 2- Develop, update and approve examination processes, procedures and guidelines, then issue them on SAIP's internal Process and Procedure Portal

Operational Quality Officers

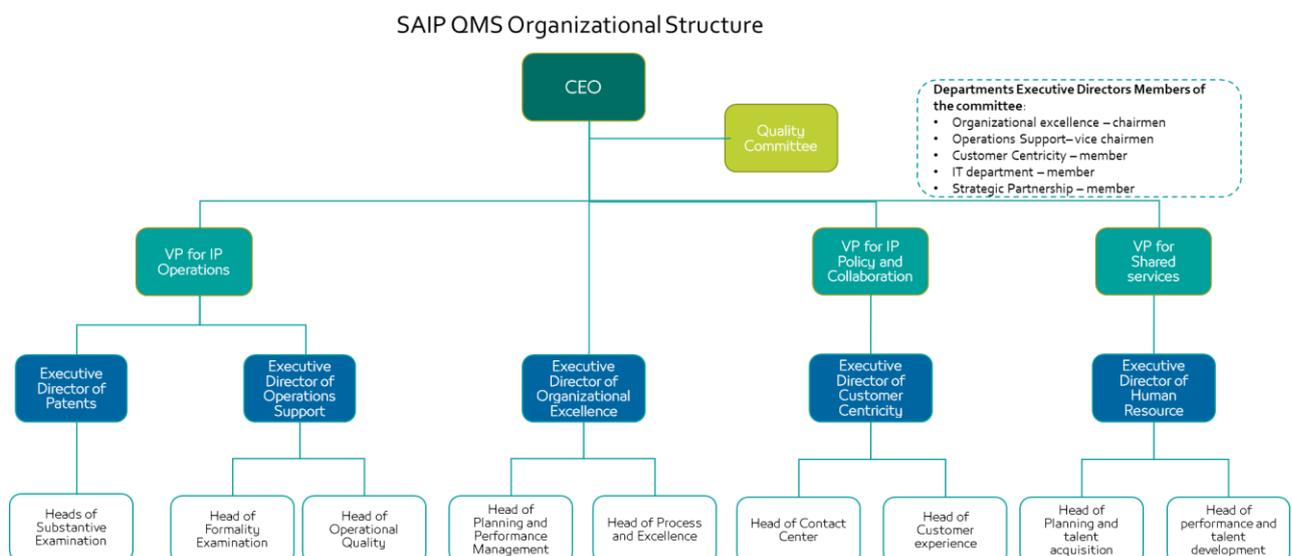
The Operational Quality Officer are responsible for:

- 1- Conducting quality visits to ensure the implementation of operational policies, processes, and procedures.
- 2- Developing quality visit findings reports including, KPIs, and adherence to SLAs, identifying improvement opportunities along with corrective and preventive actions.
- 3- Coordinating with the Organization Excellence Department to develop and implement improvements action plans.

Executive Director of Customer Centricity

The Customer Centricity Department is responsible for collecting and analyzing data on customer satisfaction along with customers complaints about all IP application procedures.

(c)



Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

21.05 Indicate (e.g., by means of a table) the extent of compatibility between the Authority's QMS and the requirements of Chapter 21 of these International Search and Preliminary Examination Guidelines. Alternatively, indicate where the Authority is not yet compliant with these requirements.

Chapter 21 requirement				Extent of compliance		
				full	part	no
21.04		(a)	Quality policy available	✓		
		(b)	Identified roles and names for QMS responsibility	✓		
		(c)	Organizational chart available	✓		
21.05			Established compatibility of QMS with Chapter 21	✓		
21.06		(a)	Mechanisms to ensure effectiveness of the QMS	✓		
		(b)	Control of the continual improvement process	✓		
21.07		(a)	Communication of management about this standard to staff	✓		
		(b)	The PCT Guidelines are in line with the Authority's QMS	✓		
21.08		(a)	Management reviews take place	✓		
		(b)	Quality objectives are reviewed	✓		
		(c)	Communication of quality objectives to the relevant staff at the Authority	✓		
21.09		(a)	Performance of a yearly internal review of the QMS in/to	✓		
		(b)	determine the extent to which the QMS is aligned with Chapter 21	✓		
			determine the extent to which S&E complies with PCT Guidelines	✓		
		(c)	an objective and transparent way	✓		
		(d)	using input incl. information according to paragraph 21.24	✓		
		(e)	recording the results	✓		
21.10			Risk and opportunities are addressed that can affect the QMS and the conformity of search and examination	✓		
21.13			Arrangements for establishing risk-based practices to	✓		
	(i)	(a)	understand issues that affect its ability to achieve intended results of the QMS	✓		
		(b)	understand the needs and expectations of interested parties	✓		
	(ii)		identify risks and opportunities related to the performance of the QMS as a basis for planning	✓		

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

Chapter 21 requirement				Extent of compliance		
	(iii)		plan and implement actions to address risks and opportunities	✓		
	(iv)		check the effectiveness of the actions taken	✓		
	(v)		continuously update risks and opportunities.	✓		
21.15			Assurance to monitor and adapt to actual workload	✓		
	(i)		Infrastructure in place to ensure that a quantity of staff		✓**	
		(a)	sufficient to deal with the inflow of work	✓		
		(b)	which maintains technical qualifications to S&E in all technical fields	✓		
		(c)	which maintains the language facilities to understand languages according to Rule 34	✓		
	(ii)		Infrastructure to provide a quantity of skilled administrative staff	✓		
		(a)	at a level to support the technically qualified staff	✓		
		(b)	for the documentation records	✓		
	(iii)		Ensuring appropriate equipment to carry out S&E	✓		
	(iv)		Ensuring documentation according to Rule 34	✓		
	(v)	(a)	Instructions to help staff understand and act according to the quality criteria and standards	✓		
		(b)	Instructions to follow work procedures accurately and they are kept up-to-date.	✓		
	(vi)	(a)	Training and development program to ensure and maintain necessary skills in search and examination	✓		
		(b)	Training and development program to ensure awareness of staff to comply with the quality criteria and standards.	✓		
	(vii)	(a)	System in place for monitoring resources required to deal with demand	✓		
		(b)	System in place for monitoring resources required to comply with the quality standards in S&E	✓		
21.16	(i)		Control mechanisms to ensure timely issue of S&E reports	✓		
	(ii)		Control mechanisms regarding fluctuations in demand and backlog	✓		
21.17	(i)		Internal quality assurance system for self-assessment	✓		
		(a)	for compliance with S&E Guidelines	✓*		
		(b)	for channeling feedback to staff	✓		

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

Chapter 21 requirement				Extent of compliance		
	(ii)		System for measurement of data and reporting for continuous improvement	✓		
	(iii)		System for verifying the effectiveness of actions taken to correct deficient S&E work	✓		
21.18		(a)	Contact person helping identify best practice between Authorities	✓*		
		(b)	Contact person fostering continual improvement	✓		
		(c)	Contact person providing for effective communication with other Authorities for feedback and evaluation	✓*		
21.20	(i)	(a)	Appropriate system for handling complaints	✓		
		(b)	Appropriate system for taking preventive/corrective actions	✓		
		(c)	Appropriate system for offering feedback to users	✓		
	(ii)	(a)	A procedure for monitoring user satisfaction & perception	✓		
		(b)	A procedure for ensuring their legitimate needs and expectations are met	✓		
	(iii)		Clear and concise guidance on the S&E process for the user	✓		
			Indication where and how the Authority makes its quality objectives publicly available	✓		
21.21			Established communication with WIPO and designated and elected Offices	✓*		
21.22			QMS of Authority clearly described and documented	✓		
21.23		(a)	Material making up the reference of quality procedures and processes for staff and management has been prepared and distributed	✓		
		(b)	Media available to support the reference material	✓		
		(c)	Document control measures are taken	✓		
21.24			Items which should be documented in the reference of quality procedures and processes	✓		
	(i)		Quality policy of the Authority and commitment to QMS	✓		
	(ii)		Scope of QMS	✓		
	(iii)		Organizational structure and responsibilities	✓		
	(iv)		the documented processes are carried out in the Authority	✓		
	(v)		Resources available to carry out processes and implementing the procedures	✓		

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

Chapter 21 requirement			Extent of compliance		
	(vi)	a description of the interaction between the processes and the procedures of the QMS.	✓		
21.25	(i)	Records which documents are kept and where they are kept	✓		
	(ii)	Records of results of management review	✓		
	(iii)	Records about training, skills and experience of staff	✓		
	(iv)	Evidence of conformity of processes	✓		
	(v)	Results of reviews of requirements relating to products	✓		
	(vi)	Records of the S&E process carried out on each application	✓		
	(vii)	Record of data allowing individual work to be tracked	✓		
	(viii)	Record of QMS audits	✓		
	(ix)	Records on actions taken re. non-conforming products	✓		
	(x)	Records on actions taken re. corrective actions	✓		
	(xi)	Records on actions taken re. preventive actions	✓		
	(xii)	Records referring to search process documentation	✓		
21.26	(i)	Recording of the databases consulted during search	✓		
	(ii)	Recording of keywords, combination of words and truncations during search		✓**	
	(iii)	Recording of the languages used during search		✓**	
	(iv)	Recording of classes and combinations thereof consulted during search		✓**	
	(v)	Recording of a listing of all search statements used in databases consulted		✓**	
	(vi)	Records about other information relevant to the search		✓**	
	(vii)	Records about limitation of search and its justification		✓**	
	(viii)	Records about lack of clarity of the claims		✓**	
	(ix)	Records about lack of unity		✓**	
21.27		Report on its own internal review processes	✓		
21.28-21.30		Additional information on further inputs to its internal reviews	✓		
21.31		Initial report called for by paragraph 21.31	✓		

* This requirement is met within the framework of SAIP's domestic procedure. If it is appointed as an ISA/IPEA, the office will extend this practice to include the international procedure as well.

** Full compliance is expected within 18 months.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

21.06 Indicate with reference to the organizational chart those bodies and mechanisms management uses to ensure:

- (a) the effectiveness of the QMS; and*
- (b) that the process of continual improvement progresses.*

(a) SAIP has established a systematic approach to assure the effectiveness of its QMS, which is composed of two parts: (1) Quality Control (QC) which is performed at the examination level (covering formality and substantive examinations), and, (2) Quality Assurance (QA) which is performed at the operational quality level.

QC is done during both formality and substantive examinations, by the examination department, and by examining the applications as per the examination checklist in the internal Process and Procedure Portal in accordance with SAIP's Quality Policy, examination and QC procedures.

The Examination Division has a multi-layer process that evaluates the results of the QC reports to approve them or return them to examiners with comments or corrective actions as per the examinations' procedures and authority matrix.

QA is done by the Operational Quality Division which is an independent Division from the examiners; the QA process starts by collecting random samples from previous applications and checking the quality of performed examinations against the examination checklist and patent examination procedures. Since QC is conducted by the Examination Division and QA is done by the Operational Quality Division, frequent quarterly reports are generated by the Operational Quality Division and shared with executive management.

An annual quality report is generated by the 1st quarter of the year, which includes the following:

- Overall operational performance
- Overview on the QC/QA results
- Operational quality challenges
- Corrective actions
- Review of quality assurance and quality control reports, highlight discrepancies and identify areas for improvement
- User feedback and customer satisfaction

All year round, corrective actions are being followed up for implementation by the Operational Quality Division in alignment with respective departments, and with SAIP's Quality Policy scope which states its commitment for continuous improvement toward its quality.

(b) These reports are reviewed by SAIP Executive Director of Operations Support along with the Quality Committee as stated in the roles and responsibility section in 21.04(b), where recommendations and corrective actions are endorsed by IP Operations VP and approved by the CEO. The Quality Committee is responsible for governing the corrective actions and ensuring its implementation alongside the monitoring of the overall organization quality performance.

21.07 Indicate how management of the Authority communicates to its staff the importance of meeting treaty and regulatory requirements including:

- (a) those of this standard; and*
- (b) complying with the Authority's QMS.*

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

(a)&(b)

SAIP senior management believes in streamlining the creation of a quality cultural value by embedding excellence in all operations, including examinations and services fulfilment, as quality is everyone's job. As a result, SAIP's operational performance will improve, allowing it to become a leading IP office in the MENA region.

SAIP's highest priority is to ensure that all staff are adhering to all treaties and associated regulatory requirements by following the internal PCT international search and examination handbook. In addition to that, increasing the quality awareness among all staff and the importance of adherence in all daily operations is important.

As a result, frequent workshops are conducted periodically, covering the below topics:

- Awareness sessions on all treaties SAIP is part of, including PCT, its regulations, and requirements
- Awareness sessions on quality basic foundations and implementation

Subsequent awareness sessions, periodic informative communications are sent to all SAIP staff through internal emails.

Moreover, to order to promote QMS to SAIP staff, and ensure adequate implementation is carried over, SAIP adopted an initiative in Q1 2021, summarized in launching a quality contest, where every month quality questions are sent to all examiners, and a winner is chosen each month. The winner gets awarded with a recognition letter from the VP of IP Operations, supported by a dedicated announcement internally.

21.08 Indicate how and when top management of the Authority or delegated officers:

- (a) conducts management reviews and ensures the availability of appropriate resources;*
- (b) reviews quality objectives; and*
- (c) ensures that the quality objectives are communicated and understood by the relevant staff at the respective Authority.*

(a) The Operational Quality Division within Operations Support Department, publishes frequent reports to be reviewed, endorsed and approved as per SAIP's authority matrix. These reports illustrate the following:

- Operational performance over the period along with TAT.
- Quality performance along with conformity and non-conformity statistics.
- Quality findings and recommendations / corrective actions to be carried out.

These reports address the examination department's current personnel capabilities and the additional workforce resources needed to maintain the quality of the provided services and associated delivery timeline.

(b) SAIP top management established the Quality Committee chaired by the Executive Director of Organizational Excellence (who oversees all quality activities across SAIP, including Operational Quality) and co-chaired by the Executive Director of Operations Support, with the responsibilities mentioned in clause 21.04 section (b).

(c) The quality objectives are communicated to SAIP staff through the quality awareness session as mentioned in clause 21.07. As mentioned in clause 21.06, SAIP senior management is keen to ensure adequate implementation of quality standards across the authority. Hence, the

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

Organizational Excellence Department (OE) is introducing a new KPI dedicated to Quality in 2022, for each individual within SAIP.

As for the examination and services quality objectives, those are communicated to staff through the procedures for conducting each service and type of examination which are registered on the internal processes and procedures Portal, where SAIP staff can access.

21.09 Indicate whether top management or delegated officers of the Authority perform an internal review of the QMS in accordance with paragraphs 21.22-21.25:

- (a) at least once per year (cf. paragraph 21.22);*
- (b) in accordance with the minimum scope of such reviews as set out in Section 8, namely:
to determine the extent to which the QMS is based on Chapter 21 (cf. paragraphs 21.22, 21.24(i));
to determine the extent to which Search and Examination work complies with PCT Guidelines (cf. paragraphs 21.22, 21.24(i));*
- (c) in an objective and transparent way (cf. paragraph 21.22);*
- (d) using input including information according to paragraphs 21.24 (ii)-(vi);*
- (e) recording the results (cf. paragraph 21.25).*

(a)-(e)

The annual quality report, which addresses operational quality performance, examinations statistics, challenges, and recommended corrective actions, is submitted to the CEO and is reviewed and monitored closely by the top management. The CEO oversees QMS performance. The VP of IP Operations ensures QMS corrective actions and continuous improvements are carried by the Executive Director of Operations Support.

All submitted recommendations, whether approved or not, are recorded and archived, along with their resolutions, in a designated database (Next Cloud) within SAIP's system.

21.10 Indicate whether top management of the Authority promotes practices to ensure that risks and opportunities that can affect its QMS and the conformity of international search and examination are addressed.

SAIP assesses the potential risks that might occur and affect the quality of search, examination, and operational quality as well as opportunities. All risks are registered in the risk registry that contains the following:

- Type of risk
- Risk measurement
- Corrective action recommendations
- Opportunities along with responsible officials

Such activity is reviewed and promoted by top management of SAIP. In addition, the risk registry is updated annually and monitored frequently.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

2. RISK-BASED PRACTICES

21.11 Explanatory note: Each Authority should establish its own risk-based practices to enable the Authority to determine factors that could cause operational processes and its quality management system to deviate from requirements or planned results, to put in place preventive controls to minimize negative effects, and to make use of opportunities as they arise.

21.12 Explanatory note: It is open to each Authority to set up its own arrangements to determine the effect of uncertainty on objectives. Paragraph 21.13 provides a guide to the basic components of risk-based practices as an element of QMS. There is no requirement for formal methods of risk management or a documented risk management process.

(Note: These points are informative. No response is required by the template to paragraphs 21.11 and 21.12).

21.13 Arrangements for establishing risk-based practices

Provide information on the arrangements that your Authority has made to:

- (i) (a) understand issues that affect its ability to achieve intended results of the QMS, and
(b) understand the needs and expectations of interested parties;*
- (ii) identify risks and opportunities related to the performance of the QMS as a basis for planning;*
- (iii) plan and implement actions to address risks and opportunities;*
- (iv) check the effectiveness of the actions taken; and*
- (v) continuously update risks and opportunities.*

21.14 Explanatory note: All processes of the QMS present differing levels of risk in terms of the Authority's ability to meet its objectives, and the effects of uncertainty are not the same for all Authorities. Each Authority is responsible for the actions it decides to take to address risks and opportunities.

(Note: This point is informative. No response is required by the template to paragraph 21.14).

(i) & (ii)

- Risk management practices at SAIP are based on risk management guidelines of ISO 31000, which involve context development, risk identification, risk analysis, risk evaluation, and risk treatment.
- By following the guidelines of ISO 31000, activities of communication, consulting, monitoring, and review are continuously carried out across SAIP to ensure the highest standards of risk management practices are followed and applied.
- In the first stage of the risk management process, the Governance, Risk and Compliance (GRC) team seeks internal and external context which includes stakeholders' objectives and expectations, along with other resources such as role charter and business process.
- Furthermore, the GRC team provides support for each department to assess them in identifying risks using a unified approach across SAIP. At this identification stage, each risk owner is required to describe risks including the root causes and their impact.
- SAIP recognizes the risks related to the examination, including, examination quality, workload, pending applications, examiners' availability, examiners' skills, search system capabilities, etc. SAIP also has already taken preventive actions to such risks such as the QA system explained in 21.17, the mechanism explained in 21.16, the new hiring plan mentioned in 21.15 (i), the staff training plans mentioned in 21.15 (vi), and the new search system mentioned in 21.26.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

- The risk management framework at SAIP is based on a united approach, where each department is responsible for managing its own risks. In parallel, all risks are centrally tracked in a single risk registry managed by the GRC team.
- Joint efforts are made between respective departments and the GRC team, including separate brainstorming sessions between the two, in order to cover all potential risks that may be identified at any given time.
- The GRC team then holds workshops to assure proper identification of all expectations and requirements of each department.
- Finally, all results are updated in SAIP's risk registry. Additionally, the GRC team conducts continuous awareness campaigns to ensure all parties and stakeholders have the necessary knowledge and understanding of risk management.

(iii), (iv) & (v)

- The GRC team sets certain measures to ensure risk mitigation plans for each department. These plans include preventive, corrective, and detective controls to ensure risk root causes are managed efficiently. Then these plans are reviewed by each department head in collaboration with the GRC team. Once reviewed and aligned with each department head, they revert back to the GRC team to log them as execution plans for each department.
- Every quarter, the GRC team issues a periodic risk report for each department that contains the execution plan and adherence progress. At the same time also, the team issues a progress report to the top management about the SAIP risk registry and action plan.
- To ensure an effective action plan and continuous improvement process is set in place, the GRC team conducts workshops with each department to review their reports and set certain guidelines based on the ISO 31000 to overcome their risks and obstacles. This will allow SAIP to embed this risk mitigation process and agile in capturing any new risks & opportunities - upstream and downstream - within the organization. Also, this will create a seamless flow of communication and consultations, along with monitoring and review stages successfully across all steps.
- Moreover, the GRC team has an open communication channel throughout the year for any update or new risks that might arise.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

3. RESOURCES

21.15 Explanatory note: The granting of ISA/IPEA status means that the Authority has demonstrated it has the infrastructure and resources to support the search and examination process. Chapter 21 calls for assurance that the Authority can continually support this process while accommodating changes in workload and meeting QMS requirements. The responses below, should provide this assurance.

Human resources:

(i) Provide information about the infrastructure in place to ensure that a quantity of staff: sufficient to deal with the inflow of work;

which maintains the technical qualifications to search and examine in the required technical fields; and

which maintains the language facilities to understand at least those languages in which the minimum documentation referred to in Rule 34 is written or is translated

is maintained and adapted to changes in workload.

(ii) Describe the infrastructure in place to ensure that a quantity of appropriately trained/skilled administrative staff is maintained and adapted to changes in workload:

at a level to support the technically qualified staff and facilitate the search and examination process, and

for the documentation of records.

- (i) SAIP currently has 87 employees who can conduct search and examination activities working full-time at several organizational levels. SAIP will have 13 additional employees by the end of Q3 2022 bringing the total number of full-time employees capable of doing S&E work to 100. These examiners have the required educational and technological qualifications to conduct examinations in their area of expertise in Chemistry, Mechanical, Instruments, Electrical, and Agricultural. The minimum educational qualification level among SAIP examiners is a Bachelor's degree; several examiners also hold Master's and Ph.D. degrees.

English language proficiency is a mandatory and essential requirement in SAIP's hiring criteria, as one of the job interview requirements is to assess the candidate's English proficiency level (as they must have the knowledge and capability to conduct search and examination in English). Most examiners can conduct searches and examinations in Arabic as well. SAIP continually encourages examiners to enhance their English proficiency levels by offering English courses to all employees.

As for other languages and translation, SAIP uses WIPO translations and Google translate tools for translating into languages other than English.

- (ii) Many of SAIP's administrative staff are former examiners that have been transferred from patent departments. They have full technical and educational knowledge of search and examination processes and procedures, as well as PCT, which means they can support examiners if any changes in the workload occur.

SAIP has proactive measures to maintain workload, which are mentioned in 21.15(vii).

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

Material resources:

(iii) Describe the infrastructure in place to ensure that appropriate equipment and facilities such as IT hardware and software to support the search and examination process are provided and maintained;

(iv) Describe the infrastructure in place to ensure that at least the minimum documentation referred to in Rule 34 is available, accessible, properly arranged and maintained for search and examination purposes. State whether it is on paper, in microform or stored on electronic media, and where.

(v) Describe how instructions:

to help staff understand and adhere to the quality criteria and standards; and;

to follow work procedures accurately and consistently

are documented, provided to staff, kept up-to-date and adapted where necessary.

- (i) SAIP has the appropriate hardware and software facilities that enable its staff to perform search and examination processes. SAIP prepares for each examiner the appropriate hardware tools to perform their tasks in a highly efficient manner. Each examiner has dual-screens and high-speed processor computers, as well as a fast internet connection to access all internal and external databases and search platforms.

SAIP has its own in house system where examiners input all records of preform search and examination on IP applications, documentation, references, keywords used, database used to conduct searches, and comments on the applications.

This system is accessible for all examination staff, and it uses IPC to classify conducted examinations.

Furthermore, SAIP has access to several IP databases which enable examiners to conduct searches on domestic and foreign patent documents in several databases.

One of the main advantages is to enable examiners to share their knowledge and expertise in conducting searches with their colleagues. In case of any audit conducted, the Operation Quality Officer can also access all the records as they are kept and automatically updated in the used databases.

Moreover, SAIP is working on upgrading the current system to be a fully automated system that automatically maintains and updates all records of performed search and examination applications, documentation, references, keywords used, database used to conduct searches, and comments on previous applications. The purpose of the upgraded system is to enhance the S&E process, records management and application workflow follow up from management.

- (ii) SAIP has full access to the minimum documentation requirement for patent searches. In addition to the internal database, SAIP has a full subscription to Derwent (SequenceBase, Search with simplicity, and Innovation) and SciFinder (A CAS Solution) which allow all examiners to access millions of patent documents. SAIP has also signed a partnership agreement with EPO that includes access to the EPOQUENET database. Furthermore, examiners utilize PATENTSCOPE, Google patent, and USPTO free databases to conduct patent documents searches.

As for non-patent search and access to documentation, SAIP uses SDL (Saudi Digital Library), Derwent, EPOQUENET databases, and open source.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

To carry out a patent search on chemicals and reactions, examiners are given special access to the Derwent, SciFinder (A CAS Solution), and SequenceBase databases, allowing examiners to access millions of related documents.

- (iii) One of the main elements of SAIP's internal "Quality Policy" is that it requires its staff to perform all activities with high quality and as per the processes and procedures for each certain action or activity.

SAIP has its internal "Processes and Procedures Portal" where all staff can access and refer to it when they want to perform any search and examination activity, (all staff are required to follow it to perform any activity). This Portal includes all the laws, regulations, guidelines and handbooks regarding search and examination.

The Organizational Excellence Department always ensures that all processes and procedures in the portal are well documented and kept up to date. Once an update or revision occurs for any procedures, the Organization Excellence Executive Department will ensure that updated procedures are uploaded in the portal, and inform and train staff if needed.

Training resources:

(vi) Describe the training and development infrastructure and program which ensures that all staff involved in the search and examination process:

acquire and maintain the necessary experience and skills; and

are fully aware of the importance of complying with the quality criteria and standards.

(vi)

SAIP has developed various training programs, that fall under 2 major classes.

The first program caters for newly hired examiners. It is a special intensive training program lasting up to 10 months. This training program is designed to ensure that all examiners understand search and examination standards and procedures to perform patent examinations properly. This program starts with 10 weeks in class sessions on the following:

- 1- Introduction to IP – IP History, National IP Strategy, SAIP organization, Impact of IP
- 2- Legal framework of IP – National laws, Law/Regulation/Guidelines of Patent.
- 3- Patent procedures – Examination processes and procedures workflow, Quality policy.
- 4- Patent application – SAIP forms, Requirements for filing, Description, Claims
- 5- Theories and Practices on Patentability – Eligible subject matter, Industrial applicability, Sufficient disclosure, Claim scope, Novelty, Inventive step, Unity of invention.
- 6- Prior art Search – Internal and external databases, International classification, Search technique.
- 7- Examination - Drafting S&E Reports, Assessment of patentability criteria, Answers, and amendments from applicant.
- 8- International Cooperation on Examination - International Treaties and agreements, PCT procedures, CSP.
- 9- Appeal and litigation – Enforcement of IP, Committee procedures, Court decisions.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

Once new joiners finish the orientation, an 8 months training will be conducted through as on-job training, where it covers several technical competencies and knowledge SAIP examiners must master. Finally, after going through these two programs, they will be able to perform search and examination activities.

The second program aims to develop and enhance examiners' knowledge and technical capability. This training program strives to ensure continuous development of examiners' technical skills and capabilities in search and examination. Furthermore, the program is linked to the SAIP promotion system, where examiners must complete a minimum requirement of training hours. The program is conducted by holding a seminar with an external specialist, taking a field trip to a company, research center...etc., as well as online technology training courses.

Furthermore, SAIP has signed a partnership agreement that includes knowledge transfer with IPOS and KIPO to train SAIP staff through workshops sessions, which will enrich SAIP examiners' knowledge and diversify their technical experience.

In addition, SAIP has signed a Examiners capability building agreement with EPO, this training program is a special designed training program by EPO to SAIP examiners focusing on enhancing SAIP Examiners knowledge, technical capabilities and competencies, most importantly this program includes how to use EPOQUE net.

Finally, SAIP carries out periodic QMS awareness sessions and one-on-one meetings with examination staff, to ensure they understand the organization's QMS.

To manage all these training programs, SAIP has created a training plan for each program, which will be followed up on, upon execution.

Oversight over resources:

(vii) Describe the system in place for continuously monitoring and identifying the resources required:

to deal with demand; and

comply with the quality standards for search and examination.

- (iv) The Heads of Examination Divisions set up applications forecasts, and targets based on examiners' productivity and availability to manage resources, workload, and performance as per SAIP quality standards, and report such information to top management. To monitor these targets, SAIP uses its EIP internal system to manage and supervise examiners' actual productivity and workload against targets. The EIP system issues performance reports on a monthly and quarterly basis.

Resources are evaluated based on these reports and stated actual performance, in case of needed additional resources to manage workload, and all necessary actions are taken based on the recommendation from generated reports to top management so as not to compromise quality standards of search and examination.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

4. MANAGEMENT OF ADMINISTRATIVE WORKLOAD

21.16 Indicate how the following practices and procedures for handling search and examination requests and performing related functions such as data-entry and classification are implemented:

- (i) *Effective control mechanisms regarding timely issue of search and examination reports to a quality standard as set by the respective Authority; and*
- (ii) *Appropriate control mechanisms regarding fluctuations in demand and backlog management.*

(i) SAIP established a service level agreement (SLA) for each process and procedure to manage application requests. These SLAs are connected to the search and examination system where it allows Divisions' heads to monitor and control the examiners' performance in each request. Division heads can also access and monitor the number of pending requests, compliance with SLA of each request, as well as the chain of approval and time consumed in each activity. The system issues notifications for new applications received to examiners and application deadlines.

Furthermore, the search and examination system has a dashboard that shows performance oversight of compliance with request deadlines, examination Divisions' productivity & performance, number of processed applications, and number of pending applications. This dashboard is accessible to all examination heads and SAIP executives.

(ii) The system shows each examiner's productivity rate and time consumed to process each request, including number of applications handled and pending on the examiner's request pipeline. Through this system, Divisions' heads can manage the fluctuation in demand manually based on each examiner workload and performance. As per the workload of each examiner, applications can be transferred from one examiner to another via electronic re-assignment through the system.

5. QUALITY ASSURANCE

21.17 In accordance with the Guidelines, the following are required quality assurance measures for timely issue of search and examination reports of a high quality. Indicate how the following are implemented, including the use of any checklists to verify reports before their issue or for monitoring the quality as part of a post-issue review process:

- (i) *An internal quality assurance system for self-assessment, involving verification, validation and monitoring of searches and examination work:
for compliance with these Search and Examination Guidelines;
for channeling feedback to staff.*
- (ii) *A system of measurement and collection of data and reporting. Show how the Authority uses the system to ensure the continuous improvement of the established processes.*
- (iii) *A system for verifying the effectiveness of actions taken to correct deficient S&E work, eliminate the causes, and to prevent issues from recurring.*

SAIP has established quality assurance measures to manage and ensure search and examination reports are performed in high quality standards and in a timely manner. These measures are applied as well in the PCT and international applications.

- (i) As part of SAIP's Internal Quality Policy, examination and QC procedures, S&E staff follow a self-assessment process through a chain of quality control layers. Both formality and substantive examiners have their own examination checklists that are strictly followed by examiners and reviewed by supervisors or Division heads to ensure that all applications

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

have been processed in a highly efficient way and as per SAIP quality standards. Quality control is carried out before returning an application to the client and/or accepting an application.

(ii) As part of SAIP's QMS, after the Examination Division conducts the quality control, and the Operational Quality Division conducts quality assurance, data collection automatically takes place through the system. Upon that, reports are generated and reviewed by the Operational Quality Division. Based on the generated reports, the Operational Quality Division Head identifies challenges and sets corrective action items – when needed. Also, it is worth noting that throughout the system, the Heads of the Examination Divisions can manage the S&E work and trigger any deficient work and act accordingly. The system allows for continuous improvements by utilizing feedback channels between staff and their supervisors/heads to ensure a seamless and efficient process.

(iii) The periodic reviews of the results and the common issues work well to eliminate the causes and avoid recurrence. This is accomplished via ongoing workshops with examiners to facilitate alignment and allow for an effective and continuously improved process.

6. COMMUNICATION

Inter-Authority communication:

21.18 Explanatory note: Each Authority should provide for effective communication with other Authorities.

(Note: This point is informative. No response is required by the template to paragraph 21.18)

21.19 Provide the name, job title and contact details of the Authorities designated quality contact person who will take responsibility for:

- (a) helping identify and disseminate best practice among Authorities;*
- (b) fostering continual improvement; and*
- (c) providing for effective communication with other Authorities to allow for prompt feedback from them so that potential systemic issues can be evaluated and addressed.*

SAIP has assigned a designated point of contact who also represents the organization with other authorities. Details are provided below:

Name: Mr. Mohammed Althrowi

Position: Head of PCT Department at SAIP

Email: PCT@saip.gov.sa

Phone: 00966112805976

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

Communication and guidance to users:

21.20 Describe the system in place for monitoring and using customer feedback including at least the following elements:

- (i) An appropriate system for handling complaints and making corrections; taking corrective and/or preventative action where appropriate; and offering feedback to users.*
- (ii) A procedure for: monitoring user satisfaction and perception; and for ensuring their legitimate needs and expectations are met.*
- (iii) Clear, concise and comprehensive guidance and information to users (particularly unrepresented applicants) on the search and examination process, giving details of where it is to be found e.g. link to Authority's website, guidance literature.*

Indicate where and how the Authority makes its quality objectives publicly available for the users.

- (i) SAIP has a Customer Centricity Department that focuses on the customer journey to ensure customer satisfaction and enhance customer experience. SAIP has an appropriate ticketing system for handling complaints and customer inquiries. The system receives requests from customers via multiple channels and automatically reflects them in the form of system tickets that can be tracked and transferred to the responsible department to be resolved. SAIP receives tickets/complaints through a call center, the website, social media, and its HQ. Tickets are handled by front-line support and processed and resolved within agreed and approved Service Level Agreements (SLAs) and Operational Level Agreements (OLAs).
- (ii) SAIP's Customer Centricity Department measures the performance and monitors customer satisfaction and takes required preventive and corrective actions. The department follows best practices in terms of measuring customer satisfaction and getting customer feedback. The department frequently runs customer surveys via multiple channels, including phone calls and online forms, with a structured methodology for questions asked to get solid information, which are then analyzed in-depth afterward. In addition, they conduct focus groups using a systematic approach in terms of questions asked, attributes to measure, led by experienced focused group facilitators. Moreover, the department applies the mystery shopping method for multiple services, including the call center, in-person services, and the overall customer journey. An independent mystery shopper experiences the actual journey of the customers to capture the legitimate needs and expectations of customers. The results of these tools and techniques are all analyzed in-depth, by experts in data analysis in the department, to eventually come up with recommendations to enhance the customer experience. In 2021 (up to Q3), the department launched 11 surveys along with 22 focus groups and workshops that resulted in +80 recommendations to enhance the overall customer experience. They also have an internal dashboard that shows SAIP's performance in terms of customer experience and satisfaction to monitor the ongoing recommendations progress and set priorities.
- (iii) SAIP publishes informative materials about its quality objectives on its website and social media accounts. SAIP's Corporate Communications Department ensures that messages are delivered to customers in a simplified and detailed manner, using

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

infographics and videos, and preparing services directories. SAIP also conducts several workshops within the year, on multiple topics, including PCT, to enhance users' awareness of its S&E process. SAIP has an IP academy that targets users, to support them in understanding and increasing their knowledge about IPs in general, as well as the patents granting process.

21.21 Communication with WIPO and designated and elected Offices:

Describe how the Authority provides for effective communication with the International Bureau and designated and elected offices. In particular describe how the Authority ensures that feedback is promptly evaluated and addressed

SAIP has assigned a designated point of contact to address and promote all feedback and to represent the organization with WIPO and elected offices. Details are provided below:

Name: Mr. Mohammed Althrowi

Position: Head of PCT Department at SAIP

Email: PCT@saip.gov.sa

Phone: 00966112805976

7. DOCUMENTATION

21.22 Explanatory note: The QMS of the Authority needs to be clearly described and implemented so that all processes in the Authority and the resulting products and services can be monitored, controlled, and checked for conformity. This is done by documenting the procedures and processes affecting the quality of work as a reference for staff and management at the Authority (see paragraph 21.23).

(Note: This point is informative. No response is required by the template to paragraph 21.22)

21.23 The material that makes up the reference for staff and management at the Authority serves to document the procedures and processes affecting the quality of work, such as classification, search, examination and related administrative work. In particular, the reference indicates where to find instructions on the procedures to be followed.

For the purposes of this report indicate:

- (a) the documents making up the reference that have been prepared and distributed;*
- (b) the media on which they are supported (e.g. Internal Publication, Internet, Intranet); and*
- (c) document control measures taken e.g. version numbering, access to latest version.*

SAIP's Internal Quality Policy, processes and procedures are the main reference for staff and management to conduct any activity including classification search, examination, and related administrative work. All staff are obligated to follow these documents' instructions and guidelines to maintain high work quality.

Internal Quality Policy:

The Quality Policy illustrate SAIP legal obligation toward performing all its services operation in high quality manners.

Examination Processes and procedures:

The processes and procedures are list of documents, which is the main reference for all SAIP examiners to execute all related Search and examination activities, where SAIP Quality Policy demand and obligate all SAIP staff to follow and perform their duties as per the processes and procedures.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

- (a) The Internal Quality Policy, processes, and procedures documents are distributed and explained to all staff. It is stored and kept up to date in its internal portal which is accessible to all employees. Once an update or changes are amended to these references, all staff are in turn notified.
- (b) The Internal Quality Policy is published through internal emails and during awareness sessions. As for the examination processes, procedures, and guidelines, they are published in SAIP's internal publication via emails and SAIP's processes and procedures portal.
- (c) SAIP takes all documents control measurements for all its Quality Policies, Processes, and Procedures. The Organization Excellence Department keeps all these documents up to date in the internal processes and procedures portal. In case any changes or updates arise, the Organizational Excellence Department will update the document version and take documents control measurements and assure they are available in the portal.

21.24 Indicate whether the material making up the reference of quality procedures and processes include the following:

- (i) the quality policy of the Authority including a clear statement of commitment to the QMS from top management;*
- (ii) the scope of the QMS, including details of and justification for any exclusions;*
- (iii) the organizational structure of the Authority and the responsibilities of each of its departments;*
- (iv) the documented processes carried out in the Authority such as receipt of incoming applications, classification, distribution, search, examination, publication and support processes, and procedures established for the QMS, or references to them;*
- (v) the resources available for carrying out the processes and implementing the procedures; and*
- (vi) a description of the interaction between the processes and the procedures of the QMS.*

(i)

SAIP's commitment towards QMS is stated in its Internal Quality Policy. The Quality Policy summarizes SAIP and its employees' commitment to following the highest quality standards in all IP operations and all services.

(ii)

The Internal Quality policy clearly illustrates the scope of the QMS and shows the details of roles and responsibilities in reference to clause 21.04 (b).

(iii)

The organizational structure is available for all staff along with the role charter for each department and each position; the organization structure is also available on SAIP's public website.

(iv), (v), & (vi)

All processes and procedures to carry out any activity are registered in SAIP's processes and procedures internal portal; each procedure's authority matrix is documented within the process. All examiners have access to the portal and are encouraged to constantly review the processes and procedures.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

21.25 Indicate which types of records the Authority maintains, such as:

- (i) a definition of which documents are kept and where they are kept;
- (ii) results of management review;
- (iii) training, skills and experience of personnel;
- (iv) evidence of conformity of processes, resulting products and services in terms of quality standards;
- (v) results of reviews of requirements relating to products;
- (vi) the search and examination processes carried out on each application;
- (vii) data allowing individual work to be tracked and traced;
- (viii) records of QMS audits;
- (ix) actions taken re. non-conforming products, e.g. examples of corrections;
- (x) actions taken re. corrective action;
- (xi) actions taken re. preventative action; and
- (xii) search process documentation as set out in Section 7.

(i)

SAIP has a Documentation and Archiving Division that is responsible for developing documentation, in addition to archiving all documentation including SAIP Quality Policy, Examination procedures and guidelines using a unique coding based on documents' type.

(ii)

SAIP always maintains and documents Management reviews and resolutions, as per its archiving coding for record safekeeping.

(iii)

Training records, skills, and the experiences of employees are stored in SAIP's database and continuously updated within the HR department database.

(iv)

In reference to clauses 21.04 & 21.17, SAIP's QA and QC reports are raised to SAIP's top management, where they continuously review report findings to ensure conformity of quality standards for all IP application along with the results.

(v)

The review results are stored in SAIP's Next Cloud.

(vi)

Examiners register each process during conducting search and examination processes in the application form, where all records of conducted search will be stored in the application form.

(vii)

Each process during the search and examination is recorded in the workflow sheet in the system.

(viii), (ix), (x), & (xi)

The result of QMS along with non-conformity and corrective actions, as well as preventive actions are addressed in the quarterly reports which are reviewed by SAIP's top management, as

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

mentioned in clause 21.09, where all related documents and reports are well maintained and archived in SAIP's Next Cloud.

(xii)

The conducted search documentation are stored manually in each application and recorded.

8. SEARCH PROCESS DOCUMENTATION

21.26 For internal purposes the Authority should document its search process.

The Authority should indicate

(a) which of the following are included in this record:

- (i) the databases consulted (patent and non patent literature);*
- (ii) the keywords, combinations of words and truncations used;*
- (iii) the language(s) in which the search was carried out;*
- (iv) the classes and class combinations searched, at least according to the IPC or equivalent;*
- (v) a listing of all search statements used in the databases consulted.*

(b) which other information relevant to the search itself is included in this record e.g. a statement of the subject of search; details of special relevance to internet searching; a record of documents viewed; on-line thesaurus, synonym or concept databases, etc.

(Explanatory note: The IA is requested to list other information it may collect to monitor and improve the search process)

(c) which special cases are documented and whether records are kept denoting any:

- (vi) limitation of search and its justification*
- (vii) lack of clarity of the claims; and*
- (viii) lack of unity.*

(a)-(c)

Each application's records are maintained with each application having a reference number, submitting and filling dates, search databases used, keywords, and language used to conduct searches, where each search is classified as per IPC classification.

These data are manually plugged in by examiners in each application where examiners are required to fill this information. To ensure that this information is well recorded by examiners, the Division head checks each application to make sure the examiners filled these requirements as part of the application approval process.

Whenever an examiner faces a limitation on search, justifications are mentioned, documented and recorded in the application, including if any lack of clarity of the claims and lack of unity.

Furthermore, as SAIP's QA process mentioned in clause 21.06, the Quality Division checks conformity of records availability in sampled applications while conducting QA checks.

SAIP is also upgrading the current system to maintain all mentioned required records automatically in all applications, to improve SAIP's database, and to improve search and examination quality.

Initial Report on Quality Management Systems by Saudi Authority for Intellectual Property

9. INTERNAL REVIEW

21.27 Explanatory note: The Authority should report on its own internal review arrangements. These reviews determine the extent to which it has established a QMS based on the model of Chapter 21 and the extent to which it is complying with the QMS requirements and the Search and Examination Guidelines. The reviews should be objective and transparent to demonstrate whether or not those requirements and guidelines are being applied consistently and effectively and should be undertaken at least once a year. With reference to point 21.08 of this template, the Authority may provide additional information on its internal review arrangements under this section if it so wishes.

21.28-21.30 These arrangements are reported according to this template in Section 1, above, at points 21.04 - 21.09. The Authority may provide additional information on further inputs to its internal reviews under this section, if it so wishes.

N/A

10. ARRANGEMENTS FOR AUTHORITIES TO REPORT TO THE MIA

21.31 There are two stages in the reporting arrangements outlined in Chapter 21: the initial report called for by paragraph 21.31(a), and supplementary annual reports in accordance with paragraph 21.31(b). At the second informal meeting of the Quality Subgroup in Canberra on February 6 and 7, 2012, the Subgroup recommended that, instead of submitting full reports every five years and cumulative updates in the intervening years, Authorities should submit each report in the form of a full report, making the differences from the previous year's report clear, for example using "track changes" or other form of highlighting. The template for the supplementary annual reports is therefore no longer used.

[Annex III follows]

REPORT BY THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) ON THE OUTCOME OF AN ASSESSMENT OF THE SAUDI AUTHORITY FOR INTELLECTUAL PROPERTY (SAIP) REGARDING ITS CAPACITY TO PERFORM THE FUNCTIONS OF AN INTERNATIONAL SEARCHING AUTHORITY (ISA) AND INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY (IPEA) UNDER THE PCT

I. BACKGROUND

The procedure adopted by the PCT Assembly at its Forty-Sixth (27th Extraordinary) Session held in 2014 defines that "a national office or an intergovernmental organization seeking appointment is strongly recommended to obtain the assistance of one or more existing International Authorities (IA) to help in the assessment of the extent to which it meets the criteria, prior to making the application." (PCT/A/46/6, paragraph 25(a), 2014 PCT General Assembly Report).

The Korean Intellectual Property Office (KIPO) and the Saudi Authority for Intellectual Property (SAIP) have forged an intellectual property (IP) cooperative partnership through a couple of events. On September 25, 2018, KIPO and SAIP reached an MoU, and the President of the Republic of Korea visited the Kingdom of Saudi Arabia and signed the Advanced Strategic Partnership with Saudi Arabia on January 18, 2022. Based on the cooperation and trust, SAIP requested KIPO for assistance in SAIP's readiness to perform the function of an International Searching and Preliminary Examining Authority (ISA/IPEA) in accordance with the PCT Regulations in January 2022.

As shown above, KIPO and SAIP have unearthed and conducted various cooperative projects successfully based on our long-lasting partnership. KIPO is sure, thereby, to obtain a deep insight into SAIP's overall situations, especially regarding patent administration, legal and IT system, etc. Against this background, KIPO has agreed to help SAIP in assessment for the application process.

From January to March 2022, KIPO and SAIP had rounds of online meetings and e-mail exchanges. SAIP has provided KIPO with various information and legal materials, especially regarding Quality Management System (QMS) Organizational Chart, SAIP Role Charters, Training Programs, Examination Quality Management Report, Search and Examination (S&E) Guidelines, PCT Handbook, Formality and Substantive Examination Procedures, Litigation Path, Examination Report, Communication Channels between applicants and examiners, etc. through the processes. KIPO has preliminarily reviewed whether SAIP satisfies requirements for appointment as an ISA/IPEA based on the information and documents.

Three KIPO delegates visited SAIP from April 4 to 7, 2022 to help in assessment of SAIP's state of preparedness as an ISA/IPEA as provided for Rules 36 and 63 of the PCT. KIPO has summarized the facts and figures regarding SAIP's preparation for being appointed as a PCT ISA/IPEA as follows:

II. GENERAL INFORMATION ABOUT THE SAUDI AUTHORITY FOR INTELLECTUAL PROPERTY (SAIP)

'Vision 2030' was presented by Saudi Arabia as a national development strategy, and in an effort to realize that vision, the nation set up SAIP in 2018 according to a Royal Decree so as to strengthen development and protection of the IP system. Before its founding, the King Abdulaziz City for Science and Technology (KACST) used to be responsible exclusively for patents in Saudi Arabia from the year of 1982.

As a competent authority in charge of all kinds of intellectual properties (IP), SAIP has retained competence over IP Rights encompassing patent, trademark, copyright, etc. SAIP's vision is to become an integrated authority for IP with global standing in the Middle East and North Africa by 2030.

According to WIPO statistics database (last updated: November 2021), patent applications have rapidly risen since 2015 when SAIP acted as a receiving office under the Treaty, resulting from the increase of patent applications filed by foreigners. Since then, in total patent applications, Saudi Arabia has ranked the first among 12 Arabic-speaking states (Saudi Arabia, Egypt, the United Arab Emirates, Algeria, Qatar, Oman, Jordan, Bahrain, Tunisia, the Syrian Arab Republic, Yemen and Lebanon) in the Middle East and North Africa (MENA) region, followed by Egypt and the United Arab Emirates. During the same period from 2015 through 2020, PCT applications entering the national phase in Saudi Arabia accounted for about 70 per cent, in average, of total patent applications and have ranked the first so far.

Further, in the Patent Cooperation Treaty Yearly Review 2021 published by WIPO, as PCT applications for the top countries by region (2018–2020) is being referred to, Saudi Arabia saw its PCT application increase 73.2 per cent from 552 in 2019 to 956 in 2020, ranking the first in the growth rate of PCT applications in Asia.

As such, SAIP has shown outstanding growth rate in the international patent applications. Furthermore, when it comes to the IT environment, SAIP has already handled most IP services over the Net by relying on advanced informatization and has been in good shape for teleworking, virtual meeting, etc. So, it has stably carried out every service and work even in this Pandemic situation.

Furthermore, according to the information provided, under the project named “Integrated IP Automation System”, SAIP is developing a new system, as part of the business automation improvement, to automatically maintain records for all applications, to improve SAIP's database, to advance S&E quality and to integrate external databases with the system.

III. ASSESSMENT OF THE SAIP IN LIGHT OF THE REQUIREMENTS PROVIDED FOR BY RULES 36.1 AND 63.1 OF THE REGULATIONS UNDER THE PATENT COOPERATION TREATY

RULES 36.1(i)(iii) AND 63.1(i)(iii) – QUALIFIED EXAMINATION WORKFORCE

(i) the national Office or intergovernmental organization must have at least 100 full-time employees with sufficient technical qualifications to carry out searches and examinations

(iii) that Office or organization must have a staff which is capable of searching the required technical fields and which has the language facilities to understand at least those languages in which the minimum documentation referred to in Rule 34 is written or is translated

According to the information provided, a total of 87 full-time patent examiners have currently been involved in search and examination in SAIP. When its founding in 2018, SAIP selected 52 examiners having a wealth of experience and knowledge in patent examinations from the KACST and reallocated them in the Authority. Also, the rest of 35 examiners have completed training course and currently carried out search and examination.

SAIP has provided us with a recruitment plan that visions the number of examiners to be employed meeting the qualification criteria. SAIP plans to hire 13 more examiners by the end of Q3 2022 to meet the requirement of 100 full-time examiners capable of performing search and examination. Furthermore, SAIP has a contingency plan that secures 10 backup examiners. These backup examiners with technical background will also join the training course for examiners and be ready to conduct search and examination. Although they are going to perform their duty in non-examination departments in ordinary situation, they may be transferred to examination departments in any emergency situation, if needed.

SAIP described the process of recruiting 17 new examiners in Q1 2022. Among 4,388 applicants recruited through various channels, 17 examiners were finally selected. In the process, what SAIP was most interested in was the applicants' IP legal knowledge, technology background and actual examination experiences. Also, as English proficiency is also a qualification for examiners, all interview processes were conducted in both Arabic and English. As a result, newly employed examiners include qualified professors or experts having master's or doctorate degrees.

SAIP's examiners are classified into 4 levels of examiners – examiner (0~2 years), examination specialist (2~4 years), senior specialist (4~6 years) and experts (6 years~) - based on their examination experiences. In accordance with a two-level process of control, examiners' quality of work is reviewed by their supervisors and by divisions' heads for in-depth review, if necessary. Furthermore, advisors in SAIP may be involved in quality of examination. They are high level executives within the organization. According to the information provided, they have a long range of examination experiences, and their roles are to advise and guide examiners in all levels once a conflict occurs or for examiners seeking technical advice.

SAIP explained all of the examiners have sufficient technical qualifications to carry out searches in the relevant technical fields covering more than six technical fields, such as Chemistry, Biochemistry, Mechanics, Instrumental, Electrical and Agricultural. Also, a mandatory condition for being an examiner in SAIP is at least a Bachelor's degree in the relevant technology field. Currently, 10 per cent of SAIP examiners hold a Master's degree, and 5 per cent of them a Ph.D.

According to the information provided, SAIP has run various training programs. The first program is for newly hired examiners, the second one for strengthening capabilities and competencies of SAIP's examiners. And the third program is a SAIP examiners partnership program launched according to MoUs that have been reached with a number of offices, such as KIPO, the Intellectual Property Office of Singapore (IPOS), the European Patent Office (EPO), etc. for knowledge transfer and capacity building.

SAIP has developed its own program to train examiners, which provides both comprehensive training for new examiners lasting up to 10 months and continual improvement and education for entire examiners.

As for the training program for newly hired examiners, they begin with a 10-week orientation program in a classroom where they are trained on patent laws, skills and knowledge necessary for patent examination, especially regarding novelty, inventive step, sufficiency of description, a unity of invention, amendment, patent classification, prior art search, work-sharing with other offices, databases and tools for prior art search, case studies as well as on the assigned technology.

Upon the completion of their orientation, examiners get 8-month individualized on-the-job training (OJT). During the OJT, examiners are expected to be equipped with patent examination skills in their own art fields and conduct S&E under the close supervision of their supervisors.

Besides, SAIP has regularly operated training programs for examiners' continual improvement and education throughout their careers. The programs are for updates on patent laws, patent search and examination and quality control.

For example, for supervisor examiners, a program for developing examiners and enabling them to take leadership positions is provided. In addition, in the 'Train the Trainer' program, experts who have completed the program are trained to educate fellow examiners to carry out high-quality examinations through examination cooperation.

Also, various forms of trainings are provided to examiners, encompassing WIPO e-learning, seminars, workshops, research center visit, etc. As for language proficiency, all SAIP examiners are able to conduct S&E in Arabic & English since examiners in the Authority are Bilingual (Arabic & English) and English language proficiency is a mandatory and essential requirement in SAIP's hiring criteria.

In order to assist in understanding and searching prior art written in other languages (other than Arabic and English), online translation resources are made available to examiners.

Under the regulation, if any Office or Organization is intended to be appointed as an PCT/ISA, it should have employed at least 100 full-time examiners at the time of the appointment by the Assembly. Through our preliminary review and onsite assessment, we have confirmed that where SAIP has a concrete plan for hiring additional 13 examiners until Q3 2022, it sufficiently meets the requirements of Rules 36.1(i)(iii) and 63.1(i)(iii) defining the number of examiners, technological expertise, search competency and language qualifications.

RULES 36.1(ii) AND 63.1(ii) – QUALIFIED EXAMINATION WORKFORCE

(ii): that Office or organization must have in its possession, or have access to, at least the minimum documentation referred to in Rule 34, properly arranged for search purposes, on paper, in microform or stored on electronic media

As compared to the use of database (DB) oriented on domestic patent literature in SAIP, external DB has been more utilized, according to the information provided. Patents and non-patent documents required in PCT Rule 34.1 are made available to examiners through EPO's search service (EPOQUENet) and commercial IP information service DB (Derwent, SciFinder, etc.).

It is confirmed through a detailed matching table between WIPO PCT Minimum Documentation and non-patent literature (NPL) that the latter is accessible via Saudi Digital Library, Web of Science and EPOQUENet in SAIP.

According to the information provided, SAIP has subscriptions to a multiple of search DBs with overlapping coverage to prevent patent examination from being interrupted under extraordinary circumstances (e.g., when any one of the search DBs is not available, etc.).

As an example, SAIP recently experienced a temporary failure of EPOQUENet lasted for three days. This failure was due to the stringent cybersecurity requirements imposed on SAIP by the Saudi government. SAIP's examiners, however, were able to carry out examinations smoothly without interruption by relying on the other subscribed DBs. Requirements imposed by the Saudi government have currently been satisfied, so SAIP examiners have smoothly been accessible to EPOQUENet now. This is a case in point for the importance of having more than one search database available as a redundancy backup system in case one of the search databases fails.

KIPO has concluded that SAIP satisfies the requirement of accessibility to PCT Minimum Documentation under Rules 36.1(ii) and 63.1(ii), as referring to SAIP's search tools for and access to prior art databases of both patent and non-patent literature as mentioned above.

RULES 36.1(iv) AND 63.1(iv) – QUALITY MANAGEMENT SYSTEM

(iv): that Office or organization must have in place a quality management system and internal review arrangements in accordance with the common rules of international search and international preliminary examination

[Leadership and Policy]

During our onsite visit, SAIP arranged a meeting with members of the Quality Committee.

According to the information provided, SAIP set up the Quality Committee for facilitating its QMS in 2020. An important role of the Quality Committee is to check how well the internal department's quality is managed from the perspective of a third party and to approve relevant procedures for improving the overall quality. The Committee is responsible for reviewing, improving and supervising quality plans and performance and for setting up improvement recommendation.

SAIP established its own quality management system (QMS) in 2021 to ensure, as a significant part of its responsibility, patent search and examination processes and services are performed in a high-quality manner in line with Chapter 21 of the PCT International Search and Preliminary Examination Guidelines.

Since the Quality Committee initiated QMS in 2021, SAIP has regularly updated the system for quality management; for example, one of the quality-related recommendations recently approved by the Committee is for linking audit quality to key performance indicators (KPIs).

These efforts indicate that SAIP has a close attention to quality management and is sufficiently able to act as a PCT ISA/IPEA.

[Risk Based Practices]

According to the information provided, SAIP recognizes examination related risks, especially regarding the quality of examination, workload, pending applications, examiners' availability, examiners' skills, search system capabilities, as well as overall risks. Therefore, SAIP has launched the Governance Risk and Compliance (GRC) team in 2021 as an independent team to oversee all risks related to the organization.

Risk means uncertainty, for example, lack of information or knowledge about an event. The GRC team aims to proactively handle and manage such risks that could affect providing services to SAIP customers efficiently and effectively, the reputation of SAIP, protection of SAIP assets, resources and data, business continuity and achieving the objective of SAIP. As an instance, the GRC team has recently reorganized the authority matrix within the organization.

Overall, the GRC team issues its risk report to be reviewed by the Quality Committee and the CEO.

[Management of administrative workload]

According to the information provided, directors of examination divisions have managed efficiency and quality of examination by accessing the search and examination system where pendency for examination and status of applications (final and non-final office actions) are provided.

SAIP also noted that as a 'Backlog Resolving Plan (for pending applications)', Enhanced Human Resources, Internal Procedural Improvement (Fast Track Examination), Work Sharing (CSP, PPH), Improving Electronic infrastructures of Patents were designed. Through these programs, the backlog has reduced over the past two years.

[Quality Assurance]

To guarantee an accurate, timely and customer satisfaction examination procedure, SAIP operates Quality Control (QC) and Quality Assurance (QA) at the Examination division and at the Operational Quality division, respectively.

The Operational Quality Division issues a quality report on a quarterly basis, which includes challenges & recommendations and a set of preventive and corrective actions to be executed based on the QA/QC results. The quality reports are compiled into an annual quality report.

SAIP ensures conformity of standards for all IP applications by taking corrective and preventive action. For example, if the Operational Quality Team determines that there are quality errors in the QA/QC results, it first notifies the screening result to the examination division in charge. Then, if the division recognizes it is a problem with the responsible examiner to get more training for examination, it cooperates with the HR division, or if it recognizes it is a problem asking for revision of examination guidelines or patent Act, it contacts the Legal division because “operational quality” is not only an issue with the examination division, but related to fundamental solutions as well. Considering all these, KIPO determines relevant divisions in SAIP have actively been cooperating when corrective actions are required.

As for external review, GRC team checks the risks, compliance matters within the division activities, for example, whether examiners follow SAIP quality policy and examination process and procedures when they perform their work.

In addition, user complaints that are received in the event of a disagreement with the SAIP’s actions and decisions are reviewed through reconsideration and appeal procedure. By relying on these procedures, users are able to resolve their grievances against the Authority and to acquire fairness.

First of all, with respect to reconsideration, the applicant may submit a request with SAIP to revive and resume the process of a rejected or abandoned application due to unsatisfied conditions. Concerning an appeal proceeding, the applicant may appeal to the patent committee against a rejection or abandonment of patent applications. As a next step, the applicant may file a petition with the Commercial Court to challenge the patent committee’s decision, then he/she may file a petition with the appellate court to challenge the court’s judgment within the statutory period or file a motion for reconsideration with the court of the rendered judgement if the aforementioned period expires. If the appellate court does not revoke the judgement, he/she may then challenge the appellate court judgment before the supreme court as stipulated in the relevant laws and regulations.

[Communication]

According to the information provided, SAIP has established a systematic system for managing customers’ feedback as follows:

1) SAIP has organized the ‘Contact Center Team’ to supervise customer complaints. The team handles customer complaints within the deadlines set by Operational Level Agreements (OLAs). If necessary, the team will work with other relevant departments.

2) The Authority has studied user satisfaction toward SAIP’s administrative service and then utilized the result for advancing the service for the future. Specifically, SAIP periodically scales the Customer Satisfaction (CSAT) with three measurement tools, namely Surveys, Focus Groups and Mystery Shopper. Each tool has a special section for examiners in order to record their observations and suggestions. In addition, SAIP does gap analysis of their impression on the examination phase for R&D.

3) SAIP provides law and regulation, litigation paths, an SAIP services directory, and explanation of the process of each service, etc. on the official website. So, an applicant can easily obtain patent/application related information of what a patent is, how to apply for a patent including fees, what happens to the application (e.g. search, formal and substantive examination and publication through to grant), when the applicant would be expected to receive communications from the Authority and who to contact for inquiries or giving feedback.

Also, according to the information provided, SAIP plans to share SAIP's Quality Policy and examination procedures by publishing search and examination guidelines and its Quality Policy on the official webpage. Furthermore, for the same purpose, SAIP also plans to publish the PCT handbook on its official website once SAIP is appointed as a PCT ISA/IPEA.

4) Last but not the least, SAIP has run various IP support and training service for reflecting users' needs, such as IP Clinic and IP Academy. IP Clinic helps individual inventors and SMEs, who are struggling with lack of experience and infrastructure, to generate and utilize IPR. IP Academy provides intellectual property training for users. Most of the trainers are SAIP examiners, and they develop their own training programs in collaboration with WIPO. It deals with cutting-edge technology fields such as Artificial Intelligence & Intellectual Property (AI&IP) education courses, and is expanding into youth invention education.

[Documentation]

According to the information provided, documents, which can affect QMS, such as SAIP Quality Policy, S&E Guidelines, QA and QC reports, Quality reports (the result of QMS for non-conformity, corrective and preventive action), search and examination records, etc., are recorded in SAIP's internal portal or distributed to relevant staff.

SAIP does keep all the records, which are required to support its compliance with QMS, either as a soft or a hard copy. Furthermore, the records are remained as up-to-date by the Organization Excellence Department, while training records, etc. are managed by the HR department.

[Search process documentation]

During the onsite visit, SAIP examiners demonstrated performance of searches and the capability to retain search query histories. SAIP examiners keep record for all the elements as defined in the requirements of 21.26 (the databases consulted, the keywords, the classes, lack of clarity of the claims, etc.). Search results by the examiners in charge are properly recorded in its internal database in the form of reports containing keywords, references, comments on the application, and the names of databases used. However, it is manually plugged by examiners and not automated.

According to the information provided, SAIP is developing a new system as part of the business automation improvement to automatically maintain all the above-mentioned required records for all applications, to improve SAIP's database, to improve search and examination quality and to integrate external databases with the new system.

During the onsite visit, KIPO delegates had an opportunity to assess SAIP's IT plans to modernize their processing of patent applications.

SAIP is modifying the existing system into one integrated system with the goal of improving process speed, accessibility and flexibility. The new system is being improved from the manual input of search history data (search keywords, search formulas, etc.) and citations generated during the examination process to the automatic input of this information.

QMS is smoothly implemented as designed, and that their national search and examination systems are already operated for national search and examination. With respect to the IT system, patent applications are not yet perfectly handled through an automated system,

but case and search histories are managed in conformity with QMS standard, as explained by SAIP.

SAIP also noted the existing system is in the course of updating to a new system that is sufficiently able to conduct PCT international searches, and that WIPO ePCT system will be introduced to promote compatibility with the new system.

Furthermore, KIPO has found, on the basis of our assessment of SAIP's national applications, that QA and QC have been performed for national applications in compliance with the current QMS criteria, and that the results are compiled and feedback is provided. We concluded thereby that QMS measures have sufficiently been satisfied for national applications. SAIP has also clarified that such QMS measures will samely be applied to PCT applications.

KIPO has come to a determination that SAIP has satisfied QMS requirements, such as organizational configuration for quality control, risk management, arrangement of quality management procedures, etc. based on paper-based review and onsite assessment as mentioned before. Therefore, KIPO is confident to conclude that SAIP has met requirements of Rules 36.1(iv) and 63.1(iv) concerning QMS requirements defined in Chapter 21 of the International Search and Preliminary Examination Guidelines.

IV. CONCLUSION

The said fact-findings are based on 1) information preliminarily provided by SAIP, 2) interviews with persons in charge of examiners' recruitment, training and QMS, and 3) our on-site assessment regarding training and examination.

KIPO notes that SAIP has a strength in 1) systematic training for examiners, 2) QA and QC courses enabling to maintain quality of examination to a target level, 3) risk-based practices to flexibly handle extraordinary situations, 4) various communication channels to improve patent administration service and 5) IT system for supporting patent administration.

KIPO has confirmed that SAIP has a concrete plan and capability to hire additional 13 examiners who have qualifications in technological skills and language proficiency for S&E. KIPO, therefore, concludes that SAIP meets all the requirements as defined in Rules 36.1 and 63.1 that are necessary to be appointed as an ISA/IPEA, where SAIP hires 13 more examiners by Q3 2022 to satisfy the requirements of qualified examination workforce.

In addition, as taking Saudi Arabia's vision to become an IP hub in the Middle East and North Africa (MENA) region by 2030, R&D capability and economic influence on the international community into account, KIPO believes that it can contribute to the activation of the PCT system in the MENA region to appoint SAIP as an ISA/IPEA under the PCT.

KIPO will endeavor to provide steady support for SAIP to get it to be grown as an advanced ISA/IPEA to an international level.

[End of Annex III and of document]