

Questionnaire on the Term “Quality of Patents” and Cooperation between Patent
Offices in Search and Examination
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The answers to this questionnaire have been provided on behalf of:

Country: Croatia.....

Office: State Intellectual Property Office of the Republic of Croatia.....

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Q1. Various aspects may be relevant to the concept of “quality of patents”. It may relate to, for example, quality of patent procedures and management in the office, quality of search and examination, quality of granted patents or quality of a patent system. In addition, the expression “quality of patents” may be understood differently depending on the perspectives of various stakeholders, for example, the perspectives of a patent office, an applicant etc.

How does your office understand the term “quality of patents”?

Our Office understands the term “quality of patents” in several aspects. First of all, to ensure customer satisfaction by providing excellent service according to the national law in a transparent way, to ensure compliance of patentability requirements like novelty, inventive step and industrial application, as well as to provide high quality processes like search reports and written opinions, formal and substantive examination. It is also important to monitor internal procedures and results that allow detecting, correcting and preventing mistakes and thus ensure that office grants patents of high quality. We are controlling all steps before the final decision, thus allowing changes to the process. These changes are made if non-conformity is identified. This allows the detection of mistakes and the implementation of corrective measures. Nevertheless, we believe that “quality of patents” is also influenced by the quality of the applications filed in national offices, which the quality of a final product depends on.

Beside the national objectives regarding economic growth in the innovation oriented sectors, our Office is focused on some specific objectives like providing quality, efficient and financially acceptable procedures for granting industrial property rights. Some of the priority activities for achieving these objectives in related period are: developing a formal Quality Management System (QMS); further development of the IT systems supporting granting procedures; further development of the performance management system and human resources in general; improvement and development of the existing user services, such as users IT search tools, search and analysis services outside of the granting procedures, user information support (help-desk), education services (IP Academy) and promotion activities and products related to the SIPO services and activities; implementation of the joint projects supporting the enforcement of intellectual property rights in partnership with other national and European stakeholders, including cooperation in specialization of judiciary in the field of intellectual property.

Q2. What types of cooperation with other patent offices does your office have with respect to search and examination?

Those types of cooperation may include, for example, access to documents/databases of other offices, use of search and examination work products, expertise and resources available in other offices, collaborative search and examination, outsourcing search and examination etc.

The Agreement between the SIPO Croatia and the Danish Patent and Trademark Office for outsourcing search and examination is in force, as well as the Bilateral Cooperation Program between our Office and the EPO for the period 2016 - 2018.

Q3. When performing prior art search, patent examiners prepare search strategies and queries (for example, indications of databases and publications, classification codes, search terms and key words used) to find relevant prior art.

Does your office share (for example, via an official website), or exchange, such search strategies and queries with other collaborating offices?

Our Office does not share search strategies and queries.

Q4. In order to facilitate the cooperation, what kinds of platforms and tools to share information on search and examination are available in your office? Such platforms and tools include, for example, WIPO CASE, databases allowing other offices to retrieve information and external databases used to retrieve information.

(i) Platforms and tools provided by your office

The Croatian Office has no such platforms and tools available at the moment.

(ii) Platforms and tools used by your office

The Croatian Office always takes into account the work done by other Patent Offices, both in search and examination, in order to complement its own work. Our examiners can consult information on search and examination in Espacenet and Epoline Register Plus and PatentScope, as well as other national offices' websites.

Q5. What are the impacts of such cooperation in the area of search and examination to your office?

If your office has different types of cooperation and each type of cooperation has different impacts, please indicate them separately.

Our Office always takes into account the work done by other Patent Offices, both in search and examination, in order to complement its own work. However, our examiners always do their own search and examination and elaborate their own reports.

Q6. What kinds of capacity building are required for different types of cooperation between patent offices in search and examination? Please indicate any specific capacity building needs to conduct such cooperation successfully.

In this context, the capacity building is understood to refer to various activities and trainings that support development of knowledge and skills of office employees for effective cooperation between offices in search and examination.

For conducting cooperation projects successfully, the exchange of examiners for training is very important, as well as to define specific objectives, the responsibilities from each side and the final goals to be achieved. It could be useful to develop a platform where the examiners involved in the cooperation project can exchange opinions, ask questions and discuss real cases.

Moreover, organizing workshops and debates including other users of industrial property (such as patent attorneys and IP organizations) would support the development of knowledge and skills of office employees. It is important to ensure that patent examiners are up-to-date. Thus, in our Office, there is a training and development program for all examiners on national and international levels. For instance, our examiners attend EPO training events every year, as well as the online courses and webinars provided by EPO and WIPO.