

Questionnaire on the Term “Quality of Patents” and Cooperation between Patent Offices in Search and Examination

The answers to this questionnaire have been provided on behalf of:

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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”?

The concept of "quality of patents" can be examined and discussed from various aspects. The quality of the patents can be related to different factors, such as the patent procedures; full and correct search, the quality of the search report (including the providing search strategies, keywords, search databases, etc.) and appropriate search tools. As well as, the quality of drafting applications and the correct and complete disclosure of the patent, the preparation of the claims without infringement the patent rights of others. Also, the quality of the patents can be considered in terms of potential of productivity, creative aspects, usability and in accordance with the technology needs of the society and, as a result, (leads to) valuable products.

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 Iranian Patent Office uses the facilities provided by various patent offices in the world. It has access to the database of other IP offices (such as the European Patent Office, the US and Germany, etc.). Similarly, examination work products by other IP offices, in particular the five top IP offices, and the international search results, are being utilized in applications which have priority and being filed outside Iran. It has also cooperation with ECO members on promoting intellectual property. It also uses educational resources for examination and the online search tools of other offices.

Outsourcing search of patents in Iran is carried out internally by competent scientific and technical authorities approved by the Iranian Patent Office, but outsourcing search of patents to other national offices has not been carried out yet.

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?

At present, The Iranian Patent Office does not share its search strategies and queries with other offices, but it is going to have international cooperation through bilateral agreements.

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

(ii) Platforms and tools used by your office

(i) Unfortunately, such strategies and tools are not provided to share search results with other IP offices except the official website of The Iranian Patent Office, whereas the Iranian Patent Office is ready to share patent information, examination work products, examination results with other patent offices such as; the European Union, such as the European Patent Office, Japan patent Office and WIPO.

(ii) Regarding the use of the search results of other offices, examiners of the Patent Office have been trained by WIPO, so the results are currently being used in the examination process.

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.

Using the examination work products of other IP offices will standardize the examination process, facilitate and accelerate patent procedure and provide the use of other offices experiences in the examination process. In addition, such collaborations will lead to the exchange of information in various case studies and increase the quality of the examination process and ultimately result in obviating unnecessary duplication of work and improving examination quality and efficiency and increasing the patent quality.

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.

The possibility of exchanging information, holding meetings for setting up and concluding memorandum of understanding (MoU), is one of the capacities needed to increase cooperation between IP offices. The exchange of information with more experienced patent offices can pave the way for limited capacity IP offices. Such cooperation can result in the

development of the necessary infrastructures in the information technology sector, the promotion of examiners skills in the patent search, and the improvement of language knowledge for communicating with other countries, the skill in examining Patentability and patent classification systems.

