

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: *Lithuania*

Office: *State Patent Bureau of the Republic of Lithuania*

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Note: In Lithuania according to the Patent Law patent granting procedure does not include search and examination.

Q1. How does your office understand the term “quality of patents”?

Quality of patents depends on

- *quality of drafting patent applications*
- *quality of search*

- *quality of examination*

- *Opposition system after grant*

- *Quality Management System*

Quality of patents granted in the Republic of Lithuania mostly depends on quality of patent applications.

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

Working agreement on search co-operation was signed on 9 October 2013 between the European Patent Organization and the State Patent Bureau of the Republic of Lithuania. According to this Agreement the EPO draws up the search reports in accordance with Implementing Regulations to the European Patent Convention (EPC2000). The request to

provide search report and written opinion is an option and is not obligatory in the process of granting a national patent.

Q3. Does your office share (for example, via an official website), or exchange, such search queries with other collaborating offices?

The SPB does not provide search and examination itself. Search reports and written opinions drawn up by the EPO upon request are published in the database available to the public.

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

Lithuanian patents may be available in the national patent database and Espacenet database of the EPO, and the Federated European Patent Register, providing national interface.

(ii) Platforms and tools used by your office

Not applicable

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.

Cooperation with the EPO on a national application search offers the applicant a harmonized procedure enabling him to obtain early information on the possible outcome of an examination on his invention as to patentability. Search results allow the applicant to improve quality of patent applications at an early stage of examination. Furthermore, preserving priority date provides an option for the applicant to further file either European or PCT application.

Eurotab – cooperation of the national patent offices within the European Patent Organisation, regarding patent grant procedures, double patenting, biotechnology inventions, supplementary protection certificates and etc.

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.

QMS training, certification of the processes, benchmarking.

[End of Questionnaire]