

**GOVERNMENT OF PAKISTAN
COMMERCE DIVISION
Intellectual Property Organization of Pakistan
(IPO-PAKISTAN)**

File No. 05/Dir-Enf/17

Islamabad, the 29th September, 2017

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:

Country: PAKISTAN
Office: PATENT OFFICE, IPO-PAKISTAN
Person to be contacted:
Name: DR. FAYYAZ AHMAD
Title: CONTROLLER OF PATENTS
E-mail: patent@ipo.gov.pk
Telephone: + 92 -21-99230591
Facsimile + 92 -21-99230592

Q1. Various aspects may be relevant to the concept of "Quality of Patents". How does your office understand the term "Quality of Patents"?

Quality of Patents, in a broader sense, is taken as the patent granting procedure as a whole is fully in line with the relevant national and international legal regulations, that is to say, the entire Patent prosecution procedure before the office is relevant to the quality of the process.

At The Patent Office, IPO-Pakistan, quality of patents is ensured through a number of procedures and strategies being implemented keeping in view the fulfillment of requirements such as:

- ensuring the proper drafting of patent application's description and in particular the claims from the applicant's end by correspondence through office actions,
- conducting a thorough search for prior art utilizing local database, free available patent and non patent databases and search engines,
- performing a detailed and comprehensive substantive examination of the patent application with regards to the patentability criteria given under Pakistan Patent Ordinance 2000, sufficient disclosure of invention, claim interpretation
- the grant of patent after ensuring all the technical and legal requirements as per the national legislations are met,

- provision of a fair and concrete procedure for patent opposition, enforcement, litigation and commercialization

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

The Patent Office, IPO-Pakistan performs all the technical and legal examination for the patent applications filed at the office and does not commission searches or examinations from other national or regional patent offices.

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?

Currently The Patent Office, IPO-Pakistan does not exchange search strategies and queries with other patent offices as per requirement of national legislation.

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) IPO-Pakistan had recently launched its new web portal which enables the public access to IPRs related information as well as online filing of applications relating to Patent, Industrial Designs, Copyrights and Trademarks as well as allowing the applicants to check the status of their filed applications and file complaints regarding infringement of their IPRs.
- ii) The Patent Office is utilizing various available free electronic databases including but not limited to Espacenet, Patentscope, AIPN, USPTO PAIR, Google Patents, KIPRIS. The examiners also make use of other Non-Patent Literature databases for carrying out prior art search for substantive examination of patent applications.

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.

IPO-Pakistan has taken initiatives to enhance bilateral co-operation with other countries to improve efficiency of IPO to support the development of the patent system in terms of service delivery and efficiency, particularly by means of technical co-operation and exchange of best practices in areas such as patent examination, administration and information. In this context IPO-Pakistan signed an MoU with Turk Patent (TP) in 2015, initiated work on MoU with State IP Office of China (SIPO) in the year 2017 and intends to sign a cooperation agreement with United States Patent and Trademark Office (USPTO) in near future.

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.

Since IP is a field with constant technological progress; following effective measures may be taken for capacity building of the human resource:

- Working Patent examiners need to be updated with practical trainings in areas like Markush claim interpretation, chemical structure search, examination practices for inventions relating to gene sequencing, computer related inventions (CRIs) & nano-technology etc.
- Adequate duration onsite trainings of Examiners at some of the most progressive and reputable patent offices (e.g. EPO, USPTO, KIPO, JPO) for Classification, prior art searching, substantive patent examination, patent drafting, conduct case studies and field specific trainings
- Conducting of country specific workshops/specialised training programs and collaboration with other patent offices in the Asia Pacific region such as Malaysia, Philippines, Vietnam, Thailand, for exchange of best practices in patent prosecution and to experience other examination systems and practices, to improve their understanding of the patent systems of other countries, and to benchmark the strengths of those systems.
- cooperation in developing of detailed and field specific Patent Examination Guidelines for patent applications pertaining to Biotech, Pharmaceutical, computer related inventions (CRIs)
- Capacity building in relation to IT infrastructure (technical support) for developing and maintain local patent database.
