

## Findings from the Survey on Coordination of Patent Examiner Training for Small and Medium Offices

February 19, 2024

Cooperation on Examination and Training Section PCT International Cooperation Division Patents and Technology Sector



# **Survey Background Summary**

# Survey Background Summary (1)

- PCT/WG/14 invited the IB to conduct a survey on developing training frameworks among small and medium Offices
- PCT/WG/15 agreed to widen the focus of the survey to cover, for example, needs on training on emerging technologies and functioning as an ISA/IPEA
- PCT/WG15 also supported the creation of an independent repository of e-learning resources
- The IB conducted the survey from November to December 2023 through the PCT circular C. PCT 1658

# Survey Background Summary (2)

- The questionnaire intended to cover the current status at the Offices, the areas with needs for assistance, and what the IB should focus on, etc.
- The Survey was also addressed to larger Offices, as well as small and medium Offices, to seek possibilities of assistance networks among Offices and to learn from what Offices have in place for patent examiner training

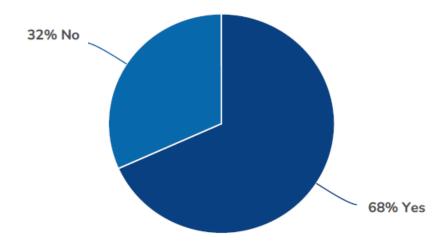
There were 93 responses, partial or complete



# **Survey main findings**

#### Number of patent examiners

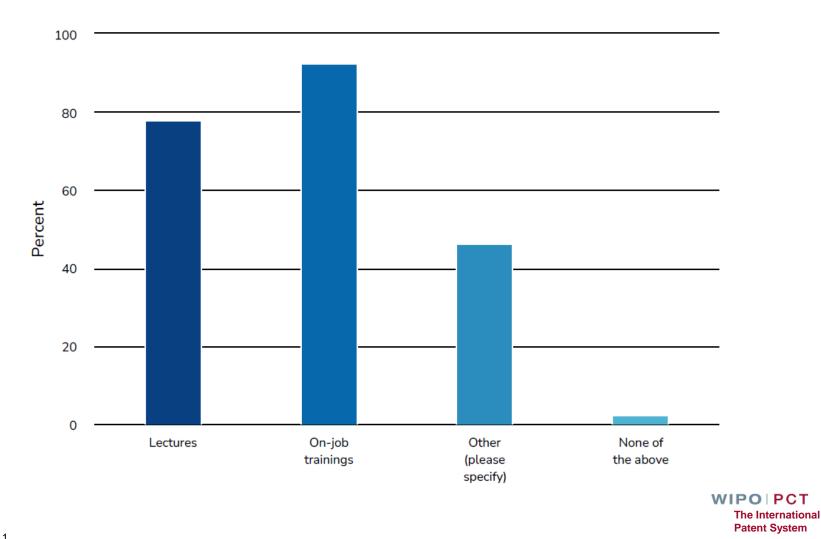
- The number of patent examiners varied: ranging from 2 to more than thousands. 59% of the respondents had less than 100 examiners
- 68% of respondents have plans to increase the number of examiners



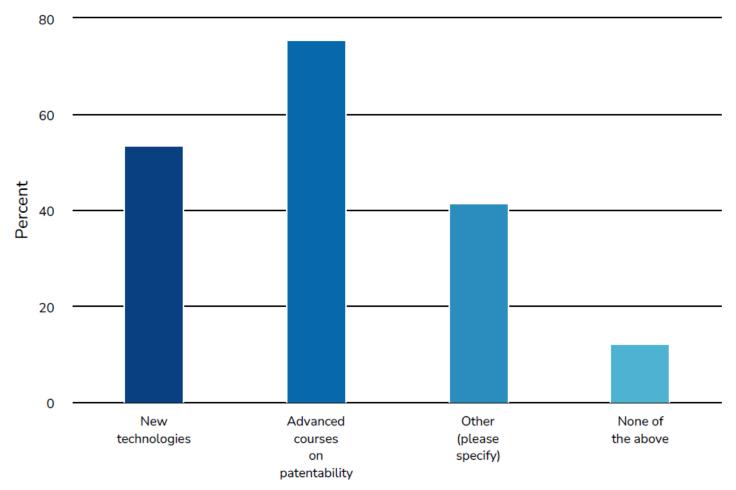
#### Search tools and databases

- Epoquenet, Espacenet, PATENTSCOPE and Google Patent are found to be the most widely used search tools across the responding Offices
- There are also Offices using their own tool or other tools available from other Offices
- Many Offices are using more than one search tools
- Databases such as IEEE or STN are also consulted, more often but not only by bigger Offices

## Training of newly recruited patent examiners



#### Training of experienced examiners



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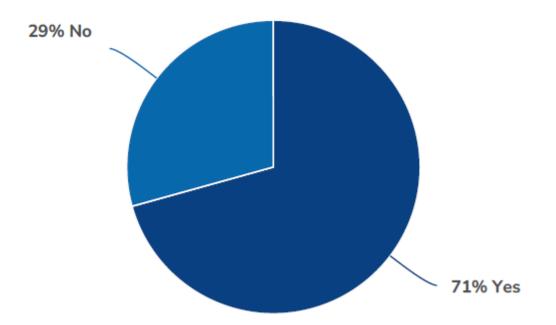
# Additional types of training

Training of trainers (TOT) programs (For those who will provide in-house trainings to other examiners). Please specify what kind of trainings are provided:	31.7%
Internal guidelines or manuals	70.7%
E-learning platform (in house or external), please specify which	51.2%
Other (please specify)	14.6%
None of the above	12.2%

#### Reasons for lack of training programs

- Insufficient number of examiners to adopt "train-thetrainer" or establish internal guidelines
- Inadequate expertise and shortage of financial and human resources
- Legal situation such as on-going amendments
- Relying on the external assistance
- Strategic decision based on current needs and priorities

#### Offices with training policy



# Training Policy in place at some of the responding Offices

- Many Offices have specific programs for new examiners, often for more than one year and/or competency-based
- Annual analysis on the needs of training on different technologies
- Examiners have to continue to educate themselves and they are requested to draft a plan of education every year
  - 4 sub-types of training: Recruitment, Retention, Engagement and Development

# Areas where External Assistance is needed (1)

Training of trainers	37.2%
Assessment of patentability (e.g. novelty or inventive step/non-obviousness)	32.6%
Legislative support (e.g. establishment of regulations or forms issued by patent examiners)	16.3%
Establishment of training policy (e.g. a set of programs according to the career development of an examiner)	25.6%
Establishment of guidelines, manuals or training materials for search and examination	27.9%
Prior art searches	23.3%

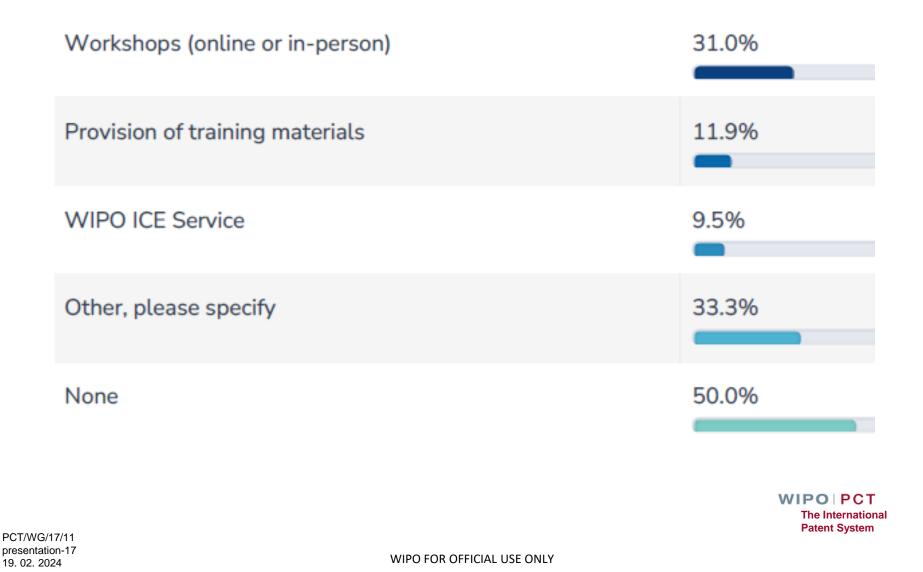
# Areas where External Assistance is needed (2)

Access to and utilization of work products (search and/or examination results) of other IP offices	30.2%
Search and examination of patent applications in specific technical fields (e.g. pharmaceutical or artificial intelligence). Please specify the field(s):	39.5%
Communications to the applicant (e.g. drafting office actions on patentability)	7.0%
Establishment of an e-learning platform	20.9%
Other (please specify)	7.0%
None	34.9%

#### **Training Needs for ISA/IPEA**

- Some Offices expressed needs for opportunities to exchange best practices with other ISA/IPEAs, trainings on ePCT and PCT Rules
- There was support by most responding Offices on the idea of central management of training among ISA/IPEAs, some of them hoping for better coordination to match training needs and/or reduce discrepancies in practices

#### Current support provided by Offices



## Additional support Offices are willing to provide

	Workshops (online or in-perso	n)	26.2%	
	Provision of training materials		14.3%	
	WIPO ICE Service		7.1%	
	Other, please specify		19.0%	
	None		52.4%	
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### Areas for enhanced efforts from the IB

Establishment of a framework to connect donors with small and medium Offices	55.3%
Provision of actual training programs in cooperation with donor Offices	42.1%
Provision of search and examination outcomes on individual applications through the WIPO ICE service	26.3%
Establishment of a network among small and medium Offices so that they can exchange their views and experience	57.9%
Development of an e-learning platform	60.5%
Other (please specify)	10.5%

Contact the speaker:

taegeun.kim@wipo.int