

Topic 2: Patent Family Concepts and Sources for Family Information

Lutz Mailänder Head, Cooperation on Examination and Training Section PCT International Cooperation Division

> Cybercity March 13, 2022

Agenda

Families – why

- Priority rights
- PCT filings without priority
- Families which
 - Types (PCT, simple, extended)
- Families when
 - Do we need to pay attention to different types of families?
 - 10% of families have more than one PCT application as member
- Families where
 - Sources of family information



Further reading on families

WIPO Handbook:

http://www.wipo.int/standards/en/pdf/08-01-01.pdf

EPO:

https://www.epo.org/searching-for-patents/helpful-resources/first-time-here/patentfamilies.html

PIUG:

http://wiki.piug.org/display/PIUG/Patent+Families

OECD:

https://www.oecd.org/sti/^inno/44604939.pdf



Work-Sharing in the PCT national phase

Utilizing examination work products from other national phases for improving **efficiency** and **quality** requires

Databases/platforms providing

- Patent family information (family table) [>Topic 2]
- Examination status of family members [>Topic 3]
- Access to examination work products (dossiers, file wrappers) of family members [>Topic 4]
- Ideally, platforms which integrate this information in a user-friendly manner, e.g. within family table; and with additional tools, for example, for comparing work products (Common Citation Document CCD) [>Topic 6]
- Information on differing national practices (naming and content of work products; important case law; exclusions; ..)

Source of family information: Espacenet

If About Espacenet Other EPO online services ▼ Search Result list My patents list (0) Query history Settings Help W02007111918 (A2) Bibliographic data Description Description Print Claims HEAT PROCESSING SYSTEMS, APPARATUSES, AND METHODS FOR COLLECTION AND DISPOSAL OF Print HEAT PROCESSING SYSTEMS, APPARATUSES, AND METHODS FOR COLLECTION AND DISPOSAL OF Page bookmark W02007111918 (A2) - HEAT PROCESSING SYSTEMS, APPARATUSES, AND METHODS FOR COLLECTION AND DISPOSAL OF Original documents INPADOC legal status InpadOcc ('extended') family Priorities (here 2 US) Durich help Classification: - international: A61B19/02; A61L11/00; A61M5/32; B09B3/00 Priorities (here 2 US)	
W02007111918 (A2) Bibliographic data Description Claims Mosaics Original document Cited documents Citing documents INPADOC letaal status INPADOC patent family Page bookmark W02007111918 (A2) - HEAT PROCESSING SYSTEMS, APPARATUSES, AND METHODS FOR COLLECTION AND DISPOSAL OF INPADOC patent family	
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Original document INFECTIOUS AND MEDICAL WASTE Original documents Page bookmark W02007111918 (A2) - HEAT PROCESSING SYSTEMS, APPARATUSES, AND METHODS FOR COLLECTION INPADOC legal status INPADOC legal status Inventort INPADOC patent family Inpadoc ('extended') family Priorities (here 2 US)	
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INPADOC legal status INPADOC patent family Applican Inpadoc ('extended') family Priorities (here 2 US)	
Puick help – Classification: - international: A61B19/02; A61L11/00; A61M5/32; B09B3/00	
What does A1, A2, A3 and B stand for after a European publication number? - cooperative: <u>A61B19/0288; A61L11/00; B09B3/0075; B09B3/0083; A61B2019/0295; A61B2019</u>	
What happens if I click on "In my patents list"? Application number: WO2007US07071 20070322	
What happens if L click on the "Register" button? Priority number(s): US20060785512P 20060323 ; US20060785548P 20060323	
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as" sometimes appear, and what are these documents? Why do I sometimes find the abstract of a corresponding Bulgarian Translate this text into i Bulgarian Patenttranslate powered by EPO and Google Simple family ('equivalents')	
document? What happens if I click on the red "patent translate" button? Warious embodiments of systems and methods for collection and disposal of infectious and medical waste are disclosed. An embodiment includes a system with a body having a chamber that receives a container of medical waste. The chamber may include a canister that has limited access to the interior of the	

Espacenet: Extended (Inpadoc) family

Patentamt European Patent Office Office européen des brevets	Espacenet Patent search	Deīutšch "English" 1-ītarīçāis Contact Change country ▼	
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INPADOC patent family Quick help Can I export this list? What happens if I click on "Download covers"? Can I sort the list? What happens if I click on the star icon? What happens if I tlick the "show citations" box? What happens if I tlick the "show citations" box? What is an INPADOC patent family? Are all the documents in an INPADOC family equivalents? Why is the same document published several times in the same country?	MEDICAL WASTE ★ Inventor: Applicant: BIOMEDICAL TECHNOLOGY SOLUTION [US] □ 2. Heat processing systems, apparatuses, and methods for	CPC: IPC: Publication info: Priority date: A61B2019/0213 (IPC1- AR060092 (A1) 2006-03-23 A61B2019/0229 7):A61L11/00 2008-05-21 2008-03-23 (+8) or collection and disposal of infectious and medical waste 2008-05-21	2nd family member (AU)
	Inventor: Applicant: COX DONALD G SOLUTION GORDER DIANE R SOLUTION SOLUTION T 3. <u>HEAT PROCESSING SYSTEMS, APPARATUSES, AND N</u> MEDICAL WASTE	CPC: IPC: Publication info: Hority date: A61B19/0238 A61B19/02 AU2007231591 (A1) 2006-03-23 A61B2019/0213 A61L11/00 2007-10-04 2007-10-04 A61B2019/0229 A61M5/32 (+1) 1000000000000000000000000000000000000	3rd family member (CA)
	Inventor: COX DONALD G[US] GORDER DIANE R [US] Applicant: BIOMEDICAL TECHNOLOGY SOLUTION [US]	CPC: IPC: Publication info: Trority date: A61B19/0238 A61B19/02 CA2646350 (A1) 2006-03-23 A61B2019/0213 A61L11/00 2007-10-04 2007-10-04 A61B2019/0229 A61M5/32 (+1) 2007-10-04	
	★ Inventor: Applicant: BIOMEDICAL TECHNOLOGY SOLUTION [US]	CPC: IPC: Publication info: Priority date: A61L11/00 CN101448531 (A) 2006-03-23 2009-06-03	WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION
, , , , ,	MEDICAL WASTE	. CPC:Publication_info:Priority_date:	WIPO PUBL

Families and Work-Sharing

Family table (PCT family)

. . .

PCT/xx	to be examined in national	phase	
CN	CN-A/B Publications	CN Dossier	CN Citations
EP	EP-A/B Publications	EP Dossier	EP Citations
JP	JP-A/B Publications	JP Dossier	JP Citations - IP5
KR	KR-A/B Publications	KR Dossier	KR Citations
US	US-A/B Publications	US Dossier	US Citations
AU	AU-A/B Publications	AU Dossier	AU Citations
СА	CA-A/C Publications	CA Dossier	CA Citations
IN	IN-A/B Publications	IN Dossier	IN Citations

Families issues for Work-Sharing

Family table (PCT family)

. . .

PCT/xx	to be examined in national	<mark>l phase</mark>	
CN	CN-A/B Publications	CN Dossier	CN Citations
EPa	EP-A/B Publications	EP Dossier	EP Citations
EPb	JP-A/B Publications	JP Dossier	JP Citations
KR	KR-A/B Publications	KR Dossier	KR Citations
USa	US-A/B Publications	US Dossier	US Citations
USb	AU-A/B Publications	AU Dossier	AU Citations
СА	CA-A/C Publications	CA Dossier	CA Citations
IN	IN-A/B Publications	IN Dossier	IN Citations

Families issues for Work-Sharing

Family table (PCT family)

PCT/xx	to be examined in national phase
CN	CN-A/B Publications CN Dossier CN Citations
EPa	EP-A/B Publications EP Dossier EP Citations
EPb	JP-A/B Publica Which work products Citations
KR	KR-A/B Publica are useful? And to Citations
USa	US-A/B Publica what extent? Citations
USb	AU-A/B Publica Homework Topic 2 Citations
CA	CA-A/C Publica will present examples Citations

PCT/yy

. . .

Origin of patent families

There are **various reasons** for patent family relations between **distinct applications**/filings:

A. Patent protection is territorial, i.e. inventors/investors may have to seek protection in various different jurisdictions ("**extensions**")

B.

- Foreign applications usually claim **priorities** of earlier applications filed in other jurisdictions based on
 - Paris Convention
 - TRIPS agreement
- Family relations because applications share priorities
- PCT applications can be filed without claiming priorities
- Family relations because applications share PCT application number
 PCT family



Priority claims - sample

Bibliographic data: WO2008004425 (A1) - 2008-01-10

🜟 In my patents list	7	EP Register	I Report data error	🔒 Print

PANTS-TYPE WEARING ARTICLE

Page bookmark	WO2008004425 (A1) - PANTS-TYPE WEARING ARTICLE
Inventor(s):	Kenmochi yasuhiko [jp]; Kinoshita Akiyoshi [jp]; Aoyagi natsuko [jp]; Tanaka Kayoko [jp] <u>+</u>
Applicant(s):	UNI CHARM CORP [JP]; KENMOCHI YASUHIKO [JP]; KINOSHITA AKIYOSHI [JP]; AOYAGI NATSUKO [JP]; TANAKA KAYOKO [JP] <u>+</u>
Classification:	- international: A61F13/49; A61F13/496; A61F13/56
	- cooperative: <u>A61F13/15; A61F13/15756; A61F13/56</u>
Application number:	WO2007JP62104 20070615 1 priority
Priority number(s):	JP20060187165 20060706
Also published as:	□ US2008009816 (A1) □ US7833207 (B2) → UA91294 (C2) □ TW200819114 (A) □ TWI336619 (B) → more

Priority claims - sample

Bibliographic data: WO2008035580 (A1) - 2008-03-27

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PLANT CULTIVATION SYSTEM

Page bookmark	WO2008035580 (A1) - PLANT CULTIVATION SYSTEM
Inventor(s):	okamoto akihiro [jp]; fujii manabu [jp]; yoshioka hiroshi [jp]; mori yuichi [jp] <u>+</u>
Applicant(s):	MEBIOL INC [JP]; OKAMOTO AKIHIRO [JP]; FUJII MANABU [JP]; YOSHIOKA HIROSHI [JP]; MORI YUICHI [JP] <u>+</u>
Classification:	- international: A01G1/00; A01G13/00; A01G25/00; A01G27/00; A01G7/00
	- cooperative: <u>A01G31/02;</u> Y02P60/216
Application number:	WO 2007 JP67578 20070910 O Global Dossier 2 priorities
Priority number(s):	<u>JP20060254439 20060920</u> ; <u>JP20070144202 20070530</u>
Also published as:	□ EP2064942 (A1) □ EP2064942 (A4) □ US2010186298 (A1) □ US8001721 (B2) → UA93268 (C2) → more

WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION

Priority claims - sample

The more priorities are claimed, the more complex the family relations may be!

Bibliographic	c data: WO2008060725 (A3) — 2008-07-1			
★ In my patents list <a>> EP Register <a>[]! Report data error		•	nding on whether priorities are shared	nt
SECURE UNIVERSAL TRANSACTION SYSTEM		- only some priorities are		
Page bookmark	WO2008060725 (A3) - SECURE UNIVERSAL TRANSACTION S	sna	ared	
Inventor(s):	FRANCHI JOHN FRANCO [GB] <u>+</u>			
Applicant(s):	FRANCHI JOHN FRANCO [GB] <u>+</u>		3 priorities	
Classification:	- international: H04L9/00			
	- cooperative: <u>G06F21/32;</u> <u>G06F21/34;</u> <u>G06Q20/12;</u> <u>G06Q20/40</u>	114	3 countries	
Application number:	WO2007US74327 20070725			
Priority number(s):	US20060532580 20060918 ; EP20060256440 20061219 ; GB20060	0025304 2	.0061219	
Also published as:	■ WO2008060725 (A2) ■ WO2008060725 (A8) ■ EP1901248 (A → more	<u>41)</u> → <u>ZA2</u>	200901870 (B) 🗈 US2011125613 (/	<u>A1)</u>

Priorities: Paris Convention of 1883

- Covers patents, designs, trademarks,...
- Facilitates second/subsequent filings abroad
- Equal protection to nationals and foreigners (non-discrimination)
 - Foreigners: nationals and residents of any Union country
- Mutual recognition of (Paris Convention) priority rights:
 - at OSF: Treatment of application as if filed on date of first filing, i.e. same prior art is to be applied if claimed subject matter is fully disclosed in priority
 - 12 month period to file an application claiming the priority of an earlier application (Art. 4 C (1))
- Permits combination of multiple priority rights (same or different countries) (Art. 4 F)
- Permits additions of technical subject matter (Art. 4 F)

As long as national definition of **unity** is met

Priorities: Benefits of claiming priorities OFF (Office of First Filing) **Prior art** Filing date OFF OSF (Office of Second Filing) **Prior art** Filing date OSF **Priority date** WIPO WORLD **Conditions apply !** INTELLECTUAL PROPERTY ORGANIZATION

Article 4 F Paris Convention

"No country of the Union may refuse a priority or a patent application on the ground

that the applicant claims **multiple priorities**, even if they originate in **different countries**, or on the ground

that an application claiming one or more priorities contains one or more elements that were not included in the application or applications whose priority is claimed,

provided that, in both cases, there is unity of invention within the meaning of the law of the country.

With respect to the elements not included in the application or applications whose priority is claimed, the filing of the subsequent application shall give rise to a right of priority under ordinary conditions."

WORLD INTELLECTUAL PROPERTY ORGANIZATION

PCT application without priority

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

РСТ

(19) World Intellectual Property Organization International Bureau

> (43) International Publication Date 3 September 2009 (03.09.2009)

- (51) International Patent Classification: C07C 46/02 (2006.01)
- (21) International Application Number:

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PCT/IB2008/000451
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- (22) International Filing Date: 29 February 2008 (29.02.2008)
- (25) Filing Language: English
- (26) Publication Language: English
- (71) Applicant (for all designated States except US): LABO-RATOIRE MEDIDOM S.A. [CH/CH]: Enetriederstrasse 44, CII-6060 Samen (CII).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): DI NAPOLI, Guido [CH/MC]; 8, Lacets Saint-Leon, MC-98000 Monaco (MC). DI NAPOLI, Alessandro [CH/CH]; Chemin du Vent-Debout 18, CH-1245 Collonge Bellerive (CH).
- (74) Agent: REUTELER & CIE, S.A.; Chemin de la Vuarpillière 29, CH-1260 Nyon (CH).
- (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ,

(10) International 1 no priority WO 2009/ first filing with IB EC, EE, EG, ES,

LR, LS, LT, LO, LT, MA, MD, ME, KZ, LA . MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MT, NL, NO, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Declarations under Rule 4.17:

HR, HU, ID, J

- as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))
- of inventorship (Rule 4.17(iv))

Published:

with international search report (Art. 21(3))

PCT application without priority

Bibliographic data: WO2009106910 (A1) — 2009-09-03

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PROCESS FOR T	THE PREPARATION OF ALOE-EMODIN	NO priority	
Page bookmark	WO2009106910 (A1) - PROCESS FOR THE PREPARATION	first filing with IB	
Inventor(s):	DI NAPOLI GUIDO [MC]; DI NAPOLI ALESSANDRO [CH] +	Espacenet repeats	
Applicant(s):	MEDIDOM LAB [CH]; DI NAPOLI GUIDO [MC]; DI NAP	application number among)
Classification:	- international: C07C46/02	priority numbers!	
	- cooperative: <u>C07C46/02</u> → <u>more</u>		~
Application number:	WO2008IB00451 20080229		
Priority number(s):	WO2008IB00451 20080229		
Also published as:	AR072768 (A1)		

WORLD INTELLECTUAL PROPERTY ORGANIZATION

PCT family

- PCT family' includes the international application and all its national phase entries
- Linked through the PCT application number
- Linked as well through the priorities if any were claimed which the national phase entries inherit from the international application



PCT family – simple family

- PCT family' includes the international application and all its national phase entries
- Linked through the PCT application number
- Linked as well through the priorities if any were claimed which the national phase entries inherit from the international application

There may be **additional applications** in the simple family **which are not PCT NPEs because country is not PCT member state**, linked through priorities

- For example, a GCC application filed through the Paris route and claiming the same priorities like the PCT application
- For example, a foreign application filed in JM
- It may also happen that a simple family includes **several distinct PCT families**; for example PCT/DK2006/000477 wipo

PCT/KR2012/001812: 2 x WO in family



Article 4 F Paris Convention

"No country of the Union may refuse a priority or a patent application on the ground

that the applicant claims multiple priorities, even if they originate in different countries, or on the ground

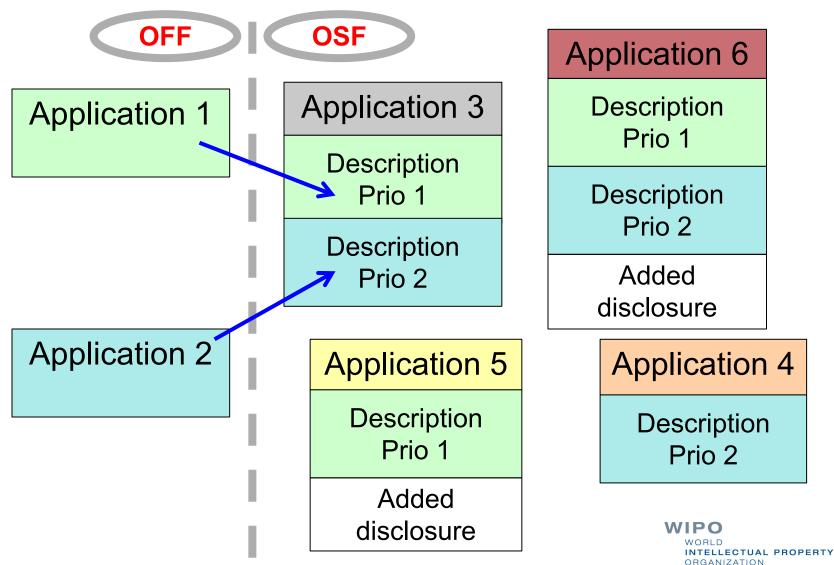
that an application claiming one or more priorities contains **one or more elements that were not included** in the application or applications whose priority is claimed,

provided that, in both cases, there is unity of invention within the meaning of the law of the country.

With respect to the elements not included in the application or applications whose priority is claimed, the filing of the subsequent application shall give rise to a right of priority under ordinary conditions."

WORLD INTELLECTUAL PROPERTY ORGANIZATION

Combining multiple priorities



Technical disclosures of family members

- Even though priorities are claimed, technical disclosure (descriptions and drawings) may differ:
 - Combinations of different sets of descriptions
 - Parts of descriptions may be removed
 - Technical subject matter may have been added

Permitted by Paris Convention

- Claims may also be different since claims need to be supported by description
- Differences are revealed only by comparing descriptions
- Applicants are not obliged to reveal modifications when making a new application
- When are differences least likely?
 - When all claimed priorities are the same

Family concepts based on priorities

Simple family:

All members of the family have exactly the same priority or priorities

Complex family:

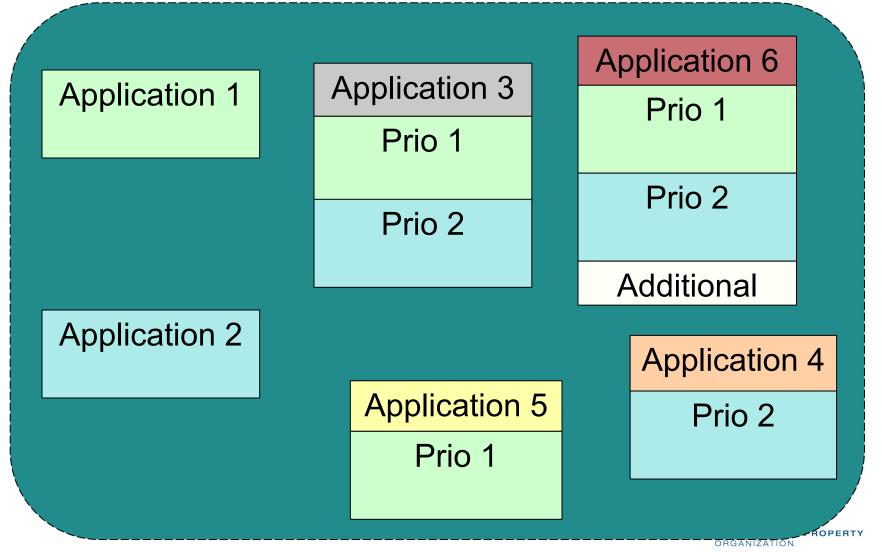
All members of the family share at least one priority

Extended family:

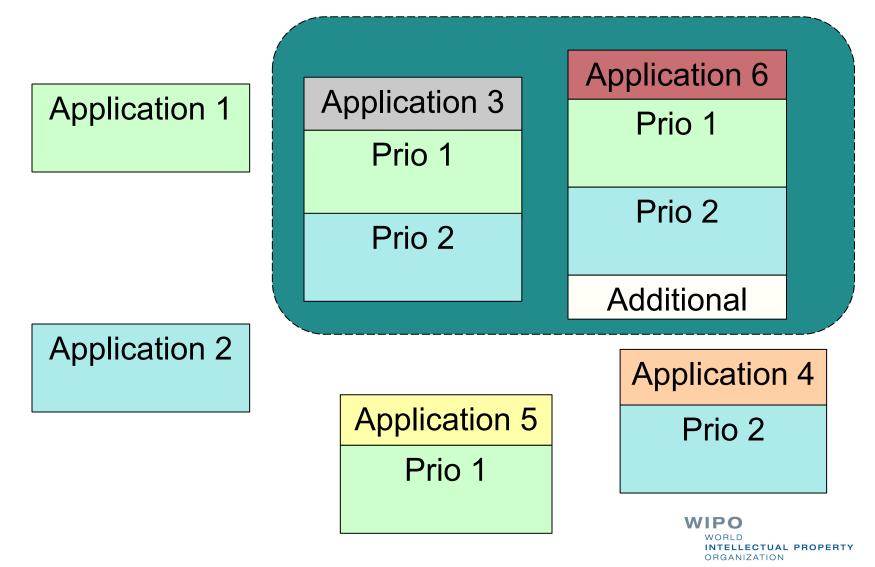
Any member shares at least one priority with at least one other member
 Covers indirect sharing of priorities; is therefore the biggest possible family



Extended family



Simple family



Simple – extended family?

- **Simple family**: all members share the same priorities
- Simple family (PCT w/o priority): all members share the same PCT application number
 - It is very likely that descriptions of family members are equal or very similar
 - "Equivalents", "also published as"
 - Ideally, family members are just translations in other languages
 - However, Paris Convention permits additions of subject matter
 - "same invention" or group of very similar inventions

Extended (Inpadoc) family: biggest possible family, includes applications sharing priorities indirectly

- It is quite likely that descriptions are different
- More likely that they cover different but related inventions in same area of technology

Family building in databases

Comparing priority numbers and/or

Comparing PCT application numbers



Sources of family information

- EPO's INPADOC database is major source of such family information, accessible through:
 - Espacenet, EP-Register and CCD (simple and extended families; domestic families)
 - Other free patent information databases, like Depatis, Google Patents, ...

WIPO PATENTSCOPE

- aggregates national phase entry data <u>reported</u> from Designated/Elected
 Offices (obligation as from July 1, 2017; rule 95)
- Proprietary family building (since 2021)
- WIPO CASE with proprietary family building based on application data shared by 'providing offices'; families are complex families (i.e. share at least one priority)
- Commercial patent databases obtain and use widely INPADOC data, and apply proprietary family building rules and data cleaning, e.g.
 - Clarivate/Derwent: WPI family
 - Questel/Orbit: Fampat family
 - ...
- Other specialized platforms, e.g. WIPO's <u>Pat-Informed</u> or MPP <u>MedsPal</u>
- India Form 3

organization WIPO PUBLIC

INTELLECTUAL PROPERTY

WIPO

WORLD

Source of family information: Espacenet

If About Espacenet Other EPO online services ▼ Search Result list My patents list (0) Query history Settings Help W02007111918 (A2) Bibliographic data Description Description Print Claims HEAT PROCESSING SYSTEMS, APPARATUSES, AND METHODS FOR COLLECTION AND DISPOSAL OF Print HEAT PROCESSING SYSTEMS, APPARATUSES, AND METHODS FOR COLLECTION AND DISPOSAL OF Page bookmark W02007111918 (A2) - HEAT PROCESSING SYSTEMS, APPARATUSES, AND METHODS FOR COLLECTION AND DISPOSAL OF Original documents INPADOC legal status InpadOcc ('extended') family Priorities (here 2 US) Durich help Classification: - international: A61B19/02; A61L11/00; A61M5/32; B09B3/00 Priorities (here 2 US)	
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What does A1, A2, A3 and B stand for after a European publication number? - cooperative: <u>A61B19/0288; A61L11/00; B09B3/0075; B09B3/0083; A61B2019/0295; A61B2019</u>	
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What happens if L click on the "Register" button? Priority number(s): US20060785512P 20060323 ; US20060785548P 20060323	
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documents? How can I bookmark this page? Why does a list of documents with the heading "Also published Abstract of WO2007111918 (A2)	
as" sometimes appear, and what are these documents? Why do I sometimes find the abstract of a corresponding Bulgarian Translate this text into i Bulgarian Patenttranslate powered by EPO and Google Simple family ('equivalents')	
document? What happens if I click on the red "patent translate" button? Warious embodiments of systems and methods for collection and disposal of infectious and medical waste are disclosed. An embodiment includes a system with a body having a chamber that receives a container of medical waste. The chamber may include a canister that has limited access to the interior of the	

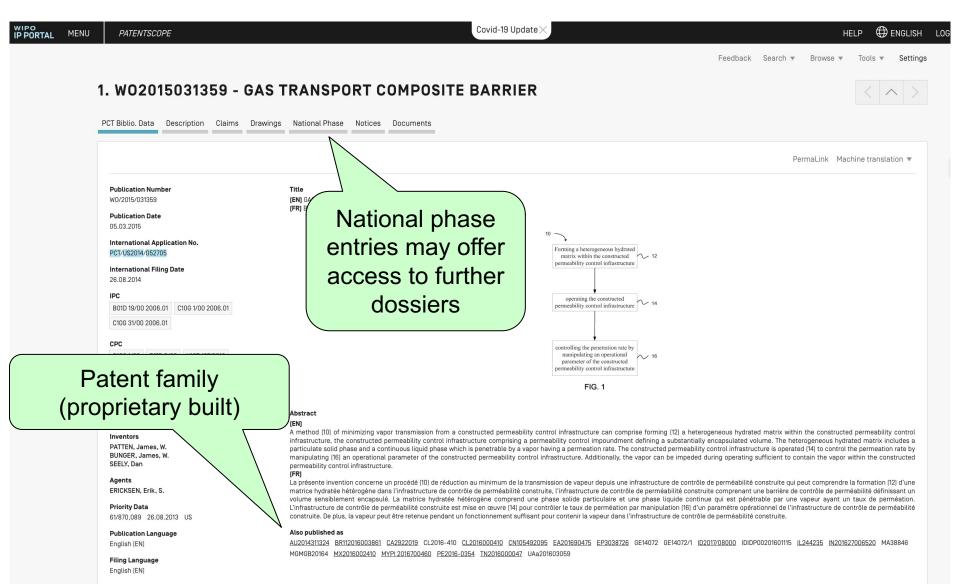
Family tables in New Espacenet

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My Espacenet Help	p Classification searcl	h Results Advanced search	Filters Popup tips	Report data error Feedback
Home > Results > WO2	2007111918A2			
		SYSTEMS, APPARATUSES, AND METHODS FOR CO		ECTIOUS AND Available in Screensho
	ADOC family Latest leg			CCD 7
Publication A	Application number 🔿	Title A	Publication date	Applicants A
AR060092A1		SISTEMAS APARATOS Y METODOS DE PROCESAMIENTO PARA LA RECOLECCION Y ELIMINACION DE DESECHOS MEDICOS		BIOMEDICAL TECHNOLOGY SOLUTION [US]
AU2007231591A1	AU2007231591A	Heat processing systems, apparatuses, and methods for co disposal of infectious and medical waste	ollection and 2007-10-04	BIOMEDICAL TECHNOLOGY SOLUTIONS INC [U
CA2646350A1	CA2646350A	HEAT PROCESSING SYSTEMS, APPARATUSES, AND MET COLLECTION AND DISPOSAL OF INFECTIOUS AND MEDI		BIOMEDICAL TECHNOLOGY SOLUTION [US]
CL2007000747A1	CL2007000747A	Sistema de procesamiento termico de desechos medicos o cuerpo con una camara para recibir un contenedor, al meno de placa y aletas a un costado para refrigerar la camara; y r procesamiento termico de desechos medicos.	os un calentador	BIOMEDICAL TECHNOLOGY SOLUTIONS INC [U
				URGANIZATION

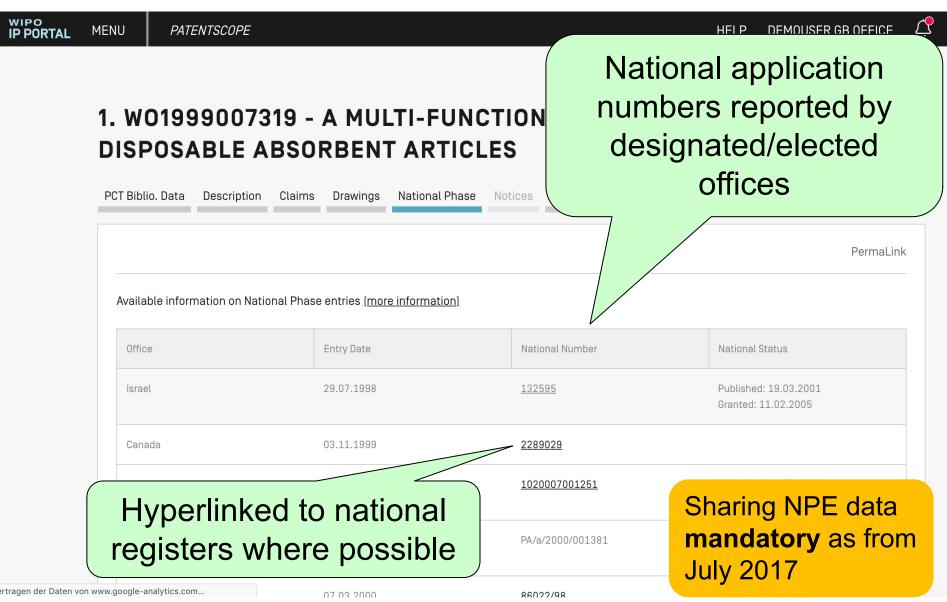
Family table in Global Dossier (USPTO)

USPTO About Us Careers Contact Us													
Global Dossier													
Home Public Pair Common Citation Document						Current Se	ervice Status Serv	ice Hours I	Help Email Us	ß			
Office WIPO - Type PCT Application - PCT/US2014/052705 Q						Domes	tic 🔹 🕻	ollections 0	C History	0			
PCT/US2014/05270 12 Members in Patent Family (12 currently shown)													
«	Office	e Application	Applicant	Title	A	pp. Date ≑	Priority #	P. # 🛈	Pub. Date	Action 🗘 🛈			
IP Office Type All IP5 Offices EPO SIPO KIPO JPO USPTO Non-IP5 Offices	A PE	0002862016		\	04	8/26/2014	US 61870089	PE 03542016 A1	05/11/2016				
	🔺 МХ	2016002410			01	8/26/2014	US PCT/US14/52705 US 61870089	MX 2016002410 A	05/31/2016				
	🛕 EA	201690475			Extended	-	US PCT/US14/52705 US 61870089	EA 201690475 A1	06/30/2016				
	🛕 AR	P140103202			family, no		US 61870089	AR 097461 A1	03/16/2016				
	⊞ AU	2014311324 View Dossier	1) Red Leaf Resources, Inc.,	Gas barri	option to select	014	US PCT/US14/52705 US 61870089	AU 2014311324 A1 AU 2014311324 B2	04/07/2016 11/10/2016	- (2) Add	l to ★		
	🛕 AP	201609052			simple	014	US PCT/US14/52705 US 61870089	AP 201609052 D0	02/29/2016				
	⊕ US	14469062 View Dossier	1) Patten, James W. 2) Bunger, James W. 3) Seely, Dan	GAS COM	family	014	US 61870089 US 14469062	US 20150053269 A1	02/26/2015	🔁 (1) 🛛 Add	l to ★		
	🔺 CA	2922019			08	8/26/2014	US PCT/US14/52705 US 61870089	CA 2922019 A1	03/05/2015				

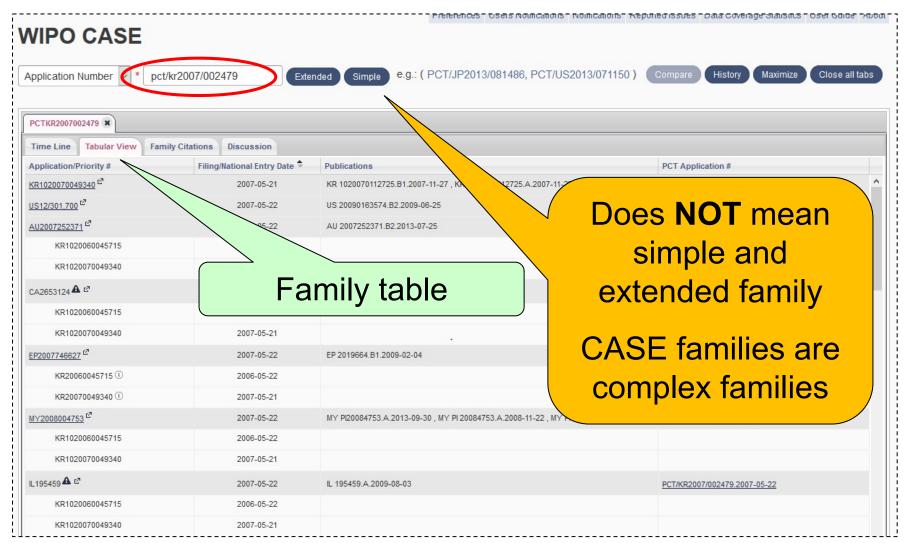
PATENTSCOPE: built family information



PATENTSCOPE: National phase entries



Family table in WIPO CASE



Legal obligations for disclosing family information

- Some jurisdictions, for example India, systematically require applicants to disclose and update family information
- Disclosure to be found in IN dossier as 'Form 3'
- Represents up to now the most comprehensive source of family information
- Can be retrieved by searching IN application number in Indian register in PASS



Form 3 of IP India

PCT/EP2017/056134

	Details of Fo INDIAN PATENT APPLICA in the name of S Corresponding PCT Applica	l India : Obligation for applicants to				
COUNTRY	APPLN. NO.	PCT FILING DATE	STATUS Such as pending,accepted,refused, abandoned,withdrawn, opposed etc.	GRAN PATI		
United Arab Emirates	P6001293/2018	15/03/2017	Pending		examination results (Rule 12)	
ARIPO Australia	AP/P/2018/011052 2017232266	15/03/2017 15/03/2017	Abandoned Pending		47 national phase	
Bahrain Brazil	167/2018 BR112018068571-2 3,017,556	15/03/2017 15/03/2017 15/03/2017	Pending Abandoned Pending		entries	
Canada Chile China	2018002632 2017800245532	15/03/2017 15/03/2017 15/03/2017	Abandoned Response due by 11 February		Only 22 recorded	
Colombia	CO2018010940 ·	15/03/2017	2021 Response filed on 1 October 2020		in INPADOC	
Costa Rica	2018-000488	15/03/2017 15/03/2017	Pending Abandoned			
Cuba Djibouti	2018-0108 DJ/B/2018/0002	15/03/2017	Abandoned		ê l	essible via
Algeria	180499	15/03/2017	Pending			nt register o
Eurasia	201892065	15/03/2017	Response to be filed by 21 March 2021			ia <u>inPASS</u>
Ecuador	2018-77068	15/03/2017	Abandoned		In Constant	
Egypt	1439/2018	15/03/2017	Pending		WIPO	
EPO	17710019.5	15/03/2017	Pending	_	WORLD	CTUAL PROPE

UPDATED ANNEXURE TO FORM 3

INTELLECTUAL PROPERTY ORGANIZATION

Family coverage of different sources

(PCT/IB2014/02991)

Consolidated family (Espacenet, WIPO CASE, PATENTSCOPE, India Form 3) (97+10)
 AG, AO, AP, AR, AU, BB, 2xBD, BI, BN, BO, BR, BS, BT, BZ, CA, CG, CL, CN, CO, CR, CU, DJ, DK, DM, DO, DZ, 2xEA, EC, 2xEG, EP, ES, GC, GD, GE, GT, HK, HN, HT, HR, HU, ID, IL, IN, IQ, IR, JM, JO, JP, KH, KN, KP, 2xKR, LA, LB, LC, LK, LT, LY, MA, ME, MG, MO, MN, MU, MX, MY, NG, NI, NP, NZ, OA, PA, PE, PG, PH, PK, PL, PT, RS, PY, RW, SC, SG, S/, SV, SY, TH, TN, TO, TT, TW, UA, 3xUS, UY, UZ, VC, VE, VN, WO, WS, YE, ZA

India Form 3 (96+0) in dossier of IP India (provided by applicant)

AG, AO, AP, AR, AU, BB, 2×BD, BI, BN, BO, BR, BT, BZ, CA, CG, CL, CN, CO, CR, CU, DJ, *DK*, DM, DO, DZ, 2×EA, EC, 2×EG, EP, *ES*, GC, GD, GE, GT, HN, HK, HT, *HR*, *HU*, ID, IL, IN, IQ, IR, JD, JM, JP, KH, KN, KP, 2×KR, LA, LB, LC, LK, *LT*, MA, *ME*, MG, MO, MN, MU, MX, MY, NG, NI, NP, NZ, OA, PA, PE, PG, PH, PK, *PL*, *PT*, *RS*, PY, RW, SC, SG, *SI*, SV, SY, TH, TN, TO, TT, TW, UA, 3×US, UY, UZ, VC, VE, VN, WO, WS, YE, ZA

<u>Espacenet</u> (32+10) (family building based on priority and PCT application numbers)

AG, AO, AP, AR, AU, BB, 2xBD, BI, BN, BO, BR, BS, BT, BZ, CA, CG, CL, CN, CO, CR, CU, DJ, DK, DM, DO, DZ, 2xEA, EC, 2xEG, EP, ES, GC, GD, GE, GT, HN, HK, HT, HR, HU, ID, IL, IN, IQ, IR, JM, JO, JP, KH, KN, KP, 2xKR, LA, LB, LK, LT, LY, MA, ME, MG, MO, MN, MU, MX, MY, NG, NI, NP, NZ, OA, PA, PE, PG, PH, PK, PL, PT, RS, PY, RW, SC, SG, SI, SV, SY, TH, TN, TO, TT, TW, UA, 2xUS, UY, UZ, VC, VE, VN, WO, WS, YE, ZA

> WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION

Family coverage of different sources

PATENTSCOPE national phase entry data (26+1) (provided by designated/elected offices)
AG, AO, AP, AR, AU, BB, 2xBD, BI, BN, BO, BR, BT, BZ, CA, CG, CL, CN, CO, CR, CU, DJ, DK, DM,
DO, 2xEA, EC, 2xEG, EP, ES, GC, GD, GE, GT, HN, HK, HT, HR, HU, ID, IL, IN, IQ, IR, JO, JM, JP,
KH, KN, KP, 2xKR, LA, LB, LK, LT, MA, ME, MG, MO, MN, MU, MX, MY, NG, NI, NP, NZ, OA,
PA, PE, PG, PH, PK, PL, PT, RS, PY, RW, SC, SG, SI, SV, SY, TH, TN, TO, TT, TW, UA, 3xUS, UY,
UZ, VC, VE, VN, WO, WS, YE, ZA

PATENTSCOPE family build (43+5) (based on priority and PCT application numbers)

AG, AO, AP, AR, AU, BB, BD, BI, BN, BO, BR, BT, BZ, CA, CG, CL, CN, CO, CR, CU, ĐJ, DK, ĐM, DO, 2xEA, EC, 2xEG, EP, ES, GC, GD, GE, GT, HN, HK, HT, HR, HU, ID, IL, IN, IQ, IR, JO, JM, JP, KH, KN, KP, 2xKR, LA, LB, LK, LT, MA, ME, MG, MO, MN, MU, MX, MY, NG, NI, NP, NZ, OA, PA, PE, PG, PH, PK, PL, PT, RS, PY, RW, SC, SG, SI, SV, SY, TH, TN, TO, TT, TW, UA, 2xUS, UY, UZ, VC, VE, VN, WO, WS, YE, ZA

WIPO CASE (33) (based on priority and PCT application numbers)

AG, AO, AP, AR, AU, BB, BD, BI, BN, BO, BR, BS, BT, BZ, CA, CG, CL, CN, CO, CR, CU, DJ, *DK*, DM, DO, 2xEA, EC, 2xEG, EP, *ES*, GC, GD, GE, GT, HN, HK, HT, *HR*, *HU*, ID, IL, IN, IQ, IR, JM, JO, JP, KH, KN, KP, 2xKR, LA, LB, LK, *LT*, MA, *ME*, MG, MO, MN, MU, MX, MY, NG, NI, NP, NZ, OA, PA, PE, PG, PH, PK, *PL*, *PT*, *RS*, PY, RW, SC, SG, *SI*, SV, SY, TH, TN, TO, TT, TW, UA, 3xUS, UY, UZ, VC, VE, VN, WO, WS, YE, ZA

ORGANIZATION

Challenges

- Don't worry IP5 family members are included in all sources plus many other major jurisdictions
- Limitations exist mostly for regional cooperation because many medium and smaller IPOs don't share bibliographic data with database hosts
- No source that permits to select only PCT family
- Essential for work-sharing (to be able) to identify the members of the PCT family
- Family members linked to other PCT applications are less useful or not useful at all

Families within one jurisdiction

National, regional, PCT jurisdictions

- National families
- Domestic families



Origin of patent families - reasons

There are **various reasons** for patent family relations between **distinct applications**/filings:

- A. Patent protection is territorial, i.e. inventors/investors may have to seek protection in different jurisdictions ("extensions")
- B. An application may have certain deficiencies
 - Lack of unity
 - Flaws or gaps of the disclosure (description, drawings)
- C. Further improvements of an invention



Claiming national priorities

Bibliographic data: US2008274698 (A1) — 2008-11-06

★ In my patents list II! Report data error

Print

METHOD AND APPARATUS FOR INDICATING A TEMPORARY BLOCK FLOW TO WHICH A PIGGYBACKED ACK/NACK FIELD IS ADDRESSED

Page bookmark	US2008274698 (A1) - METHOD AND APPARATUS FOR INDICATING A TEMPORARY BLOCK FLOW TO WHICH A PIGGYBACKED ACK/NACK FIELD IS ADDRESSED							
Inventor(s):	LI YAN [US]; DICK STEPHEN G [US]; CHITRAPU PRABHAKAR R [US]; RU BEHROUZ [US]; MANSETA KHUSHALI N [US] <u>+</u>	US '138 claims						
Applicant(s):	INTERDIGITAL TECH CORP [US] +	3 national						
Classification:	- international: H04B1/00	priorities						
	- cooperative: <u>H03M13/09; H04L1/0041; H04L1/0073; H04L1/1664; H04L</u> H04L2001/125							
Application number:	US20080106138 20080418 (1) Global Dossier							
Priority number(s):	US20080106138 20080418 ; <u>US20070913179P 20070420</u> ; <u>US20070974293P 20070921</u> ; <u>US20070981980P</u> 20071023							
Also published as:	□ <u>US8296619 (B2)</u> □ <u>WO2008130694 (A1)</u> □ <u>US2013326320 (A1)</u> □ <u>US2</u> → <u>more</u>	2013039210 (A1) 🗈 US8539308 (B2)						

Domestic second filings

"Continuation (in part)"

- New national/local application claiming priority of one or several earlier national/local applications
- "in part": Additions of technical subject matter to initial disclosure of parent (priority) application or other amendments are permitted, and usually intended, only part of the new application originates in earlier application
- (Up to 12 months after filing date of claimed priority)
 - Remedy for flaws in first application
 - Opportunity to specify further improvements of an invention

Patent of addition (in some jurisdictions)

- Improvement of original invention of parent patent
- Unity with parent patent to be given; i.e. as if further independent claim of parent patent
- Depends on validity of parent patent
 - Request possible up to 18 months after filing of patent patent

WIPO world intellectual property organization

Domestic second filings

Division (and US 'continuations')

- E.g. for healing a lack of unity: mandatory division
- Permits filing of an application with new set of claims based on previously filed disclosure (i.e. no additions to initial disclosure permitted): voluntary division

Paris Art. 4 G (2)

Paris Art. 4 G (1)

- Initial disclosure (parent application) may comprise several inventions
- Lack of unity is given only if different inventions are "claimed", i.e. if covered explicitly by claims
- Strategic approach by some applicants
- Divisions are possible usually anytime as long as parent application is pending (EPC: only within 24 months after 1st office communication)
- Retains application date and claimed priorities; no explicit priority claim type relation to parent application



Further sources of family information

National registers (e.g. EP-Register, US PAIR) include patent family information on national level (domestic families, national families (continuation in part, **divisions**; US continuations)



EP-Register - divisions





US-PAIR: national family/divisions

_11/689,638	Heat Processing Systems, Apparatu	ises, and Methods for Collection and Disposal of Infectious and Medical Waste			57015-340945					
Select New Case Application Transaction Data Image File History Continuity Data Published Address & Documents Attorney/Agent References										
Parent Continuity Data										
Description		Parent Number	Parent Filing or 371(c) Date	AIA(First Inventor to File)	Parent Status	Patent Number				
This application Claims Priority from Provisional Application		60/785,512	03-23-2006	-	Expired	-				
Claims Priority from Provisional Application 60/785,54		60/785,548	03-23-2006		Expired	-				
Child Continuity I	Data									
No Child Continuity Data Found										



Summary: multiple family members from same country

When do we have multiple family members from same jurisdiction? In case of:

- Divisional applications (US continuations)
- Continuations in part
- Several PCT applications in same family
- These reasons may co-occur!
- You need to understand/identify the reason(s) and select the proper family members for work-sharing purposes
- Don't worry: only some 10-20% of PCT applications are affected
- Temporary problem until comprehensive PCT families can be selected in family tables

Thank you

lutz.mailander@wipo.int

