Enhancing Patent Examiner Capacity at the UK IPO

Sarah Whitehead
Initial Search and Examination Training (ISET)

- Lectures on core patent law topics
- Patent IT training (PROSE, PDAX, Epoquenet)

Transition Casework

- Working in tutor groups
- More independent working
- Dummy cases
- Real life cases

Joining new groups

- 1-to-1 mentorship with line manager
Further Associate Examiner Training

- Further search tools
  - Two/three months after initial training ends
  - Two sessions
- IPO Tours
- Telephone training
- Advanced Search and Examination (ASET)
  - 13-18 months into the Office
  - 17 sessions
- Wider Legal Framework (WLF)
  - 20-22 months into the Office
  - 12 sessions
Diploma/Masters in IP Law

- Run with the University of South Wales
- Most examiners take it around 3/4 years in the Office
- Diploma is 2 years of weekly lectures
- Highly recommended for all patent examiners for progression to senior examiner
Training for Examiners and Senior Examiners

• Regular examiner training (RET)
  • A yearly series of ~26 seminars
  • Attend all over a five year rolling period

• Examiner Line Manager Essentials (ELME)
  • Management training course specific to the examiner job
  • Complements Civil Service management courses

• Topics in Patent Searching (TIPS)
  • Maintaining our IT skills in searching

• Technical training
  • Maintaining our technical skills in the area we work
  • On site training, visits, reading, conferences, trade shows…
  • Technical Reps in each group and dedicated website
Bespoke Training for biotechnology examiners: Technical training

- Provided at the IPO by University of Bath
- Bespoke training
- Delivered as a series of lectures over four one-day sessions
- Practical experience – helps understand what the skilled person can and cannot do.
- Just because something can be done, doesn’t make it easy: insufficiency and inventive step often turns on this
Bespoke Training for biotechnology/ Pharma examiners: Legal training

- Specific issues arise: plurality (multiple sequences), one basic concept -> multiple uses; Medical use claims; Support, Insufficiency (and plausibility); search strategies;
- Most training is extremely practical: revision of real case-work
- Group quality forums: discuss specific cases or specific legal issues
- New court judgements: analysed, summarised, practice discussions held, practice agreed.
- Specialised practice guidelines
International

- KIPO examiner visit to the UK (28th 29th June) looking at Supplementary Protection Certificates and Patent Term Extension.
- Upcoming SIPO/UK IPO examiner exchange, focus includes biotechnology, biopharma, and chemistry cases.
Any questions?

- Manual of Patent Practice

- Chemical guidelines
  www.gov.uk/government/publications/examining-patent-applications-relating-to-chemical-inventions

- Medical guidelines
  www.gov.uk/government/publications/examining-patent-applications-for-medical-inventions

- Biotechnology guidelines
  www.gov.uk/government/publications/examining-patent-applications-for-biotechnological-inventions