



TECHNICAL INFRASTRUCTURE FOR IMPROVED INTERNATIONAL COLLABORATION ON SEARCH AND EXAMINATION

Introduction

The Vancouver Group was established in 2008 between the IP Offices of Australia, Canada and the United Kingdom.

The Vancouver Group aims to:

- share information and experiences on common issues and areas relevant to managing a mid-sized national IP office;
- through this collaboration, and in particular our endeavours to eliminate unnecessary rework and duplication in prosecuting patent applications in the three offices, contribute to a more effective multilateral approach to work sharing.

Vancouver Group Mutual Exploitation

The Vancouver Group Mutual Exploitation initiative (VGME) is the Vancouver Group's approach to efficiently and effectively eliminating unnecessary rework and duplication in prosecuting patent applications.

The VGME is supported by seven **principles**:

1. A Vancouver Group Office (VGO) will, where possible, rely on any patent granted by another VGO, or on the search and examination report of another VGO in coming up with their own report on the same application. An Office may perform further search and examination if it thinks it is necessary.
2. This principle will be applied in an "Office-driven" manner - i.e. Offices will rely on earlier work without the need for applicants to ask them to do so.
3. The core principle will also be applied transparently. Where earlier work by another Office is relied on, the later Office will note this on their file and in the report to the applicant. Where the later Office deems it necessary to do further work, it will note this on their file, together with an explanation of why the further work is thought necessary. To maintain confidence in VGO reports, feedback will be provided by the later Office to the earlier Office, where appropriate.
4. The core principle will apply to all work done by a VGO, whether for purposes of determining patentability in its own jurisdiction or that of another jurisdiction for which such work is performed by the office and irrespective of where the application was first filed.



Principles cont'd

5. Where one VGO issues an office action indicating at least one claim is allowable or granted a patent in relation to an application, the applicant will be able to apply to the other VGOs for accelerated examination of a related application under the Global Patent Prosecution Highway.
6. Examiners have ready access to the work of another VGO through WIPO CASE (see below). Offices will advocate ongoing enhancement and use of this enabling platform to other IP offices to facilitate greater work sharing.
7. Offices will support ongoing examiner interaction that enhances mutual understanding, seeks to minimise variability and promotes greater confidence in one another's work. In particular:
 - Offices agree that it would be useful for a periodic independent quality review of each other's work by the VGOs;
 - Offices, and the outcomes they are seeking to achieve, would benefit from documenting and sharing of respective search strategies; and
 - Offices will share experiences and information on the search tools and databases used and the professional training provided to examiners to use them effectively.

Centralised Access to Search and Examination

The Vancouver Group has partnered with WIPO to develop an IT system to support the VGME. This system is called the WIPO Centralised Access to Search and Examination ([WIPO CASE](#)). It is a digital library of search and examination reports that is accessible via existing WIPO's technical infrastructure.

By leveraging existing infrastructure the Vancouver Group and WIPO have been mindful to develop a digital library that will practically improve the operation and efficiency of the IP system for *all* IP Offices. Specifically, WIPO CASE has been designed to be scalable and extendable. The business and technical requirements of WIPO CASE allow for future growth both by accommodating additional types of information, and the number of Offices that can make use of the system regardless of their level of technical infrastructure.

Importantly, participating Offices now and in the future will have the flexibility to use the information available through WIPO CASE as they see fit.



Further Information

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