As a result of our most recent internal review under PCT/GL/ISPE paragraphs 21.10-21.15, this Authority has made modifications to its Quality Management System (QMS) as discussed below.

The modifications are given with reference to the sections of the revised template for responses to PCT/GL/ISPE Paragraph 21.17 to which the changes relate.

If no changes have been made to its QMS since the last report, the Authority should indicate such.

INTRODUCTION (PARAGRAPHS 21.01–21.02)

A new set of documentation was approved in 2009 in order to include in the scope of the system Trademarks and Industrial Designs.

The composition of the Quality Management Groups, as described in the initial report of December 2006, has been modified accordingly. Previously, there were two working groups
in the Patent Department, the Quality Supervisory Group and the Quality Management Group. This two groups have been integrated in just one group call Quality Management Group which has all the task of the other two previous groups. This new organisation is more operative and realistic.

**Quality Assurance Procedures (Paragraph 21.07)**

Provide information on procedures which ensure that S&E reports of a quality standard in accordance with PCT/GL/ISPE are issued. In particular, provide information on:

(a) Activities related to verification, validation and monitoring; as carried out in order to assess compliance of S&E work with PCT/GL/ISPE.

(b) Processes for measuring, recording, monitoring and analysing performance of the QMS to assess its conformity with the requirements of Chapter 21 and, if applicable, any other normative reference for the QMS.

(c) Activities related to verifying the effectiveness of actions taken to deal with deficiencies, including:

   (i) those actions taken to eliminate, correct or authorise release of deficient S&E work which does not comply with the quality standards;

   (ii) those actions taken to eliminate the causes of deficient S&E work and prevent the deficiencies from recurring.

(d) Activities ensuring the continuous improvement of established processes underpinning the issue of S&E reports.

A new check-list related to international preliminary examination reports (PCT/IPEA/409) has been developed during this year. All the examination reports issued by this office from mid 2010 will have to pass this check-list to detect errors and prevent future ones.

**Feedback arrangements (Paragraph 21.08)**

Give information on arrangements to:

(a) Provide feedback to staff informing them of results of verification, validation and monitoring carried out in order to assess compliance of S&E work, so that:

   (i) deficient S&E work is corrected;

   (ii) corrective action, i.e. action necessary to prevent recurrence, is identified and implemented;

   (ii) best practice is identified, disseminated and adopted.

(b) Accommodate prompt feedback from WIPO, designated and elected offices; so that potential systemic issues, e.g. recurring deficiencies of S&E work, as identified by these bodies, are evaluated and addressed.
The electronic communication with WIPO has been extended in 2009, nowadays all the notifications from WIPO are electronic and also during 2009 a procedure for transmitting electronic document of priority has been implemented.

Communication, Guidance and Responses to Users (Paragraphs 21.06(c), 21.09)

<table>
<thead>
<tr>
<th>Give information on arrangements to:</th>
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<tr>
<td>(a) Provide communication channels for dealing promptly with enquiries and enabling appropriate two-way communication between applicants and examiners.</td>
</tr>
<tr>
<td>(b) Provide concise and comprehensive guidance and information to users (particularly unrepresented applicants) on the S&amp;E process using the website of your Authority, guidance literature, and other means.</td>
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<tr>
<td>(c) Monitor and react to user needs and feedback, including:</td>
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<td>(i) measuring user satisfaction and perception;</td>
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<td>(ii) handling complaints;</td>
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<td>(iii) correcting deficiencies identified by users;</td>
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<tr>
<td>(iv) taking corrective action, i.e. action to eliminate the cause of deficiencies, in response to recurring or systematic deficiencies identified by users.</td>
</tr>
<tr>
<td>(v) taking preventive action, i.e. action to eliminate the cause of potential deficiencies, in response to potential deficiencies or problems identified by users;</td>
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<td>(vi) ensuring needs and legitimate expectations of users are met.</td>
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</table>

The 2009 user satisfaction survey reveals that the PCT user is in general satisfied with the service provided by the SPTO. (Average overall Satisfaction: 3.52 / 5. Median overall satisfaction: 4 / 5)

The satisfaction report (“Informe Encuesta Satisfaccion PCT 2009”) can be found at the SPTO website.

In addition to the study on the different aspects of the service, this year’s survey has incorporated a new and deeper kind of analysis of the data.

From the results we can say that, quite the contrary it might seem, overall user satisfaction is not linked with the number of years on the job position of the senior examiner (more than 2 years) in charge of the ISR and WO (experience).

There are no big variations on user satisfaction for the different technical fields of the inventions in the SPTO.
It has been concluded that the specialisation of the examiner is related with a better satisfaction about the service.

Although it was predictable that overall satisfaction of the service depends largely on the decision of the examiner about novelty or inventive step of the claims, it is interesting the fact that although there is a decrease in the average user satisfaction as the percentage of claims affected by lack of novelty or inventive step grows, there is a threshold from which it is significant: **only when the percentage of claims affected by lack of novelty or inventive step is higher than 50%, there is a very significant drop of the overall satisfaction.**

Regarding the **helpdesk services** that the Spanish Patent and Trademark Office is presently providing to both citizens and enterprises it is important to note that in October 2009 a new company started working as an externalized Call Center to provide telephone first level information. As new staff was to provide the service several training was provided on PCT subjects.

Guidelines from the IPeuropAware project have been considered in the implementation of the Call Center service.

Therefore, the present helpdesk services at the OEPM are provided using a **two level structure:**

- **Front Line Helpdesk:**
  - Main Desk at the OEPM premises, for on site, e-mail, fax and postal mail queries
  - Outsourced Call Centre for telephone queries
  - (+ up to 23 Regional front line helpdesks for on site, e-mail, fax, postal mail and telephone queries, managed by the Regional IP Centres)
  - OEPM web site
  - Leaflets and brochures

- **Second Line Helpdesks** in each OEPM department, that are referred to when the Front Line Helpdesk is not able to assist:
  - provided by personnel in each OEPM department for any on site, e-mail, fax, postal mail or telephone queries.
In 2009 SPTO has joint WIPO PATENTSCOPE® Priority Document Access Service, is a service established and administered by the International Bureau of WIPO. It enables a patent applicant claiming priority from an earlier application to rely on a copy of the priority document held in, or accessible via, the Service, rather than having to provide a certified copy separately to each Patent Office with which a patent application claiming priority is filed. Participation in the new system is voluntary for Patent Offices and for applicants. Also de SPTO during 2009 waives the requirement under PCT Rules 90.4(b) and 90.5(a)(ii) to submit a separate power of attorney and/or a copy of a general power of attorney, in order to facilitate the users the process of filing a PCT application.

[End of report]