

Q1)

The Austrian Patent Office (short: APO) understands the term "Quality of Patents" (short: QoP) in following manner:

Only patent applications, which fully fulfill the national and/or international guidelines, regulations and terms will be granted.

This means that patent applications must be:

- A) fully disclosed and understandable for the public,
- B) the combination of the set of technical features are novel and
- C) involve an inventive step compare to the prior art and the applications is finally
- D) industrial applicable (do not violate the principles of nature and/or physics).

The QoP – criteria's were assured and examined by following bodies of the APO with a four step process:

-) First step: Quality assurance during the Search/Examination
 - +) Management of the Authority for
 -) Quantity of staff (inflow of work)
 -) Support the technically qualified staff (equipment)
 - +) Group Technic for
 -) Training of the technical qualified staff
 -) Workload
 - +) Technical department for
 -) Workload
 - +) Patent Support / PCT for
 -) "Quality Manual for the Group Technic"
 -) "Creating the Self Check List"
-) Second step: Quality assurance in the technical department
 - +) Technical department for
 -) check by a colleague
 -) check by the head of the department
-) Third step (only PCT cases): additional formalities check
 - +) Patent Support / PCT
 -) formal checks
-) Forth step: Review/audit system for checking the Search/Examination
 - +) Technical Vice President
 - +) QM-Board
 - +) Patent Support / PCT

Q2)

The APO is a member of the PPH – alliance (Patent Prosecution Highway) and shares the result of the examination, the Search Report, with other members of this important patent office alliance.

Also by exchange of examiners (examiners of APO go abroad to other patent offices while also foreign examiners are coming to APO) allow the APO a latest and updated experience on the exchange of views worldwide and as a result of this a comparison and - if necessary - an optimization of internal processes during the granting procedure.

Within the framework of the Utilisation Implementation Project the Austrian Patent Office provides upon request the result of earlier search for European Patent applications and PCT applications where EPO is the International Searching Authority claiming Austrian Priority.

Q3)

At the moment, APO does not share the search queries with other offices – they are only recorded for internal documentation and optimization of the search strategies of the examiners.

Q4)

(i) none

(ii) Within the framework of the Utilisation Implementation Project the Austrian Patent Office provides upon request the result of earlier search for European Patent applications and PCT applications where EPO is the International Searching Authority claiming Austrian Priority. For this the Austrian Patent Office uses a web-interface platform provided by EPO.

Q5)

The impacts of such cooperation to are as follows.

As already mentioned above, the most important result is the reflection of the processes at APO, a comparison and - if necessary - an optimization of internal processes during the granting procedure.

Being an active member of the PPH-alliance allows APO's examiner to benefit from the search & examination work of other examiners of the alliance.

This helps APO to reduce the examination workload of our examiners and on a side effect to improve the granted patent quality by using the view of other patent offices.

Q6)

The view of APO is, that capacity building and trainings on this general important topic can only be sustainable done by hands-on experiences and seminars under close real conditions of the daily work of examiners in a granting process.

This can begin on a low level entrance by training on the search strategies and the existing different approaches, compared with training on the different advantages of the various patent databases and their user interfaces. For this purpose with have a fully equipped training room in our office.

An exchange of examiners of different offices is supported by our office. This of course binds some human resources. Also travelling costs must be covered by our budget.

A mutually acceptance of the search reports on the other hand would increase mutually trust between the patent offices and save human resources.