

Questionnaire on the Term “Quality of Patents” and Cooperation between Patent Offices in Search and Examination

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The answers to this questionnaire have been provided on behalf of:

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Q1. Various aspects may be relevant to the concept of “quality of patents”. It may relate to, for example, quality of patent procedures and management in the office, quality of search and examination, quality of granted patents or quality of a patent system. In addition, the expression “quality of patents” may be understood differently depending on the perspectives of various stakeholders, for example, the perspectives of a patent office, an applicant etc.

How does your office understand the term “quality of patents”?

The term „quality of patents” is interpreted in various different ways at the HIPO. If it is understood in a wider sense, quality means that the patent granting procedure as a whole is fully in line with the relevant national and international legal regulations and the quality requirements set by the ISO quality management system (QMS). Therefore, in this context quality means lawfulness, timeliness, accuracy and a client friendly procedure.

“Quality of patents” may also be used in a stricter sense for the legality of the individual steps of the patent granting procedure (i.e. search, examination, different procedural measures taken by the office).

Finally, “quality” may also be understood in reference to the quality of the product, i.e. the compliance of the granted patents with substantive legal requirements. Each of these elements is covered by the provisions of the fully documented QMS of the HIPO which are observed during the granting procedure.

Q2. What types of cooperation with other patent offices does your office have with respect to search and examination?

Those types of cooperation may include, for example, access to documents/databases of other offices, use of search and examination work products, expertise and resources available in other offices, collaborative search and examination, outsourcing search and

examination etc.

The HIPO is involved in different types of cooperation in the field of search and examination.

Bilateral cooperation agreements are in force with the Brunei Darussalam Intellectual Property Office, the Macedonian Intellectual Property Office, the Intellectual Property Office of Singapore (IPOS) and the Slovenian Intellectual Property Office which cover outsourcing of search and examination work to the HIPO.

In the field of multilateral cooperation, the Global Patent Prosecution Highway (GPPH) plays the most important role at the HIPO which enables an accelerated granting procedure due to the use of earlier search and examination results of the other participating IP organizations.

Some other forms of cooperation cover access to databases of individual patent offices (see Question 4 for details).

Q3. When performing prior art search, patent examiners prepare search strategies and queries (for example, indications of databases and publications, classification codes, search terms and key words used) to find relevant prior art.

Does your office share (for example, via an official website), or exchange, such search strategies and queries with other collaborating offices?

Currently the HIPO does not make publicly available any information regarding its search strategies, however, the feasibility and the technical possibilities thereof are under investigation.

Q4. In order to facilitate the cooperation, what kinds of platforms and tools to share information on search and examination are available in your office? Such platforms and tools include, for example, WIPO CASE, databases allowing other offices to retrieve information and external databases used to retrieve information.

- (i) Platforms and tools provided by your office
- (ii) Platforms and tools used by your office

As a participating office of the Global Patent Prosecution Highway (GPPH) the HIPO uses several databases in order to both provide and access information to improve the quality of its work products.

(i) The HIPO provides information on the search and examination procedures it conducts via the e-Dossier system (available at <http://epub.hpo.hu/e-iratbetekintes/?lang=EN>), where all documents relating to the individual patent applications are publicly available.

(ii) The HIPO takes advantage of having access to both publicly available and restricted databases provided by international and national IP organizations. The HIPO uses the freely available WIPO Patentscope, the EPO Register and databases of national offices where available. The HIPO also has authorized access to the Korean Patent Information Online Network (K-PION from KIPO) and J-Plat-Pat (from JPO).

Q5. What are the impacts of such cooperation in the area of search and examination to your office? If your office has different types of cooperation and each type of cooperation has different impacts, please indicate them separately.

These forms of cooperation help the HIPO's examiners improve the quality of their work products by providing access to search and examination products (search reports, office actions etc.) of other offices; and they also help accelerate the national patent granting procedure by minimizing work duplication.

Q6. What kinds of capacity building are required for different types of cooperation between patent offices in search and examination? Please indicate any specific capacity building needs to conduct such cooperation successfully.

In this context, the capacity building is understood to refer to various activities and trainings that support development of knowledge and skills of office employees for effective cooperation between offices in search and examination.

The HIPO focuses on continuously improving the professional knowledge of its staff and strengthening in-house commitment to quality. These efforts are strengthened by internal trainings and the recruitment of technically well-qualified staff. In addition, competence gained through cooperation also allows the HIPO to cover new technological fields in a competent manner.

[End of Questionnaire]