

**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:

Country: *ITALY*

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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 “quality of patents” for the Italian Office refers mainly to the patent procedures, search and examination, supported by a clear and strong legal framework . In fact, to improve the quality of patent rights , in 2008 and 2010 the Italian patent law was deeply changed with the introduction of the novelty search and the substantial examination in the national procedures. The novelty search for national applications is carried out by the European patent office, according to national Law and a specific International Working Agreement between the two Offices. In 2010 specific rules were adopted to harmonize the Italian Patent law to the International/European legislation.*

*The “quality of patents” is also tied to the efficiency of the overall system of managing the applications from filing to grant: the whole electronic processing of application is a key aspect for improving efficiency and transparency as well as the organization of the examination Office.*

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.

*As mentioned in Q1, the Italian law establishes that the novelty search for national patent applications is carried out by EPO (that is also ISA for Italy), whereas all the other processing phases are carried out by the Italian patent office. For this reason the cooperation with EPO more than the cooperation with other National Offices is important. This cooperation is wide and includes: training programs for Italian examiners on formalities and examination matters, technical exchanges regarding the*

*implementation of the Working Agreement, exchange of data and documents for the offices' databases.*

*Similar exchanges on training are in place with WIPO and EUIPO.*

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?

*No, see Q1 and Q2*

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

*The Italian Patent and Trademarks Office has two public databases on its website :*

*<http://www.uibm.gov.it/uibm/dati/> with bibliographic data only regarding all kind of applications filed with UIBM from 1989 on.*

*<http://brevettdb.uibm.gov.it/> with bibliographic data and documents regarding patent applications filed from 2008 on .*

(ii) Platforms and tools used by your office

*National databases (see point i) and public international databases such as [espacenet.org](http://www.espacenet.org) and EPO Register. Patentscope . For filing applications and processing them there is a new online system <https://servizionline.uibm.gov.it>*

*Cooperation projects are in place with EPO and WIPO.*

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.

*See q1 – q4*

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.

*Exchanges on examination practices on specific technological areas, also through the constitution of examiners working groups; Training, mainly through e-learning means; Discussion platforms and exchanges on the implementation of patent databases as a valuable source of technical information*

[End of Questionnaire]