

JPO's response to the Questionnaire on the Term "Quality of Patents" and Cooperation between Patent Offices in Search and Examination

- A1. From aspects of the quality of searches, examinations, and granted patents, at the JPO, patents are called "robust, broad, and valuable patents" when the patents : (1) will not be invalidated afterward; (2) have coverage matching the extent of the technical levels of inventions and their disclosure; and (3) are recognized around the world, and in addition, are useful in terms of meeting the business needs of users. When patents satisfy these three requirements, the JPO considers the quality of patents to be high.
- A2. The JPO has been conducting International Examiner Exchange Programs in which examiners from different IP Offices meet face-to-face, exchange opinions, and discuss examination practices. The programs have been done mainly to promote effective work sharing in terms of patent examinations based on mutual understanding of prior art searches and examination practices.
- Also, the JPO has been implementing the Patent Prosecution Highway (PPH) program. The PPH is a framework in which an application judged to be patentable by the Office of First Filing (OFF) will be subject to accelerated examination with simple procedures, upon the request of the applicant, in the Office of Second Filing (OSF) that is in cooperation with the OFF for this program.
- In addition, the JPO has been implementing the US-JP Collaborative Search Pilot Program (US-JP CSP) with the United States Patent and Trademark Office (USPTO). Under this program, examiners in both the JPO and the USPTO conduct their own prior art searches on inventions for which patent applications were filed in both Japan and the U.S. Then, both offices' examiners share their search results and opinions, and send the first examination results to each other at the same time.
- A3. Patent classification codes (IPC codes) used to search relevant prior art documents are indicated in Notice of Reasons for Refusal or Decision of a Patent Grant issued by the JPO. This information is also available to examiners at the other IP Offices from the One Portal Dossier, etc.
- A4. (i) One Portal Dossier (OPD), which was established as a common system to share dossier information among the IP5 Offices; OPD is linked to the WIPO's WIPO-CASE and the JPO's service platform called the Advanced Industrial Property

Network (AIPN).

(ii) OPD, which is linked to WIPO-CASE, and other public services, such as WIPO's PATENTSCOPE, USPTO's Global Dossier, EPO's Espacenet and EPO's European Patent Register.

A5. By conducting International Examiner Exchange Programs, JPO examiners can deepen their understanding of examination practices at other IP offices. As a result, JPO examiners can understand the search and examination results of other offices more appropriately.

Also, by implementing the PPH program and the US-JP Collaborative Search Pilot Program (US-JP CSP), the JPO can utilize the search and examination results of the office of the first filing (OFF) as references for its own searches and examinations. As a result, the JPO expects that this will prevent its examiners from overlooking documents and save time when conducting searches.

Thanks to these initiatives stated above, the quality and efficiency of examinations at the JPO has been improving.

A6. The JPO shares the results of past International Examiner Exchange Programs on its intranet, so that JPO examiners can use the information when developing future International Examiner Exchange Programs. Also, by viewing the results, JPO examiners can deepen their understanding about International Examiner Exchange Programs.