

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

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

Country: Singapore
Office: Intellectual Property Office of Singapore

Person to be contacted:

Name: Alfred Yip
Title: Director
E-mail: alfred_yip@ipos.gov.sg
Telephone: +65 6330 2702
Facsimile: +65 6339 0252

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” can be defined by an array of parameters and indicators. For example, in an OECD study done in 2013, patent quality indicators include, *inter alia*, patent family size, number of forward citations, average number of claims, etc. Some of these parameters tend to be inextricably linked to the technological maturity of an invention and/or the patent strategy of an applicant.

Fundamentally, we believe that the quality of a patent depends on its degree of validity. At IPOS, we ensure to the quality of patents based on a multi-prong approach.

Robust patent regime. In our continual pursuit for quality, IPOS reviews its patent regime regularly to ensure that only meritorious patents are granted. For example, Singapore has recently announced an amendment to the Patents Bill to close the foreign route – one of the three routes where a patent applicant can currently choose to obtain a patent in Singapore. Patent applications filed on or after the prescribed date must go through a full examination based on Singapore’s patentability standards. This is yet another step that would increase the level of confidence that stakeholders and investors can have in our patent regime.

Quality management system. We maintain a set of ISO-compliant quality procedures for carrying out search and examination. Through which, we ensure the provision of high quality search and examination products and services that are *valid* and *reliable*. We regard a search to be *valid* when the search was conducted employing an appropriate search strategy, and using a comprehensive set of authoritative sources of information. A search is considered *reliable* when it is sufficiently documented to permit a reproducible and consistent search result. An examination is *valid* when the law is correctly interpreted and logically applied to arrive at a sound decision, and where that decision and its basis are clearly communicated to the customer. An examination is *reliable* when examiners use a consistent approach based on an open and transparent set of guidelines and where considerations for arriving at a decision have been documented to show that guidelines have indeed been followed during the examination.

Skilled manpower and quality search tools. As at November 2016, IPOS has 102 full-time patent examiners, with more than 90% having a PhD degree. Training and development of examiners is based on a competency framework and is tailored to support individual and organisational growth. Besides, examiners are availed to a comprehensive suite of search platforms with their respective plugs-in, covering both patent and non-patent literatures.

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.

Singapore is leading a taskforce in ASEAN to allow for patent acceleration. This scheme is called ASPEC – short for “ASEAN Patent Examination Co-operation”. As part of the taskforce’s initiatives, IPOS organises the ASEAN Community of Practice (CoP) for Patent Examiners to facilitate the sharing and better understanding of search and examination practices within ASEAN offices. Besides, IPOS has undergone various patent examiners exchange and benchmarking exercises with patent offices such as the United States Patent and Trademark Office, Japan Patent Office and German Patent Office.

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?

Apart from having a search guideline, IPOS patent examiners maintain an internal record of search strategies for each case. These are available within an internal system for access by all patent examiners, and by the quality management office where search strategies are reviewed for thoroughness during quality control checks. These search strategies will also be shared during examiners exchange/benchmarking exercises, however, besides the aforementioned, they are not publicly accessible at the moment.

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

No.

(ii) Platforms and tools used by your office

1. CCD: <http://ccd.fiveipoffices.org/CCD-2.0.8/>
2. CPES at SIPO: <https://www.cpes-sipo.net/>
3. Global dossier at EPO: <https://register.epo.org/regviewer>
4. Global dossier at JPO: https://www10.j-platpat.inpit.go.jp/pop/all/popd/POPD_GM101_Top.action
5. Global dossier at USPTO: <http://globaldossier.uspto.gov/>
6. WIPO case: <https://www3.wipo.int/login/index.jsp?dApp=/caseportal>

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.

The search and examination reports of other patent offices serve as a useful reference for IPOS's examiners to understand the practice at each office and the rationale behind the decisions taken by the examiners.

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.

As IPOS relies on the above-mentioned platforms and tools to facilitate work-sharing, we do not foresee any specific capacity building needs since the tools are generally intuitive and easy to use.