WIPO | PCT

**The International
Patent System**

Regional Workshop on Patent Examination Quality Management

Session 6
Quality Management at the International Arena and Approach to
Substantive Patent Examination

**Tokyo, Japan
June 21 and 23, 2017**

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Director
PCT International Cooperation Division

What is "Quality" in Patent Examination?

- No oppositions / invalidations after grant/publication

    → Strong patent (stable patent right)

- Meet the patentability request

    - Novelty, Inventive Step, Industrial Applicability

    - other requirements according to each jurisdiction (software related inventions)

- Balance between applicants and other parties

- Clear scope of the claims

- Validity / Reliability (transparency, consistency, efficiency)

- Citation

- Time factor (the earlier, the better?)

- Communication with stakeholders

- Satisfaction of customer
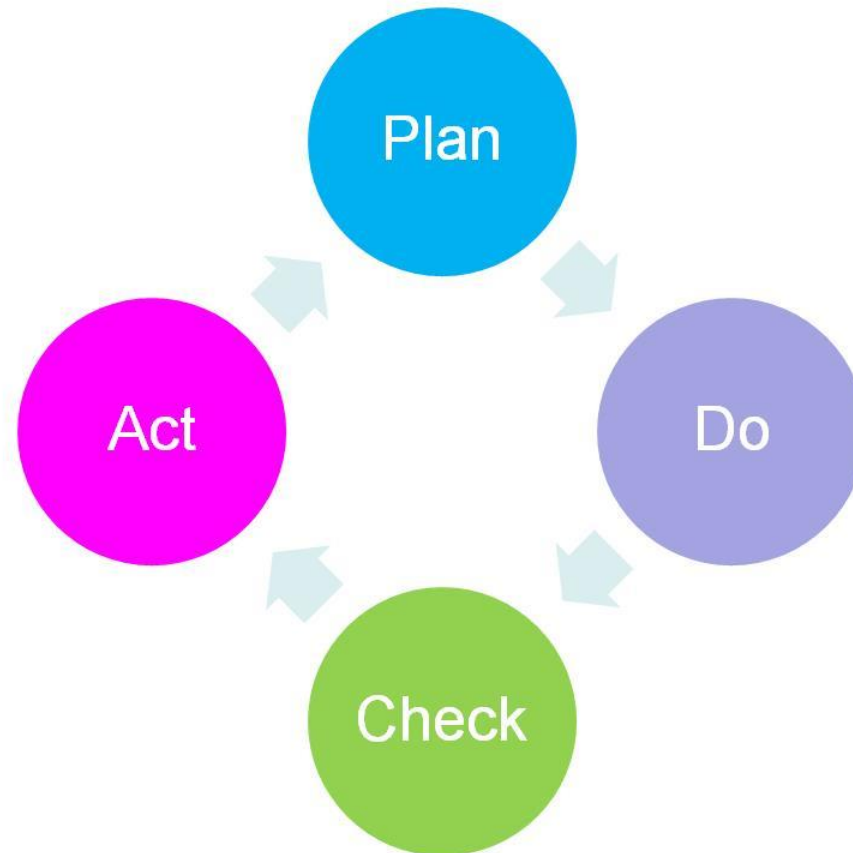
Quality Management System

- **Quality Control**

- **Management**
  - ❑ Planning
  - ❑ Assurance
  - ❑ Control
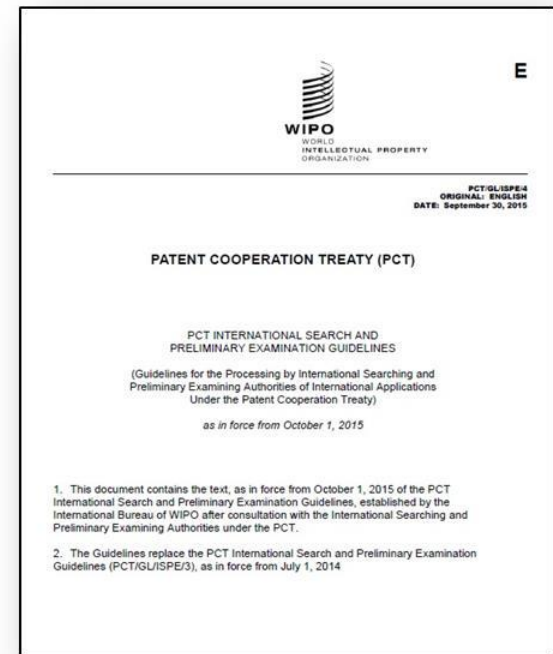 - ❑ Improvement

Plan

Do

Check

Act

Quality Management in the PCT System

PCT INTERNATIONAL SEARCH AND

PRELIMINARY EXAMINATION GUIDELINES

Chapter 21

Common Quality Framework for International Search and Preliminary Examination

E

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

PCT/GL/ISPE/4
ORIGINAL: ENGLISH
DATE: September 30, 2015

PATENT COOPERATION TREATY (PCT)

PCT INTERNATIONAL SEARCH AND
PRELIMINARY EXAMINATION GUIDELINES

(Guidelines for the Processing by International Searching and
Preliminary Examining Authorities of International Applications
Under the Patent Cooperation Treaty)

as in force from October 1, 2015

1. This document contains the text, as in force from October 1, 2015 of the PCT
International Search and Preliminary Examination Guidelines, established by the
International Bureau of WIPO after consultation with the International Searching and
Preliminary Examining Authorities under the PCT.

2. The Guidelines replace the PCT International Search and Preliminary Examination
Guidelines (PCT/GL/ISPE/3), as in force from July 1, 2014

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PCT Quality Framework

1. Leadership and policy
2. Resources
3. Management of administrative workload
4. Quality assurance
5. Communication
6. Documentation
7. Search process documentation
8. Internal review
9. Reporting arrangements

Cooperation (Work sharing)

- Collaboration
- Cooperation
- Work sharing

PCT/MIA Quality Subgroup

■ Reports on QMS under Chapter 21 of the PCT Search and Examination Guidelines

■ Sharing of Quality Policies and Guidelines

■ Collecting User Feedback

■ Feedback and Analysis on ISR and WO

■ Quality Metrics

■ Utilization of Search Results/Search Strategies of other Offices

Characteristics of International Search Reports

- ■ % of PCT Search Reports (SR) with at least one X, Y or E citation
- ■ % of PCT SR with A citation only
- ■ % of PCT SR with P and X
- ■ % of PCT SR with Y and without X
- ■ Average number of citations per SR
- ■ Average number of NPL citations per SR
- ■ % of patent citations in non-official languages …

WIPO IP Statistics Data Center
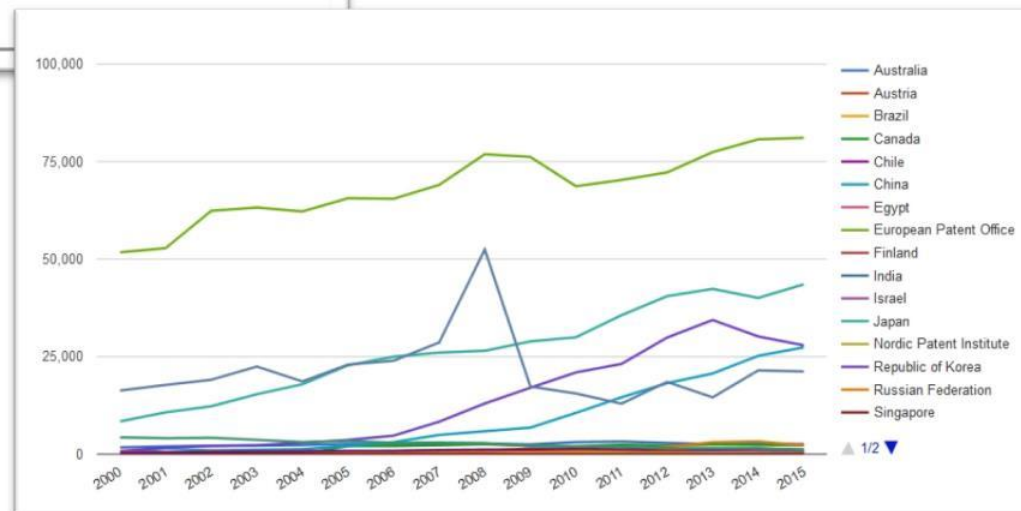
Better Understanding of the Work of Other Offices

- ■ **Publication of Data Related to Search Strategies**
- ■ **Standardized Clauses**

Search Strategy available on PATENTSCOPE

Search Information Statement (SIS)

Australian Government IP Australia	**Application Number**	**PCT/IB2010/001723**

A. Search Details

| Additional Members of the Search Team (if convened): | R. Perera, B. Mitrovic | **Earlier Search Results (if available)** | |
| | | **Current SIS Completion Date** | 21 November 2012 |

B. Search Strategy

Databases : WPI, EPODOC

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SS  Results
 1  868661  CONNECTOR?
 2  868661  ..LIM  1
 3  209289  CABL+ OR WIRE? OR CONDUCTOR?
 4  209289  ..LIM  3
 5   14421  SHIELD+ OR SCREEN+
 6   14421  ..LIM  5
 7    9851  OR FIRST, SECOND+, INNER, OUTER, LOWER, UPPER, OTHER, ANOTHER, TWO,
TWIN, PAIR, DOUBLE, DUAL
 8    2597  7 5W  5
 9    7796  OR HOUSING?, CASING?, ENCLOSUR+, SHELL?, ENCAS+, SHROUD+, COVER+
10    2181  7 5W  9
11     803  8 AND 10
12     996  PRINTED W CIRCUIT?
13    1712  (CIRCUIT OR PRINTED) D BOARD?
14    1939  OR 12, 13, PCB?
15      87  11 AND 14
16    3618  METAL+ OR ALUMIN+
17    3046  CONDUCTIVE
18    5878  16 OR 17
19    5259  INSULAT+ OR DIELECTRIC+
20    1152  7 5W 18
21    1251  7 5W 19
22     145  ( 8 OR 20) AND (10 OR 21) AND 14

23     428  ( 8 OR 20) AND 14
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Results of search statements 15, 22, 23 viewed.

Search History:

Limited Classification Search

The Patent Analyst performed a limited classification search within the following US, IPC, ECLA, or F-Term classification areas:

U.S. Class/Subclass(es): 435/4, 5, 6.1, 6.12, 6.15, 7.2, 7.32, 29, 34, 69.1, 69.7, 71.1, 91.1, 91.2, 91.32, 91.33, 91.4, 471, 472, 476, 477, 478

IPC (8) Class/Subclass(es): C12N 7/00, 7/01, 7/02, 15/00, 15/09, 15/10, 15/33, 15/34, 15/52, 15/63, 15/66, 15/76; C12Q 1/68, 1/70 (2012.01)

See Global Search Results.

Global Patent Literature Text Search

The Patent Analyst performed the following global text search, which was not limited by classification but may or may not have been limited by other criteria:

PATBASE

#	Search query	Results
1	(PA=("SEQUELLA" OR "SEQUELLA_INC" OR "SEQUELLA_INCORPORATED"))	11
2	(INV=("MULVEY_MATTHEW" OR "MULVEY_MATTHEW_C"))	3
3	(INV=("EINCK_LEO" OR "EINCK_LEO_MCLEAN_VA_22101_US" OR "EINCK_LEO_US"))	6
4	(INV=("SACKSTEDER_KATHERINE"))	2
5	2 AND 3 AND 4	2
6	PN=WO2006/075996	1
7	PN=WO97/22713	1
8	PN=WO99/16868	1
9	PN=US6300061	1
10	PN=WO93/16172	1
11	PN=WO94/25572	1
12	(surrogate marker locus)	2
13	(mycobacterium tuberculosis) OR tuberculosis	28537
14	detect~ OR diagnose~	more than 100,000
15	viable~	more than 100,000
16	(virulence) OR efficacy	more than 100,000
17	(bacteriophage) OR phage	75720

Practical Approach for Better Quality

■ **Different size of the Office (could be different approach)**

❏ 1000 examiners or 10 examiners (for the whole technological fields)

❏ Examination by its own examiners, outsourcing, temporary examiners …

■ **Utilization of the results from other Offices**

❏ Wait for such results?

Discussions continue …

■ What would be the best practice for your office?

■ It's your turn to think and act.