INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

QUALITY MANAGEMENT SYSTEM

Country Report
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Ms. EILEEN LLANTOS

27 June 2018

Outline

INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

- Quality Management System, its Purpose and Benefits
- Patent Quality Review Workflow
- Structure and Role of Quality Management Division
- Documents to be Used for Checking Examination Quality
- Objectives of Patent Quality Manual
- Patent Quality Review Standards
- Sampling Method and Product
- Corrective and Preventive Mechanism

Quality Management Systems

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- IPOPHL:
  - **ISO 9001:2008 Certified** since 2013 which covers the process of granting Patents and registration of Utility Models, Industrial Design and Trademarks
  - **ISO 9001:2015 Certified** since 2017 – transition from ISO 9001:2008

- Bureau of Patents:
  - Bureau of Patents started the development of a **Patent Quality Review System (PQRS)** aimed to assess the quality of issued Office Actions (2013).
  - **Patent Quality Manual (PQM)** was drafted in 2016 and its latest revision was on September 2017.

IPOPHL Quality Policy

INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES

- We strive to foster an environment where IP is created, protected, utilized and enforced.
- We support the creation of a highly-motivated, competent, and cohesive workforce committed to serve with professionalism, transparency, accountability and integrity.
- We are committed to continuously improve our quality management system in order to provide the highest level of satisfaction among our stakeholders.

Bureau of Patents' Quality Commitment

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- We commit to an environment where Patent is protected with fairness, transparency & consistency.
- We provide our staff with knowledge and skills to strengthen competency.
- We dedicate ourselves to continually improve our Patent Quality Examination Standards in order to provide the highest level of satisfaction among our stakeholders.

Purpose of Quality Management System

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- Ensure the quality of search and examination reports.
- Provide reasonable and consistent assessment of search and examination reports.
- Determine the extent of conformity of individuals and groups with the established guidelines.
- Improve the competency of patent examiners.
- Recognize the training needs of patent examiners.

Benefits of Quality Management System

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MANAGEMENT

- Determine what's really going on within the organization, which will allow for more objective decision making.
- Discover where failures occur, enabling the containment of these problems and initiation of corrective actions.
- Identify where resources should be directed.
- Learn which processes and personnel are particularly effective, resulting to recognition.

EXAMINER

- Identify training needs.
- Improvement of technical skills.
- Learn from inaccuracies.
- Increase the efficiency and quality of examination.

3 Types of Quality Check

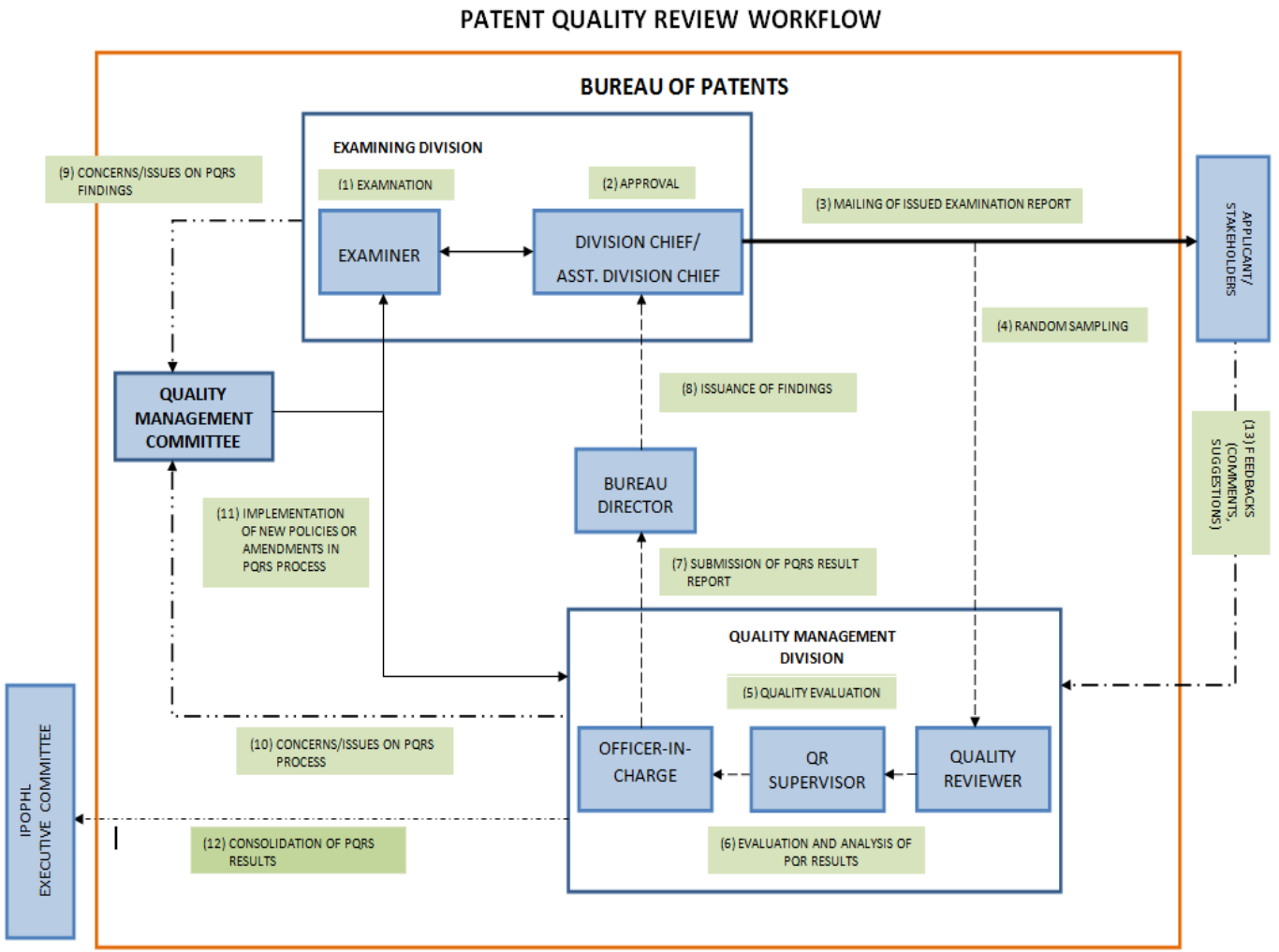
INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- **ISO 9001:2015**
  - Covers the process of granting patents and registration of utility model, industrial design and trademarks

- **IN-PROCESS QUALITY CHECK**
  - Quality check within the examining division
  - 3-Person Team (3-PT)

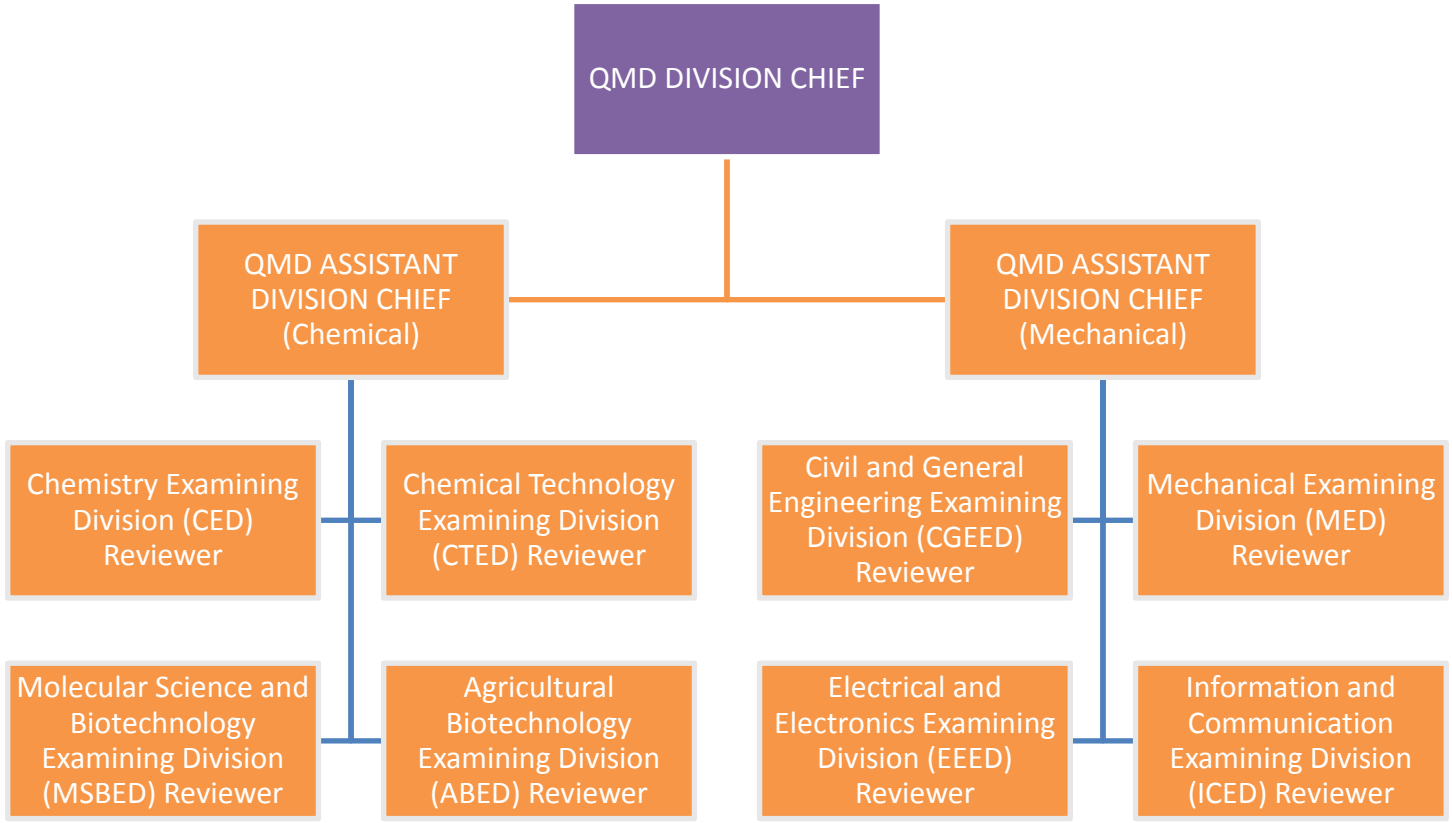
- **PATENT QUALITY REVIEW SYSTEM**
  - Random sampling of examination reports and reviewed by the Quality Management Division (QMD)

Patent Quality Review Workflow



Structure of Quality Management Division

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES



Role of Quality Management Division

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- Monitor, maintain and improve the quality of examination and the quality standards.
- Determine the extent of conformity of the examination with the specified standards.
- Determine the effectiveness of the established process.
- Address concerns/issues in examination or process of examination that may occur.

The Quality Reviewer

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- **Qualifications:**
  - 5 years of minimum experience in substantive examination and/or has demonstrated high quality of work products for the past 3 years.
  - With a performance rating of VS (Very Satisfactory) for at least 2 consecutive years.

- **Target:**
  - 10 search and examination reports per month

Role of Quality Reviewers

INTELLECTUAL PROPERTY
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- Review the examination report with confidentiality and discretion.
- Evaluates whether the examination report satisfies the quality requirements.
- Evaluates the establishment of reason on patentability.
- Fill out and prepare the patent quality review standards checklist and report form.

Role of Assistant Division Chiefs

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- Evaluate and review the Patent Quality Review Result Form submitted by the Quality Reviewers.

- Serves as the quality check of the Quality Reviewers.

Role of Division Chief

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- Provide a monthly report to the Bureau Director which will highlight the number of conformity and non-conformity findings.
- Identify any particular issue on non-conformity findings that needs immediate attention.
- Evaluate the Examiner's Monthly Rating, Division Rating and the Bureau Rating.

Documents to be Used for Checking Examination Quality

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- Intellectual Property Code (Republic Act 8293)
- Implementing Rules and Regulations (Revised 2017)
- Manual of Patent Examination Practice (Revised 2017)
- Patent Quality Manual (Revised September 2017)
- Others:
  - Guidelines on the Examination of ICT and CII (January 2018)
  - Guidelines on Examination of Biotechnological Applications (January 2018)
  - Guidelines on the Examination of Pharmaceutical Applications involving known Substances (Revised January 2018)

Objectives of Patent Quality Manual

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- To establish patent quality review standards policies, procedures and practices on all the examining and support divisions of Bureau of Patents
- To improve continually the standard, policies, procedures and practices in patent search and examination across all divisions
- To define the role of the Quality Management Division and examining divisions in the patent quality review standards process

Patent Quality Review Standards

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

S1	• Patentability
S2	• Searching
S3	• Formality Requirements
S4	• Presentation of Report

*Applicable to Substantive Examination, Search and Written Opinion and Formality Examination

Patent Quality Review Standards

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

(S1)

Patentability

- Technical Nature & Exclusions
- Unity of Invention
- Clarity/Support
- Novelty
- Inventive Step
- Industrial Applicability
- Amendments (No New Matter)

(S2)

Searching

- Original Search
- Non-Original Search
- Prior Art

(S3)

Formality Requirements

- Contents of the Application
- Schedule of Fees

(S4)

Presentation of Report

- Completeness of Examiner's Action
- Timeliness
- Documentation

Patent Quality Review Standards - Checklist

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

Application No. :		**Date Issued:**	
Examiner Name:		**Division:**	
Quality Reviewer Name:		**Supervisor:**	
Month Mailed:		**Month Reviewed:**	
Type of Examination Rep			

S1	PATENTABILITY		Confor	REMARK
	Statutory Basis	Description	C/NC/	
1.1	Rule 200, 2018 &	**Technical Nature &**		
1.2	Rule 604	**Unity of Invention**		
1.3	Rule 415, 405 &	**Clarity/Support**		
1.4	Rule 203	**Novelty**		
1.5	Rule 206	**Inventive Step**		
1.6	Rule 208	**Industrial**		
1.7	Rule 916 & 919	**Amendments (No New**		
S2	**SEARCHING**		**Confor**	**REMARK**
	Statutory Basis	**Description**	**C/NC/**	
2.1		**Original Search**		
2.1.1		Keywords used		
2.1.2		Classification marks		
2.1.3		Date used		
2.1.4		Person used		
2.1.5		Full Text search		
2.1.6		Database(s) Consulted		
2.1.7		Top-Up/Additional		
2.2		**Non-Original Search**		
2.2.1		Adopted Cited		
2.3		**Prior Art**		
2.3.1		Closest Prior Art		
S3	**FORMALITY REQUIREMENTS**		**Confor**	**REMARK**
	Statutory Basis	**Description**	**C/NC/**	
3.1	Rule 400	**Contents of the**		
3.1.1	Rule 600, 601,	Filing Date		
3.1.2	Rule 404	Request Form		
3.1.3	Rule 405, 406	Specification		
3.1.3.1	Rule 410	Title		
3.1.3.2	Rule 407	Description		
3.1.4	Rule 413, 414	Drawing(s)		
3.1.5	Rule 415	Claim(s)		
3.1.6	Rule 411	Abstract		
3.1.7	Rule 418	Presentation of		
3.1.8	Rule 418(i)	1 to 4 Copies of		
3.1.9	Rule 305, 306,	Priority Document(s)		
3.1.10	Rule 421	Resident Agent / Representative		
3.1.11		Other(s)		
3.2	Section 13	**Schedule of Fees**		
3.2.1	Rule 401	Filing Fee		
3.2.2	Rule 417,	Excess Claims		
3.2.3	Rule 603(e)	Excess Sheets		
3.2.4	Rule 305, 306	Right of Priority(ies)		
3.2.5	Rule 401	First Publication Fee		
3.2.6	Rule 804	Substantive		
3.2.7	Rule 1000	Second Publication		
3.2.8	Rule 1100	Annual Fee(s)		
3.2.9		Issuance of Letters Patent Certificate		
3.2.10		Other(s)		
S4	**PRESENTATION OF REPORT**		**Confor**	**REMARK**
	Statutory Basis	**Description**	**C/NC/**	
4.1	Rule 908	**Completeness of Examiner's Action**		
4.1.1		Template		
4.1.2		Correct details and		
4.1.3		Free from		
4.1.4		Free from frequent spelling, typographical, or grammatical error		
4.1.5		Other(s)		
4.2		**Timeliness**		
4.3		**Documentation**		
4.3.1		File Wrapper		
4.3.2		IPAS Data Entries		

OPPORTUNITY FOR IMPROVEMENT (OFI)
S1: PATENTABILITY
S2: SEARCHING
S3: FORMALITY REQUIREMENTS
S4: EXAMINATION REPORT

Quality Reviewer

Date

QMD OIC / Supervisor

Date

Patent Quality Review Standards – Report Form

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

Patent Quality Review Standards Report

Application No. :	1-20XX-YYYYYY

Examiner Name:	Last name, First name	**Division:**	YYED
Month Mailed:	Month (20YY)	**Supervisor:**	Last name, First name
Type of Examination Report:			

Rating:	**S1:**	(C, NC or NA)		**Opportunity for Improvement**
	S2:	(C, NC or NA)		**S1:** ☐ **S3:** ☐
	S3:	(C, NC or NA)		**S2:** ☐ **S4:** ☐
	S4:	(C, NC or NA)		Please see comments below

DESCRIPTION OF FINDINGS

Below are the observations noted on the above identified Examination Report, stated as follows:

S1: PATENTABILITY

1.1. Technical Nature and Exclusions (delete if no negative or positive comments)
1.2. Unity of Invention (delete if no negative or positive comments)
1.3. Clarity (delete if no negative or positive comments)
1.4. Novelty – **complied** with PQRS
1.5. Inventive Step – **complied** with PQRS
1.6. Industrial Applicability – **complied** with PQRS
1.7. Amendments (No New Matter) (delete if no negative or positive comments)

S2: SEARCHING

2.1 **Original Search** (delete if no negative or positive comments)
2.1.1 Keywords used (delete if no negative or positive comments)
2.1.2 Classification marks used (delete if no negative or positive comments)
2.1.3 Date used (delete if no negative or positive comments)
2.1.4 Person used (delete if no negative or positive comments)
2.1.5 Full-text search (delete if no negative or positive comments)
2.1.6 Database consulted (delete if no negative or positive comments)
2.1.7 Top-Up/Additional search (delete if no negative or positive comments)

2.2 **Non-Original Search** (delete if no negative or positive comments)
2.2.1 Adopted cited references

2.3 Prior Art (delete if no negative or positive comments)
2.3.1 Closest prior art (delete if no negative or positive comments)

S3: FORMALITY REQUIREMENTS

3.1 **Contents of the Application** (delete if no negative or positive comments)
3.1.1 Filing Date (delete if no negative or positive comments)
3.1.2 Request Form (delete if no negative or positive comments)
3.1.3 Specification (delete if no negative or positive comments)
3.1.4 Drawings (delete if no negative or positive comments)
3.1.5 Claims (delete if no negative or positive comments)
3.1.6 Abstract (delete if no negative or positive comments)
3.1.7 Presentation of documents (delete if no negative or positive comments)
3.1.8 Copies of documents (delete if no negative or positive comments)
3.1.9 Priority documents (delete if no negative or positive comments)
3.1.10 Resident Agent/Representative (delete if no negative or positive comments)
3.1.11 Others (delete if no negative or positive comments)

3.2 **Schedule of Fees** (delete if no negative or positive comments)
3.2.1 Filing fee (delete if no negative or positive comments)
3.2.2 Excess claims (delete if no negative or positive comments)
3.2.3 Excess sheets (delete if no negative or positive comments)
3.2.4 Right of priority(ies) (delete if no negative or positive comments)
3.2.5 First publication (delete if no negative or positive comments)
3.2.6 Substantive examination (delete if no negative or positive comments)
3.2.7 Second publication (delete if no negative or positive comments)
3.2.8 Annual fee(s) (delete if no negative or positive comments)
3.2.9 Issuance of letters patent certificate (delete if no negative or positive comments)
3.2.10 Others (delete if no negative or positive comments)

S4: PRESENTATION OF REPORT

4.1 Completeness of Examiner's Action
4.1.1 Template (delete if no negative or positive comments)
4.1.2 Correct details and formats (delete if no negative or positive comments)
4.1.3 Free from inconsistencies (delete if no negative or positive comments)
4.1.4 Free from frequent spelling, typographical, or grammatical error (delete if no negative or positive comments)
4.2 Timeliness (delete if no negative or positive comments)
4.3 Documentation (delete if no negative or positive comments)
4.3.1 File wrapper management (delete if no negative or positive comments)
4.3.2 IPAS data entries (delete if no negative or positive comments)

OPPORTUNITY FOR IMPROVEMENT

Patent Quality Review Standards – Report Form

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

N.B.: Please return this report to the QMD to acknowledge or respond to the findings within one (1) month. The Examiner's comments and suggestions are hereby solicited for the continuous development and improvement of the Patent Quality Review.

DIRECTOR	**DATE**
DIVISION'S RESPONSE	
PREPARED BY:	**ACKNOWLEDGED BY:**

Sampling Method

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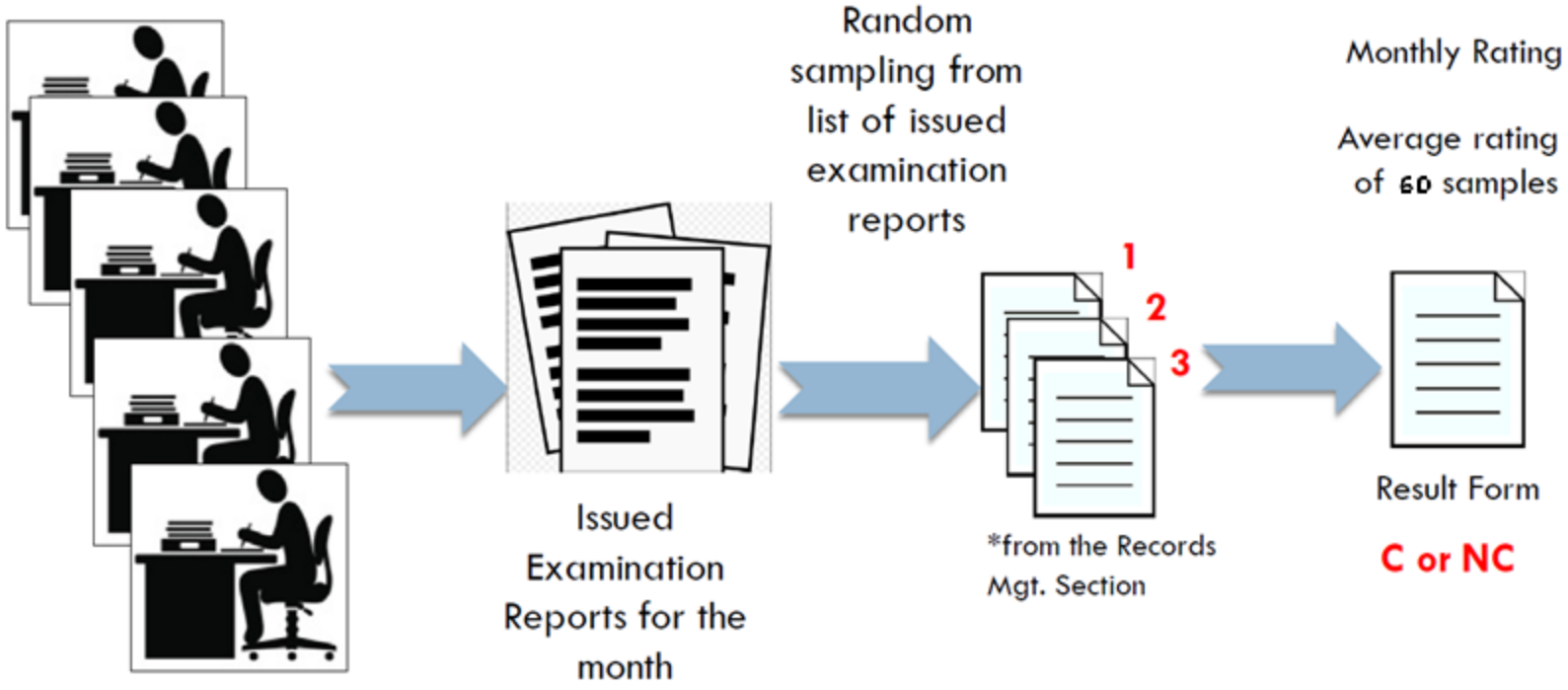

Examination Reports: Substantive Examination, Formality Examination, Search Report

Sampling Method

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- 10 examination reports are reviewed per quality reviewers every month
- Examination reports shall be: search and written opinion; substantive examination report; or formality examination report
- At least 2 examination reports of each patent examiner shall undergo quality review
- Examination reports are randomly selected

Sampling Product

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

Patent Quality Review Standards Checklist

Application No. :	**1-2010-**	**Date Issued:**	
Examiner Name:		**Division:**	
Quality Reviewer Name:		**Supervisor:**	
Month Mailed:	**November (2017)**	**Month Reviewed:**	
Type of Examination Repor	**Subsequent Substantive Examination Report**		

S1	PATENTABILITY		Confor	REMARK
	Statutory Basis	Description	C/NC/	
1.1	Rule 200, 201 & 202	Technical Nature &	C	
1.2	Rule 604	**Unity of Invention**	C	
1.3	Rule 415, 405 & 406	**Clarity/Support**	C	
1.4	Rule 203	**Novelty**	C	
1.5	Rule 206	**Inventive Step**	C	
1.6	Rule 208	**Industrial Applicability**	C	
1.7	Rule 916 & 919	**Amendments (NO New**	NA	
S2	**SEARCHING**		**Confor**	**REMARK**
	Statutory Basis	**Description**	**C/NC/**	
2.1		**Original Search**		
2.1.7		Top-up/Additional	NA	
2.2		**Non-Original Search**		
2.2.1		Adopted Cited	NA	
2.3		**Prior Art**		
2.3.1		Closest Prior Art	C	
S3	**FORMALITY REQUIREMENTS**		**Confor**	**REMARK**
	Statutory Basis	**Description**	**C/NC/**	
3.1	Rule 400	**Contents of the**		
3.1.1	Rule 600, 601, 602	Filing Date	C	
3.1.2	Rule 404	Request Form	C	
3.1.3	Rule 405, 406	Specification		
3.1.3.1	Rule 410	Title	C	
3.1.3.2	Rule 407	Description	C	
3.1.4	Rule 413, 414	Drawing(s)	C	
3.1.5	Rule 415	Claim(s)	C	
3.1.6	Rule 411	Abstract	C	
3.1.7	Rule 418	Presentation of	C	
3.1.8	Rule 418(i)	Fig 4 Copies of	C	
3.1.9	Rule 305, 306,	Priority Document(s)	NA	
3.1.10	Rule 421	Resident Agent / Representative	C	
3.1.11		Other(s)	NA	
3.2	Section 13	**Schedule of Fees**		
3.2.1	Rule 401	Filing Fee	C	
3.2.2	Rule 417, 603(e)	Excess Claims	C	
3.2.3	Rule 603(e)	Excess Sheets	NA	
3.2.4	Rule 305, 306	Right of Priority(ies)	NA	
3.2.5	Rule 401	First Publication Fee	NA	
3.2.6	Rule 804	Substantive Examination	C	
3.2.7	Rule 1000	Second Publication Fee	NA	
3.2.8	Rule 1100	Annual Fee(s)	C	
3.2.9		Issuance of Letters Patent Certificate	NA	
3.2.10		Other(s)	NA	
S4	**PRESENTATION OF REPORT**		**Confor**	**REMARK**
	Statutory Basis	**Description**	**C/NC/**	
4.1	Rule 908	**Completeness of Examiner's Action**		
4.1.1		Template	NC	The template should be "SUBSEQUENT-SUBSTANTIVE-EXAM" for final substantive examination report since the office had already issued two office action (first and subsequent) pertaining to the patentability of the claims
4.1.2		Correct details and formats	NC	Bibliographic Data: The corresponding IPO box number for applicant's agent was not listed in the 'IPO BOX NO.' field. Acknowledgement: Reassignment of present application to new examiner must be indicated before proceeding to the examination. Basis of the Report: The listed number of pages of specification '1-9' is incorrect. The correct number of pages is '1-17'. Pages should include abstract, description, claims, and drawing sheets. Documents Cited: D1 should be listed as obtained by the previous examiner.
4.1.3		Free from	C	
4.1.4		Free from frequent spelling, typographical, or grammatical error	C	
4.1.5		Other(s)	NA	
4.2		**Timeliness**	C	
4.3		**Documentation**		
4.3.1		File Wrapper	C	
4.3.2		IPAS Data Entries	C	

OPPORTUNITY FOR IMPROVEMENT (OFI)
S1: PATENTABILITY
S2: SEARCHING
S3: FORMALITY REQUIREMENTS
S4: EXAMINATION REPORT

Quality Reviewer

Date

QMD OIC / Supervisor

Date

Sampling Product

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

Patent Quality Review Standards Report

Application No. :	1-2010-000[redacted]

Examiner Name:		**Division:**	
Month Mailed:	**November (2017)**	**Supervisor:**	
Type of Examination Report:	**Subsequent Substantive Examination Report – P1**		

Rating:	**S1:**	C		**Opportunity for Improvement**
	S2:	C		**S1:** ☐ **S3:** ☐
	S3:	C		**S2:** ☐ **S4:** ☐
	S4:	NC		Please see comments below

DESCRIPTION OF FINDINGS

Below are the observations noted on the above identified Examination Report, stated as follows:

S1: PATENTABILITY

The examiner complied with the patent quality review standards for patentability.

S2: SEARCHING

The examiner complied with the patent quality review standards for searching.

S3: FORMALITY REQUIREMENTS

The examiner complied with the patent quality review standards for formality requirements.

S4: PRESENTATION OF REPORT

4.1 Completeness of Examiner's Action

4.1.1 Template

The template should be 'IPOPHL-BOP-INV-FR-02' for final substantive examination report since the office had already issued two office action (first and subsequent) pertaining to the patentability of the claims.

4.1.2 Correct details and formats

Bibliographic Data:
The corresponding IPO box number for applicant's agent was not listed in the 'IPO BOX NO.' field.

Acknowledgement:
Reassignment of present application to new examiner must be indicated before proceeding to the examination.

Basis of the Report:
The listed number of pages of specification '1-9' is incorrect. The correct number of pages is '1-17'. Pages should include abstract, description, claims, and drawing sheets.

Documents Cited:
D1 should be listed as obtained by the previous examiner.

N.B.:

Please return this report to the QMD to acknowledge or respond to the findings within one (1) month.

The Examiner's comments and suggestions are hereby solicited for the continuous development and improvement of the Patent Quality Review.

DIRECTOR	**DATE**

Corrective and Preventive Mechanisms

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES

- **Corrective Mechanism**
  - Issuance of subsequent examination report or re-examination depending on the nature of the non-conformity.

- **Preventive Mechanism**
  - Non-conformity issue shall be discussed in the Quality Management Committee (QMC).
  - New policies or amendments in the PQRS Process shall be formulated by the QMC for implementation to the Bureau.

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Thank You!