



PATENT EXAMINATION QUALITY MANAGEMENT SYSTEM IN MyIPO

FOR
REGIONAL WORKSHOP ON
PATENT EXAMINATION QUALITY MANAGEMENT
27-29 JUNE 2018
TOKYO, JAPAN

OUTLINE OF PRESENTATION

1. QUALITY MANAGEMENT (QM) ON S&E PROCESS
2. TRAINED/ SKILLED OFFICERS IN QM
3. QM MANUAL

PATENT ENGINEERING DIVISION

**Automotive
Electrical (Power)
Electronics
Component and Network
Mechanical & Mechatronics
Civil & Environmental Technology
Management & Information System
Telecommunications**

PATENT SCIENCE AND TRADITIONAL KNOWLEDGE DIVISION

**Pharmaceutical
Inorganic & Electrochemistry
Polymer
Organic Chemistry & Materials
Petrochemistry & Oleochemistry
Phyto-chemistry & TK
Biotechnology & Microorganism**

QUALITY MANAGEMENT (QM) ON THE SEARCH & EXAMINATION PROCESS IN MyIPO

1. Standardization of Standard Clause / Report Format
2. Patent And Non-patent Databases
3. PQA Committe
4. Quality Checking by HOUs
5. Standard Training Module
6. Allocation based on Technology Fields
7. RPET Mentoring

QUALITY MANAGEMENT (QM) ON THE SEARCH & EXAMINATION PROCESS IN MyIPO

1. Standardization of Standard Clause / Report Format

Maintained the report writing through standardization of standard clause and standard format of examination reports

QUALITY MANAGEMENT (QM) ON THE SEARCH & EXAMINATION PROCESS IN MyIPO

2. Patent And Non-patent Databases

Maintained the quality of the prior art searching by using EPOQUENET, STN, IEEE, MyTKDL

QUALITY MANAGEMENT (QM) ON THE SEARCH & EXAMINATION PROCESS IN MyIPO

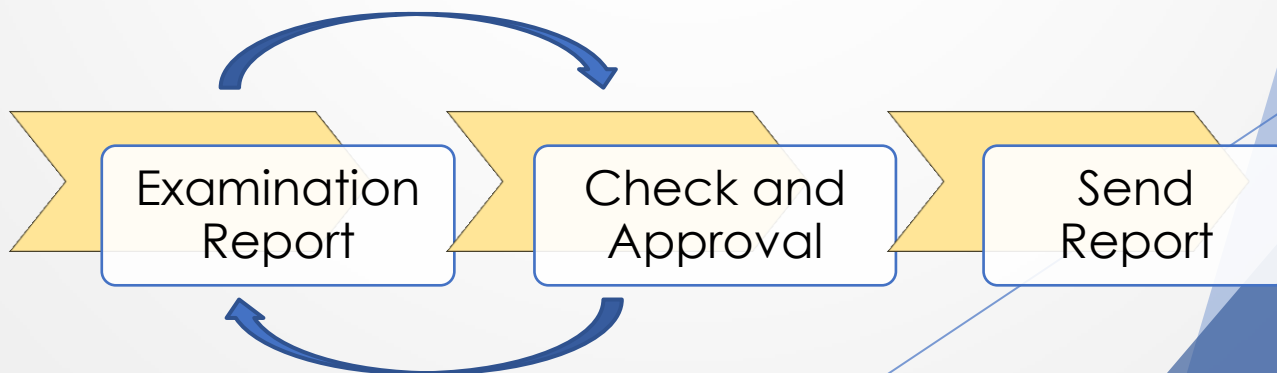
3. PQA Committee

1. Established a Patent Quality Assurance Committee consist of HODs and HOUs
2. Regular meeting to discuss about patent examination issues

QUALITY MANAGEMENT (QM) ON THE SEARCH & EXAMINATION PROCESS IN MyIPO

4. Quality Checking by HOUs

1. To ensure the quality of the examination is always maintain and follow the SOP
2. Conducted by senior examiners/head of unit
3. Using PQS and PQC (inspired by RPET)



PATENT QUALITY STANDARDS (PQS)



A. SUBSTANTIVE MATTERS			B. FORMATTING MATTERS: PQS that relate to other important procedures required by the Patent Guidelines and Manual.	
i. PQS that relate to matters which adversely affect (or have potential to affect) the validity of Patent Rights. ii. PQS that relate to matters which would require a consideration amount of rework and/or inconvenience to the applicant or MyIPO.				
PQS 1 - A correct search procedure is adopted for all searches.	PQS 2 - All relevant objections/ considerations which would adversely affect (or have potential to affect) the validity of the patent are taken.	PQS 3 - All substantive reports are comprehensive and informative.	PQS 4 - Search report are correctly communicated.	PQS 5 - Written formalities are complete and correct
<p>1.1 Elective use is made of available search report. (Enhanced File)</p> <p>1.1.1 Effective use is made of search and examination reports on related family members from IP Offices.</p> <p>1.1.2 Given the availability of these search report further searches are conducted by the examiner if the original search is clearly inadequate.</p> <p>1.2 Original search strategy is appropriate</p> <p>1.2.1 Field and scope of the search strategy appropriate: dependent claims searched and inventive step searching carried out.</p> <p>1.2.2 Search terms and operators are appropriate, no significant syntax errors.</p> <p>1.2.3 Relevant databases consulted.</p> <p>1.2.4 A three person search team was used where specified. (Optional)</p> <p>1.2.5 SIS correctly records the search strategy undertaken. (Optional)</p>	<p>2.1 Considerations concerned with the validity of the patent.</p> <p>2.1.1 Meaning of inventions. (Section 12)</p> <p>2.1.2 Non-patentable inventions. (Section 13)</p> <p>2.1.3 Novelty. (Section 14)</p> <p>2.1.4 Inventive Step. (Section 15)</p> <p>2.1.5 Industrial Applicability. (Section 16)</p> <p>2.1.6 Description: Disclosure sufficiently clear and complete (Reg. 12(1)(c)).</p> <p>2.1.7 Claims. (Clarity) (Reg. 13(1))</p> <p>2.1.7.1 Claims are clear and concise.</p> <p>2.1.7.2 Claims are fully supported by the description.</p> <p>2.1.7.3 Claims are fully supported as they do not extend beyond disclosure.</p> <p>2.2 Amendments.</p> <p>2.2.1 Amendments do not go beyond the disclosure as filed. (Section 26A)</p> <p>2.3 Other important objections/ considerations</p>	<p>3.1 Reports include sufficient detail.</p> <p>3.1.1 All claims should be examined.</p> <p>3.1.2 Relevant passages of citations are appropriately lined.</p> <p>3.1.3 Interpretation of claims and prior art provided where necessary.</p> <p>3.1.4 Objections/ considerations apply are reasonable and sufficiently explained.</p> <p>3.1.5 The listing of a cited document contains correct details for an applicant to reasonably identify the intended document.</p> <p>3.1.6 The contents of the report are consistent.</p> <p>3.1.7 Reference to the relevant passages of examination reports of prescribed countries is acceptable for taking objections and meet the requirement of the Act and Regulation. (Enhanced File)</p>	<p>4.1 Citations.</p> <p>4.1.1 Citations are correctly identified.</p> <p>4.2 Search Report.</p> <p>4.2.1 Cited documents are categorised correctly.</p> <p>4.2.2 Relevant passages and/or figures are appropriately listed for each X or Y document.</p> <p>4.2.3 Claims to which each cited document applies are accurately lined.</p> <p>4.2.4 IPC symbols are selected appropriately.</p>	<p>5.1 Report are presented professionally.</p> <p>5.1.1 Reports are free from frequent serious spelling, typographical or grammatical mistakes.</p> <p>5.1.2 Format and details of the report are correct.</p> <p>5.2 Forms and templates filled out correctly.</p> <p>5.2.1 Search Information Sheet is filled out correctly. (Optional)</p>

PATENT QUALITY CHECKLIST (PQC) FOR EXAMINATION REPORT

APPLICATION NO.	:
EXAMINER	:
TYPE OF REPORT	:
DATE OF PQC	:
HEAD OF UNIT (HOU)	:



Product Quality Standard		Conforms	Comments
A. SUBSTANTIVE MATTERS	A CORRECT SEARCH PROCEDURE IS ADOPTED FOR ALL SEARCHES (PQS 1.1, 1.2)	<input type="checkbox"/>	MUST PASS – 5%
	ALL RELEVANT OBJECTIONS/CONSIDERATIONS WHICH WOULD ADVERSELY AFFECT (OR HAVE THE POTENTIAL TO AFFECT) THE VALIDITY OF THE PATENT ARE TAKEN (PQS 2.1)		
	• MEANING OF INVENTIONS (PQS 2.1.1)	<input type="checkbox"/>	MUST PASS – 5%
	• NON-PATENTABLE INVENTIONS (PQS 2.1.2)	<input type="checkbox"/>	MUST PASS – 5%
	• NOVELTY (PQS 2.1.3)	<input type="checkbox"/>	MUST PASS – 5%
	• INVENTIVE STEP (PQS 2.1.4)	<input type="checkbox"/>	MUST PASS – 5%
	• INDUSTRIAL APPLICABILITY (PQS 2.1.5)	<input type="checkbox"/>	MUST PASS – 5%
	• DESCRIPTION: DISCLOSURE SUFFICIENTLY CLEAR AND COMPLETE (PQS 2.1.6)	<input type="checkbox"/>	MUST PASS – 5%
	• CLAIMS (CLARITY) (PQS 2.1.7; 2.1.7.1 – 2.1.7.3)	<input type="checkbox"/>	MUST PASS – 5% TOTAL 40% (MUST PASS ALL)
	All other <u>important objections</u> / considerations are taken (PQS 2.3)	<input type="checkbox"/>	Satisfied/ not satisfied
	Free of invalid objections/considerations (PQS 2.4)	<input type="checkbox"/>	Satisfied/ not satisfied
	All claims should be examined (PQS 3.1.1)	<input type="checkbox"/>	Satisfied/ not satisfied
	Relevant passage of citations <u>are</u> appropriately listed (PQS 3.1.2)	<input type="checkbox"/>	Satisfied/ not satisfied
	Interpretation of claims and prior art provided where necessary (PQS 3.1.3)	<input type="checkbox"/>	Satisfied/ not satisfied
Sufficient and logical explanation is present to justify the conclusions reached (PQS 3.1.4)	<input type="checkbox"/>	Satisfied/ not satisfied	
The listing of a cited document contains sufficient correct details for an applicant to reasonably identify the identified document (PQS 3.1.5)	<input type="checkbox"/>	Satisfied/ not satisfied	
Reference to the relevant passages of examination reports of prescribed countries is acceptable for taking	<input type="checkbox"/>	Satisfied/ not satisfied	

QUALITY MANAGEMENT (QM) ON THE SEARCH & EXAMINATION PROCESS IN MyIPO

5. Standard Training Module

1. Standard training module for new examiners based on Regional Patent Examination Training (RPET) program
2. Conduct a prior art search training using Epoquenet
3. Consistent in decision making

QUALITY MANAGEMENT (QM) ON THE SEARCH & EXAMINATION PROCESS IN MyIPO

6. Allocation based on Technology Fields

1. Files allocated to the examiner is based on the technology fields / IPC
2. Examiner could focus more

QUALITY MANAGEMENT (QM) ON THE SEARCH & EXAMINATION PROCESS IN MyIPO

7. RPET Mentoring

1. A project under AANZFTA
2. Focusing on best practices in the development of competency based training programs

TRAINED/ SKILLED OFFICERS IN QM

1. Head Of Division – Quality Monitoring
2. Head of Unit – Quality Checking
(both are over 13 years experience in patent search and examination)
3. Legal Officer – Advise and give a legal opinion

QM MANUAL

PATENT EXAMINATION REPORT STANDARD - Manual for Patent Examiners



Perbadanan Harta Intelekt Malaysia
Intellectual Property Corporation of Malaysia
www.myipo.gov.my

PATENT EXAMINATION REPORT STANDARD

*Manual for
Patent Examiners*

Revised on February 2017



THANK YOU FOR YOUR ATTENTION

**RAZHUAN BIN HUSSIN
MOHD FADZIL BIN AHMAD**

