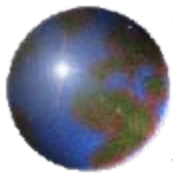


Review of “Common Application Format”



June 5, 2012

Japan Intellectual Property Association



Basic demand of Japanese Users

Patent Cost

**Cost reduction for
patent application**

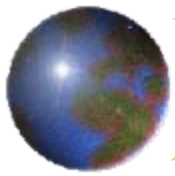
Demand

Quality of Examination

**High quality
and
Same quality
among the
patent offices**

Timeliness of Patent Issue

**Same Timing
among the
patent offices**

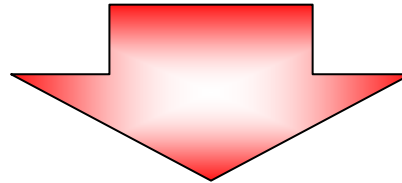


Basic concept for harmonization

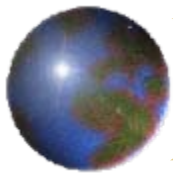
Achieving patent protection in
an extensive geographical area
at low cost and minimal labor

JIPA

Same Format
Same Search
Same Examination
Same Patent

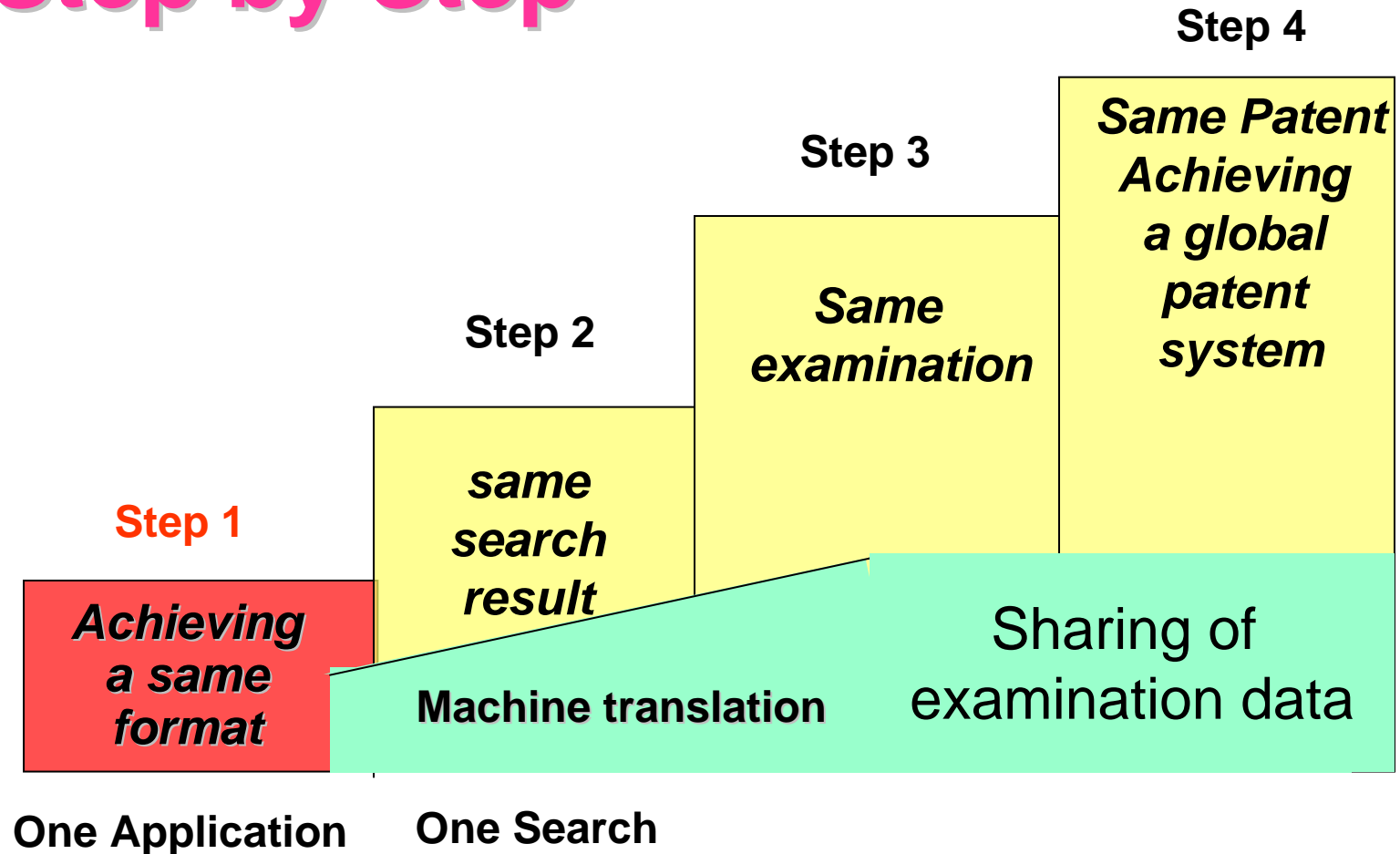


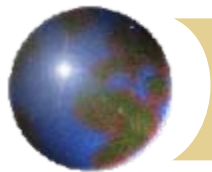
4 “same”
Achievements



Step by step approach for harmonization

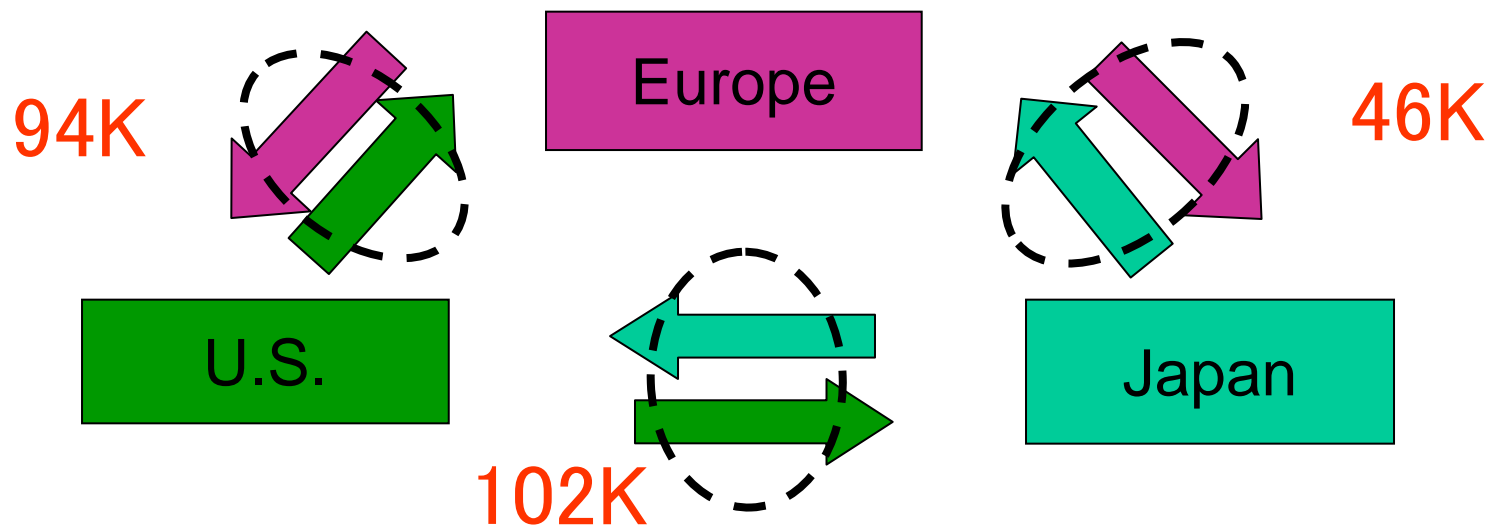
Step by Step





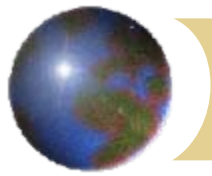
Situation before CAF

Number of patent application (Source : Japan Patent Office)



242K applications are duplicated a year.

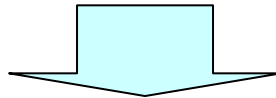
- burden to change the format
- all foreign applications need extra cost in addition to translation cost



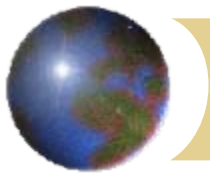
Common Application Format

Concept:

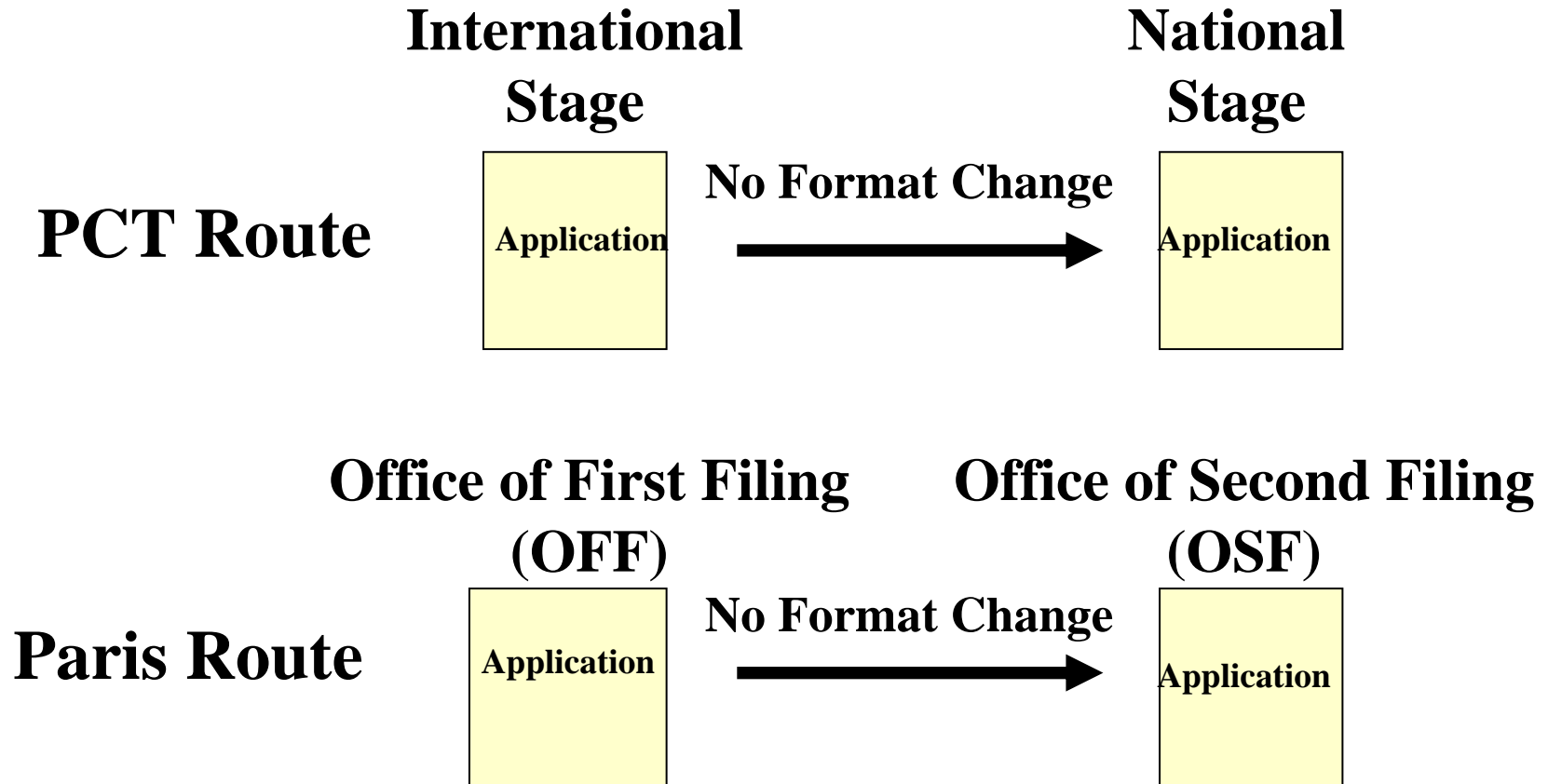
Introduce the system to allow applicants to file a Single Application in a Single Format, and it will be acceptable to all countries without further changing formalities



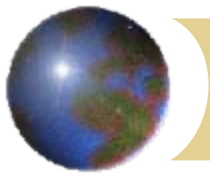
Precondition: The same application format for both Paris and PCT route.



Common Application Format



Same Format for any filing Routes and Stages
⇒ Reduce duplicate efforts by Applicants and Patent Offices

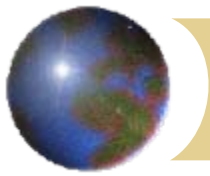


History of introducing CAF

April 11, 2005 Resolution: by trilateral user group

“Harmonization of patent systems”

- harmonization will reduce cost for applicants and offices, promote legal certainty and reduce pendency
- common application standard electrically filed the format generally based on PCT format.

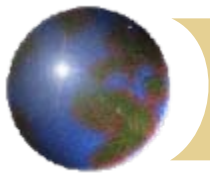


History of introducing CAF

November 14, 2006 Report by trilateral user group

“Global Patent Application”

- summarizes the recommendation of the Industry Trilateral
 - Efficiency and economy
 - Preference for International formats
 - uniform standards for global filing not minimum standards for filing
 - simple and doable first step
 - avoidance of substantive, cost and prosecution issues
 - requirement for legislation or rule change



History of introducing CAF

November 6, 2007

Technical working group on formal aspects of patent applications
- Trilateral offices and users

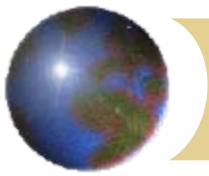
November, 2007

Trilateral offices agreed to introduce Common Application Format

<http://www.trilateral.net/projects/pct/CAF.html>

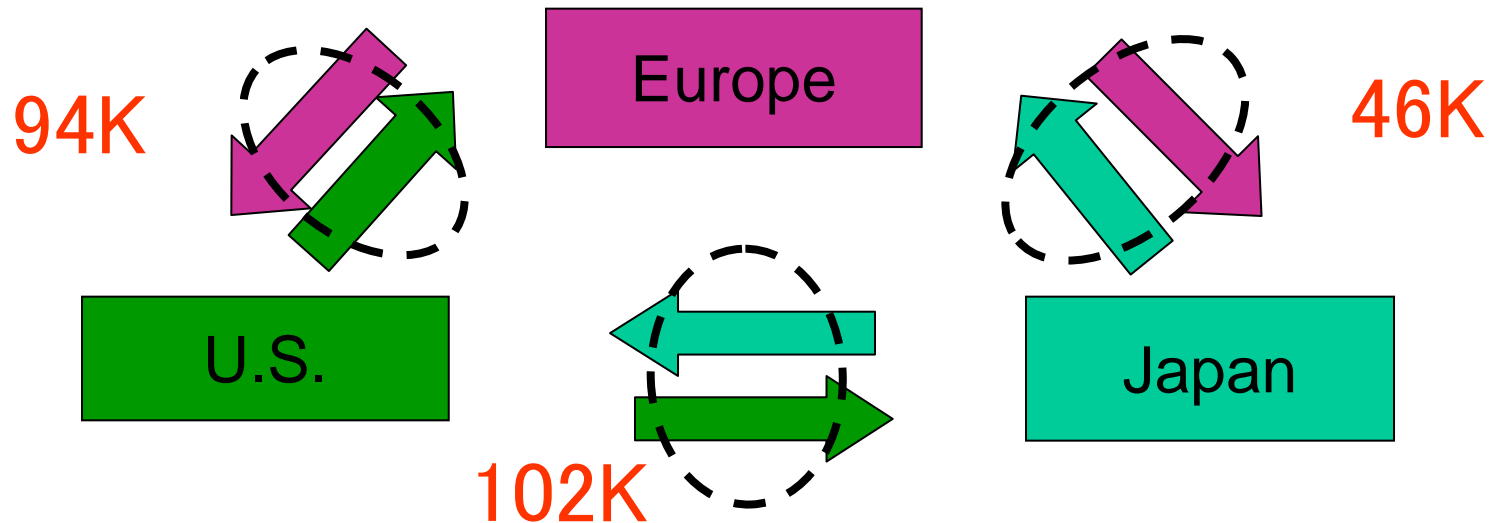
January 1, 2009

Trilateral offices started to accept applications in Common Application Format

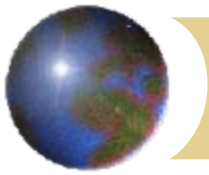


Benefit of CAF

Estimation of cost reduction by trilateral user group



- Simply convert language from A to B.
- No need to change format, story of the specification, etc.
- Trilateral users estimated \$ 300 M cost reduction a year.

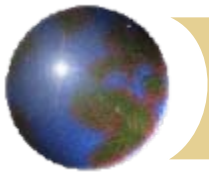


Korea has already introduced CAF

- Promotion of using CAF
- Analyzing benefit of CAF

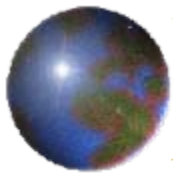
China is introducing CAF in the near future

- recommend and encourage China to introduce CAF early
- Ask SIPO to accelerate decision process to introduce CAF



Into the Future

- It is to be considered to expand CAF outside IP5
- cost reduction
- reduce duplicate efforts by Applicants and Patent Offices
- increase efficiency and economy



Common Citation Documents

- Uniform Format for Search Results -

JP

**Notice of
Rejection**

US

Office Action

EP

**EP Search
Report**

PCT

ISR

Lack of Uniformity in descriptive formats of Search Results

⇒ Less utility of Search Result among Offices

Uniform Search Format

JP

**Notice of
Rejection**

US

Office Action

EP

**EP Search
Report**

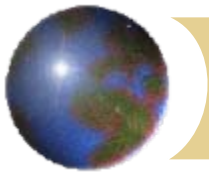
PCT

ISR

Common Format for Search Results

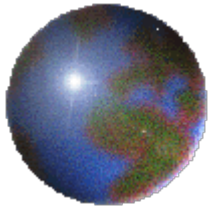
Adopting Common Format for Search Results

⇒ Enhance the mutual utilization of Search Results among Offices.



Expectations to Office Cooperation

- ✚ Introduction of same format in addition to application format, citation documents
- ✚ Realization of exploitation of search/examination results to obtain **high and same quality** patent **at same timing**
- ✚ Leadership at Harmonization on substantive patent law to realize **global patent system**



Thank you for your attention.