

Conclusion of the current PHEP Projects

IP5 Heads with Industry Meeting | 12 June 2019 | Incheon

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European Patent Office /// Japan Patent Office ///
Korean Intellectual Property Office /// State Intellectual
Property Office of the People's Republic of China ///
United States Patent and Trademark Office



Korean Intellectual Property Office



Progress

- **Agreed to establish IP5 PHEP for discussion on patent harmonization (IP5 Deputy Heads Meeting, 2012)**
- **Agreement on the following 3 projects and selection of leading office(s) by project item (IP5 Heads Meeting, 2014)**
 - Unity of Invention : EPO, CNIPA
 - Citation of Prior Art : KIPO, USPTO
 - Written Description / Sufficient Disclosure : JPO
- **Agreed to discuss patent harmonization with users at the ICG meeting (IP5 PHEP Meeting, 2016)**
- **Report on a conclusion plan for 3 major projects and discussion on new projects selection (IP5 Deputy Heads Meeting, 2019)**

Conclusion of the current PHEP Projects

Unity of Invention (EPO/CNIPA)

◆ Achievements

- Non-unity minimum reasoning in the PCT international phase and distribution to users

▪ Outcomes of the project

- Suggesting improvements in non-unity reasoning, illustrated by a complete example (including the reasoning)
- Reaching a common way of raising non-unity objections, currently not available in the ISPE
- Enhancing consistency of approach, transparency and predictability

▪ Follow-up task

- To overhaul the PHEP section of the IP5 website
- To expand agreed methodology outside the IP5 framework

Conclusion of the current PHEP Projects

Citation of Prior Art (KIPO, USPTO)

◆ Achievements

- Establishment of a final report regarding analysis results of prior art submission from the legal and IT system point of view, project outcome and follow-up measures

▪ Outcomes of the project

- Reaching a consensus to reduce the applicant's burden of submitting prior art
- Providing a momentum to maximize the usability of work-sharing through an IT system
- Suggesting a vision for cooperation among WGs to accomplish the goals of IP5 projects

▪ Follow-up task

- To set up a relevant system to implement the endorsement of the IP5 Heads Meeting

Conclusion of the current PHEP Projects

Written Description / Sufficiency of Disclosure (JPO)

◆ Achievements

- Establishment of a final report on case studies 1~6, targeted for each office and users

▪ Outcomes of the project

- (For Users) ① understanding each office's practice, ② preparing resources for drafting the application documents
- (For Offices) ① understanding both common points and differences between each office's practices, ② building confidence for other offices' examination results

▪ Follow-up task

- To publish the final report of case 4-6 on the IP5 Website

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Thank you