PHEP - CITATION OF PRIOR ART
Progress and Next Steps

IP5 Industry Consultation Group Meeting | 19 January 2017 | Munich

Korean Intellectual Property Office

UNITED STATES
PATENT AND TRADEMARK OFFICE
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I. Recent progress

❖ IP5 Offices agreed to **draft an outline of the goal** envisioned on the **IT-based mechanism** to be provided to technical experts in WG2 | PHEP Meeting (Oct. 2015)

❖ **IT experts reviewed the draft** of business requirement provided by PHEP | WG2 Meeting (Feb. 2016)

❖ **WG2 presented 'IT Feasibility Study'**, in response to the PHEP's Business requirement, including its opinions, limitations and **possible IT solutions like the OPD and the CCD** | Ad-hoc PHEP Meeting (Mar. 2016)

I. Recent progress

❖ **Next step for the IT-based mechanism for 'Citation of Prior Art'** was endorsed | Heads Meeting (Jun. 2016)

- PHEP will revisit business requirement to clearly define objective and functions of the IT system based on the information from the feasibility study from WG2.

- WG2 will design the IT system satisfying the business requirements considering full utilization of existing IT structures.

- Each Office will continue internal consultations on this issue.

❖ KIPO presented **recent progress** and **future work** | PHEP Meeting (Oct. 2016)

II. Objectives

❖ The IT system for citation of prior art will **serve IP5 examiners to easily view citation data of other IP5 offices**.

❖ If the effectiveness and reliability of the system is proved, each Office should make the utmost efforts **to utilize it to reduce the burden of applicants to submit prior art cited by other offices**. Moreover, it could **be utilized to improve the efficiency** of work-sharing among the IP5 Offices.

III. Functions required for the IT system

❖ **Essential Functions**

- To allow **consolidation** of prior art citations **by other IP5 examiners** into file wrappers

- To provide information **in real time** or **with minimum delay** (within 1 week)

- To allow each office to include **indicators** based on its requirements

- To allow the list of citations to be presented **in a standardized format** that can easily transformed for office-specific purposes

- To make **easy access** to the list of citations **by applicants**

❖ **Desirable Functions**

- To **distinguish between prior arts citations** (cited by examiner, submitted by applicants or the third party)

- To provide **links back to the document** used

- To exclude **duplicative citations** / family members

- To make the list of citations **sortable** and **searchable**

- To include **document relevance**

V. Next step & Discussion

❖ **Next step**

- To report the progress of this project to the Deputy Heads Meeting in April and Heads Meeting in June, 2017

❖ **Discussion**

- Future direction of the 'Citation of Prior Art' project (particularly on the functions of the IT system)

- Benefits for users derived from this project