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2017 Strategic Topic Compilation Report to IP5 Industry

IP5 Heads of Office with IP5 Industry Meeting

June 13, 2018

New Orleans, Louisiana

UNITED STATES
PATENT AND TRADEMARK OFFICE

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IP5 Project Evaluation (USPTO)

- At the 2017 IP5 Heads of Office Meeting, it was agreed that an evaluation of all IP5 projects should be conducted
- Completed collaboratively among the Offices in two phases
 - Phase 1: Data Gathering
 - Phase 2: Evaluation and Prioritization

IP5 Project Evaluation (USPTO)

- Project Categorization:
 - **“Continue”**: The project is still active. IP5 efforts and regular discussions will continue.
 - **“Maintenance Mode”**: The project is completed or implemented. Additional updates or maintenance will occur. Regular discussions will not continue during WG meetings, noting that from time to time, there may arise a need to have an ad hoc discussion.
 - **“Implemented”**: Project has been implemented. No regular updates or maintenance is expected. Regular discussions will not continue.
 - **“Closed”**: Project/Ad Hoc discussion is closed. Regular discussions will not continue.
- Outcomes:
 - Started with 46 projects and ad hoc discussions
 - 28 categorized “Continue”
 - 10 categorized “Maintenance Mode”
 - 3 categorized “Implemented”
 - 5 categorized “Closed”



IP5 Project Evaluation (USPTO)

- Recommendations:
 - Project categorizations are adhered to as determined
 - All IP5 projects will adopt project management principles
 - Project proposals will be developed for all new IP5 projects
 - IP5 Offices should monitor and assess the need for further refining and/or reorganizing IP5 working group over the next year

Thorough searches: access to data in the information age (SIPO)

I. Improving Intelligence Level and Enhancing Functionalities of Search Tools

- *Exploring potential application of new technologies in patent examination, e.g. Artificial intelligence (IP5 WG2)*
- *Enriching functionalities & improving convenience and reliability of search tools (each IP5 Office)*

II. Enriching and Improving Availability & Accessibility of Prior Art Resources

- *Refining patent classification systems to improve search efficiency (IP5 WG1)*
- *Discussion of cooperation on XML (IP5 WG2)*
- *Discussion on DOI for patent & NPL (IP5 WG2)*
- *Improving data integrity of patent information by publishing authority file within IP5 (IP5 WG2)*
- *Facilitating the dissemination & utilization of patent information by providing the patent information the public (IP5 WG2)*

Thorough searches: access to data in the information age (SIPO)

III. Improving the Search Capacity of Examiners

- *Developing and using IP5 Search Guideline in Specific Technical Field (IP5 WG3)*
- *Updating technical knowledge, search skill training, search skill exchange among examiners (each IP5 Office)*

IV. Enhancing Exchanges & Collaboration on Search

- *IP5 WG3: IP5 PPH (IP5 WG3)*
- *IP5 WG3: PCT CS&E Third Pilot, to be launched on 1st July, 2018 (IP5 WG3)*



IP protection in the era of the fourth industrial revolution (JPO)

I Recent developments on this topic

Ø WG1

IP5 Offices are working on establishing new patent classification related new emerging technologies (e.g. Internet of Things)

IP protection in the era of the fourth industrial revolution (JPO)

I Recent developments on this topic (Cont.)

Ø WG2

- IP5 Offices shared information and exchanged views on Artificial Intelligence (AI) implementation in patent business solution at the WG2 Meeting on Jan. 2018
- IP5 Offices are working on the XMLization project in order to improve access to the "Big Data" of patent information via Global Dossier.



IP protection in the era of the fourth industrial revolution (JPO)

I Recent developments on this topic (Cont.)

Ø WG3/PMG

IP5 Offices updated other offices on their own efforts to respond to emerging technologies at the WG3/PMG meeting on Nov. 2017

I IP5 Offices will continue exchanging information on this topic



New EPO initiative in XML filing (EPO)

- The need to introduce XML filing
 - Over 95% of new applications at the EPO are now filed online (in PDF), excluding the SFDs
 - The volume of OCR is approx. 10mio pages per year for incoming application documents at different quality levels, e.g. Search Quality XML (99.5%) to Publication Quality XML (99.95%)
 - OCRing is costly and introduces time delays
- The proposal of the EPO
 - DocX Filing – “What you draft is what you file”
 - Based on “Office Open XML” (ISO Standard 29500:2008)

New EPO initiative in XML filing (EPO)

- Status of XML filing implementation
 - Technical
 - Two pilot phases: July-Oct 2017 and a pre-production phase second half of 2018
 - Technical testing of eOLF, CMS Filing and WebForm Filing underway
 - Very close cooperation with WIPO for the technical testing and specification of this text-coded filing feature
 - Legal
 - PCT Administrative Instructions Annex F to be updated - Second round of consultation of proposed changes underway
 - Rules and Fee changes approved during the December 2017 Administrative Council of the EPO
 - Publication on EPO Website of a decision of the President defining further technical/legal requirement for entry into force once technical testing is completed

New stage of work sharing (KIPO)

- As a follow-up, KIPO proposed 'work-sharing in the unpublished phase' at the meetings of WG2 and WG3
 - WG2: Providing the expanded family information via GD family service (OPS)
 - WG3: Updating the amendment to laws/rules of each office related to the exchange of unpublished data



New stage of work sharing (KIPO)

- Industry supported the initiative in that legal certainty would be secured at the earlier stage
- As a possible future plan, the PMG discusses whether KIPO's proposal should be launched as projects at the WG2 and the WG3 meetings

Strategic Topic Guidelines

- The IP5 Offices are developing guidelines for IP5 Strategic Topics
 - Goal: To provide clarification and intended objectives/outcomes of the discussions while maintaining flexibility
- KIPO provided the initial proposal with a framework for:
 - Topic Selection
 - Follow-up Measures
 - Timelines
- Current Status: The IP5 are in the process of providing feedback on the proposal and will hold further discussions on this proposal at the next PMG meeting

