

IP5 Joint Statement: Conclusion of the IP5 Collaborative Search and Examination Pilot (PCT)

15 June 2023

At their annual meeting, the Heads of the IP5 Offices, namely the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the China National Intellectual Property Administration (CNIPA), and the United States Patent and Trademark Office (USPTO), adopted the final report of the IP5 Collaborative Search and Examination Pilot under the Patent Cooperation Treaty (PCT).

Under this pilot, the IP5 Offices worked for the very first time collaboratively on the same patent applications with a goal of delivering a single search to PCT applicants.

A thorough evaluation of the pilot came to the conclusion that whilst the scheme enriched the work products of the participating Offices, the Collaborative Search and Examination would not be implemented in the PCT framework for the time being and in its present form. No consensus could be found on the way to set the amount of the collaborative search fee and there were hurdles in the operational handling of these patent applications, especially in cases of non-unity.

The IP5 Heads of Offices noted that this pilot had enabled a better understanding of their respective practices and provided useful insights into work-sharing. They also thanked the International Bureau of WIPO for its operational support to the pilot, and for its contributions regarding the collection of data and for conducting a survey addressed to the pilot participants.

Therefore, the IP5 Offices decided to complete the monitoring of the pilot patent applications in the respective national and regional phases, and to explore how the knowledge and experience gained from the pilot could be employed to the benefit of the users and offices.