



# PHEP: unity of invention

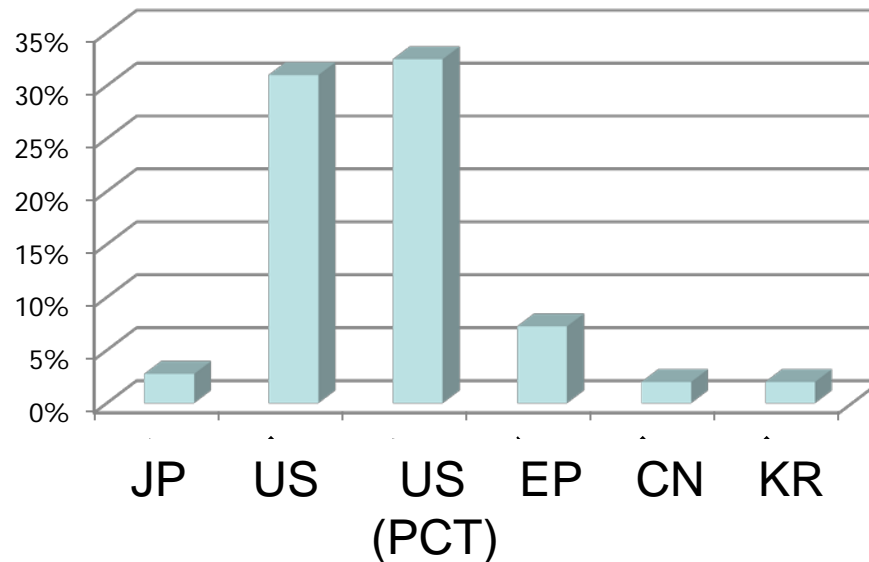
**Japan Intellectual Property Association  
1st international affairs committee**

For the Trilateral Offices – Trilateral Industry Meeting  
**February 23, 2016**



## The rate of lack of unity rejection at 5 IP offices

- IP5 users want harmonization of unity provision at PCT national stage application and non-PCT application.



The ratio R is calculated based on:

$R(EP,JP,CN) = \text{number of OA containing unity rejection} / \text{total number of OA (EESR in EP)}$

$R(US) = (\text{number of Restriction Requirement} / (\text{number of first OA} + \text{number of RR}))$

\*Trying to collect the cases which received OA around October 1 to December 31, 2013 (conditions are different from one country to another)

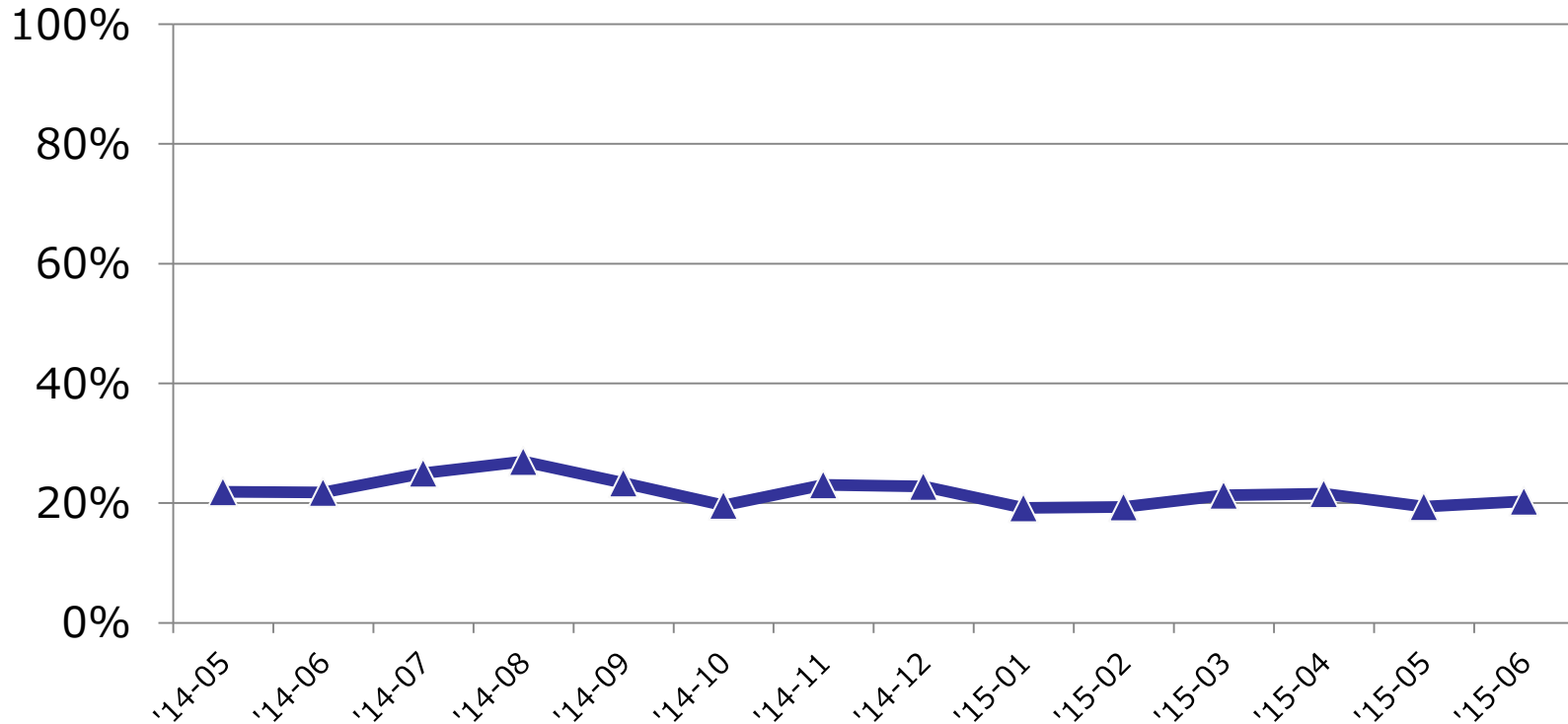
\*In EP cases, EESR including rule 43(2) objection are NOT counted.

\*In US cases, Election of Species are also counted.



## The rate of restriction requirements using USC and CPC

- USPTO have changed classification from USC to CPC on Jan. 2015.
- The rate of restriction requirements is slightly declined with CPC.



Picked 500 applications randomly by issue date of OAs each month, and checked the rate of restriction requirement in the OAs.



**Thank you for your attention.**

*Creating IP Vision for the World*



**Japan Intellectual Property Association**

