

The Trilateral Offices to Start PCT-PPH

The Trilateral Offices reached agreement on November 13, 2009, to begin a pilot program in the Patent Prosecution Highway (PPH) framework utilizing PCT work products (international search reports, written opinions, and international preliminary examination reports).

Under the PPH, an applicant receiving a determination from an office of first filing that claims in an application are allowable may request that the corresponding application filed at a second office be advanced out of turn for examination as to those allowable claims. To date, the PPH program, begun in 2006 and now the subject of bilateral agreements among a number of IP offices, has proved valuable in increasing efficiency.

Until now, the PPH program has been limited to cross filings of national applications under the Paris Convention. This new agreement among the Trilateral Offices greatly expands the potential of the PPH program. By providing the re-use of positive results from PCT work products, the PPH will now be available to applicants using these offices.

The details of this new pilot program, scheduled to begin on January 29, 2010, will be available shortly and posted at <http://www.trilateral.net/index.html> as well as the respective websites of the Trilateral Offices.