



DANISH PATENT AND TRADEMARK OFFICE

FICPI/AIPLA Colloquium on
"THE PATENT OFFICES BACKLOG
CRISIS"
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TURNING IDEAS INTO ASSETS®

E.5. Worksharing

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The Patent Prosecution Highway Program (PPH)

What is PPH?

- **bilateral agreements among patent offices** to allow an applicant a fast-track granting process at an Office of Second Filing, if the First patent office intends to grant the corresponding patent application
- In PPH an Office of second Filing makes use of the work already carried out by the Office of First Filing =>
 - **faster processing at an Office of Second Filing**
 - **improved quality search & examination at Office of Second Filing**
 - **higher propensity to grant**
 - **lower costs for applicants**

Global use of PPH so far

- Around 5500 requests for PPH
- Time from Filing to First Office Action drastically decreased (e.g. from 25 mth. to 2 mth. at the USPTO)
- Time from Filing to Grant decreased
- Number of Office Actions about halved (less costs to applicants)
- Much higher Granting Rate (e.g. 93% vs. 44% at the USPTO)



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Danish applicants experience with PPH

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- The Danish Patent and Trademark Office received very positive feedback from Danish users;
 - very fast processing ~ Grant received at USPTO only 2 years after first filing in Denmark
 - First Office Action received within around 3 month
 - procedure not to complicated
 - in 2009 PPH has requested in apprx. 25% of all Danish First Filing which were subsequently filed in US



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Conclusions and Future developments

The current Situation - Backlog Problem

- Workload / Capacity Gap

Tackling the Backlog problem

- Patent Prosecution Highway Program
 1. Provide value to users ~ higher prosperity to patent
 2. Learn Patent Offices how to co-operate (work share)

The Way Forward - further development of the PPH

- Expand the number of PPH Programs
- Streamlining the PPH Programs