



Patent Prosecution Highway: Views from the USPTO

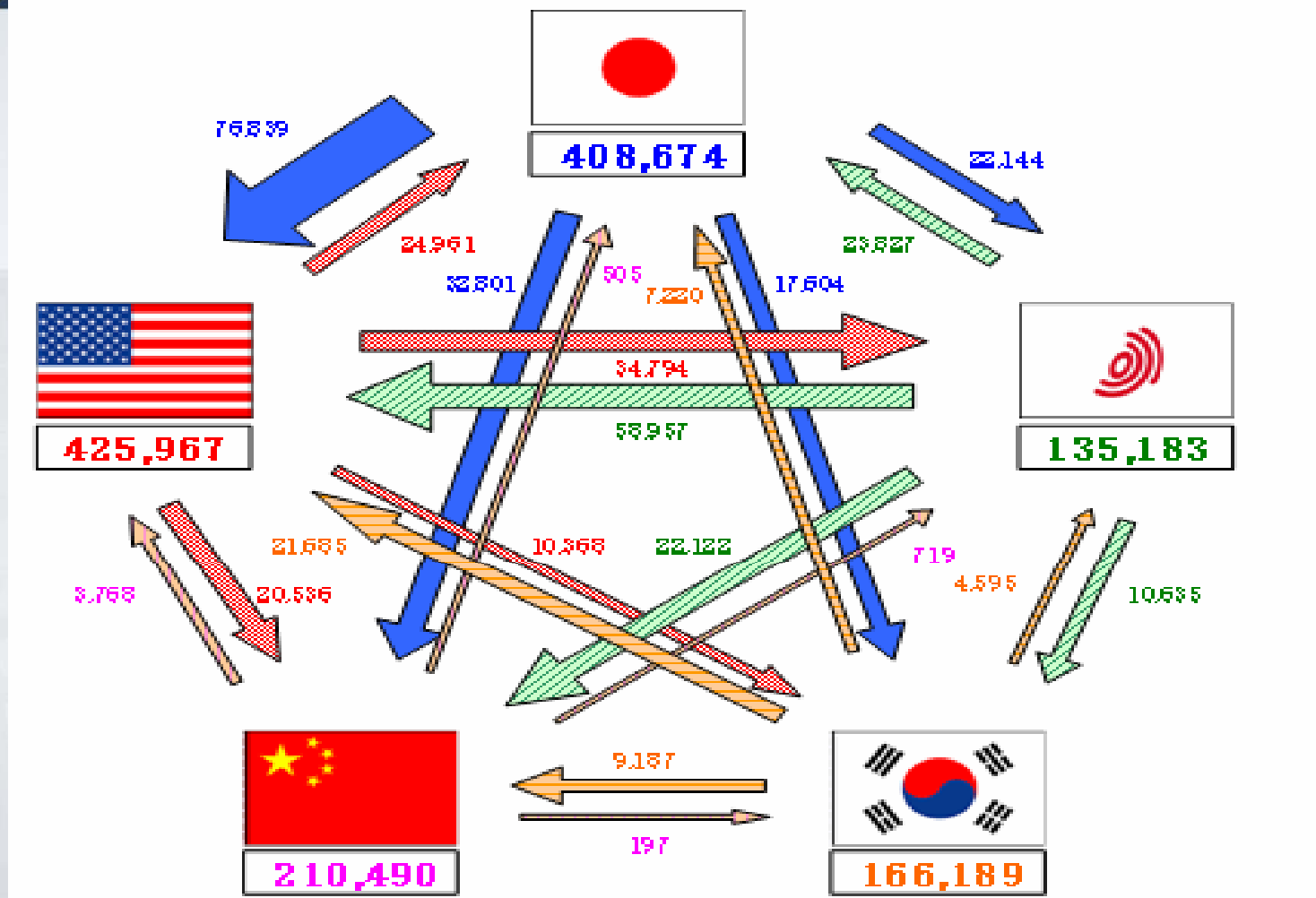
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USPTO



PPH in Context



2006 Cross filing Applications among IP5 Offices



PPH Background

- Patent Prosecution Highway
 - Based on JPO concept
 - Intended to correct Paris Route timing imbalances
 - Final framework product of JPO-USPTO collaboration
 - Pilot USPTO-JPO PPH launch in 2006
 - First true, implemented worksharing framework



PPH Basics

- **What is PPH?**
 - When claims are determined to be allowable in the Office of First Filing (OFF), a corresponding application with corresponding claims filed in the Office of Second Filing (OSF) may be advanced out of turn
- **What is the Purpose of PPH?**
 - OSF can utilize the search and examination results of the OFF thereby avoiding duplication of work and expediting the examination process in the OSF



PPH Basics

Claim Correspondence

- All claims in the OSF application must “sufficiently correspond” to the allowable claims in the OFF application
- USPTO recently expanded the definition of “sufficient correspondence” to make the system more attractive while still providing work-sharing benefits



PPH Basics

Qualifying Applications

- Current PPH Programs, generally speaking
 - Paris priority applications
 - PCT Bridge filings
 - Certain non-binding work product, e.g., EPO's EESR
- PCT-PPH Pilot
 - Launched January 29, 2010 among Trilateral Offices
 - Positive WO/ISA, WO/IPEA or IPER
 - USPTO-KIPO pilot launched June 2010



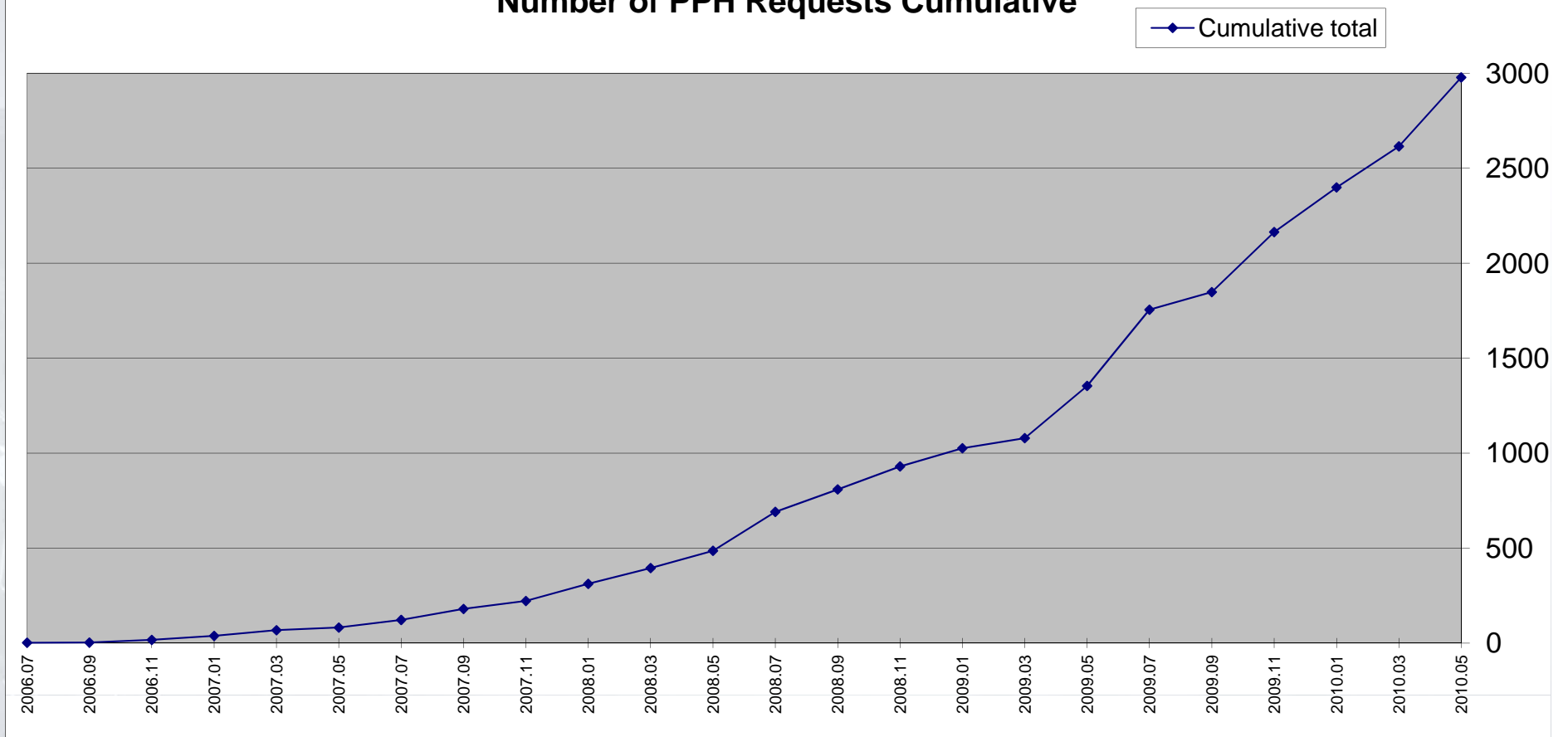
PPH Stats

First Office	Start Date	Requests (as of 1 May 2010)	
JPO	July 2006	2196 278 (Pilot) 1918 (Full)	
UKIPO	Sept 2007	82	
KIPO	Jan. 2008	452 134 (Pilot) 318 (Full)	Total
CIPO	Jan. 2008	29	2978
IPAU	April 2008	35	
EPO	Sept. 2008	41	
DKPTO	Nov. 2008	29	
DPMA	April 2009	25	
IPOS	Feb 2009	1	
NBPR	July 2009	7	
EPO (ISA/IPEA)	January 2010	35	
JPO(ISA/IPEA)	January 2010	46	



PPH Stats

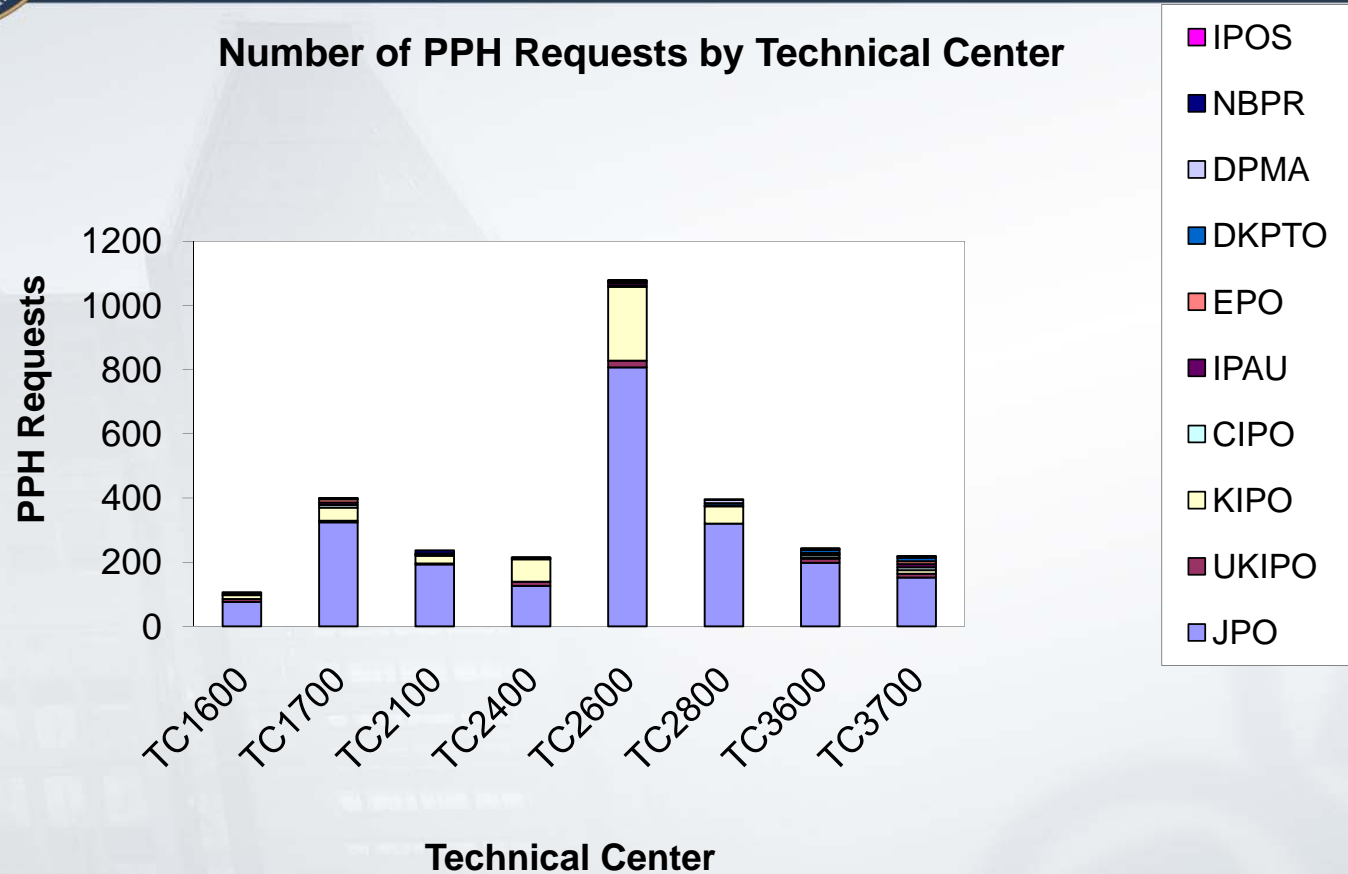
Number of PPH Requests Cumulative





PPH Stats

Number of PPH Requests by Technical Center





PPH Benefits

- Provides quicker patentability determination in multiple jurisdictions

USPTO Allowance Rates

PPH cases: 93%

Non-PPH cases: 44%

- Decreases costs of prosecution

USPTO actions per disposal

PPH cases: 1.7

Non-PPH cases: 2.3

- Can reduce pendency



Future Plans

- **USPTO Action Plan to enhance PPH:**
 - define target numerical goals and develop global strategy to reach those goals
 - Align PPH and PCT via the Trilateral and other PCT-PPH pilot programs
 - Conduct PPH awareness campaigns, internationally and domestically
- **“Plurilateral” PPH Cooperation**
 - Streamline procedures
 - Share best practices and statistics
 - Provide users with one stop access to information



Thank you!