



中华人民共和国国家知识产权局  
State Intellectual Property Office  
of the People's Republic of China



# Work Sharing Project

Feb 9, 2018



[www.sipo.gov.cn](http://www.sipo.gov.cn)



# Work Sharing Project

1

**Patent Prosecution  
Highway (PPH)**

2

**PCT Collaborative Search and  
Examination(PCT CS&E)**





# PCT CS&E

## Project progress

**16th PCT International Authorities Conference in 2009**

**WIPO: "Route map draft of future PCT development"**  
New service to promote the value of PCT international search and preliminary examination report

**Work sharing for promoting PCT examination quality among offices**

**A new pilot business carried out under PCT platform**

**EPO, KIPO and USPTO carried out two phases of pilot**

**EPO, JPO, KIPO, SIPO and EPO plan to start the third pilot on May 1, 2018**

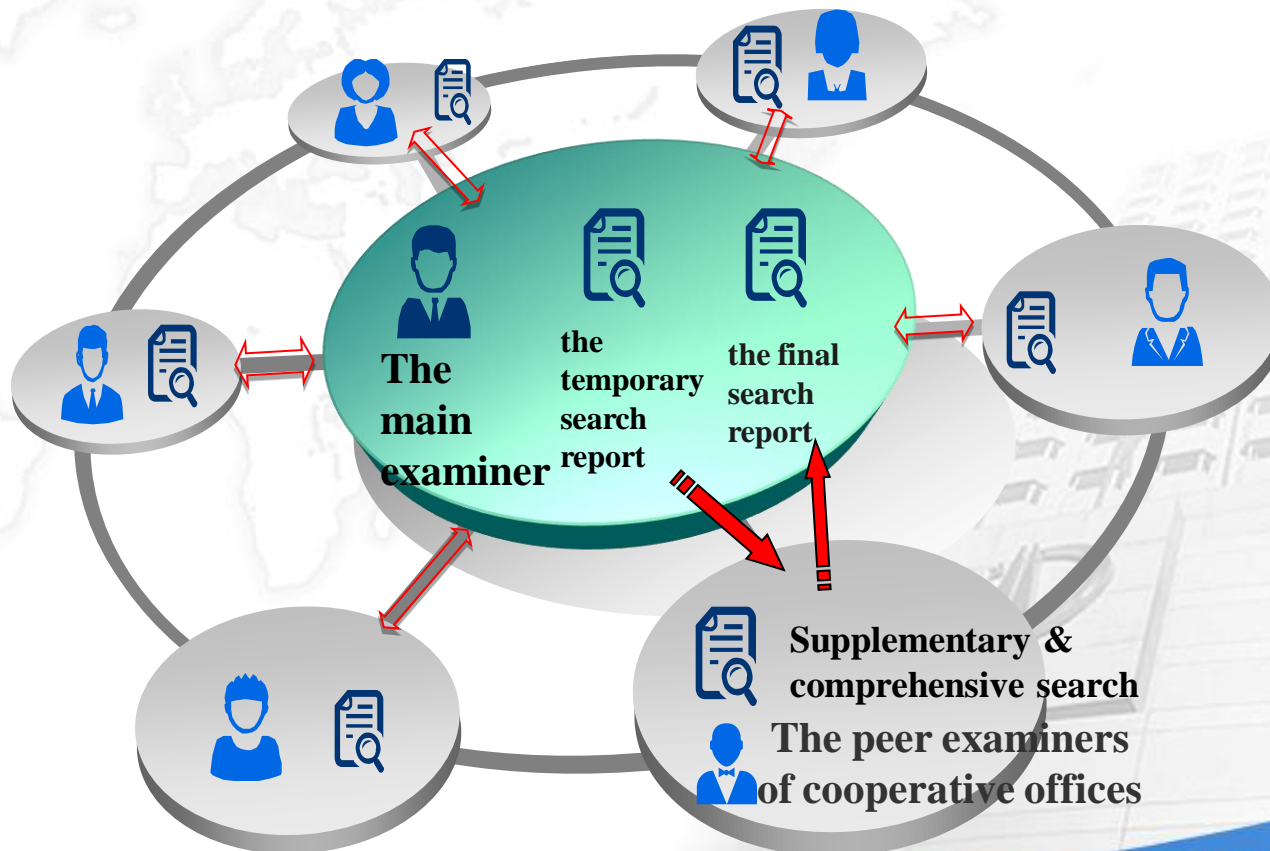




# PCT CS&E

## Project concept

The examiners located in different areas and using different languages complete the international search and preliminary examination of PCT application cooperatively





# PCT CS&E



## Project characteristics

1

For the PCT international application



Driven by the applicant

2

3

High-quality international search report

Prepared by the main International Searching Authority

4

5

It is expected to promote the examination status predictability of application after entering the national phase

It is expected to promote the stability of patent right

6







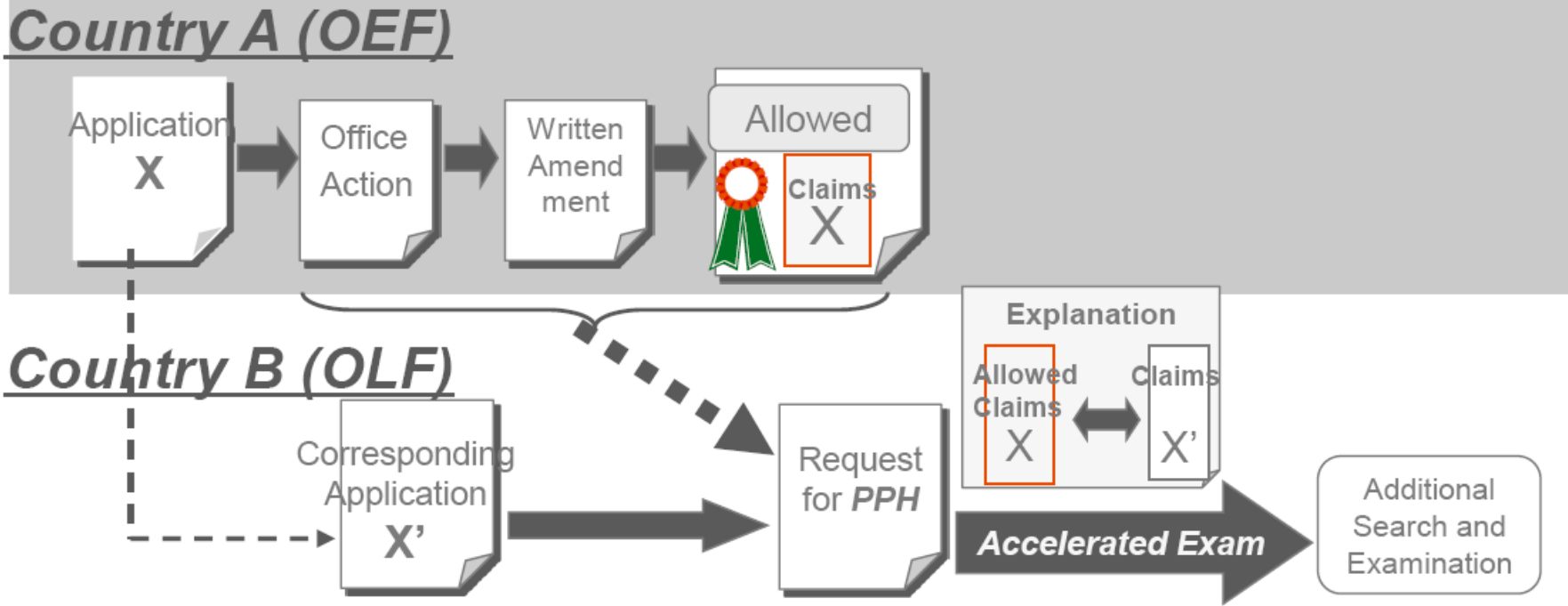
# PPH

- **SIPO's PPH Network**
- PPH Statistics
- PPH User Outreach Activities
- SIPO-ROSPATENT PPH Pilot
- Next Steps





# What is PPH ?





# PPH Global Network

2017.7.6

INPI (AR: Argentina) 	APO* (AT: Austria) 	IP Australia* (AU: Australia) 	INPI (BR: Brazil) 	CIPO* (CA: Canada) 	INAPI (CL: Chile) 	SIPO (CN: China) 	SIC* (CO: Colombia) 	IPO CZ (CZ: Czech) 	DPMA* (DE: Germany) 
DKPTO* (DK: Denmark) 	EAPO (EA: Eurasia) 	IEPI (EC: Ecuador) 	EPA* (EE: Estonia) 	EGYPC (EG: Egypt) 	EPO (EP: Europe) 	SPTO* (ES: Spain) 	PRH* (FI: Finland) 	UKIPO* (GB: UK) 	HIPO* (HU: Hungary) 
DGIP (ID: Indonesia) 	ILPO* (IL: Israel) 	IPO* (IS: Iceland) 	JPO* (JP: JAPAN) 	KIPO* (KR: Korea) 	OMPIC (MA: Morocco) 	IMPI (MX: Mexico) 	MYIPO (MY: Malaysia) 	NRIP (NI: Nicaragua) 	NIPO* (NO: Norway) 
IPONZ* (NZ: New Zealand) 	INDECOPI (PE: Peru) 	IPOPHL (PH: Philippines) 	PPO* (PL: Poland) 	INPI* (PT: Portugal) 	DINAPI (PY: Paraguay) 	OSIM (RO: Romania) 	ROSPATENT* (RU: Russia) 	PRV* (SE: Sweden) 	IPOS* (SG: Singapore) 
DIP (TH: Thailand) 	TIPO 	USPTO* (US: USA) 	DNPI (UY: Uruguay) 	NOIP (VN: Vietnam) 	NPI* (XN: Nordic) 				

<http://www.jpo.go.jp/ppph-portal/index.htm>

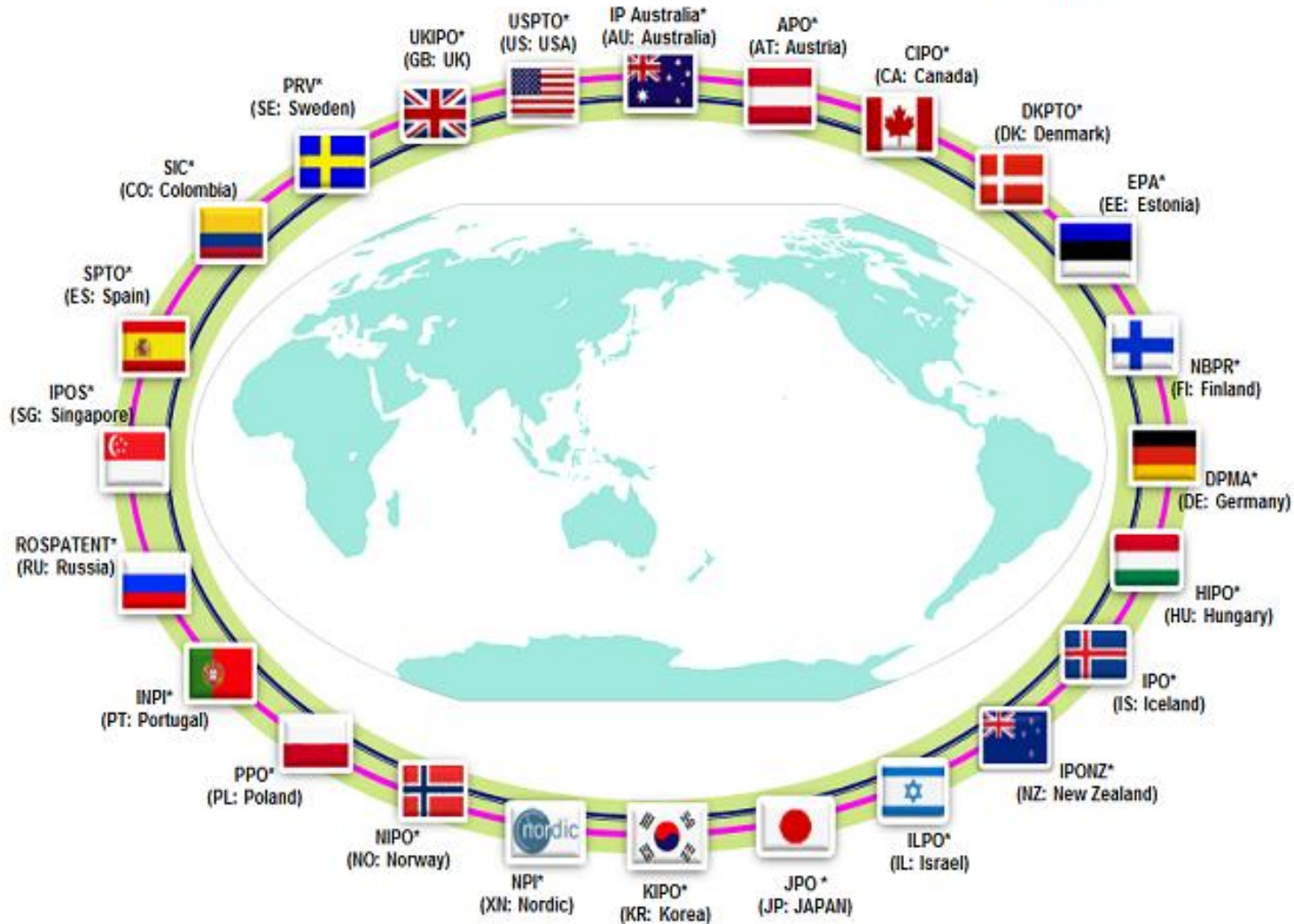
\*: GPPH-participating offices





# Global Patent Prosecution Highway (GPPH)

2017.7.6

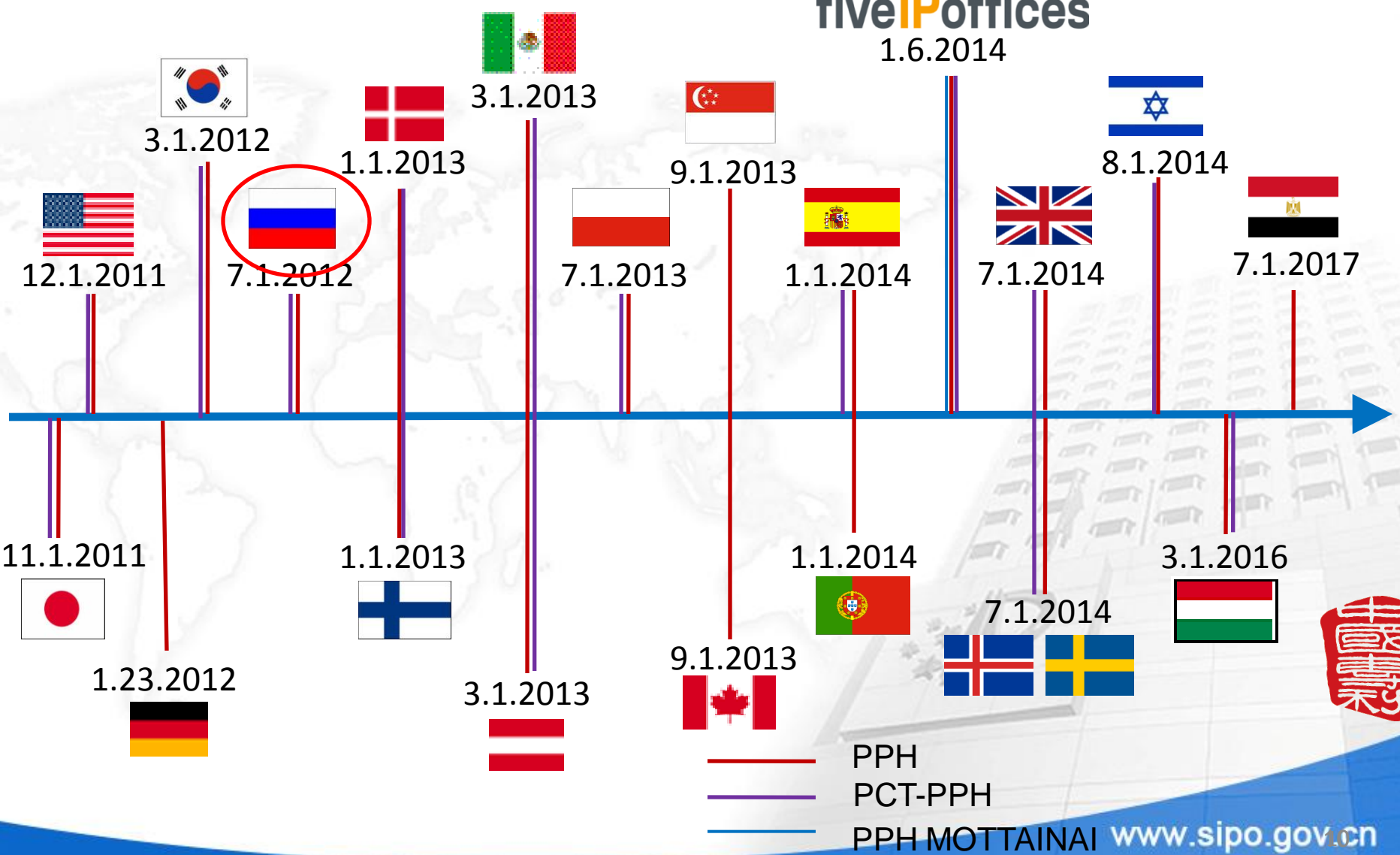




# SIPO's PPH Network

## five IP offices

1.6.2014



 PPH  
 PCT-PPH  
 PPH MOTTAINAI [www.sipo.gov.cn](http://www.sipo.gov.cn)



# Contents

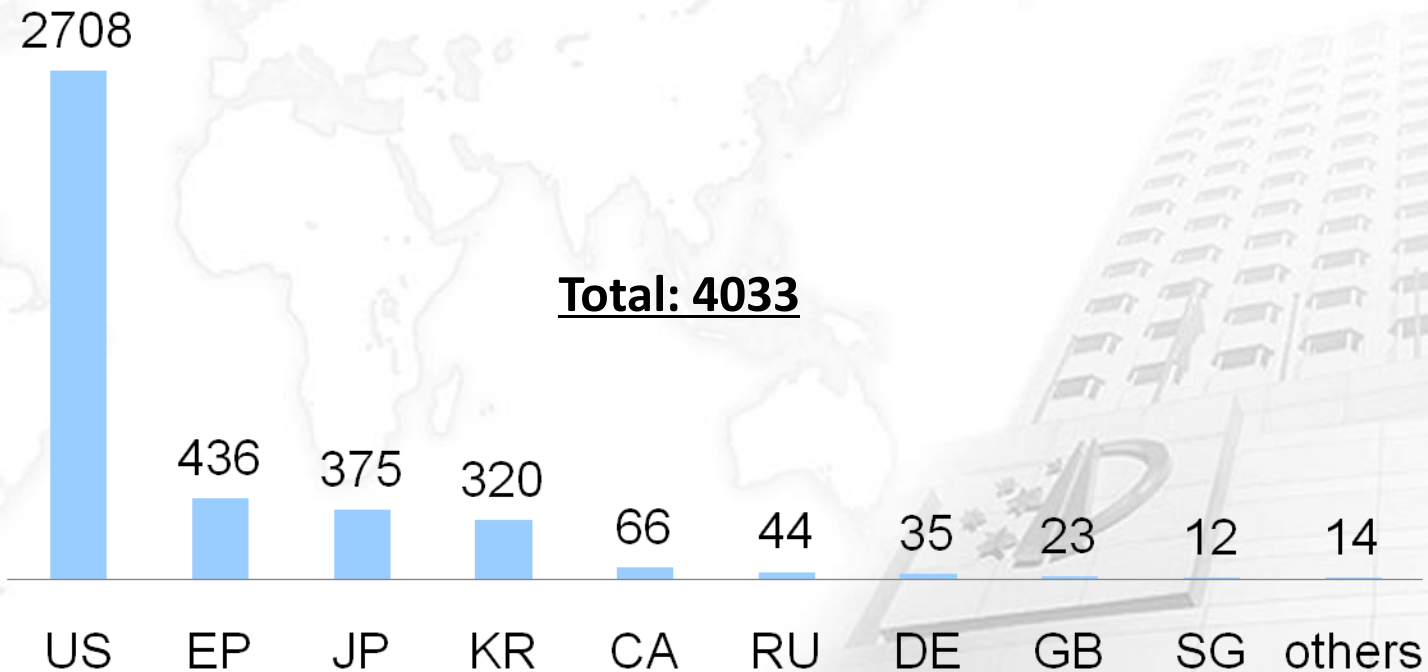
- SIPO's PPH Network
- **PPH Statistics**
- PPH User Outreach Activities
- SIPO-ROSPATENT PPH Pilot
- Next Steps





# PPH Statistics

The PPH request quantity submitted to PPH cooperative offices based on the review result of SIPO  
(Up to December 31, 2016)

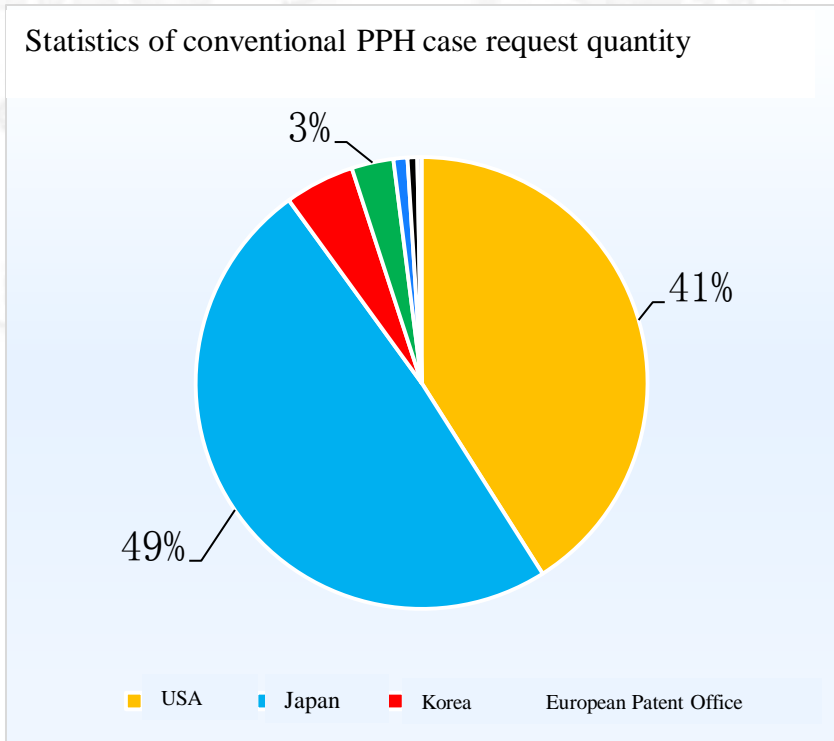




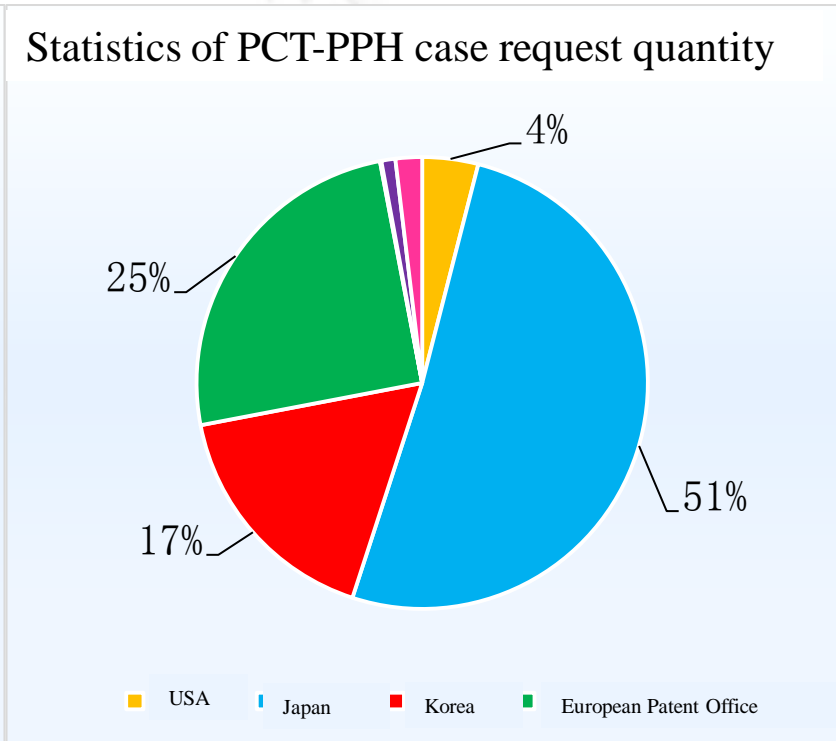
# PPH Statistics

**Total: 19833**

PPH request quantity submitted to SIPO based on the review result of PPH cooperative offices (up to December 31, 2016)



**Total: 14760**



**Total: 5073**

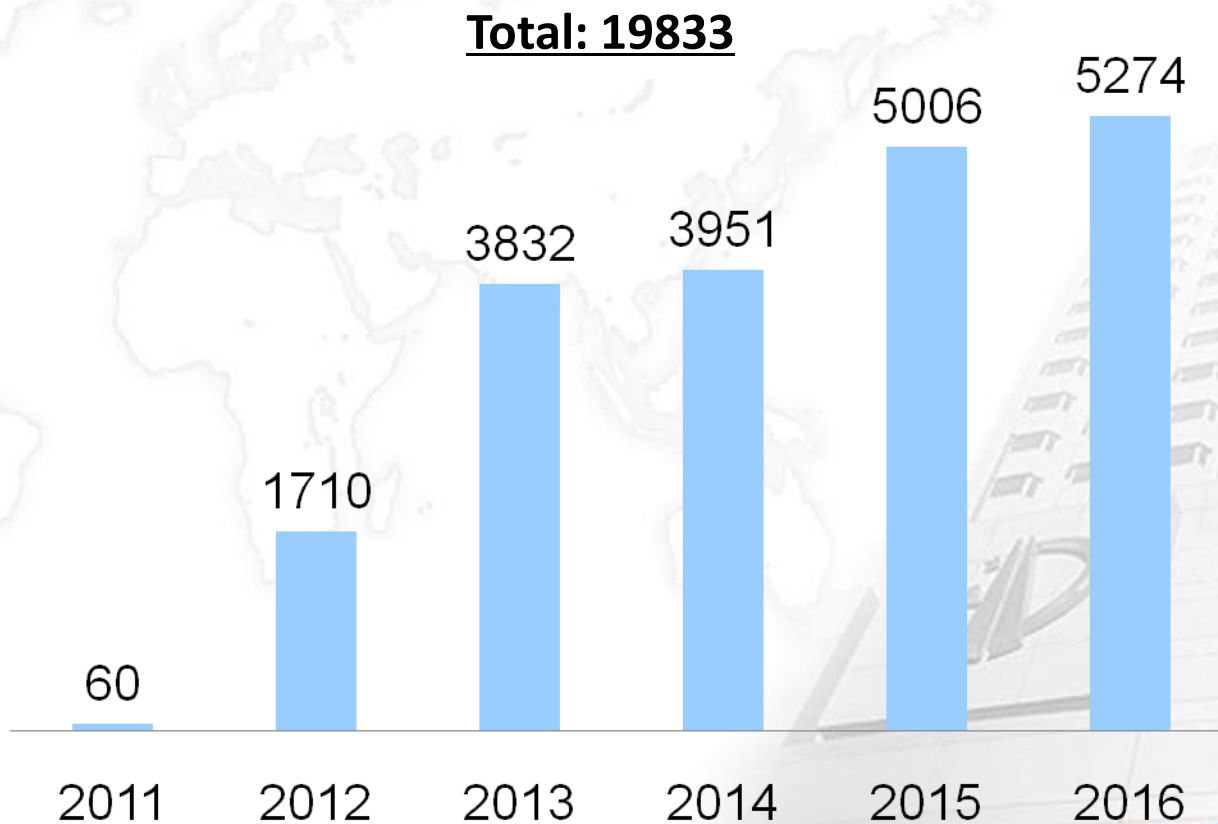






# PPH Statistics

## Number of requests per year at SIPO (Up to December 31, 2016)

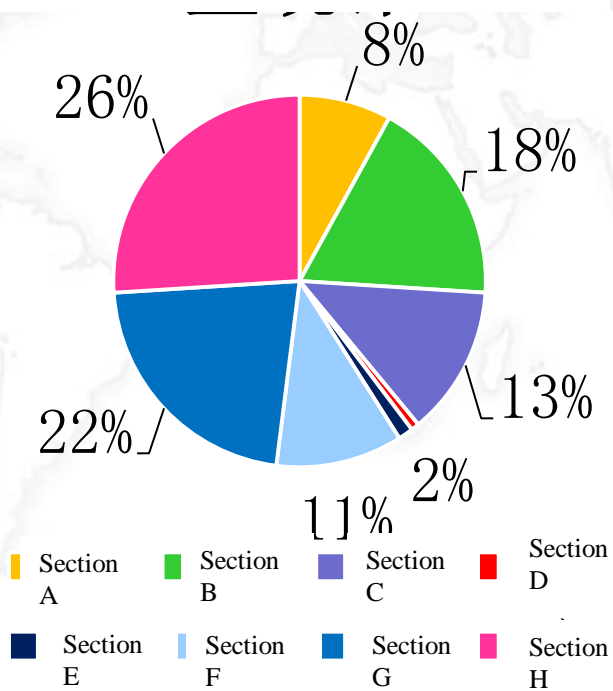




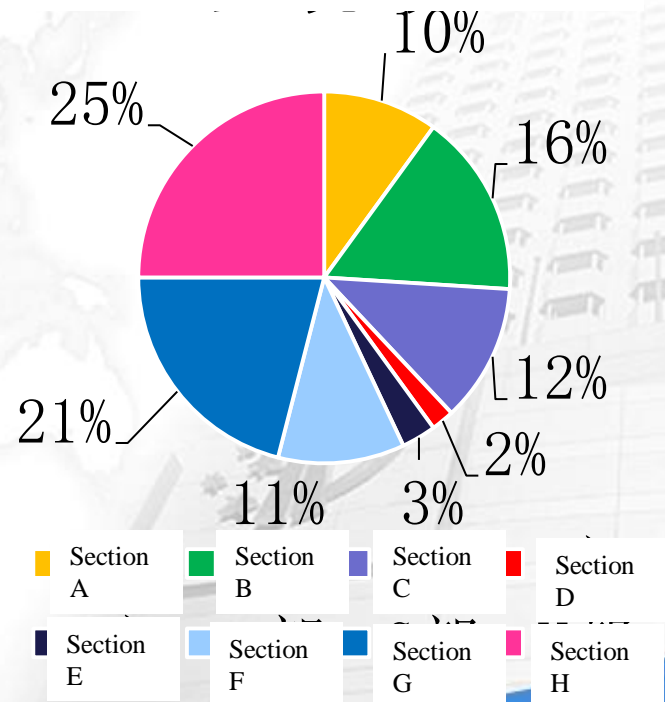
# PPH Statistics

Technical field distribution of PPH request submitted to SIPO based on the review result of PPH cooperative offices  
(Up to December 31, 2016)

Statistics of conventional PPH case request quantity



Statistics of PCT-PPH case request quantity





## PPH Statistics

*(Jan-June, 2016, at SIPO)*

- First action pendency
  - From PPH request to first office action
  - **2.7 months**
- Final action pendency
  - From PPH request to final office action
  - **11.9 months**
- Number of office actions
  - 1.0





# Contents

- SIPO's PPH Network
- PPH Statistics
- **PPH User Outreach Activities**
- SIPO-ROSPATENT PPH Pilot
- Next Steps





# PPH User outreach activities

- Promotion seminars
  - Since 2011;
  - Held in many cities in China;
  - Experts from PPH partner offices were invited;

Beijing, Shanghai, Suzhou,  
Shenzhen, Fuzhou, Hangzhou,  
Guangzhou, Chengdu,  
Qingdao, Tianjin, Hefei, Shanxi







# Other user outreach initiatives

## – PPH Column of SIPO

- [www.sipo.gov.cn/ztml/ywzt/pph/](http://www.sipo.gov.cn/ztml/ywzt/pph/)

## – Booklet

## – Newspaper

**专利审查高速路 (PPH) 专栏**

专利审查高速路

PPH Patent Prosecution Highway

- ▶ 专利审查高速路 (PPH) 介绍
- ▶ 最新动态
- ▶ PPH指南
- ▶ 常见问题

您应当驶入  
专利审查高速路 (PPH) 吗?

【图】(左) 发明专利 (PCT) 申请 (右) 发明专利 (PCT) 申请

PPH的基本模式  
有两种

常规PPH → 以巴黎公约为路径

常规PCT-PPH → 以PCT为路径

我们来看看常规 PPH是什么~

（申请人提交首次申请的专利局）

OFF → 检查/审查 → 发明专利!

（申请人提交首次申请的专利局）

OFF → PPH请求 → 发明专利!

（发明专利!）



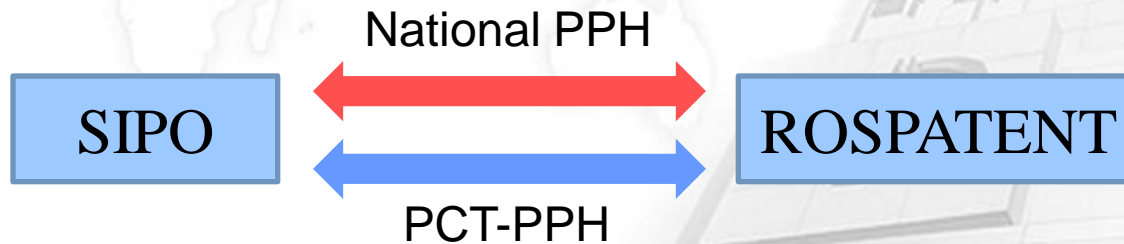
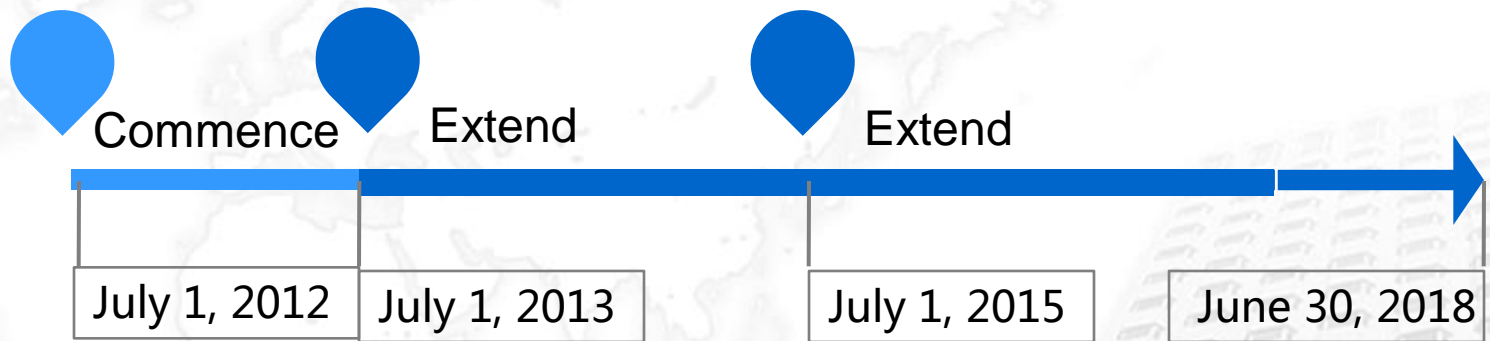
# Contents

- SIPO's PPH Network
- PPH Statistics
- PPH User Outreach Activities
- **SIPO-ROSPATENT PPH Pilot**
- Next Steps



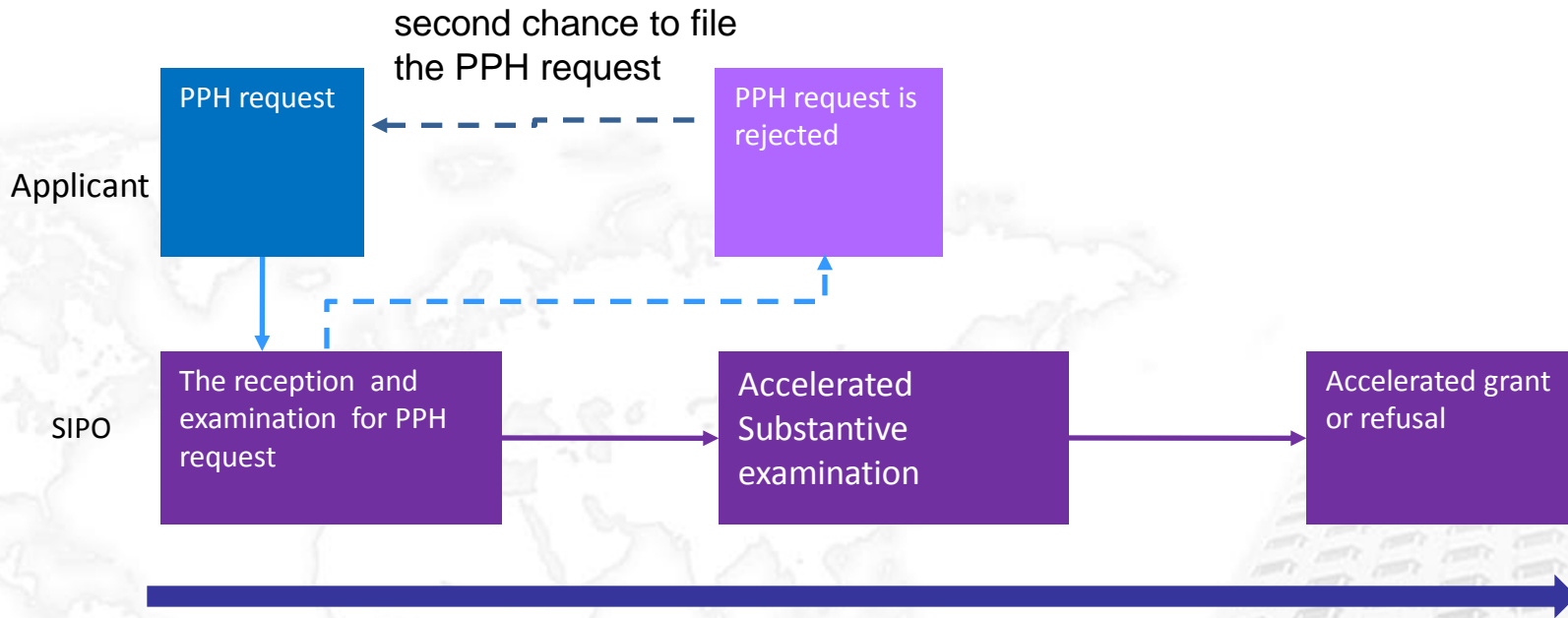


# SIPO-ROSPATENT PPH Pilot Program





# PPH Application Process



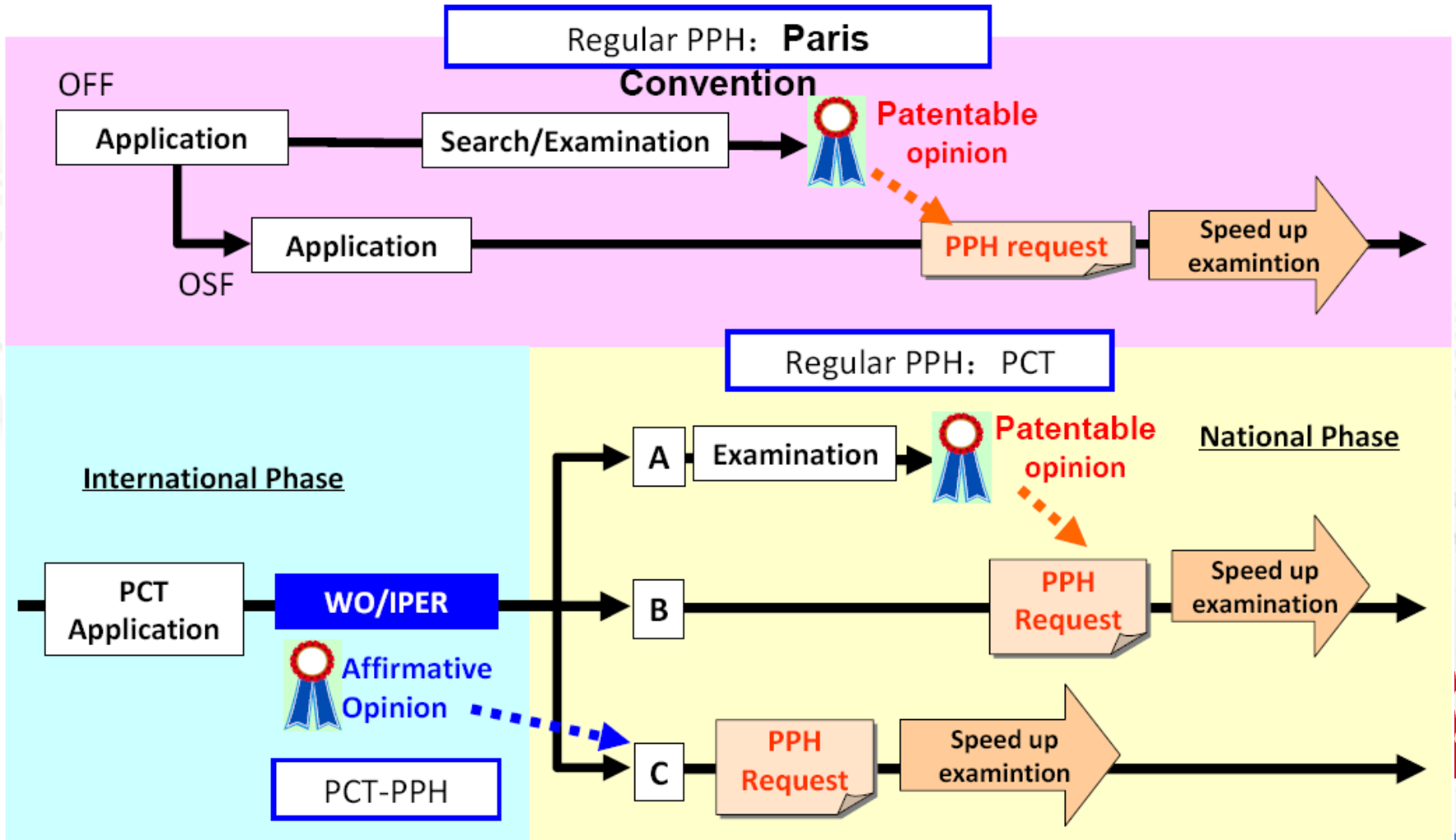
## Executable files – for applicants

- 《Procedures to file a request to the State Intellectual Property Office of the P. R. China (SIPO) for Patent Prosecution Highway (PPH) Pilot Program among the SIPO and PPH partner offices》





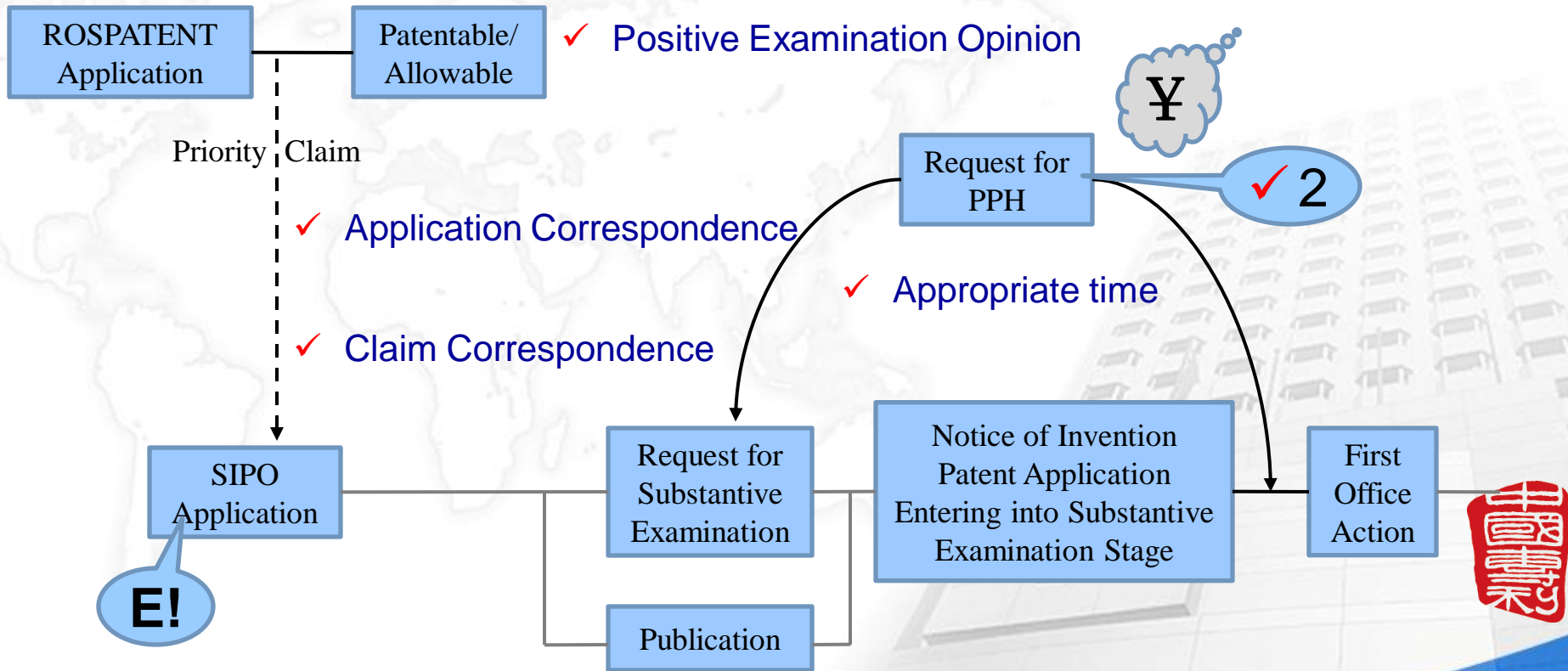
# PPH Application Requirements (SIPO)







# PPH Application Requirements (SIPO)

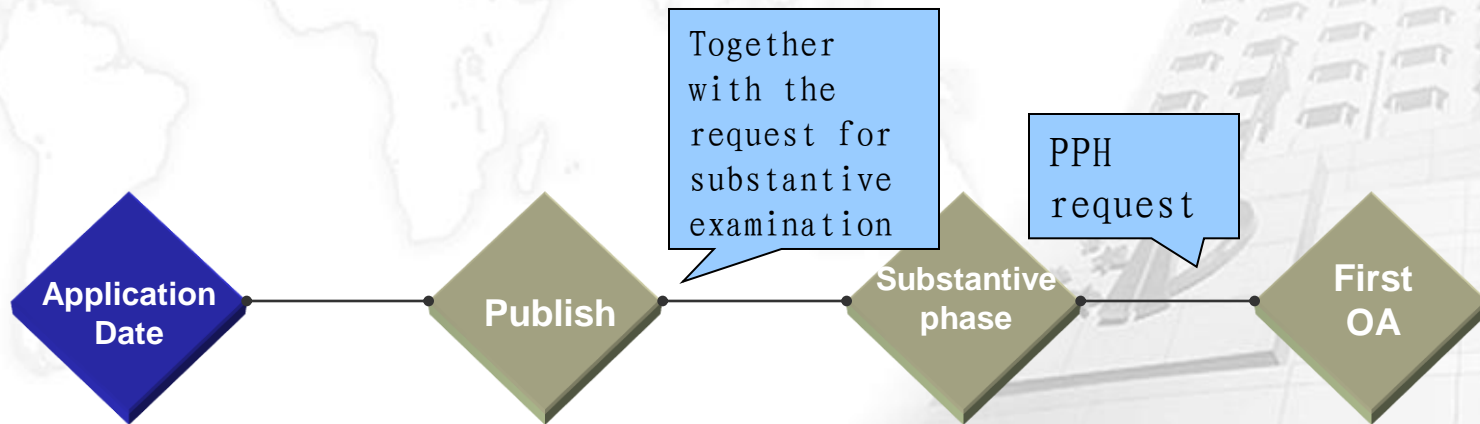




# PPH Application Requirements

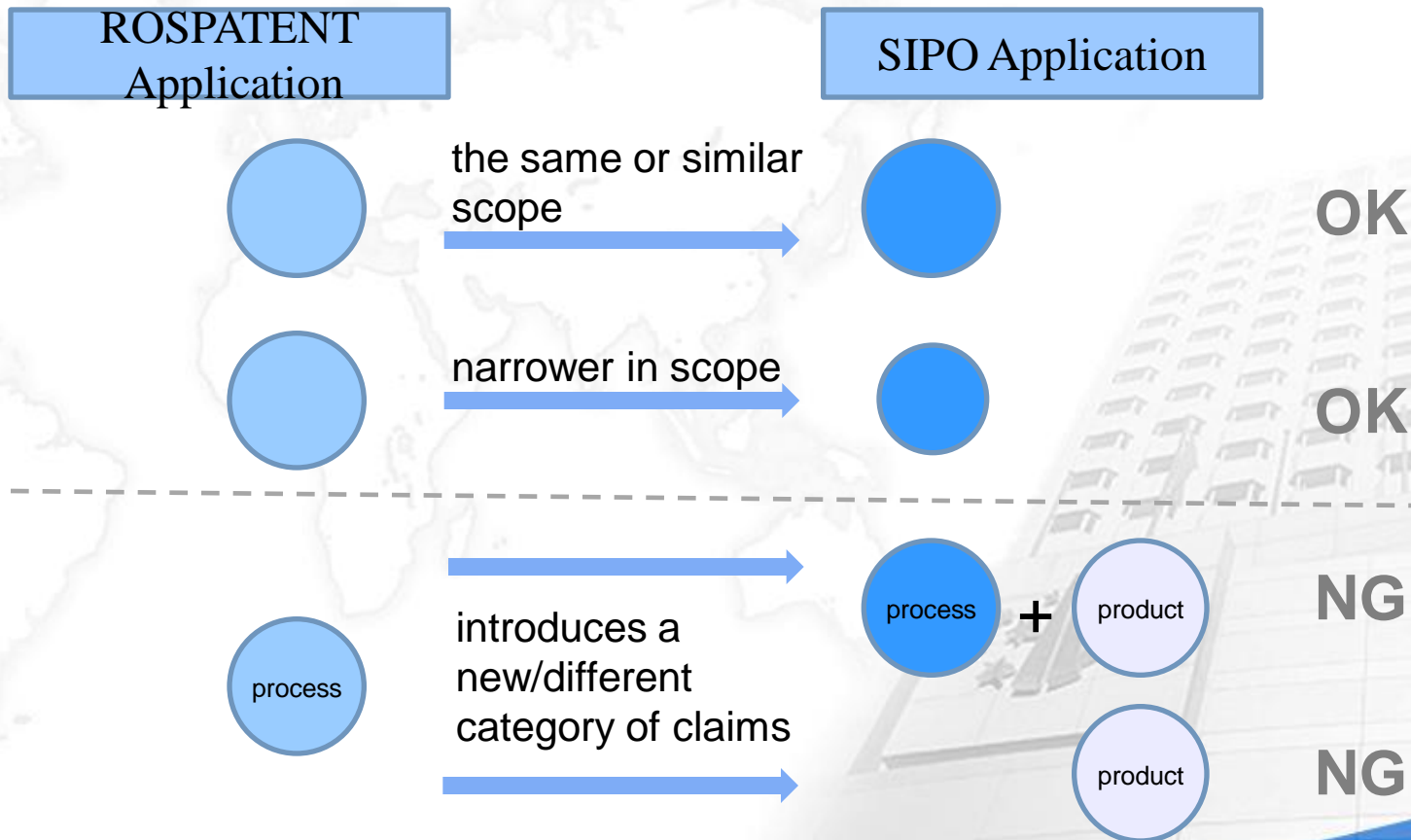
## Appropriate time

- After the national publication
- After entering substantive examination phase or together with the request for substantive examination
- Before starting substantive examination
- Up to two opportunities of filling request for each application





# PPH Application Requirements “Sufficiently Correspond”





## Positive Examination Opinion

- *At least one corresponding application exists in the ROSPATENT and has one or more claims that are determined to be patentable/allowable by the ROSPATENT.*
- *Claims are “determined to be allowable/patentable” when the ROSPATENT examiner clearly identified the claims to be “PATENTABLE” in the latest office action, even if the application is not granted for patent yet.*





# PPH Application Requirements “Sufficiently Correspond”

- Amendments:  
Meet the requirement of “Sufficient Correspondence”

## Time Slot:

- ✓ Together with a request for substantive examination
- ✓ Within 3 months after receiving the Notice of Invention Patent Application Entering into Substantive Examination Stage.







# PPH Application Requirements “Sufficiently Correspond”

- Amendments:  
After the PPH request is approved

Before 1 <sup>st</sup> OA	After 1 <sup>st</sup> OA
<b>Need</b> to sufficiently correspond	<b>NO</b> need to sufficiently correspond





# What materials are required to request PPH to SIPO?

**Form**

**“Common PPH request form”**

**OA**

Copies of OAs of corresponding application (regular PPH), copies of latest OA (PCT-PPH), and Chinese or English translation thereof (except for the documents can be retrieved through IT system)

**Claims**

Copies of patentable claims deemed as allowable by OFF, and Chinese or English translation thereof. (except for the case the documents can be retrieved through IT system)

**Cited**

Copies of cited documents (non-patent literature)

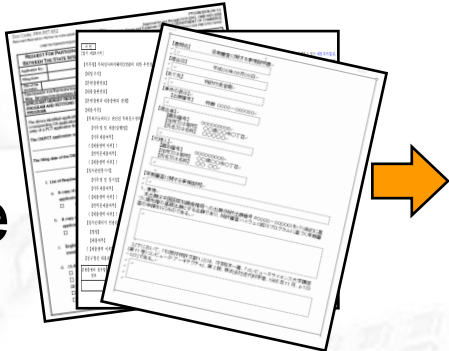




# Common PPH Request Form



## Implementation Timetable



**REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM.**

**A. Bibliographic Data:**

Application Number (if known): \_\_\_\_\_

(Special items to be added by the Office): \_\_\_\_\_

**B. Request:**

Applicant requests participation in the Patent Prosecution Highway (PPH) pilot program based on:

Office of Earlier Examination (OEE): \_\_\_\_\_

OEE Work Product Type:  National/Regional Office Action(s)  WO-ISA, WO-PEA or PFR

OEE Application Number: \_\_\_\_\_ (Inc. PCT Application Number)

(Special items to be added by the Office): \_\_\_\_\_

PRV, PRH,UKIPO	2014
SIPO, EPO, APO, ILPO, HIPO, SPTO, INPI Portugal, Norwegian IPO	January 2015
USPTO, IP Australia, Rospatent	February 2015
CIPO, DKPTO	Early 2015
KIPO, JPO	Aug 2015





# Contents

- SIPO's PPH Network
- PPH Statistics
- PPH User Outreach Activities
- SIPO-ROSPATENT PPH Pilot
- Next Steps





# Next Steps



- Extension of existing pilots
- Expansion of PPH partnerships
- Promotion of PPH in China
- Addressing issues on PPH development







# CN-BRICS PPH Future Cooperation



- Extension of SIPO-ROSPATNET, SIPO-INPI PPH pilot programme
  - The SIPO-ROSPATNET pilot will be expired on June 30, 2018
  - The SIPO-INPI pilot will be expired on January 31, 2020
- Further raising user awareness
  - Promotion seminar
- Latest information exchange and consultation
  - Status quo information
  - User feedback





# More PPH information?

PPH column of SIPO

<http://www.sipo.gov.cn/ztl/ywzt/pph/>

PPH portal site (maintained by JPO)

<http://www.jpo.go.jp/pph-portal/index.htm>



Patent Prosecution Highway (PPH) 介绍

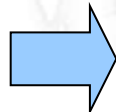
- PPH 简介
- PPH 基本原则

PPH 新闻

- 中国 PPH 新闻
- 美国 PPH 新闻
- 欧洲 PPH 新闻
- 日本 PPH 新闻
- 韩国 PPH 新闻

相关链接

- PCT Newsletter No.12/2011
- PCT Newsletter No.11/2011
- 国外 PPH MOTTAINAI 项目的常见问题
- 国外 PCT-PPH 项目的常见问题
- 国外 PPH 项目的常见问题



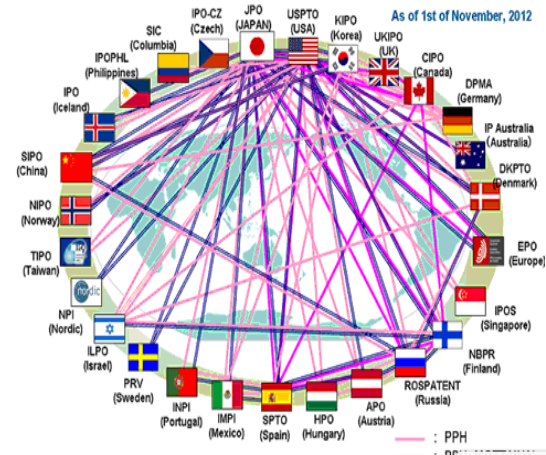
国外 PPH 项目的  
有关信息



Top	About PPH	PPH MOTTAINAI	★ Procedures
Booklet	Statistics	Access to Dossier	Events

## Expanding PPH Network

Page for Printing





Thank you!

[zhouqing@sipo.gov.cn](mailto:zhouqing@sipo.gov.cn)

[www.sipo.gov.cn](http://www.sipo.gov.cn)

