

USPTO Extends PCT-PPH Programs with EPO & JPO

By Donald Zuhn -- February 06, 2012



Last month, the U.S. Patent and Trademark Office [announced](#) that it was extending its Patent Prosecution Highway (PPH) pilot program based on Patent Cooperation Treaty (PCT) work products (*i.e.*, PCT-PPH pilot program) with the European Patent Office for two more years. The USPTO similarly [announced](#) that it was extending the PCT-PPH pilot program with the Japan Patent Office

for two more years. Both pilot programs are now scheduled to end on January 12, 2014, although either program may be further extended past that date.

Under the PCT-PPH framework, an applicant receiving a positive written opinion or a positive international preliminary examination report in a PCT application where the EPO or JPO was the International Searching Authority (ISA) or the International Preliminary Examination Authority (IPEA) may request that the USPTO fast track the examination of corresponding claims in the corresponding U.S. application. A positive written opinion or IPER is one in which at least one claim in an International application is determined to have novelty, inventive step, and industrial applicability. Both programs were extended in order to collect more information before any formal decision on the programs is made.

Since implementing its first Patent Prosecution Highway (PPH) program with the Japan Patent Office (JPO) on July 3, 2006, the U.S. Patent and Trademark Office has established a total of twenty PPH programs with other patent offices. Currently the USPTO has PPH programs (full or pilot) in place with the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the United Kingdom Intellectual Property Office (UK IPO), the Canadian Intellectual Property Office (CIPO), IP Australia (IP AU), the European Patent Office (EPO), the Danish Patent and Trademark Office (DKPTO), the Intellectual Property Office of Singapore (IPOS), the German Patent and Trade Mark Office (DPMA), the National Board of Patents and Registration of Finland (NBPR), the Hungarian Patent Office (HPO), the Russian Federal Service for Intellectual Property, Patents and Trademarks (ROSPATENT), the Spanish Patent and Trademark Office (SPTO), the Austrian Patent Office (APO), the Mexican Institute of Industrial Property (IMPI), and the Israel Patent Office (ILPO), the Taiwan Intellectual Property Office (TIPO), the Norwegian Industrial Property Office (NIPO), China's State Intellectual Property Office (SIPO), and the Icelandic Patent Office (IPO). The USPTO has also established eleven PCT-PPH programs with other patent offices: IP Australia, APO, SIPO, EPO, NBPR, JPO, KIPO, the Nordic Patent Institute (NPI), ROSPATENT, SPTO, and the Swedish Patent and Registration Office (PRV). Additional information regarding the various PPH and PCT-PPH programs can be found [here](#).

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