

## Patent Prosecution Highway – The Big Five

The world's five largest Intellectual Property Offices will launch a comprehensive "IP5" Patent Prosecution Highway (PPH) pilot programme as of 6 January 2014 in order to make obtaining patents faster and more efficient. Under the programme, applicants whose patent claims have been found to be patentable/allowable by one office may ask for accelerated processing of their corresponding applications pending before the other IP5 offices.

The IP5 offices are the European Patent Office (EPO), the Japanese Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO) and the United States Patent and Trademark Office (USPTO). The offices concerned will also exploit already existing work results insofar as they can. Given that 2012 saw a growth of 11% over 2011 in applications filed at these IP5 offices, this initiative aims to go further to improve efficiency of the grant process and address the growing backlogs in applications worldwide. Requests to use the PPH can be filed with any of the IP5 Offices both on the basis of PCT applications as well as national work products established by the IP5.

The programme will utilise PCT and national patent prosecution results in one of the IP5 offices to accelerate treatment of patent applications in any of the other IP5 offices. When using the PPH, the claims found to be patentable by the one office must be introduced into the application(s) in the other office(s).

In principle, the launch of the IP5 PPH pilot programme means currently operational PPH pilot programmes that overlap the IP5 offices, such as the EPO-USPTO PPH which is due to end on 28 January 2014, will be integrated in this all-inclusive scheme, and no longer be treated separately.

The IP5 PPH programme will be open for applications pending before the EPO on 6 January 2014, or applications filed anytime thereafter. Further details and requirements for participation in the IP5 PPH pilot programme will be announced on the EPO website.

As always, there remains an alternative option to expedite prosecution in Europe, which is to file a request for accelerated examination (a "PACE" request). With this service an applicant would receive the same accelerated service as under the PPH route, but it is not necessary to file amended claims or documents from the corresponding IP5 office.

**This update was prepared by Dr Jennifer Uno one of the Patent Directors in the Engineering team of our [York](#) office +44(0) 190 473 2120.**

**If you would like further advice on this or any other Patent matters, please contact [Dr Jennifer Uno](#) or your usual HGF representative or visit our [Contact Page](#) to get in touch with your nearest HGF office.**

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