

Vancouver Group

INTELLECTUAL PROPERTY OFFICES OF  
AUSTRALIA, CANADA AND THE UNITED KINGDOM



# Vancouver Group Mutual Exploitation

Work sharing for improved international  
collaboration on search and examination

Meeting of the Directive Committee of the South American Regional Cooperation  
System on IP  
Washington DC  
April 2013

**Canadian Intellectual Property Office**



## Why work sharing?

- Economic uncertainty – need to work together in a smarter, more collaborative way
- IP system not immune to impact from a changing global economy
  - Opportunity to evaluate current model and advance efficiencies
  - Better meet needs of innovators and users of IP
- Work sharing can practically address common challenges:
  - Coping with large volumes of work
  - Improving quality of rights
  - Minimizing unnecessary duplication and inefficiencies



***Established in April 2008 between the IP offices of  
the UK, Canada and Australia***

## **Aim**

- Share information and experiences
- Contribute to a more effective multilateral approach to work sharing

## **Areas of Focus**

- Business performance reporting
- Economic research
- Mutual exploitation



- **Business Performance Reporting**

- Benchmarking project compares productivity and efficiency across VG offices
  - Drill-down exercise to compare productivity and efficiency in specific technology areas

- **Economic Research**

- Useful exchanges on the economics of IP
  - UKIPO Small Entity Fee Research



## Current Priority – Mutual Exploitation of Patent Work

1. **Core Principle** – Where possible, rely on any patent granted or work done by another VG office
2. Office driven
3. Transparency
4. Applies to all work done by VG offices

### *Applicant choices:*

5. Accelerated examination
6. Arrangements for accelerated examination

### *Implementation-focused principles:*

7. Access to work – enabling platform using WIPO infrastructure
8. Ongoing examiner interaction



✓ **Trust in one another's work:**

- Three exchanges undertaken to date have:
  - Shown there are more similarities than differences
  - Confirmed feasibility / viability of work sharing
  - Reinforced importance of collaborative work sharing
  - Focused on comparing quality and developing common quality criteria
    - *Five Quality Standards developed:*
      1. *Correct Search Strategy is adopted*
      2. *Search Report is Complete and Correct*
      3. *Relevant Statutory Objections are raised*
      4. *Examination Report is Comprehensive and Informative*
      5. *Written Formalities are Complete and Correct*



- ✓ **Access** to work of other offices
  - Worked with WIPO to develop Centralised Access to Search and Examination (WIPO-CASE):
    - Single portal to access documents from other offices
    - Used as a library of search and examination reports
    - Built on existing WIPO infrastructure
    - WIPO responsible for design and build of CASE's agreed features
    - Participating Offices have a choice of data sharing method: Bulk upload or Web Services

# Vancouver Group Initiative

WIPO System Interaction Centralised Access to Search and Examination Documents

## Scenario 1

IP Office sends documents to WIPO



IP Office

Upload



WIPO hosts documents on CASE

← Query →

← Response →



Examiner

## Scenario 2

IP Office hosts documents. IP Office Digital Library provides documents on demand via WIPO



IP Office

Digital Library

← Query →

← Response →

CASE System



WIPO system retrieves documents on demand

← Query →

← Response →



Examiner





- Information/functions available through CASE:
  - Specifications, including amendments
  - Patent family information
  - Search and examination reports
  - Notification service
- WIPO CASE 2.1 (released July 2012) adds the following features:
  - Web Services: real time access to documents and data
  - Citation Data: including citation status and history



## **VG offices have incorporated CASE into their examination procedures**

- Can download other offices' examination prosecution for viewing

## **Examiners can use these reports to the extent possible**

- Reference other office's report for detailed reasoning and explanation

## **CASE can be useful for**

- Reducing examination effort on applications



## Data Available (as at January 2013)

- **Canada**: bibliographic information on applications with at least 1 examiner report from 2006 onwards (205,834 applications)
- **Australia**: published specification, search/examination documents on OPI applications from 2004 onwards (349,149 applications); structured citation data for applications with an examination report date of June 12, 2012 onwards
- **UK**: published specification, search/examination documents on all applications published after 1 January 2008 (50,207) applications

**11,000+** documents exchanged by VG offices (Mar 2011 – Dec 2012)



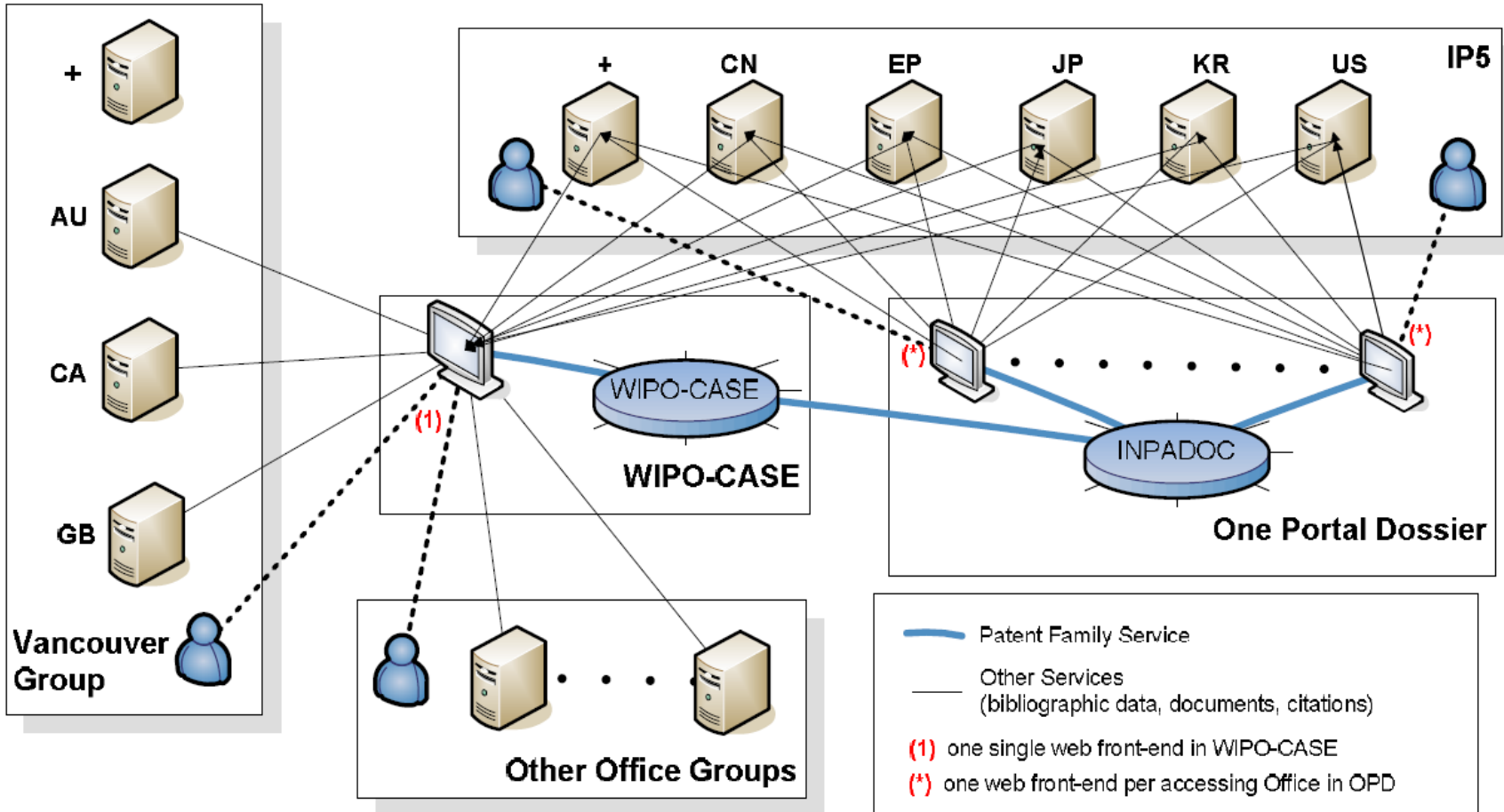
- **Access by other Offices**

- A framework is in development to govern WIPO CASE administration and expansion of membership in a transparent way
- Possible future connection to the IP5's One Portal Dossier/Global Dossier system
- US (USPTO), Japan (JPO) and Singapore (IPOS) have expressed interest in participating in WIPO CASE
  - New Zealand (IPONZ) currently participates as an accessing office

# Future of WIPO CASE



## • Potential Future State





- VG Mutual Exploitation Initiative has focused on quality and quality assurance practices
  - Will look at developing feedback mechanism on re-used work
- WIPO CASE developed – currently working on enhancements. Other steps include:
  - Promoting/increasing CASE participation – Governance Framework expected shortly from WIPO
  - Investigate linking to other online work sharing tools



Merci!

Thank You!