Extension of the Patent Prosecution Highway Pilot Program between the USPTO and the JPO

On July 3, 2006, the United States Patent and Trademark Office (USPTO) commenced a Patent Prosecution Highway pilot program (PPH) which enabled an applicant whose claims have been determined allowable/patentable in an application filed in the Japan Patent Office (JPO) to have the corresponding application filed in the USPTO be advanced out of turn for examination. See Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and the Japan Patent Office, 1307 Off. Gaz. Pat. Office 61 (June 13, 2006). The USPTO indicated that the pilot program would last for a period of one year ending on July 3, 2007, but may be extended for an additional time period thereafter.

The requirements of the PPH pilot program were recently modified to permit certain applications based on PCT filings to qualify for participation in the PPH pilot program (the June 13, 2006 notice excluded PCT applications). See Revised Requirements for Requesting Participation in the Patent Prosecution Highway Pilot Program in the USPTO, 1319 Off. Gaz. Pat. Office 63 (June 12, 2007). In view of this recent modification, the USPTO has decided to extend the PPH pilot program for an additional 6 months to January 3, 2008. The USPTO and JPO will evaluate the results of the pilot program at the end of this 6 months period to determine whether and how the program should be fully implemented.

Please continue to direct inquiries on the PPH pilot program to Magdalen Greenlief at 571-272-8800 or via e-mail addressed to Magdalen.greenlief@uspto.gov.

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Commissioner for Patents