

## PATENT PROSECUTION HIGHWAY (PPH)

The Patent Prosecution Highway (PPH) speeds up the examination process for corresponding applications filed in participating countries by allowing examiners to reuse search and examination results.

Under the PPH program, an applicant receiving a ruling from the Office of First Filing (OFF) that at least one claim is patentable may request that the Office of Second Filing (OSF) fast track the examination of corresponding claims in corresponding applications filed in the OSF. The PPH will leverage fast-track examination procedures already available in the OSF to allow applicants to obtain patents faster and more efficiently. For example, the OSF can use the OFF's work products – such as allowances or search reports – to streamline patent processing.

All claims in the OSF application must sufficiently correspond to the allowable claims in the OFF application.

As of May 25, 2010, the USPTO has **eliminated the fee** for the petition to make special under the PPH programs.

## PPH Benefits

PPH speeds up the examination process and lowers costs. Managers responsible for their organization's intellectual property strategy and legal counsel looking to obtain the best, most cost-effective advantage for their clients should consider it as a means to deliver significant benefits to their businesses.

Benefits to the PPH include:

### Accelerated Examination

Examination within two to three months from the grant of the PPH request provided the application has completed all its pre-exam processing and is ready for examination.

### Greater Efficiency

More than 90 percent of PPH cases are allowed. The allowance rate for non-PPH cases is less than 50 percent.

### Decreased Costs of Prosecution

On average, PPH cases have fewer actions per disposal when compared to non-PPH cases saving both applicants and Offices time and expense.

### Reduced Pendency

PPH enables applications filed in multiple jurisdictions to be fast tracked based on another Office's work product.

### No Petition Fee

The USPTO eliminated the petition fee in May 2010 making PPH even more cost effective for users.

## PCT-PPH

Recently, the PPH program has been expanded on a test basis to permit PPH eligibility for national- and regional-phase applications under the Patent Cooperation Treaty (PCT) on the basis of positive results in the PCT international phase.

The participating Offices in PCT-PPH are the:

- Trilateral Offices:
  - USPTO,
  - Japan Patent Office (JPO), and
  - European Patent Office (EPO);
- Korean Intellectual Property Office (KIPO);
- Austrian Patent Office (APO);
- Russia (ROSPATENT); and
- Spanish Patent and Trademark Office (SPTO).

In the PCT-PPH program, an applicant receiving a favorable Written Opinion or International Preliminary Report on Patentability from one of the participating Offices acting as an International Authority may request that a corresponding national phase entry or a national application filed at the USPTO receive fast-track examination under the PCT-PPH program.

## PPH Partners

The USPTO has PPH arrangements with the following intellectual property offices:



Australia (IPAU)



Austrian Patent Office (APO)



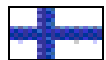
Canada (CIPO)



Denmark (DKPTO)



European Patent Office (EPO)



Finland (NBPR)



Germany (DPMA)



Hungary (HPO)



Japan (JPO)



Korea (KIPO)



Russia (ROSPATENT)



Singapore (IPOS)



Spanish Patent and Trademark Office (SPTO)



United Kingdom (UKIPO)

Given the benefits to users and to IP offices, PPH is growing in popularity and new partnerships continue to be formed. For up-to-date information on partnerships and the PPH program, visit:

[www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp).

## Patent Prosecution Highway

A list of frequently asked questions (FAQs) is available on the USPTO website to assist PPH applicants. In addition, the USPTO has worked closely with the JPO to create a one-stop PPH information portal, hosted on the JPO website ([www.jpo.go.jp](http://www.jpo.go.jp)). At this portal, applicants can find relevant information about all current PPH programs, including up-to-date statistics and fillable request forms.

### For more information

Visit

[http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp)

or contact the PPH Team at [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).



## PATENT PROSECUTION HIGHWAY

*Fast Track Examination of Patent Applications*



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