

The 13th IP5 Heads of Office Meeting

Strengthen Co-operation To Tackle Global Challenges



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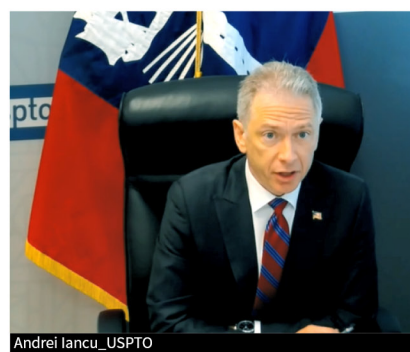
Introduction of the 13th IP5 Heads of Office Meeting



Introduction of the 13th IP5 Heads of Office Meeting

On 21 July, meeting via video conference for the first time, the heads of the world's five largest intellectual property offices, known as the IP5, agreed to continue to strengthen their co-operation in the area of intellectual property (IP), including tackling challenges posed by COVID-19, to provide better services for users and the public. The annual meeting, originally scheduled to take place in June in Chengdu, China, was postponed due to the pandemic.

The five heads of office reaffirmed the importance of IP protection to support the research, innovation and creation now urgently needed across a broad range of industries to tackle the pandemic. They emphasized that, especially in times of crisis, IP plays a key role in boosting economic recovery and creating jobs.



The meeting was chaired by Dr. Shen Changyu, Commissioner of the China National Intellectual Property Administration (CNIPA), and attended by Mr. António Campinos, President of the European Patent Office (EPO), Mr. Kasutani Toshihide, Commissioner of the Japan Patent Office (JPO), Dr. Park Wonjoo, Commissioner of the Korean Intellectual Property Office (KIPO) and Mr. Andrei Iancu, Director of the United States Patent and Trademark Office (USPTO). Dr. Francis Gurry, Director General of the World Intellectual Property Organization (WIPO), attended as an observer. The IP5 together handle around 85 percent of the world's patent applications.



Messages from the Heads



Shen Changyu
Commissioner

CNIPA:

"At this challenging juncture, we get together via this special Videoconference for an IP5 Heads Meeting as scheduled, talking about how to jointly respond to the pandemic and reaffirming our commitment to cooperation. This is significant."

EPO:

"At this unprecedented time, it is essential for our offices to maintain business continuity and reinforce our digital capabilities, especially when it comes to our IP5 cooperation activities. This will send a strong signal to IP5 industry and the general public, and demonstrate our offices' continued commitment to the IP5 vision."



António Campinos
President



Iwasaki Susumu Deputy Commissioner
Kasutani Toshihide Commissioner

JPO:

"Users recognize that they are still in a difficult environment for economic recovery, we would like to further strengthen the cooperation of the five offices in order to minimize the impact of the difficulties, and promote innovation that overcome the pandemic."

— **Commissioner Kasutani**

"IP5 have been cooperating by overcoming the difficulties, more importantly, we utilized the virtual meetings so that we can proceed with the discussion in a well planned manner."

— **Deputy Commissioner Iwasaki**



Park Wonjoo
Commissioner

KIPO:

"More than anything, I believe today's special meeting demonstrates our eagerness to keep our projects up and running as scheduled. Standing united against the unexpected challenge of the COVID-19, I am certain that our cooperation evidenced by today's meeting will act as a beacon to the global community."

USPTO:

"The COVID-19 pandemic has taken a tremendous effect on lives, businesses, and economies around the world and we are all still struggling with its effects. But prices like these also present opportunities for great people from great offices with great ideas to emerge. As IP offices, it is critical at these uncertain times, we provide the means to encourage and enable the development and protection for innovations that will lead us out of this crisis."



Andrei Iancu
Director

WIPO:

"The IP5 is an extraordinarily important institution for cooperation internationally as the leading IP offices, the leading patent offices. And now more than ever, this cooperation that exists between the IP5 is important for the global intellectual property community."



Francis Gurry
Director General

Strategic Responses to the COVID-19 Pandemic



CNIPA

Relief measures:

- Notice No. 350
- Application scope of Relief
- Providing Patent and IC Layout-design services over internet
- TM application during pandemic prevention and control period

Information Sharing:

- Special column on the official website: Combating the pandemic, we are in action
- Research Report on Patent Information on Fighting Against Novel Corona Virus Pneumonia
- Research Report on Traditional Chinese Medicine for Prevention and Treatment for Novel Corona Virus Pneumonia
- Research Report on Protective Medical Mask for Novel Corona Virus Pneumonia
- Information Sharing Platform for Patents on Pandemic Prevention against COVID-19
- Patent Information Thematic Database for Prevention and Treatment of COVID-19

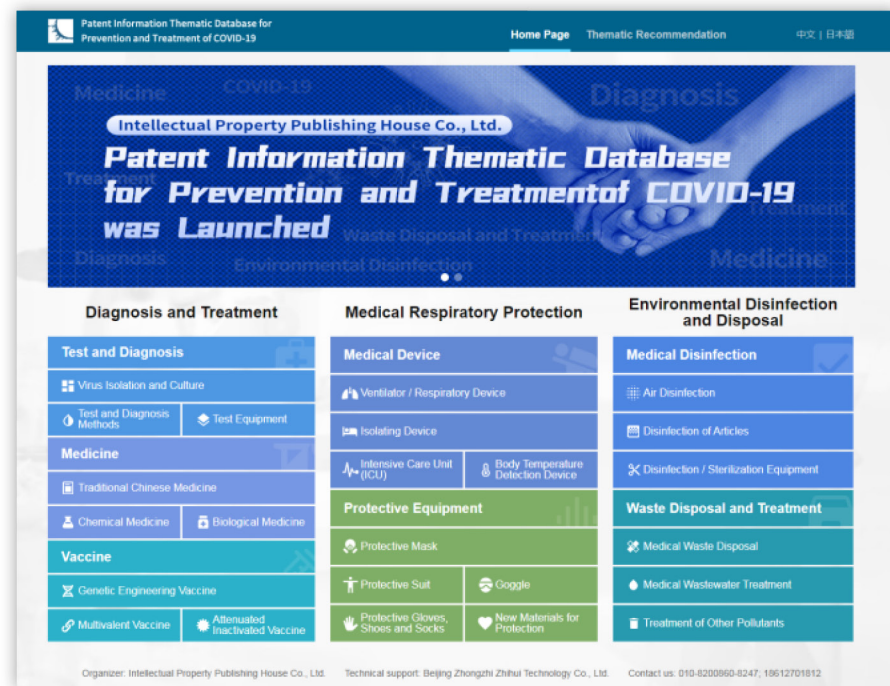
Online training:

- Free public online training courses during pandemic prevention and control period

Operation:

- Cooperated with courts to carry out remote litigations for trademark administrative cases
- Increased the number of examiners working remotely and ensured the stability and efficiency of the examination system through expanding network capacity and other measures.

“Diverse measures including relief measures, patent information and operations have been taken to facilitate domestic and foreign users.”



Note: The information provided in Part 3 was collected by May 20, 2020.



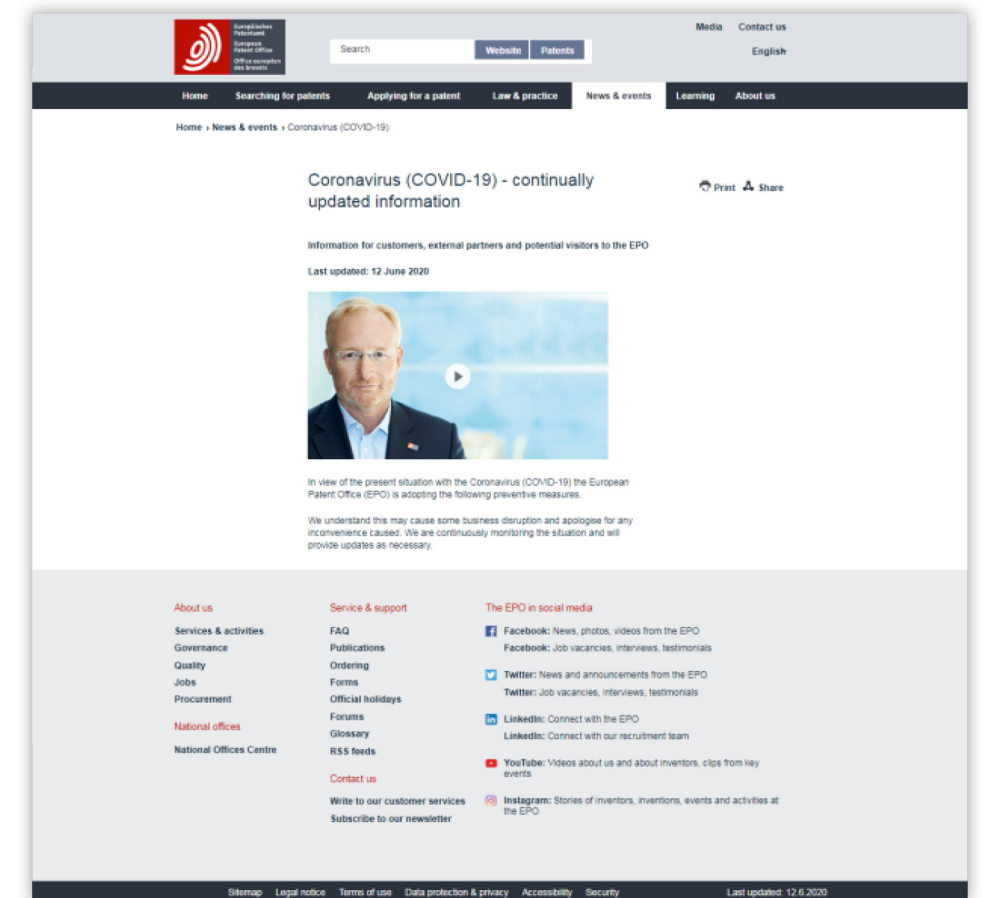
EPO

Relief measures:

- Oral proceedings in opposition and examination
- Postponement until further notice of all oral proceedings in opposition scheduled until 2 June 2020
- Oral proceedings in examination held by videoconference
- Remedies in case of non-observance of time limits
- Extension of periods for the payment of fees

Information Sharing:

- Launched a continually updated webpage dedicated to COVID-19 related issues



The webpage dedicated to COVID-19 related issues

“Responded to the pandemic with unprecedented measures, including ensuring the health and safety on top priority, and making better use of the technology to ensure the continuity in the patent granting process.”



JPO

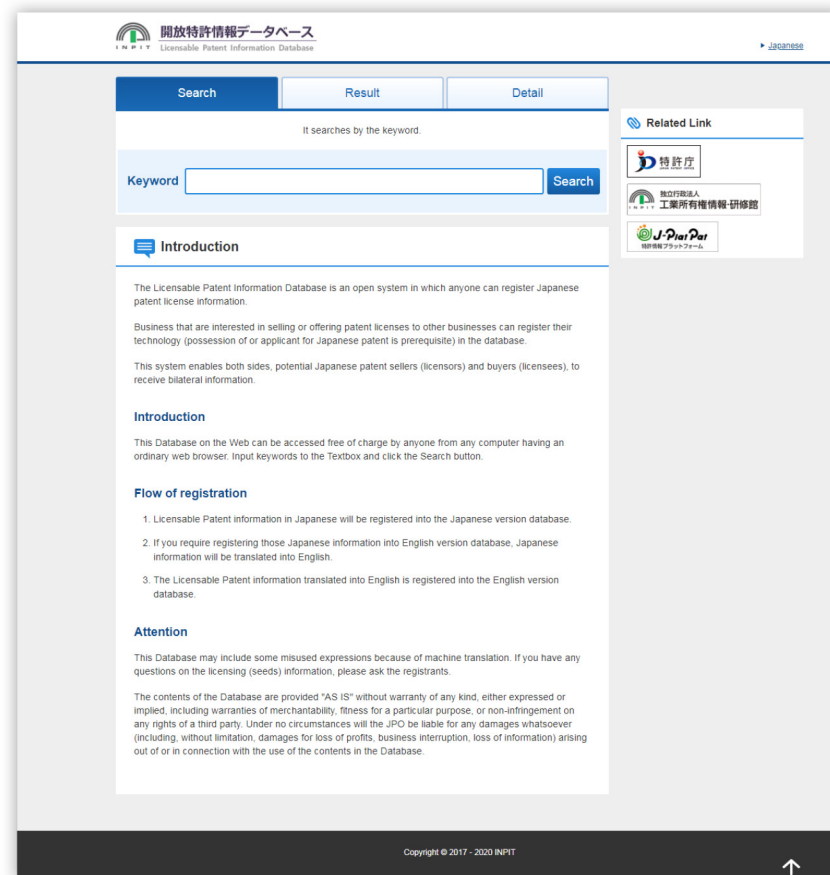
Relief measures:

- Handling of Procedures Affected by COVID-19
- Relief Measures based on "Reasons beyond one's Control" and "Legitimate Reasons" when prescribed procedures are affected
- Relief Measures based on "Reasons beyond one's Control" in Formality Examination Manual 04.04
- Procedures for Application of Exceptions to Lack of Novelty of Invention
- Procedures for Application of Exceptions to Lack of Novelty of Design
- Extension of Designated Time Limit for Procedures of Pending Trials/Appeals Affected by COVID-19
- (Q&A) Responses to the Spread of COVID-19 (International applications under the PCT)

Oral proceedings:

- Videoconferences in Patent Examinations
- Videoconferences in Trials/Appeals
- Information Sharing:
- Licensable Patent Information Database
- Main Page on Responses to the Spread of COVID-19

“ Initiatives had been taken on increasing flexibility to alleviate the uses’ difficulties, digitalizing the procedures, maintaining an open patent information database. ”



Licensable Patent Information Database



KIPO

Relief measures:

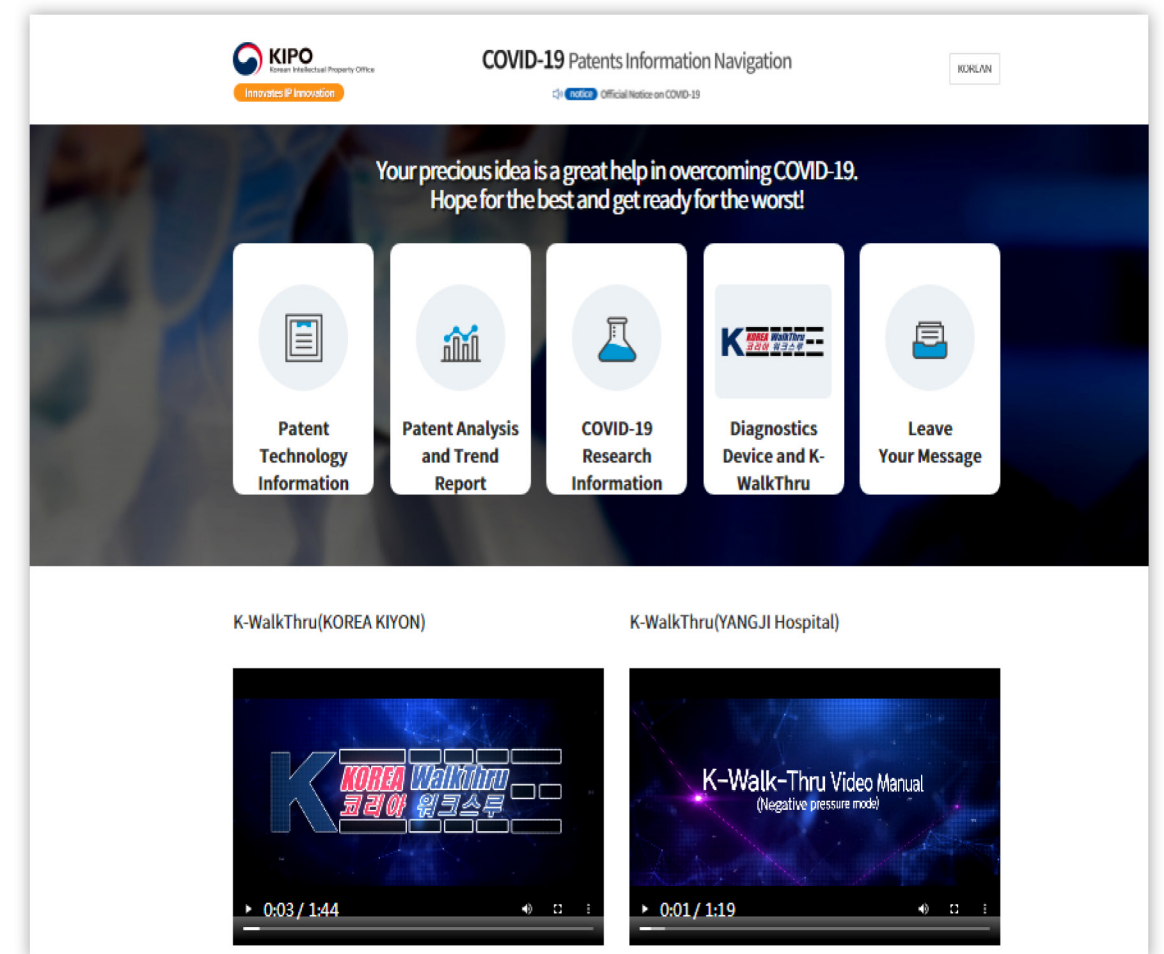
- Extension of deadline
- Lessened requirement for reviving abandoned patent applications
- Reduction of fee

Information Sharing:

- "COVID-19 Patent Information Navigation"

“ Making continued efforts on building IP systems through which the inventors and innovators can make therapeutics, and also to make relevant IPs, and cooperation would be the key. ”

“ Through efforts, the patent system will serve as a catalyst to overcome or facilitate to overcome the COVID-19 pandemic, and even serve a further protection of human life and improvement of the public health. ”



COVID-19 Patent Information Navigation

USPTO

Operations:

→ The USPTO is open for business, and operations will continue without interruption.

Hearings and oral proceedings:

→ Patent Trial and Appeal Board (PTAB) and Trademark Trial and Appeal Board (TTAB) oral hearings, and similar in-person meetings with parties and stakeholders scheduled to take place at USPTO offices on or after Friday, March 13, 2020 will be conducted remotely by video or telephone.

Relief measures :

→ Under the CARES Act, the USPTO extended the time allowed to file certain patent and trademark-related documents and payments of certain required fees. Certain filings or payments due on or between March 27, 2020 and May 31, 2020 that were or may be delayed due to the health crisis will be considered timely if filed on or before June 1, 2020.

→ The USPTO is waiving the requirement of 37 CFR 1.4(e)(1) and (2) for original handwritten signature for certain correspondence with the Office of Enrollment and Discipline and certain payments by credit card.


→ The USPTO considers the effects of coronavirus to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146 for affected patent and trademark applicants, patentees, reexamination parties, and trademark owners. Therefore, the USPTO is waiving petition fees in certain situations for customers impacted by the coronavirus. Details about eligible applications and reexamination proceedings are provided in the link.

→ Until further notice, the USPTO will accept plant patent applications and follow-on documents through the USPTO patent electronic filing systems (EFS-Web or Patent Center).

Information sharing:

→ The USPTO has launched a website called Patents 4 Partnerships, which lists patents and published applications relating to COVID-19 that the owners have indicated are available for licensing, along with contact information.





→ The USPTO is compiling all notices related to COVID-19 on its main webpage.



USPTO COVID-19 Response Resource Center

The USPTO's COVID-19 Response Resource Center is a central hub for information about the USPTO's efforts and other helpful information in response to the COVID-19 outbreak. Learn about the various actions the USPTO is taking to accelerate innovation, keep our stakeholders informed of recent developments, and promote new technologies.

For USPTO notices regarding the COVID-19 outbreak, please go to www.uspto.gov/coronavirus.

 Patent and licensing resources <small>Are you an inventor, entrepreneur, or</small>	 Innovation incentives <small>The United States patent system</small>	 Trademarks, counterfeiting, and fraud	 International updates <small>Are you an innovator or IP practitioner</small>
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“ IP5 offices to work together to explore coordinated approaches for addressing the needs of stakeholders and responses during emergencies. ”

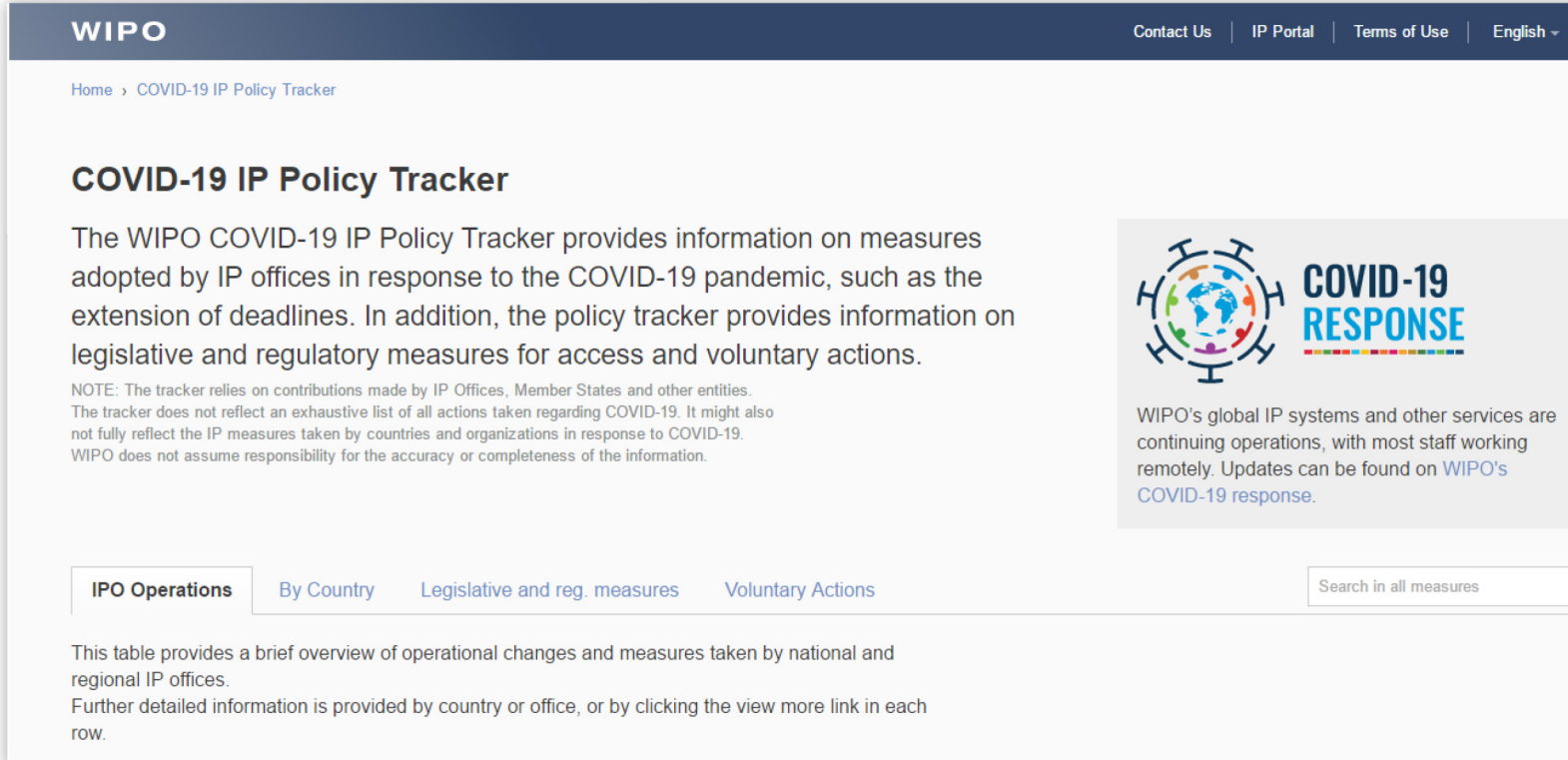
WIPO

To assist member states, organizations and individuals, WIPO has compiled—and will be continuously updating—a comprehensive repository, i.e. the COVID-19 IP Policy Tracker.

The WIPO COVID-19 IP Policy Tracker provides information on measures adopted by IP offices in response to the COVID-19 pandemic, such as the extension of deadlines. In addition, the policy tracker provides information on legislative and regulatory measures for access and voluntary actions.

In publishing this tracker WIPO is pleased to support the UN General Assembly Resolution (A/74/L.52) on "global solidarity to fight Coronavirus disease 2019 (COVID-19)" , March 27, 2020 and its "Calls for intensified international cooperation to contain, mitigate and defeat the pandemic, including by exchanging information, scientific knowledge and best practices".

“ The crisis is placing more importance on innovation, not only in the very obvious way where we need to find a vaccine and therapeutics, but also more generally, the circumstances of the crisis are stimulating the thinkings about the innovation around the world. ”



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Home > COVID-19 IP Policy Tracker

COVID-19 IP Policy Tracker

The WIPO COVID-19 IP Policy Tracker provides information on measures adopted by IP offices in response to the COVID-19 pandemic, such as the extension of deadlines. In addition, the policy tracker provides information on legislative and regulatory measures for access and voluntary actions.

NOTE: The tracker relies on contributions made by IP Offices, Member States and other entities. The tracker does not reflect an exhaustive list of all actions taken regarding COVID-19. It might also not fully reflect the IP measures taken by countries and organizations in response to COVID-19. WIPO does not assume responsibility for the accuracy or completeness of the information.

COVID-19 RESPONSE

WIPO's global IP systems and other services are continuing operations, with most staff working remotely. Updates can be found on WIPO's COVID-19 response.

IPO Operations | By Country | Legislative and reg. measures | Voluntary Actions |

This table provides a brief overview of operational changes and measures taken by national and regional IP offices. Further detailed information is provided by country or office, or by clicking the view more link in each row.

Achievements



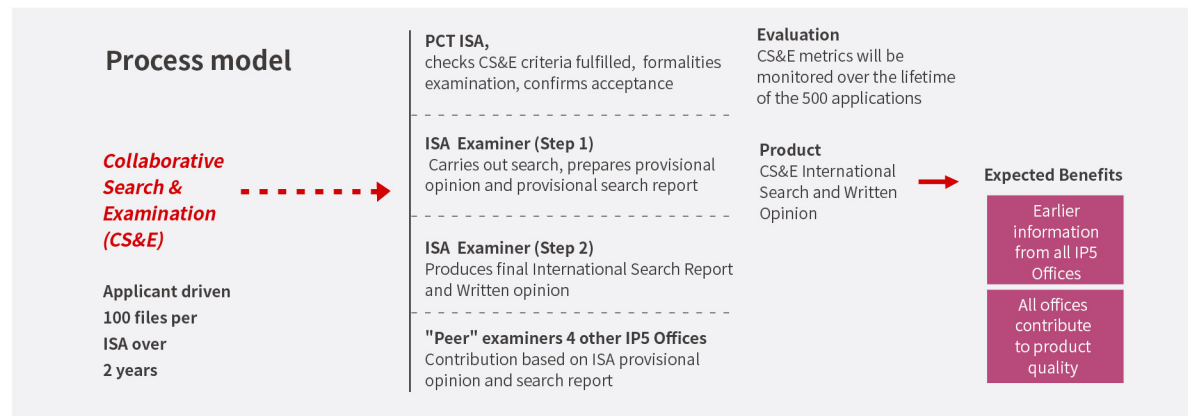
Gan Shaoning
Deputy Commissioner of CNIPA

The Deputy Commissioner of the CNIPA, Mr. Gan Shaoning introduced the recent work undertaken by the PMG including feedbacks acquired from IP5 industry on the various topics. The compilation of the following topics was reported and the next steps were endorsed by the IP5 Heads.





- A. Next steps of PCT CS&E (EPO)
- B. Scope of the NET/AI Task Force (EPO/KIPO)
- C. Latest progress of PHEP (USPTO)
- D. Revision of scope of XMLization (JPO)
- E. Guideline for IP5 Working Group Virtual Meetings (CNIPA)
- F. Communication Protocol and Information Flow with IP5 Industry (CNIPA)

A Next steps of PCT CS&E (EPO)

Milestone achieved: operational phase completed



· 2-year operational phase was smoothly and successfully achieved on 30 June 2020.

 Requests accepted by all IP5 Offices	 Provisional SR uploaded by all IP5 Offices & special cases	 Final SR delivered by all IP5 Offices
<h1>465</h1> <small>(incl. in DE – 13, FR – 2, JA – 20, KO – 3, ZH – 16)</small>	<h1>447</h1> <small>(incl. 36 non-unity, 3 sequence listings, 10 partial searches, 1 PCT-CLAR)</small>	<h1>434</h1>
 Technological fields	A – 85 E – 8 B – 50 F – 14 C – 52 G – 136 D – 5 H – 82 33 classifications pending	

—100 files received at ISA/US, ISA/KR, ISA/EP (maximum quota reached);
—Around 90 files received at ISA/CN and around 75 files received ISA/JP.

Endorsed by the Heads

Request to extend the evaluation phase by **an additional year** until June 2022 to assess the CS&E applications in the respective national/regional phases

In 2021	—user survey, i.e. participants will be consulted via a questionnaire —feedback analysis and further discussions with user groups
June 2022	final report including recommendations to IP5 Heads

B Scope of the NET/AI Task Force (EPO/KIPO)

First IP5 NET/AI task force meeting was held



on this meeting, the IP5 Offices reached a consensus about the working mode, industry engagement, possible areas for co-operation and timeline

Scoping Document: first milestone

Area 1	Legal aspects of NET/AI	Area 2	IT aspects/utilization of NET/AI	Area 3	Strategic outlook
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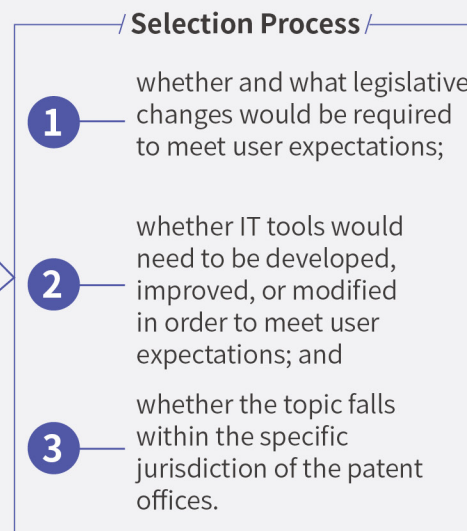
Endorsed by the Heads



C Latest progress of PHEP (USPTO)

Patent Harmonization Experts Panel (PHEP)


According to the feedbacks from the IP5 Industry, **8 candidate PHEP** topics had been made. To further select the feasible topics, the IP5 Offices considered the following 3 factors.



1. Adoption of a global assignment;
- 2(a). Harmonization of claim formalities; and 2(b). Harmonization of allowable features in drawings (e.g. color, how it should look).


Endorsed by the Heads

July 2020



Receive IP5 Industry feedback on PHEP topics

July - September 2020



USPTO hosts virtual PHEP exchange regarding feedback

Fall 2020



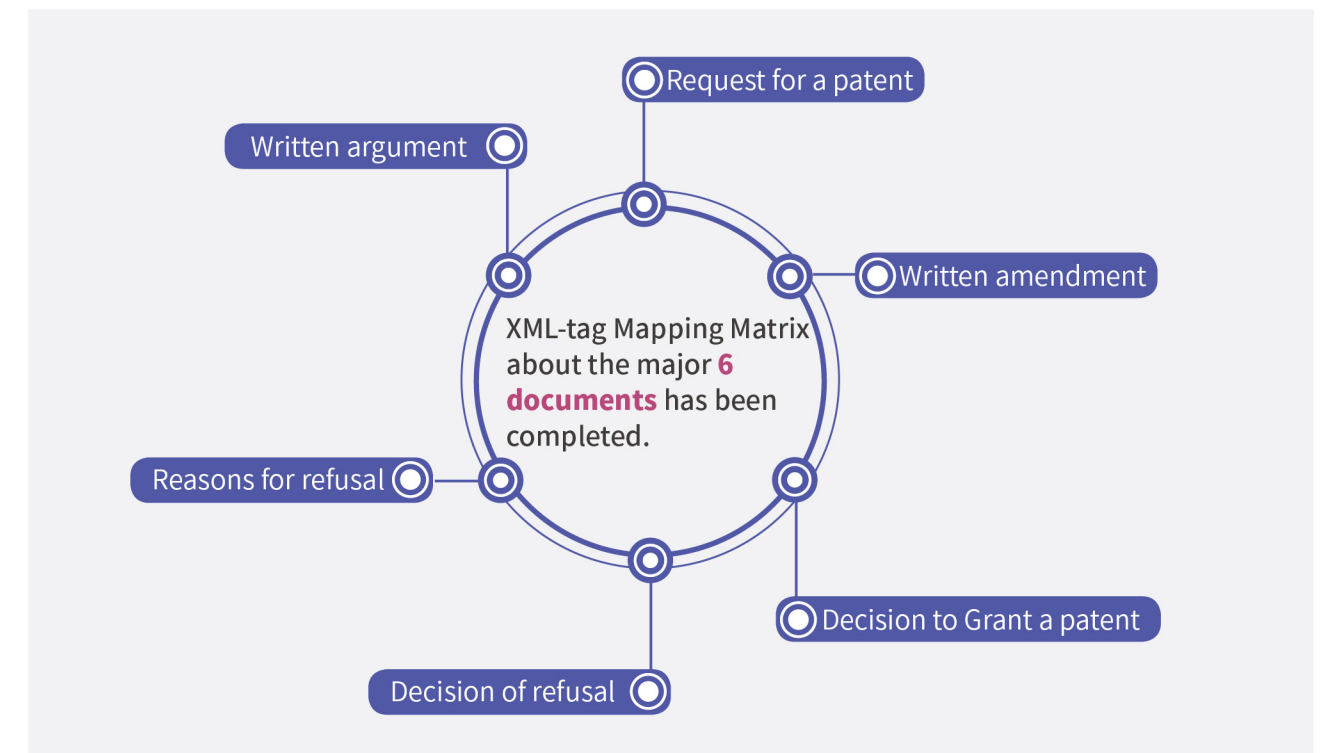
Reach consensus on candidate topic(s) to be taken up



D Revision of scope of XMLization (JPO)

The purpose of this project is to realize XMLization (machine readable) of each Document which is compatible between each Office and sufficiently satisfy the users' needs.

Latest progress




Endorsed by the Heads

In this meeting, the IP5 Heads endorse the revision of the XMLization scope document which incorporates OPD-API pilot program

Next step



Identify IP5 users' needs for data exchange based on XML



Reflect on the contents of Mapping Matrix




Utilize the result for consideration of XMLization in each IP5 Office

E Guideline for IP5 Working Group Virtual Meetings (CNIPA)

 **efficiency & cost-effectiveness**

01 Previous PMG & WG1 virtual meetings demonstrated their potential to improve efficiency & cost-effectiveness of IP5 cooperation

 **continuity & momentum**

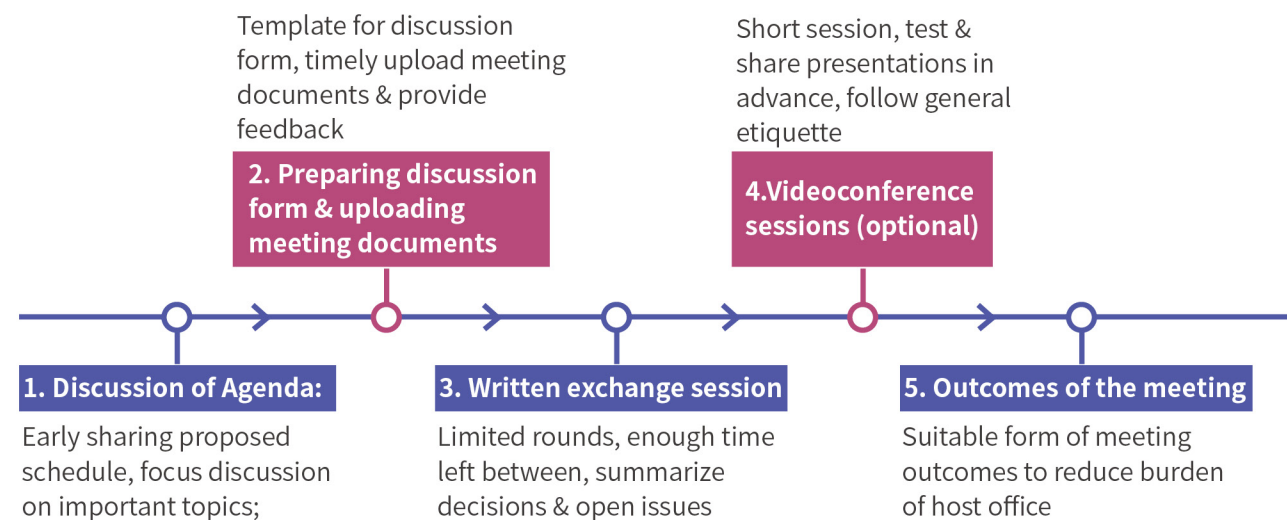
02 Several in-person meetings were swiftly replaced with virtual ones to maintain IP5 business continuity and cooperation momentum in the pandemic

guidelines are needed to summarize previous experience & provide recommendations for working virtually in the future

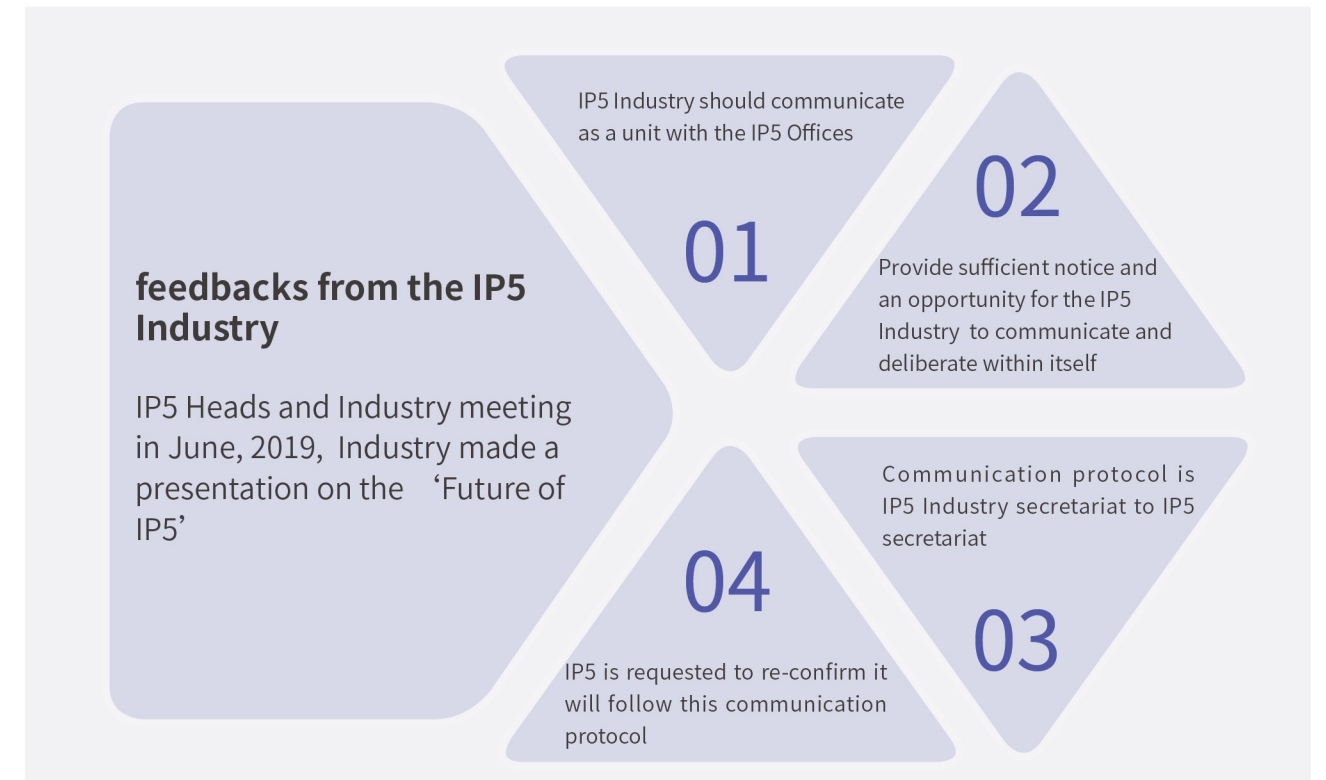
Principles for Coordination of Physical & Virtual Meetings

01	02	03	04
If condition permits, ensure an annual physical meeting for each WG	WGs could establish ad-hoc or routine virtual meetings, where appropriate	If emergency situation occurs, a virtual meeting should be considered to replace the physical meeting	In coordination with PMG, WGs should find appropriate balance between physical & virtual meetings and share the hosting responsibilities

Virtual Meeting Procedural Arrangement

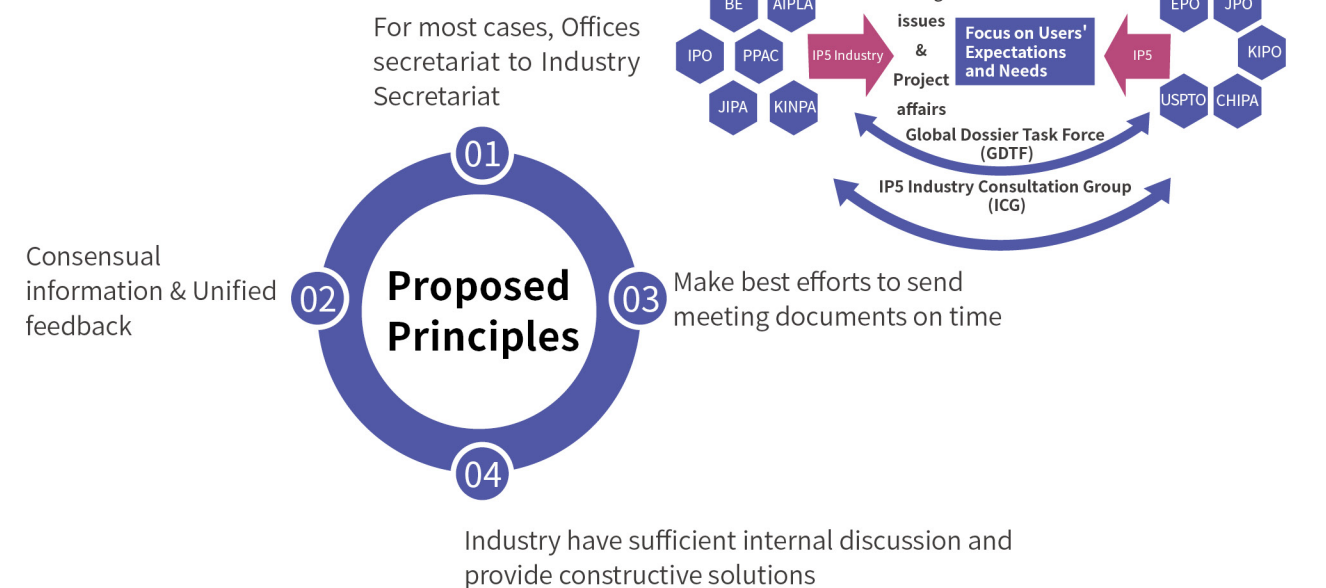


F Communication Protocol and Information Flow with IP5 Industry (CNIPA)



Respond to the Industry's requirements & improve the efficiency and effectiveness of communication, the Communication Protocol has been drafted

Proposed Principles



Consultation with Industry

In this special global circumstance with the COVID-19 pandemic, the IP5 Industry have shown flexibility and held a series of videoconferences.

5.20
2020

Videoconference

5.28
2020

Videoconference

IP5 Industry's comments on some of IP5 activities

On-going measures to the COVID-19 crisis

The IP5 industry expects IP5 Offices to continue with developing measures which could meet users' needs emerging from time to time during this difficult time. Also, they urge the continued dialog among the IP Offices in furtherance of ensuring consistency of policies and procedures in order to provide more certainty for all applicants world-wide.

Joint statement

On the basis of existing IP5 achievements, the industry expects the five offices continue to strengthen their cooperation, and provide more high-quality, efficient and convenient services to the industry.

NET/AI Task Force Scoping Document

Overall, The IP5 industry supports the Scoping Document including the objectives and potential projects proposed in the 3 areas. The IP5 industry is willing to provide their feedback to the offices, to guarantee that the achievements of NET/AI task force can meet the requirements of users.

Global Assignment

IP5 Industry believes that the IP5 Industry activities relating to the creation of the form and a proposed process for filing it have been very productive, and hope that this issue can move forward as a PHEP topic.

Joint Statement

2020 Joint Statement of the IP5 Offices

21 July 2020

The heads of the IP5 offices, namely the China National Intellectual Property Administration (CNIPA), the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), and the United States Patent and Trademark Office (USPTO), held their 13th annual meeting for the first time via videoconference on 21 July 2020. The meeting was originally scheduled to be held in June in Chengdu, China, but was postponed due to the COVID-19 pandemic. The videoconference was chaired by Dr. Shen Changyu, Commissioner of the CNIPA and was also attended by the World Intellectual Property Organization (WIPO) in an observer capacity.

The five heads of office expressed serious concern over the COVID-19 pandemic, which has posed a major threat to public life and health, and presents an enormous challenge for economic development and growth across the globe. Recognizing that the intellectual property (IP) system has been contributing significantly to human health and socio-economic development all over the world, they reaffirmed the importance of the protection of IP rights to support the research, innovation and creation now urgently needed across a broad range of industries to tackle the COVID-19 pandemic. They emphasized that, especially in times of crisis, IP plays a key role in boosting economic recovery and creating employment.





The IP5 heads also took stock of the measures put in place by each of the five offices to mitigate the effects of the COVID-19 pandemic on applicants and to promote innovation that is instrumental in winning the battle against this virus. These include providing assistance and relief to those affected by the outbreak, and continuing to facilitate access to patent information, which presents a wealth of technological knowledge related to the detection, prevention and treatment of COVID-19. They stressed that, through all of these measures,

the five offices continue to support inventors and researchers everywhere with high-quality IP rights that help them to attract investment, enter new markets, and foster technology transfer.

The five offices will continue the co-operation with the WIPO and support its activities to uphold and strengthen balanced intellectual property systems around the world.

The heads of office also reaffirmed the importance of stakeholder engagement in IP5 cooperation. The five offices have maintained close communication with IP5 industry associations to keep them informed about both the offices' measures in response to COVID-19 and progress on IP5 projects. The heads welcomed efforts of IP5 Industry to work actively with the five offices and to provide input for current and future IP5 initiatives.

Acknowledging the importance of further strengthening the IP5 cooperation and the needs of patent system users for predictability,



quality and timeliness, they reiterated their joint commitment to “provide better services to users and the public, so as to enhance the role of intellectual property in stimulating innovation and promoting socio-economic development”. To this aim, they confirmed that the five offices, during this crucial period, will continue to:

- Develop initiatives and share best practices to spur and incentivize innovation, so as to support innovators and the international IP community in their contributions to the recovery of our economies and societies.
- Pursue IP5 initiatives to advance cooperation in new emerging technologies and artificial intelligence; enhance harmonization of practices and procedures; strengthen work-sharing efforts; improve the quality and efficiency of examination; and further enhance access to patent information.

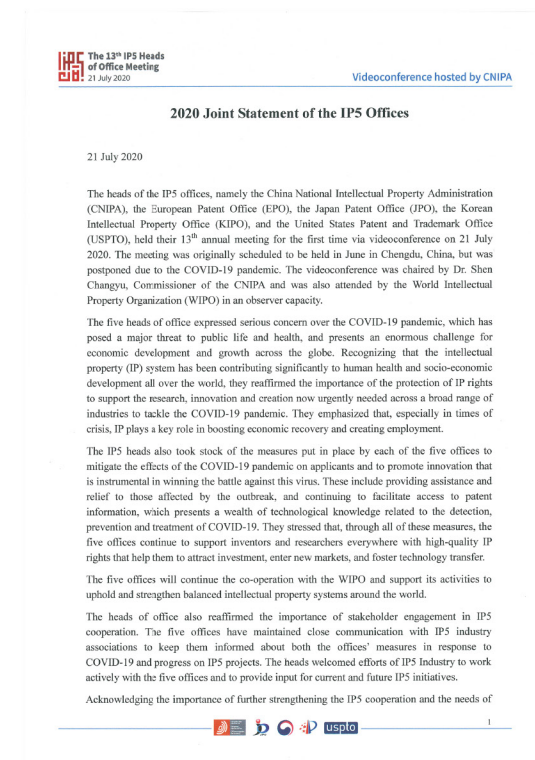
Shen Changyu
Commissioner
National Intellectual Property Administration of the People's Republic of China

António Campinos
President
European Patent Office

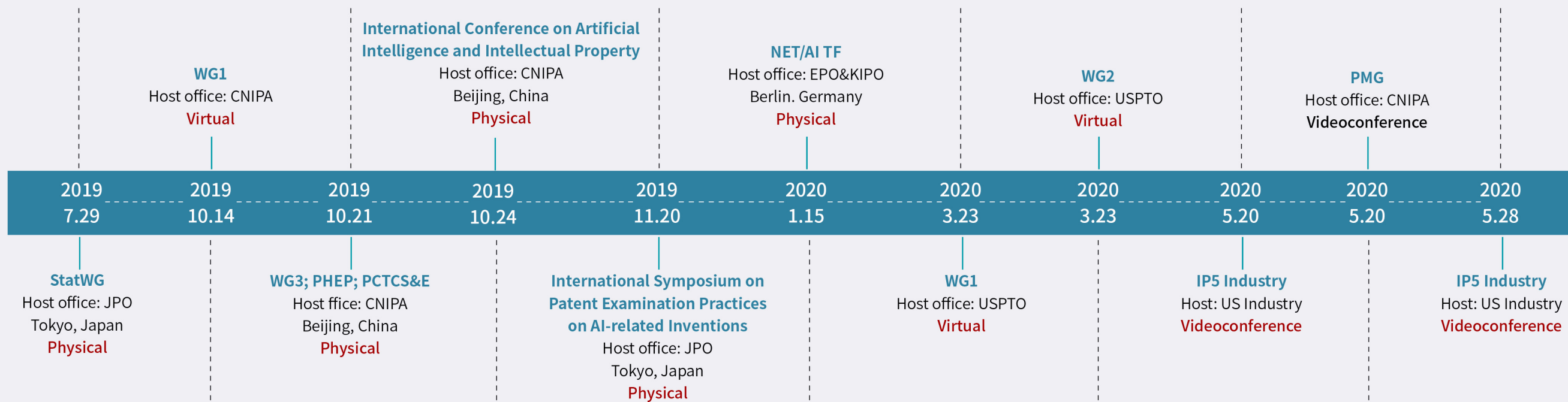
Kasutani Toshihide
Commissioner
Japan Patent Office

Park Wonjoo
Commissioner
Korean Intellectual Property Office

Andrei Iancu
Director
United States Patent and Trademark Office



Timeline of the IP5 meetings from July, 2019-July 2020



2020.7.21
IP5 Heads of Office Meeting
 Host office: CNIPA
 Videoconference



Highlights & Photo Gallery

Extraordinary old friends and new friends in the IP5 community



Kasutani Toshihide
Commissioner



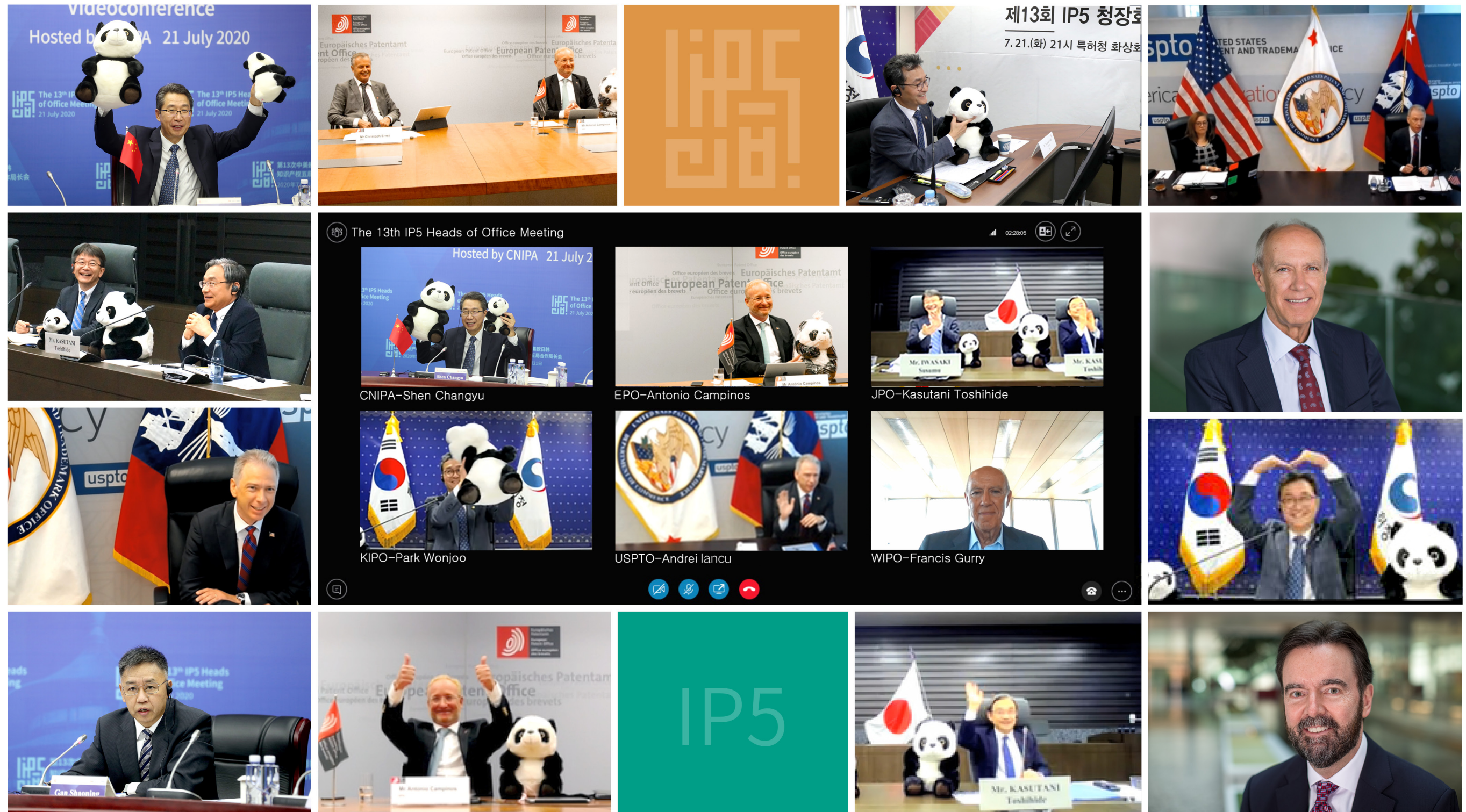
Park Wonjoo
Commissioner



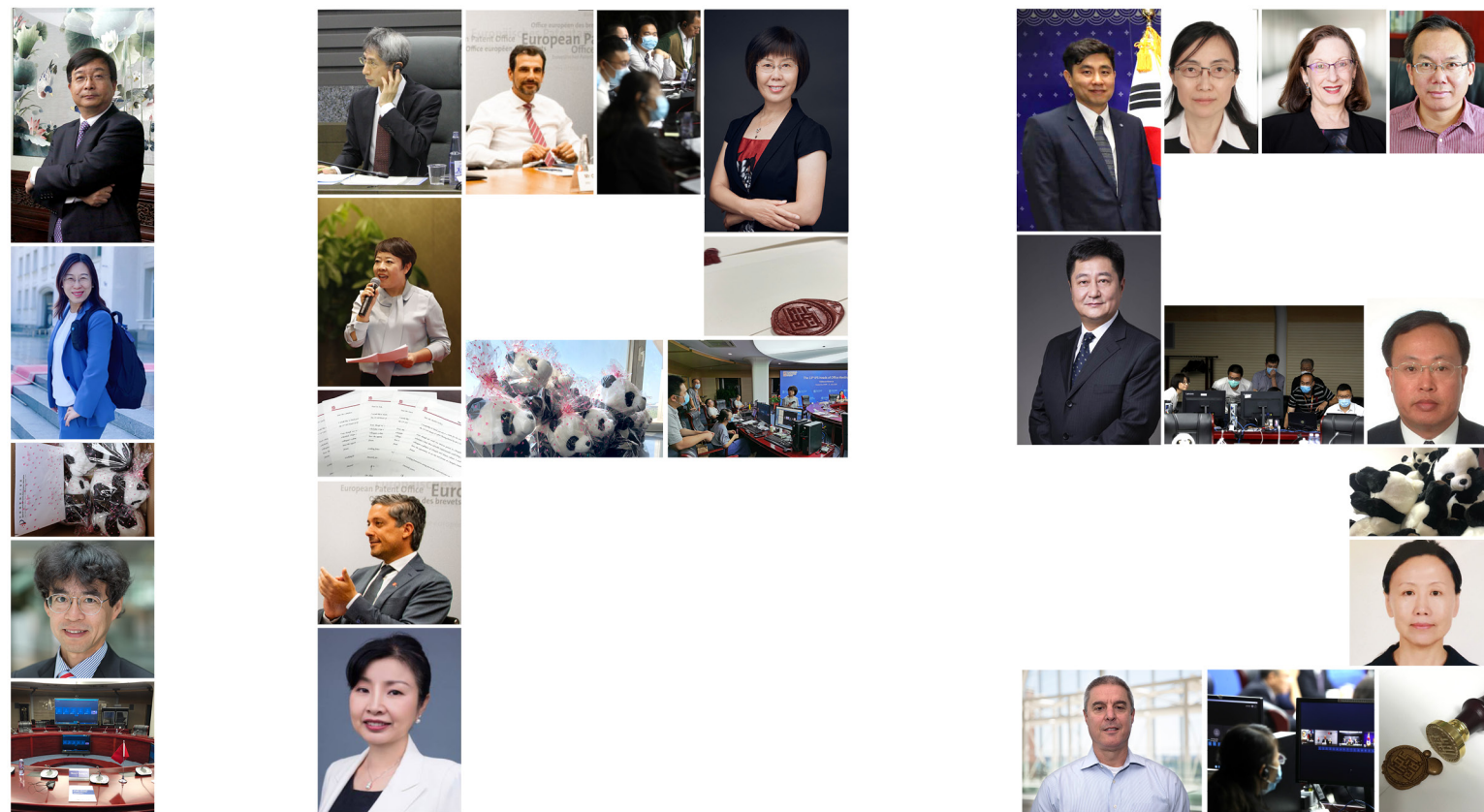
Francis Gurry
Director General

The meeting witnessed a warm welcome to Mr. Kasutani, a new friend to the IP5 community, and also best wishes to the old friends, Dr. Park and Dr. Gurry, who have made tremendous contributions to the IP5 and the global IP community.

Plush panda-a symbolization of friendship among the IP5



THE 13TH IP5 HEADS OF OFFICE MEETING



The past years witnessed the commitments shown by the IP5 colleagues and the fruitful outcomes.





The background of the page is a solid blue color. Overlaid on this background are several sets of thin, white, wavy lines that flow from the top right towards the bottom right, creating a sense of movement and depth. These lines are arranged in a series of parallel, slightly curved paths that converge and diverge as they move across the page.

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