A Metrics Framework for the PCT

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Partnership for Quality
EPO - AIPLA Meeting
March 2013
The PCT: A standardised system with many interfaces
Vital aspects of the PCT that require improvement

**Timeliness**
- Receiving Offices
- IB
- ISAs & IPEAs

**Thoroughness**
- Scope of search
- Rigorous examination

**Reliability**
- PCT as a work sharing tool
Strengthening the PCT

• The EPO has developed a series of proposals¹

• One proposal was to develop a metrics framework for the PCT

• Without metrics, efforts to improve will be hampered

• The EPO presented its proposals to International Authorities and WIPO

• The PCT Metrics Framework will be developed in collaboration with participating offices and WIPO

¹PCT/MIA/20/11: Proposals to strengthen the PCT
A Metrics Framework for the PCT

• Provide comprehensive overview of the system

• Address contributions of all the main actors and their impacts on others

• Gauge benefit to Designated Offices and users

• Provide a platform that supports efforts to improve PCT services and products
Summarised overview of proposed PCT MF

- A solid starting point
- Future efforts will broaden scope
International Search Reports: selected relevant metrics

Citations:
- Average number of citations per ISR
- Average number of patent citations per ISR
- Average number of non patent literature per ISR
- Publication authority of patent literature citations
- Language of patent literature citations

• ISR characteristics
  - XY rates
  - P/E rates
  - Partial and incomplete ISR rates

• Influences associated with applicant origin and technical fields

• Data already published in PCT Circular 1360
Example: Proportion of ISRs containing PX citations
Example: ISRs containing Y citations, but no X citations
Further metrics being developed

Receiving Offices
- Workload
- Establishment of filing date
- Timeliness

International Search and Examination Authorities
- Timeliness
- Impact of RO timeliness on ISA and IPEA timeliness
- Thoroughness of search
- Number of communications in Ch2 examination
- Percentage of Ch2 examinations where new citations are introduced
- Degree to which Ch2 outcome differed from WOISA outcome

Designated Offices
- Extent to which positive WOISA become positive national first actions
- Re-use of documents cited in ISR
Example: ISR Timeliness

- WIPO currently publishes ISA timeliness data

- However, top-level ISR timeliness data is not enough:
  - Receiving office performance
  - Non-Unity cases
  - These factors can impact on ISR timeliness figures

- Analyses at the appropriate level of detail will help identify where improvements can be made
Example: Positive first actions in the National/Regional phase for applications having had an "A-only" ISR

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- Applications had International filing date of 2006
- Clarity & clerical matters reduce national/regional first action rates
- **BUT** there is clearly a need for greater understanding of data such as this and also a need for offices to act in order to improve performance for the benefit of applicants
Strengthening the PCT

"Each Office playing a role in the international phase of the PCT, whether as a receiving Office or an International Searching or Preliminary Examining Authority, must recognize the fact that its status as a PCT actor brings with it a responsibility to all PCT Contracting States, obliging that Office to act in complete compliance with the Treaty even if it considers this to be inefficient with respect to its domestic procedures. Furthermore, it is not sufficient that the work be done properly: for it to be relied on, applicants and other Offices need to have confidence that it is both relevant and done properly."

- The PCT Roadmap
  (PCT/WG/2/3)
Thank you for your attention