

## **APEC Cooperation Initiative on Patent Acquisition Procedures**

(September 2, 2007)

### **Overview**

Reflecting the dynamic economic developments in the Asia-Pacific, the number of patent applications filed within the region has been continuously increasing. In order to help facilitate trade and investment in the Asia-Pacific and develop the regional economy, this initiative sets out to increase cooperation among the APEC economies on patent acquisition procedures. APEC member economies agree to cooperate on patent acquisition procedures on a voluntary basis, by taking into account their diverse development levels and legal systems, as well as the capacity, necessity and available resources of individual economy. Each member economy has its own right to choose the appropriate approach and method.

### **Objectives**

The objectives of this initiative are to enable applicants to more efficiently obtain higher quality patents in the APEC region, to assist IP offices of APEC member economies to handle their patent applications, and to improve the patent examination capability of economies.

The implementation of this initiative shall be fully consistent with the principle of the patent independence set forth by the Paris Convention for the Protection Industrial Property, while taking account of the existing international framework, particularly the Patent Cooperation Treaty (PCT) administered by WIPO.

### **Specific Actions**

Each member economy has its own right to choose the approach and measures deemed appropriate by that economy to take the following collective actions on a voluntary basis:

#### **(1) Patent examination cooperation**

Explore ways to exchange search reports and examination results, and discuss making databases for examination more readily available among the IP offices of economies to facilitate and expedite the patent granting processes.

#### **(2) Human resource development to improve patent examination capability**

Develop the human resources necessary to raise the patent examination capability of the IP offices of economies.

#### **(3) Promotion of computerization**

Promote the computerization necessary to issues and receive through electronic media the priority documents required under the Paris Convention, and to provide and receive search reports and patent examination results.

#### **(4) Assistance**

In order to undertake this initiative, establish a framework and system to provide assistance by some economies to other economies. Such assistance would include but not limited to human resource development (such as in-depth training and continuing learning and upgrading of examination personnel), the provision of examination tools and resources, and availability to databases.

### **Possible discussion in the future**

In addition to the specific actions mentioned above, member economies will discuss, on the basis of consensus, further possible specific actions under this initiative with regard to cooperation on patent acquisition procedures in the future.