

PATENT COOPERATION TREATY (PCT)

Common Quality Framework for International Search and Preliminary Examination

SUPPLEMENTAL REPORT ON QUALITY MANAGEMENT SYSTEMS

prepared by Australian Patent Office within IP Australia

This supplemental report relates to the quality management system established by this Office as set forth in our report under PCT/GL/ISPE section 21.29 on October 31, 2010.

As a result of our most recent internal review under the International Search and Preliminary Examination Guidelines paragraphs 21.25-21.28, this Authority has made modifications to its QMS as discussed below.

The modifications are given with reference to the sections of the revised template for responses to PCT/GL/ISPE Chapter 21.29 to which the changes relate.

The Authority should describe any changes made to its QMS making reference to the specific sections of the previous main report, and/or making reference to any supplemental report(s) under paragraph 21.30 compiled in accordance with this template.

If no changes have been made to its QMS since the last report, the Authority should indicate such.

INTRODUCTION (PARAGRAPHS 21.01 TO 21.03)

Establishment and maintenance of QMS (Paragraph 21.03)

[Modified since October 31, 2010]

The Australian Patent Office (APO) is part of the government agency known as IP Australia. IP Australia has a well established and maintained Quality Management System (QMS) that has been certified under ISO 9001:2008. The scope of APO services certified under ISO 9001: 2008 includes international search and examination, national search and examination; and patents oppositions. IP Australia's supporting administrative processes – which include pre and post examination services, international services,

receipt of correspondence and provision of information including call centre functions, have also been certified under ISO 9001:2008.

The IP Australia Quality Management System includes resourcing, product quality standards, search and examination work procedures, feedback and communication, all of which are specified in chapter 21 of the PCT International Search and Preliminary Examination Guidelines (the guidelines). The IP Australia QMS also specifically encompasses the APO role as an international searching and preliminary examining authority.

The APO is committed to improving its quality management system. IP Australia has established a Quality Improvement Section (QIS) which is responsible for:

- developing, implementing and managing the Quality Management System including key quality management infrastructure such as the IP Australia Quality Policy, Quality Objectives and relevant quality guidance, procedures and protocols
- promoting quality management and understanding of ISO 9001:2008 requirements internally through staff training and awareness and integration of quality management principles into IP Australia's people management framework and cultural behaviour
- promoting quality management externally through communication and marketing of the IP Australia quality agenda with customers, foreign IP Offices and the general public
- assisting with the establishment of internationally agreed quality standards
- providing high level advice to the Director General and senior management on quality management and ISO 9001:2008 issues within IP Australia.

The Quality Improvement Section is accountable, and directly reports, to the Deputy Director General of IP Australia. Consultation and progress of the Quality Management System is accomplished through the IP Australia Quality Committee (IPAQC) that consists of Executive members of certified business groups. The Quality Improvement Section (QIS) is divided into three key areas – Quality System Management, Product Quality Management and Service Quality and Software Management. The Quality System Management team is responsible for ensuring that the IP Australia QMS complies with the ISO 9001 standard and achieves the next level of maturity. The Product Quality Management team is responsible for the implementation and operation of an effective Product Quality Review process which enables IP Australia to demonstrate real improvements in the quality of its IP Rights products. The Service Quality and Software Management team is responsible for the implementation and operation of an effective Customer Operations Group (COG) Quality Review System which enables IP Australia to demonstrate real improvements in the quality of its corporate and customer services.

1. LEADERSHIP AND POLICY (PARAGRAPHS 21.04 TO 21.09)

Paragraph 21.04

[Modified since October 31, 2010]

The IP Australia Quality Policy Statement has been endorsed by the Director General and Business Group Executives. It is reviewed annually for suitability, adequacy and effectiveness. Staff are made aware of the statement.

The quality policy statement can be accessed on the IP Australia Intranet and Internet:

<http://www.ipaustralia.gov.au/about-us/corporate/quality/>

The Quality Improvement Section is responsible for developing, implementing and managing the Quality Management System at IP Australia. The Quality Improvement Section includes a Director, an IP Rights Quality Manager, an Assistant Director, a Quality System Manager, a Services Quality and Software Manager, several Product Quality Reviewers and a number of administrative staff. IP Australia has demonstrated its commitment to quality through:

- establishment of an IP Australia Quality Committee (IPAQC) including the Deputy Director General of IP Australia and Senior Management of the Business Groups;
- establishment of an IP Rights Quality Improvement Committee (IPRQIC) including the Director of the Quality Improvement Section (QIS) as well as the Improvement Managers for each of the IP rights Business Groups.

IP Australia's organizational chart is available on the Internet at:

<http://www.ipaustralia.gov.au/46106/ipa-organisational-chart.pdf>

Paragraph 21.05

[Modified response since October 31, 2010]

[Sample table, to be amended as necessary]

Chapter 21 requirement			Extent of compliance		
			full	part	no
21.04	(a)	Quality policy available	✓		
	(b)	Identified roles and names for QMS responsibility	✓		
	(c)	Organisational chart available	✓		
21.05		Established compatibility of QMS with Chapter 21	✓		
21.06	(a)	Mechanisms to ensure effectiveness of the QMS	✓		
	(b)	Control of the continual improvement process	✓		
21.07	(a)	Communication of management about this standard to staff	✓		
	(b)	The PCT Guidelines are in line with the Authority's QMS	✓		
21.08	(a)	Management reviews take place	✓		
	(b)	Quality objectives are reviewed	✓		

Chapter 21 requirement			Extent of compliance		
			full	part	no
	(c)	Communication of quality objectives throughout the Authority	✓		
21.09	(a)	Performance of a yearly internal review of the QMS in/to	✓		
	(b)	(i) determine the extent to which the QMS in based on Chapter 21	✓		
		(ii) determine the extent to which S&E complies with PCT Guidelines	✓		
	(c)	an objective and transparent way	✓		
	(d)	using input incl. information according paragraph 21.17	✓		
	(e)	recording the results	✓		
21.10		Assurance to monitor and adapt to actual workload	✓		
21.11	(a)	Infrastructure in place to ensure that a quantity of staff	✓		
		(i) sufficient to deal with the inflow of work	✓		
		(ii) which maintains tech. qualifications to S&E in all technical fields	✓		
		(iii) which maintains the language facilities to understand languages according to Rule 34	✓		
	(b)	Infrastructure to provide a quantity of skilled administrative staff	✓		
		(i) at a level to support the technically qualified staff	✓		
		(ii) for the documentation records	✓		
21.12	(a)	(i) Ensuring appropriate equipment to carry out S&E	✓		
		(ii) Ensuring documentation accord. to Rule 34	✓		
	(b)	(i) Instructions to help staff understand and act accord. the quality criteria and standards	✓		
		(ii) Instructions to follow work procedures accurately and they are kept up-to-date.	✓		
21.13		(i) L&D program to ensure and maintain necessary skills in S&E	✓		
		(ii) L&D program to ensure awareness of staff to comply with the quality criteria and standards.	✓		
21.14	(a)	System in place for monitoring resources required to deal with demand	✓		
	(b)	System in place for monitoring resources required to comply with the quality standards in S&E	✓		
21.15	(a)	Control mechanisms to ensure timely issue of S&E reports	✓		

Chapter 21 requirement			Extent of compliance		
			full	part	no
	(b)	Control mech. regarding fluctuations in demand and backlog	✓		
21.16	(a)	Internal quality assurance system for self assessment	✓		
		(i) for compliance with S&E Guidelines	✓		
		(ii) for channelling feedback to staff	✓		
	(b)	A system for measurement of data and reporting for continuous improvement	✓		
	(c)	System for verifying the effectiveness of actions taken to correct deficient S&E work	✓		
21.17	(a)	Contact person helping identify best practice between Authorities	✓		
	(b)	Contact person fostering continual improvement	✓		
	(c)	Contact person providing for effective comm. with other Authorities for feedback and evaluation	✓		
21.18	(a)	(i) Appropriate system for handling complaints	✓		
		(ii) Appropriate system for taking preventive/corrective actions	✓		
		(i) Appropriate system for offering feedback to users	✓		
	(b)	(i) A procedure for monitoring user satisfaction & perception	✓		
		(ii) A procedure for ensuring their legitimate needs and expectations are met	✓		
	(c)	Clear and concise guidance on the S&E process for the user	✓		
	(d)	Indication where and how the Authority makes its quality objectives publicly available	✓		
21.19		Established comm. with WIPO and desig. + elected offices	✓		
21.20		QMS of Authority clearly described (e.g. Quality Manual)	✓		
21.21	(a)	Documents making up the Quality Manual have been prepared and distributed	✓		
	(b)	Media available to support the Quality Manual	✓		
	(c)	Document control measures are taken	✓		
21.22	(a)	Quality policy of the Authority and commitment to QMS	✓		
	(b)	Scope of QMS	✓		
	(c)	Organizational structure and responsibilities	✓		
	(d)	the documented processes are carried out in the Authority	✓		
	(e)	Resources available to carry out processes	✓		

Chapter 21 requirement			Extent of compliance		
			full	part	no
	(f)	a description of the interaction between the processes and the procedures of the QMS.	✓		
21.23	(a)	Records which documents are kept and where they are kept	✓		
	(b)	Records of results of management review	✓		
	(c)	Records about training, skills and experience of staff	✓		
	(d)	Evidence of conformity of processes	✓		
	(e)	Results of reviews of requirements relating to products	✓		
	(f)	Records of the S&E process carried out on each application	✓		
	(g)	Record of data allowing individual work to be tracked	✓		
	(h)	Record of QMS audits	✓		
	(i)	Records on actions taken re. non-conforming products	✓		
	(j)	Records on actions taken re. corrective actions	✓		
	(k)	Records on actions taken re. preventive actions	✓		
	(l)	Records referring to search process documentation	✓		
21.24	(a)	(i) Recording of the databases consulted during search	✓		
		(ii) Recording of keywords, combination of words and truncations during search	✓		
		(iii) Recording of the languages used during search	✓		
		(iv) Recording of classes and combinations thereof consulted during search	✓		
	(b)	Records about other information relevant to the search	✓		
	(c)	(i) Records about limitation of search and its justification	✓		
		(ii) Records about lack of clarity of the claims	✓		
		(iii) Records about lack of unity	✓		
21.25		Report on its own internal review processes	✓		
21.26-21.28		Additional information on further inputs to its internal reviews	✓		
21.29		Initial report called for by paragraph 21.19	✓		

Paragraph 21.06

[Modified since October 31, 2010]

A formal management review is undertaken every twelve months by the IP Australia Quality Committee (IPAQC). The review assesses how well the system is performing,

what can be improved and whether it is meeting the policy and objectives set for it. Results of the review are provided to the Director General and Executive.

The Quality Management System is continuously monitored corporately by the IPAQC and through the Group operational quality areas for each core business.

The IPAQC meets on a monthly basis throughout the year, and reviews the state of health of the IP Australia Quality Management System, such as Document and Record Control; Corrective and Preventative Action; Internal Audits; Customer Feedback; Product Quality Review and other quality issues.

The IP Rights Division also has an IP Rights Quality Improvement Committee (IPRQIC) which actively contributes to the continuous improvement, promotion and maintenance of IP Australia's Quality Management System. The IPRQIC includes the Director of the Quality Improvement System (QIS), the Quality System Manager and an Improvement Manager for each Business Group within the IP Rights Division. The IPRQIC meets on a regular basis and reports on a quarterly basis to the IPAQC. The IPRQIC ensures consistency of practice across the IP rights pertaining to patents, trade marks, designs and plant breeder's rights. The IPRQIC considers outcomes from quality reviews, internal and external audits, and ensures appropriate improvements are made to business processes, IT systems and staff training.

The Quality Improvement Section is responsible for developing, implementing and managing the Quality Management System at IP Australia.

Another key mechanism the APO uses to help define and measure product quality is the product quality standards. The APO product quality standards incorporate key requirements of the PCT search and examination guidelines. APO search and examination work is undertaken in relation to these product quality standards. The Product Quality Management team within QIS comprises a number of Product Quality Reviewers who review a sample of work for all Examiners with Acceptance Delegation across all the examination sections.

The QIS is responsible for providing quality related reports to Business Groups on a regular basis. These reports provide an indication of aspects of search and examination which are performed well and areas which may require improvement.

IP Australia seeks to continually improve the effectiveness of the QMS through a variety of mechanisms, including:

- conducting and reassessing risk assessments
- defining and revising quality objectives
- measuring quality objectives against minimum performance undertakings
- reviewing quality system audit results
- performing corrective and preventive actions
- conducting management reviews
- complying with the quality policy statement.

IP Australia administers an Improvement Log, a database which allows all staff at IP Australia to make suggestions on how to improve our processes and practices. Each suggestion is tracked and progressed through the relevant area until a resolution is determined and implemented.

Internal quality audits are conducted on processes within the APO. Audit findings and recommendations are recorded on the Improvement Log.

Regular surveillance audits are conducted by independent assessors to ensure continuing compliance with ISO 9001:2008.

Paragraph 21.07

[Unchanged]

The APO communicates to staff the importance of quality issues (in particular meeting treaty and regulatory requirements) by various means, for example, messages and documentation on the intranet, staff newsletters and emails, Quality/Manual/Management/Committee meetings, Section meetings, Manuals of Practice and Procedure, Product Quality Standards and including reference in individual performance agreements. Internal audits and product quality review processes outcomes are also progressed to staff and/or training.

Paragraph 21.08

[Modified since October 31, 2010]

IP Australia has a 5 year Strategic Statement and a 5 year Strategic Plan. These documents set out the strategic priorities for IP Australia over the next five years. The Strategic Statement 2009-2014 defines IP Australia's direction for 5 years. It is designed for staff to share a common set of goals for the future of the organisation and its activities. The document is also publicly available on our Internet site.

The Strategic Plan 2011 – 2016 is an internal planning document. This document describes the objectives and planned initiatives that IP Australia will undertake against its organisational goals as well as key performance indicators that will be used to measure success against the plan.

The IP Australia Quality Policy Statement is endorsed by the Director General and Group Executives. It is reviewed annually for suitability, adequacy and effectiveness. Staff are made aware of the statement which is also available on the IP Australia Internet site:

<http://www.ipaustralia.gov.au/about-us/corporate/quality/>

In 2009, IP Australia established a new IP Australia Quality Committee (IPAQC), whereby the governance of the IP Australia Quality System occurs through this single Committee. The Committee membership comprises General Managers from the groups which are currently operating under ISO 9001 certified quality system. The IP Australia Quality Committee reports directly to the IP Australia Executive Committee. The IPAQC meets monthly to review and consider QMS issues.

The Director General and Executive of IP Australia determine and provide resources needed to deliver desired outcomes including the maintenance and improvement of the quality management system. The Executives and leadership teams of each of the

Business Groups provide resources as needed to meet customer requirements within their area of responsibility.

In 2011, IP Australia established an IP Rights Quality Improvement Committee (IPRQIC). The role of the IPRQIC is to contribute to continuous improvement, promotion and maintenance of the IP Australia Quality Management System, particularly within and across the IP Rights Division.

Membership of the IPRQIC includes three designated Improvement Managers, each representing an IP Rights Business Group. The IPRQIC members form the link to their respective IP Rights Business Group. This link provides the communication and consultation conduit between the IPRQIC and the Business Group Management Committees. This link helps to ensure that quality matters are appropriately reflected in each of the Business Group's Operational Plans. Each of the IPRQIC members is the primary point of contact for quality matters related to their Business Group and each has a responsibility to report on quality activities within their Group in order to share learning with other IP Rights Groups and promote good quality practice throughout IP Australia.

Information relating to the Quality Management System, the Strategic Plan and the Quality Committees is available to staff via IP Australia's Intranet. Recently, IP Australia reviewed and revised its Quality Manual and established a Quality Improvement Manual.

Paragraph 21.09

Modified since October 31, 2010

(a) A formal management review is undertaken every twelve months by the IP Australia Quality Committee (IPAQC). The review assesses how well the system is performing, what can be improved and whether it is meeting the policy and objectives set for it. Results of the review are provided to the Director General and Executive. The Quality Management System is continuously monitored corporately by the IPAQC and through the Group operational quality areas for each core business.

(b) The extent of compliance of search and examination work with the PCT Guidelines is based on the review of work sampled from each Examiner having Acceptance Delegation (AD) within the Patents Group. A number of designated Product Quality Reviewers in the Quality Improvement Section perform reviews against a set of Product Quality Standards (PQS). The Product Quality Standards were selected by the Patents Group as representing the requirements for a quality product. The review findings are reported to the AD Examiner and the Supervising Examiner of their respective examination section. Reports are regularly provided to the Patents Management Group on the extent to which work complies with the Product Quality Standards. The PQS include requirements relating to search and examination.

(c)-(e) IP Australia has a database (the Improvement Log) which is a designated record keeping tool for raising and progressing issues. The Improvement Log allows IP Australia to record improvements and recommendations from other sources, including audit recommendations, Quality Committee recommendations and feedback from

customers. The Improvement Log is an open and transparent means for tracking to all staff.

2. RESOURCES (PARAGRAPHS 21.10 TO 21.14)

Paragraph 21.10 and 21.11

Modified since October 31, 2010.

The IP Australia Director General and Executive determine and provide resources needed to deliver desired outcomes including the maintenance and improvement of the quality management system. The Executives of each of the Groups along with their respective leadership teams provide resources needed to meet customer requirements within their areas of responsibility.

(a) (i)-(iii) A defined framework has been established for the APO to assure that the appropriate resources are allocated for administration and international search and examination.

The framework includes the following elements:

- A cyclic recruitment process with recruitment numbers based on predicted workload and staff modelling across the technology areas. APO has targeted recruitment campaigns that provide the resources in the technologies where they are required. The cycle is currently based on two campaigns per year. Currently we have approximately 350 patent examiners.
- The APO has continued to develop the skills of patent examiners under a competency based system. An introductory training program called the Patent Examiner Qualification Competency (PEQC) program combines both formal and on the job training components with units of competency developed for all key patent product lines. Examiners are co-located with dedicated trainers selected from Senior Examiners of different examination sections. Once examiners have completed the PEQC program they are enrolled in the Patent Examiner Proficiency Advancement (PEPA) competency based program. This program leads examiners to obtaining the Acceptance Delegation whereby they are deemed competent at exercising their search and examination responsibilities with minimal supervision. Examiners are co-located in their respective examination sections with their dedicated trainers selected from Senior Examiners of that section. The normal expectation is that new patent examiners will have attained the PEQC and PEPA competencies within 2 years. Depending on the individual's skills, knowledge and application, examiners may achieve the competencies in a shorter period of time.
- The APO has a competency based program for experienced examiners to undertake development to become Hearing Officers.
- The APO has an ongoing development program called the Technical Examiner Learning Program (TELP) to aid all examination staff in maintaining their currency in technological developments. The TELP operates across all technology areas and includes in-house technical trainings sessions by experts in the field, attendance at conferences or visits to various companies in the relevant

industries. Examiners' knowledge/technical needs are constantly monitored. Strategies to address these needs are formulated through this program.

- IP Australia is committed to the ongoing professional development of its staff and offers a Professional Development Program. Activities include update/refresher courses in study and attendance at industry conferences, forums and the like.
- IP Australia has established a Learning Centre which provides a single point of access to all learning and development services. The Learning Centre delivers all aspects of job specific learning, including patents technical learning. Since July 2011, a number of courses were offered to patent examiners in searching (including essential steps; keywords and classification marks; and advanced searching techniques).
- Apart from English, the APO has a policy of maintaining competencies in other languages. This currently includes translators in French, German, Japanese, Chinese, Russian and Spanish covering all the main technology areas.
- The APO has a comprehensive Patent Manual of Practice and Procedure which has been in place for many years and is available electronically to staff. The Manual comprises 6 comprehensive volumes of practice and procedure. Volumes 1-3 (International; National; and Oppositions, Courts, Extensions & Disputes) are publicly available on the Internet.
- The APO has implemented a series of PCT best practices, which have been incorporated into the Manual of Practice and Procedure; and the PEQC and PEPA programs. These practices regularly undergo review.
- Additional support tools for examiners include ready access to internal and external databases, technical books, journals and legal resources on the internal Patent Examination Workbench.
- APO has a Search Technical Team (STT) which focuses on the evaluation of search tools and databases for patent examiners. The Search Technical Team reports regularly to the Patents Management Committee.

(b)(i)-(ii) The APO has a PCT/Bilateral Unit within the Patents and Plant Breeder's Rights Administration branch of the Customer Operations Group. The PCT/Bilateral Unit is responsible for processing PCT filings and actions related to matters concerning IP Australia's role as a Receiving Office, an International Search Authority and an International Preliminary Examination Authority. The PCT Unit is responsible for the initial processing of PCT applications (including creation of records in the International Examination and Search System (INTESS)) and creation of a new folder for electronic copies of relevant citations for each PCT application, and also for final processing of PCT actions.

In June 2011, IP Australia completed the full roll out of INTESS. From June 2011, all new PCT application requests (eg. search requests and demands) are in electronic format. Examiners are provided with instructions for the use of INTESS within Volume 4 of the Patents Manual of Practice and Procedure.

Paragraph 21.12

Modified since October 31, 2010

(a) (i) Examiners at the APO utilise an electronic document management system (PAMS – Patent Administration Management System) to process, store, retrieve and examine national patent applications. APO also has an electronic system for international search and examination work (INTESS). Examiners are provided with a Patent Examination Workbench which includes a wide assortment of examiner resources, including access to patent search tools and search engines; electronically-available Manuals (eg. Manual of Practice and Procedure and Quality Manual); patent law materials; and WIPO and PCT materials.

The IP Australia IT department – Business and Information Management Solutions Group (BIMSG) – has responsibility for maintaining and monitoring the IT software and hardware for IP Australia. There is a Service Level Agreement in place between the APO and BIMSG.

The IP Australia Improvement Log helps to facilitate changes required to IT systems and/or business processes and/or staff training.

(a) (ii) The APO provides examiners with access to the PCT minimum documentation as defined in Rule 34 PCT via the Patent Examination Workbench.

(b) (i) An electronic version of the Patent Manual of Practice and Procedures is available to all examiners on IP Australia's Intranet. The Manual comprises six volumes (three of which are available on the Internet), with Volume 1 covering the practice and procedures for international work. An introductory chapter of the Manual sets out the quality requirements for all search and examination work. This part of the Manual also provides examiners with a link to the IP Australia Quality Policy, as well as providing guidance on the quality assessment process. The Product Quality Standards are included in this section of the Manual. Volume 2 of the Manual sets out the practice and procedures for all national work, including for national phase applications. Suggestions by examiners for improvement of the Manual can be placed on IP Australia's Improvement Log.

(b) (ii) IP Australia established the Patent and Plant Breeder's Rights Group (PPBRG) Technical Working Group (PTWG) to support quality management arrangements in PPBRG. Its main focus is to ensure that the PPBRG Manuals are effective and that changes to the Manual are carried out in a coordinated and efficient manner, drawing on relevant technical expertise. The PTWG (through the PPBRG Manual Editor) also ensures that changes to the Manual are communicated appropriately to examiners. Communications generally occur through the Improvement Log, via email, or through the PPBRG newsletter.

Paragraph 21.13

Modified sine October 31, 2010

IP Australia has a competency based training (CBT) and assessment program for all IP Australia examination staff. The Learning Centre at IP Australia manages the governance and administration of all CBT programs. An introductory training program called the

Patent Examiner Qualification Competency (PEQC) program includes units of competency for all key patent product lines, including undertaking international search and examinations. After completion of PEQC, examiners are enrolled in the Patent Examiner Proficiency Advancement (PEPA) competency based program. This program leads examiners to obtaining the Acceptance Delegation whereby they are deemed competent at exercising their search and examination responsibilities with minimal supervision. All aspects of the competency based training programs are documented in IP Australia's IP Rights Learning and Development Manual.

The APO also provides a competency based training program for experienced examiners to undertake development to become Hearing Officers.

The APO operates an ongoing development program called the Technical Examiner Learning Program (TELP) to assist all examiners in maintaining their currency in search and examination. The program is administered by the TELP Committee which receives submissions on possible TELP activities from examiners and decides on which activities to pursue.

The APO has a policy of maintaining competencies in other languages. This currently includes translators in German, French, Chinese, Japanese, Russian and Spanish.

The APO has a comprehensive Manual of Practice and Procedure which is available electronically to all IP Australia staff. Volume 1 is dedicated to international work while Volume 3 deals specifically with national work, including national phase applications. The PPBRG Technical Working Group (PTWG) is responsible for administering the Manual, including progressing any changes to the Manual. The Manual is constantly under review as part of IP Australia's commitment to effective Documentation Control. The Manual includes a Quality Chapter which includes the Product Quality Standards for national and international work. The Product Quality Standards set the benchmark against which to assess the quality of search and examination and are read in consideration with the practices and procedures set out in the Manual.

In March 2011, the APO introduced a new Product Quality Review System (PQRS) wherein a number of pieces of work are randomly sampled for review for all examiners with Acceptance Delegation. The work sampled includes search and examination work. Reviews are conducted against the Product Quality Standards by a dedicated group of Patent Product Quality Reviewers within the Quality Improvement Section. Results of the reviews are provided to the individual examiner and their Supervising Examiner. Reports of review findings are regularly provided to the Patents Management.

Paragraph 21.14

Modified since October 31, 2010

(a) The IP Australia Director General and the Executive determine and provide the resources needed to deliver desired outcomes, including the maintenance and improvement of the quality management system. The Executive of each Business Group, including the General Manager of the PPBRG, along with their respective leadership teams provide resources needed to meet customer requirements within their respective areas of responsibility.

(b) In March 2011, IP Australia introduced a new quality review system – the Product Quality Review System (PQRS) – in which a sample of work of all examiners with Acceptance Delegation is reviewed. A team of independent Patent Product Quality Reviewers assesses the search and examination work of examiners for compliance with the Product Quality Standards. Review findings are reported back to the Examiner and their Supervising Examiner and reports are regularly provided to the Patents Management team, which then ensures appropriate action is taken to address any specific issues.

3. MANAGEMENT OF ADMINISTRATIVE WORKLOAD (PARAGRAPH 21.15)

Paragraph 21.15

Modified since October 31, 2010

The IP Australia Customer Operations Group (COG) is primarily responsible for managing most aspects of IP Australia's service delivery. This includes the effective and efficient administration of IP Rights through process management of IP Rights service requests and transactions through their lifecycle. The COG is proactive in managing quality delivery of customer outcomes and reporting against performance with respect to IP Australia's Customer Service Charter and product quality standards. The COG is part of the IP Rights Division at IP Australia and is responsible for the effective operation of IP Australia's business processes and systems, as well as delivery of information, products and services to address customer needs. Within COG, the Patents and PBR Administration Section focuses on effective and efficient administrative proceedings of IP Rights and customer service requests relating to IP Rights.

The PCT Unit operates within the Patents and PBR Administration Section. The PCT Unit is responsible for initial processing (including data entry) of new PCT applications. New applications are then assigned to an experienced patent examiner for preliminary classification and are then forwarded to the appropriate examination section.

In 2011, the Customer Operations Group implemented a new Quality Standards framework as part of the new COG Quality Review System. The standards are designed to focus COG staff on consistently achieving high quality output at each step in the processing of service requests. The implementation of the new COG Quality Review System provides the foundation of an effective quality management system, enabling identification of staff training needs, continuous improvement of service request processing, quality, and customer satisfaction.

IP Australia has a Customer Service Charter (CSC) which sets out what customers can expect from the APO in relation to quality and timeliness of its services, including its international services. The CSC identifies the specific timeframes within which the APO will produce international search and preliminary examination reports. The APO's performance against these timeframes is measured quarterly and performance against the Charter is reported to the Australian Government annually. The CSC is publicly available on IP Australia's Internet website. The quarterly reports highlight our level of compliance with the Product Quality Standards.

4. QUALITY ASSURANCE (PARAGRAPH 21.16)

Paragraph 21.16

Modified since October 31, 2010

(a) The APO Product Quality Standards incorporate the requirements of the PCT search and examination guidelines. All our search and examination is undertaken in relation to these product quality standards.

In 2011, the APO implemented a new Product Quality Review System (PQRS) which is administered by the Quality Improvement Section. This includes randomly sampling the work of each patent examiner with Acceptance Delegation for quality review. A dedicated group of Patent Product Quality Reviewers assesses the work for compliance with the Quality Standards. Results of each review are provided to the AD Examiner and their Supervising Examiner. If the Product Quality Reviewer and the Supervising Examiner are unable to reach agreement on the review findings, an Arbitration process is used to resolve the issue. The Supervising Examiner utilizes the product quality review outcomes for the provision of guidance and/or training for their staff. There is an additional sampling process which is used when necessary to validate the initial quality performance findings.

The APO employs an additional strategy to ensure quality at the front end of the search process in the form of a 3 person search strategy team. The team reviews the patent application and, in consultation, formulates the search strategy. The search results are reviewed by the team and the search may be further refined before being deemed completed.

The quality of searching is also supported by the Search Technical Team (STT). The STT manages the ongoing evaluation and assessment of searching tools available to examiners as well as examiners' knowledge of those tools. The STT is responsible for investigating new search tools, updating software, eliminating obsolete resources, etc. The team is made up of a number of examiners selected across a range of technologies, and is headed by a Supervising Examiner.

The APO utilises a three tier approach to the quality assessment of all search and examination work in which:

1. Less experienced examiners (generally without Acceptance Delegation) are closely supervised;
2. In-section quality checks are performed by peers;
3. Independent quality reviews are performed on a random sample of cases across all examination sections by a group of Patent Product Quality Reviewers.

Internal quality audits are conducted on processes within the APO, including search and examination processes. Audit findings and recommendations are entered into IP Australia's Improvement Log. The Improvement Log is an important corporate tool which is primarily used to capture findings of non-compliance as well as suggestions for improvement from staff and customers.

(b) The Product Quality Review System (PQRS) includes the use of a database specifically designed to capture the results from quality reviews. Review findings are reported back to the AD Examiner who produced the work as well as to the Supervising Examiner of their examination section. The PQRS Database is used to generate reports of quality review findings and compliance at the individual, examination section and group levels. IP Australia operates an Improvement Log which captures suggestions for improvement from staff. The Patents Technical Working Group monitors issues raised on the Improvement Log that relate to the Patent Manual of Practice and Procedure and resolve issues as appropriate. The Improvement Log records the outcome and/or corrective action taken for each issue.

The measurement of services and product delivery elements of IP Australia's business model is primarily the responsibility of each Business Group.

Suggestions and feedback received from our external customers is recorded by staff in IP Australia's Customer Feedback Database. A quarterly report to the Executive analyses trends in complaints about aspects of IP Australia's business, including search and examination.

IP Australia has a number of processes in place for the control and correction of non-conforming products. Each Business Group is expected to correct any non-conformance in accordance with the relevant procedures for that Group.

(c) Procedures for the correction of non-conforming search and examination products are outlined in the IP Rights PQRS Manual and include both mandatory and discretionary corrective action. The Patent Manual of Practice and Procedure also provides information on the procedures for correcting or amending deficient search and examination work.

The APO pre-grant opposition process also serves as a feedback process to quality management. Each decision is peer-reviewed prior to issue. Issues arising that identify potential areas for improvement are reviewed and used to adjust processes, reaffirm existing practices or identify further training needs. Similarly, issues identified from court proceedings involving Office decisions are reviewed and used to identify process, practice or training changes.

5. COMMUNICATION (PARAGRAPHS 21.17 TO 21.19)

Paragraph 21.17

Modified since October 31, 2010

The APO designated quality contact persons are:

Mr Jagdish Bokil, Improvement Manager for the Patents and Plant Breeder's Rights Group (PPBRG);

Mr Bob Bartram, A/g Director – Planning, Budgeting and Communication of PPBRG.

Paragraph 21.18

Modified since October 31, 2010

Customer satisfaction is monitored at IP Australia by the following means:

- Customer Satisfaction Benchmark Survey;
- Feedback from our customer engagement and business intelligence programs; and
- A Customer Feedback Database

IP Australia's external customer feedback process accommodates complaints, compliments and suggestions. IP Australia is committed to providing an informative response to any complaint within 15 working days.

There are several ways external customers can give us feedback. They can:

- fill in the online feedback form on our website
- phone, fax, or email the Customer Service Centre
- fill in a "Have your say" reply-paid form, and
- write to IP Australia at our postal address.

IP Australia uses a number of different mechanisms to consult our customers and stakeholders. These include surveys, publications (both internal and external) and meetings with various advisory and consultative bodies. We also hold formal and informal meetings with other government agencies to discuss matters of common concern.

The IP Australia corporate market research program provides the organisation with effective, relevant and timely customer and business information to assist us to make informed and meaningful business decisions.

Every two years, IP Australia undertakes longitudinal customer satisfaction surveys to measure customer satisfaction across all relevant customer segments.

IP Australia meets regularly with a number of bodies to seek feedback on strategic, operational and legislative issues.

IP Australia has an Internet website that provides guidance and information to users on the search and examination process. The quality objectives, quality policy and product quality standards are publicly available on IP Australia's website. IP Australia recently launched its improved website.

Paragraph 21.19

The APO, as an International Searching and Preliminary Examining Authority, has several communication channels (post, fax and email) that are open to anyone, not just WIPO and the Receiving, Designated and Elected Offices. In common with all other feedback received by the APO, WIPO feedback is forwarded to the relevant section so that it can be addressed. Any learning is communicated to staff through such channels as emails, newsletters, amendments to the Manual of Practice and Procedure and so forth.

6. DOCUMENTATION (PARAGRAPHS 21.20 TO 21.23)

Paragraph 21.20 – 21.21

(a) In accordance with ISO 9001:2008, IP Australia has developed a variety of documentation to support our Quality Management System. These include a quality policy and objectives, the IP Australia Quality Manual, the Quality Improvement Manual, each business groups' Manuals of Practice and Procedure, and other documents necessary for planning, reporting, operating and controlling processes.

In 2011, IP Australia reviewed and revised its quality documentation. IP Australia now has a Quality Manual and a Quality Improvement Manual. These documents are available on IP Australia's Intranet and provide staff with a central source of information on how IP Australia does business in order to assure quality of service.

In addition, IP Australia has produced an IP Rights PQRS Manual which documents the processes and procedures involved in the quality review of products, including search and examination products. This Manual is available to all staff on IP Australia's Intranet.

The Patents Manual of Practice and Procedure (MPP) is the primary document for guidance on search and examination processes. The Manual comprises six volumes, all of which are available on the Intranet. Volumes 1-3 are publicly available on IP Australia's Internet website, with Volume 1 providing guidelines on search and examination processes for international work. Additionally, the MPP includes a chapter on Quality, including the Product Quality Standards.

These Manuals and other documentation are controlled documents. If there is a change to any of the content of the Manuals, this is communicated to all relevant staff.

(b) The Quality Manuals and Manuals of Practice and Procedure (MPP) are available on IP Australia's Intranet site. Three of the six volumes of the MPP are publicly available on IP Australia's Internet website, including the chapter in the MPP relating to Quality.

(c) IP Australia provides information to all staff on the correct procedures for document control. Controlled documents for the Intranet are to include a document title, an effective date, a revision history and a disclaimer. Controlled documents that are published on the Internet are to include a document title and an effective date. The "effective date" allows the reader to see when a document came into effect, assists in version control, and is intended to prevent the use of obsolete/superseded documents.

Paragraph 21.22

Modified since October 31, 2010

The IP Australia Quality Manual and Quality Improvement Manual cover the criteria detailed under 21.22 (a) – (f). Although these Manuals do not include the processes as specified in part (d), they do make reference to the relevant documentation (ie. Manual of Practice and Procedure).

Paragraph 21.23

Modified since October 31, 2010

(a) Control of Documents is managed within IP Australia in accordance with the Document Control guideline and procedure outlined in IP Australia's Quality Manual. Control of records is in accordance with IP Australia's information principles, the Records and Administration Management policies, and Chief Executive Instructions for Records and Information Management.

(b) A formal management review is undertaken every twelve months by the IP Australia Quality Committee (IPAQC). The review assesses how well the system is performing, what can be improved and whether it is meeting the policy and objectives set for it. Results of the review are provided to the Director General and Executive.

(c) Staff development and training are integral to IP Australia's focus on delivering quality services and products. The comprehensive and timely training of staff ensures that there is a continuous focus on satisfying staff development needs to meet desired customer outcomes and ensures that staff have the skills and abilities to deliver high quality work and service.

Staff development and training are implemented corporately through:

- Performance Management Policy and Guidelines which provides organisational policy on managing staff performance
- Work Level Standards which outlines general standards of work performance in areas relevant to staff duties
- Performance Conversation Work Plans and Individual Performance Plans which provide a process to set standards of individual work performance and provide feedback of progress against standards
- Study bank which enables staff access to tertiary and further education and training.

(d) – (e) The APO utilises an electronic Product Quality Review System (PQRS) Database to record, store and report on results relating to product quality review.

(f) –(g) The APO utilises an electronic Patent Administration Management System (PAMS) for National Work and an electronic International Examination and Search System (INTESS) for International Work.

(h) Internal quality audits are conducted within IP Australia in accordance with the Internal Quality Audit Procedure. Audits are based upon the results of a risk analysis undertaken in accordance with Australian Standards (ISO 31000:2009). The risk analysis will be periodically reviewed for its relevance and accuracy. Audits are stored in the official IP Australia record keeping tool Business Records, Information Knowledge (BRIK) and available on the Intranet.

(i) – (k) Corrective and preventative actions are predominantly progressed through the IP Australia Improvement Log.

(l) APO staff utilise a Manual of Practice and Procedure which includes search process documentation.

7. SEARCH PROCESS DOCUMENTATION (PARAGRAPH 21.24)

Paragraph 21.24

Modified since October 31, 2010

APO examiners are required to complete a Search Information Sheet (SIS) which records the search strategy and includes members of the three person search team; the databases consulted; the keywords, combinations of words and truncations used; the class and class combinations searched; the search statements used in the databases consulted; details of relevance to internet searching; and a record of documents viewed.

Any limitation of search and justification; lack of clarity of claims; and lack of unity are reported in the International Search and/or International Preliminary Examination Report, which are stored in the International Examination and Search System (INTESS).

8. INTERNAL REVIEW (PARAGRAPHS 21.25 TO 21.28)

Paragraphs 21.25 -21.28

As already indicated above.

[End of document]