

# PATENT COOPERATION TREATY

Common Quality Framework for  
International Search and Preliminary Examination

## **Supplemental Report Under Paragraph 21.18 of the PCT International Search and Preliminary Examination Guidelines**

by: *Spanish Patent & Trademark Office (SPTO)*

on: *January 2008*

Date of main report and  
any supplemental reports to  
which this is a supplement: *December 2006 ( T21-17)*

Documents referred to in this report:

- ISO 9001:2000 Certificates issued by IQNet and AENOR on  
*“Examination of international patent applications, issue of search reports and  
preliminary examination reports in the framework of the PCT”*

As a result of our most recent internal review under PCT/GL/ISPE paragraphs 21.10-21.15, this Authority has made modifications to its Quality Management System (QMS) as discussed below.

The modifications are given with reference to the sections of the revised template for responses to PCT/GL/ISPE Paragraph 21.17 to which the changes relate.

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The Spanish Patent and Trademark Office has received IQNET and AENOR certificates confirming that its Quality Management System established for the PCT fulfills the requirements of the standard ISO 9001:2000. ISO certification ensures that SPTO proceedings under the PCT process comply with Chapter 21 of the PCT guidelines.

The certificate is issued for the Quality Management System with regard to the handling of patent applications, issuance of search report and written opinion and performance of preliminary examination within the PCT (Patent Cooperation Treaty) framework.

These certificates are a recognition of the hard work carried out in the SPTO on its QMS. As we informed to the PCT-MIA in our previous reports in 2006 and 2007, we worked in the documentation of all PCT procedures and checked if the SPTO complied with all the requirements of ISO. As an additional benefit, it highlighted areas for improvement.

The certification process has been long, labor-intensive and costly. It has required the assistance of a team of experts and the technical guidance of a specialized consultant company (NOVOTEC). Also the implication of the implementing team was a key to success. It should be emphasized that the three aspects taken into account regarding costs have been: internal costs: time and people, external consultants and final audit.

As part of the implementation process, the SPTO has developed a documentation management system called INC@WEB, accessible to examiners and staff.



Inc@web contains the updated Quality System manual and procedures, and associated documentation.

Speaking about the implementation process a series of Quality Indicators was established to measure the accomplishment of different parameters, in particular:

- Level of fulfilment of quality objectives.
- Level of effectiveness of training.
- Level of fulfilment of the time limit for transmittal of the record copy and the search copy.
- Level of fulfilment of the time limits for transmittal of priority documents.
- Level of fulfilment of the time limit for notification to the International Bureau of withdrawal of international applications.
- Level of fulfilment of the time limit established for the transmittal of ISRs and WOs
- Level of fulfilment of the time limit for transmittal of examination demands to the examination divisions.
- Level of fulfilment of the time limit for the transmittal of IPRP.
- Percentage of favourable supplier's evaluations.
- Level of client satisfaction.
- Level of effectiveness on corrective/preventive actions

Quality Objectives in the framework of the PCT have been now integrated and structured within the Quality Management System. The 2007 Quality Objectives are listed below:

- Objective 1.- To standardize technical and formalities quality control on issued reports.
- Objective 2.- To implement a standardized system of documentation and recording of search strategies.
- Objective 3.- Improving the customer information process about the PCT process through the SPTO website
- Objective 4.- To improve knowledge management on ISA issued reports.

Regarding the first Objective, the SPTO has been working in the development of a checklist aiming to assure that all PCT SRs meet the expected terms of clarity, consistency and reliability. This task is performed by experienced Heads of Technical Units. The check list has been developed based on

technical and quality criteria. Search amplitude, novelty and inventive step assessment, together with evaluation of formal aspects are its main basis.

Concerning the second Objective, an automated system to help the examiner to record the search strategy has been developed:

Categoría	Documentos Citados	Reivindicaciones Afect.
X	US 2926870 A (WALTER et al.) 01.03.1960, todo el documento.	1-15
Y	US 4586683 A ( )	
Y	US 4519560 A ( )	
A	US 5103712 A ( )	
A	US 1613348 A ( )	
A	US 5167387 A ( )	

Clases/Subclases utilizadas en el IET

55 Results

- 1 34 CAR AND IMPACT AND TEST
- 2 169 F03D1/02/EC
- 3 33 2 AND BLADE+
- 4 10 3 AND US/PN
- 5 1168 F03D1/04/EC
- 6 1168 5NDT 2
- 7 562 6AND WIND

Search statement 8

7. LIM2  
Mensaje de tipo MENSORT  
# FREQ TERM  
1 500 F03D1/04  
2 67 F03D11/04  
3 39 F03D1/02B  
4 27 F03D9/00C  
5 26 F03D1/06B  
6 25 F03D9/04B  
7 24 F03D9/00E

The third SPTO Objective on Quality is a direct consequence of the following statements from Chapter 21:

1. “21.8.b. Provide for effective communication with WIPO and designated and elected Offices to allow for prompt feedback from them so that potential systemic issues can be evaluated and addressed.”
2. “2.21.13 Suitable arrangements should be established for monitoring, recording and measuring compliance with the QMS requirements and these Search and Examination Guidelines. Arrangements should also be made to measure customer satisfaction, which should include the views of designated and elected Offices as well as applicants and their representatives.”

According to these guidelines, the Spanish Patent & Trademark Office, as an International Searching and Preliminary Examining Authority, is working in the implementation of a communication channel with the Receiving, Designated and Elected Offices through a specific restricted access within our website. This new channel, to receive comments, suggestions and complaints with respect to PCT files under their responsibility, is going to be included in a new and improved Microsite on Quality. That feedback from users is an essential element to improve quality and to achieve the main objective of establishing an efficient Quality Management System. Apart from PCT information, this new Microsite will also concentrate all kind of information referring to quality.

Finally, in relation to the SPTO fourth objective on quality, a new tool for examiners has been developed to improve the knowledge and access to previous search reports and search strategies. With this tool it is possible to search within Written Opinions citations and explanations.

Surveys:

Two kinds of customer satisfaction surveys based on international search reports issued during 2006 were carried out:

- 1.- Survey to Agents and representatives
- 2.- Survey to applicants

We can conclude that the whole experience of certification of the Quality Management System has been very positive and useful for the SPTO. Further conclusions will be included in our web based Microsite on Quality.



THE INTERNATIONAL CERTIFICATION NETWORK

# CERTIFICATE

IQNet and  
AENOR  
hereby certify that the organization

## OFICINA ESPAÑOLA DE PATENTES Y MARCAS

PO DE LA CASTELLANA, 75 PLANTA 10  
28071 - MADRID

for the following field of activities

Examination of international patent applications, issue of search reports and preliminary examination reports in the framework of the PCT  
(Patent Cooperation Treaty).

has implemented and maintains a

### Quality Management System

which fulfills the requirements of the following standard

## ISO 9001:2000

Issued on: 2007-09-10

Validity date: 2010-09-10

**Registration Number: ES-1225/2007**



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AENOR

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# Certificado del Sistema de Gestión de la Calidad



**ER-1225/2007**

AENOR, Asociación Española de Normalización y Certificación, certifica que la organización

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para las actividades: Tramitación de solicitudes internacionales de patentes, emisión de informe de búsqueda y realización de examen preliminar dentro del ámbito del PCT (Tratado de Cooperación en materia de Patentes)

que se realizan en: PO DE LA CASTELLANA, 75 PLANTA 10. 28071 - MADRID

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**AENOR** Asociación Española de Normalización y Certificación  
El Director General de AENOR

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