

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: *Canadian Intellectual Property Office (CIPO)*

on: *February 9, 2009*

Date of main report and
any supplemental reports to
which this is a supplement: *January 4, 2007*
January 23, 2008

Documents referred to in this report:

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.

The Authority should describe any changes made to its QMS making reference to the specific sections of the earlier report using template T21-17, and / or making reference to any supplemental report(s) established in the meantime using template T21-18.

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

Quality Management System (Paragraphs 21.03-21.09)

Establishment and maintenance of QMS (Paragraph 21.03)

(a) sets out basic requirements regarding resources, administrative procedures, feedback and communications channels required to underpin search and examination (S&E)

The Patent Office at the Canadian Intellectual Property Office (CIPO) has established a QMS in accordance with ISO 9001: 2000 under the responsibility of the Program Manager – Quality. Particulars of the QMS are presented in the various sections below.

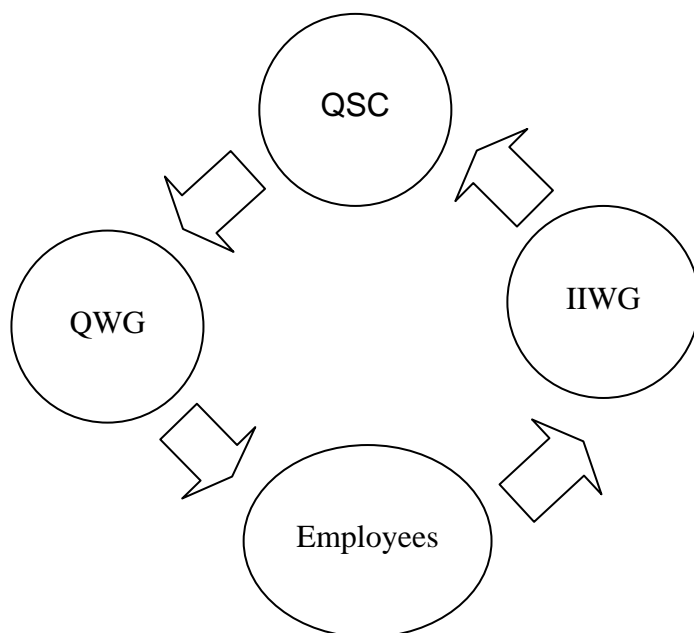
(b) incorporates a quality assurance scheme for monitoring compliance with these basic requirements and with PCT/GL/ISPE

The quality assurance scheme is based on the PDCA loop: Plan-Do-Check-Act of Deming. This scheme is supported by various quality committees constituted of Examination and Operations staff as follows:

Quality Steering Committee (QSC): sets priorities, allocates resources and tasks, thus ensuring project timelines and objectives are met.

International Issues Working Group (IIWG): resolves issues related to ISA/IPEA work, monitors issues in Examination and Operations and helps disseminate best practices across the Patent Office.

Quality Working Group (QWG): defines and standardizes procedures and work instructions related to the quality management system.



Resources – infrastructure (Paragraph 21.05)

(e) Provision of up-to-date work manuals. These must include explanation of:

- (i) quality criteria and standards;*
- (ii) descriptions of work procedures;*
- (iii) instructions ensuring that the work procedures are adhered to.*

A comprehensive review of the Patent Office's international search and examination quality standards and work procedures is complete. These may be consulted internally via CIPO's intranet.

(f) Provision of an effective training and development program for all staff involved in S&E, including means to ensure the acquisition and maintenance of the necessary experience, skills and familiarity with work manuals.

Within the continuous training program, all examination staff receive mandatory refresher ISA/IPEA training annually. In addition, workshops with IP professionals are organized regularly to enhance and broaden examiners' IP knowledge.

Quality Assurance Procedures (Paragraph 21.07)

Provide information on procedures which ensure that S&E reports of a quality standard in accordance with PCT/GL/ISPE are issued. In particular, provide information on:

(a) Activities related to verification, validation and monitoring; as carried out in order to assess compliance of S&E work with PCT/GL/ISPE.

(b) Processes for measuring, recording, monitoring and analyzing performance of the QMS to assess its conformity with the requirements of Chapter 21 and, if applicable, any other normative reference for the QMS.

(c) Activities related to verifying the effectiveness of actions taken to deal with deficiencies, including:

(i) those actions taken to eliminate, correct or authorize release of deficient S&E work which does not comply with the quality standards;

(ii) those actions taken to eliminate the causes of deficient S&E work and prevent the deficiencies from recurring.

(d) Activities ensuring the continuous improvement of established processes underpinning the issue of S&E reports.

Examination work at the Patent Office is underpinned by its International Search and Examination Standards. These Standards take into account internal and external clients' needs, and incorporate requirements of the PCT Search and Examination Guidelines.

Quality of examination work is evaluated through two distinct formalized processes. The first is Quality Control (QC), which occurs during the examination process. The second is Quality Assurance (QA), which happens subsequently.

Quality control is performed by supervisors, who carry out reviews for adherence to established quality standards of search and examination. This control is randomly sampled at 25%, and data are collected for analysis and identification of areas of improvement. Examiners are provided with direct feedback following a review, and are responsible for ensuring that all issues raised by his/her supervisor are corrected. Supervisors are responsible for ensuring that any systemic or major issues are reported to the appropriate authority.

Quality assurance is performed by a team of two examiners and a supervisor who coordinate QA work, when required. The team ensures unbiased assessment of examiners' work, while allowing standardized QA performance and sharing of expertise. QA examiners appraise examiners' decisions for adherence to the Patent Office's search and examination standards. Should disagreement ensue between QA examiners, the coordinator intervenes to make a final decision. QA examiners are selected from each examination division for a given term, and membership is rotated to allow for involvement of all examiners in QA. QA is sampled randomly at 10%, and data are collected for analysis and identification of areas of improvement. QA teams are responsible for raising systemic or major issues warranting a corrective action to the appropriate authority.

Processes to monitor and measure the performance of the QMS include a cross-unit nonconformity procedure, where cross-unit issues are reported and corrections are carried out accordingly. Data arising from this procedure are collected regularly for

analysis and continual improvement. Results of this procedure and any corrections are communicated regularly to employees at staff meetings.

In addition, a procedure for corrective and preventive actions is currently underway for handling resolution of issues or potential issues by eliminating their cause in order to prevent their reoccurrence or occurrence, as applicable.

An internal audit program is currently under development, whereby a team of internal auditors is expected to perform quality audits on the Patent Office's processes to assess their effectiveness and that of the QMS. Selection of candidates for internal audit training is currently underway.

Feedback arrangements (Paragraph 21.08)

Give information on arrangements to:

(a) Provide feedback to staff informing them of results of verification, validation and monitoring carried out in order to assess compliance of S&E work, so that:

(i) deficient S&E work is corrected;

(ii) corrective action, i.e. action necessary to prevent recurrence, is identified and implemented;

(iii) best practice is identified, disseminated and adopted

Data analysis of all processes is posted regularly on CIPO's intranet for employees' information. In addition, direct feedback is provided to employees by the responsible supervisor on matters requiring immediate action. Any corrective actions or corrections taken by management on identified issues are also communicated to employees through the intranet, practice notices and staff meetings.

[End of report]