

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: *APO / OEPA Austrian Patent Office*

on: *8.1.2010*

Date of main report and
any supplemental reports to
which this is a supplement: *[Date of report using T21-17]: 20.12.2006*
[Dates of any reports using T21-18]: 18.01.2008,
16.2.2009

Documents referred to in this report:

No 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.

Modifications of the Quality Management System (QMS) concerned the way how the files for the internal review have been chosen. The principle that such files are chosen randomly four times a year is still kept, however at special circumstances, other parameters can influence the choice.

In 2007/2008 the Austrian Patent Office took part in the UPP (Utilisation Pilot Project). In this project, second filings at the EPO, where the first filing has been in AT, DE, DK or UK have been analysed. EPO examiners of the second filing have assessed how useful the search and examination reports of the first office are for preparing the reports for the second filing.

After the pilot project, those Austrian first-files, for which the Austrian examiners only had cited A-documents, while the EPO examiners have cited X or Y-documents have been assessed by the Austrian QM-Board, instead of random choice, as those files were considered as being candidates for detecting quality issues.

In 2008/2009 the Austrian Patent Office (APO) and the Hungarian Patent Office (HPO) tested a cooperation of both offices, where HPO executed PCT Searches. Those files also have been included in the pool of files which are evaluated by the QM-Board.

For the last quarter of 2009 is it planned to concentrate on PCT-Search Reports where only A-documents have been cited by the Austrian examiners.

The intention of those temporarily changes to conditional probability in the choice of sample-files is to increase the probability of finding files representing quality defects, compared to the probability reached by an unconditional arbitrarily choice, so to increase the number of detected errors, and consequently to learn how to avoid those errors in the future.

[End of report]