



IP Guide



Accelerated Examination Procedures

In the previous newsletter, prioritized examination system has been introduced as one of the accelerated examination procedures of patent applications; we herewith would like to continue introducing other options of accelerated procedures.

➤ Early Processing

1. Applicable conditions: while a PCT application is entering the national phase in China
2. Advantages: the international application can be early processed and examined from the date of filing the request; otherwise, it shall be processed and examined after the expiration of 30 months from the priority date
3. Expenses: no official fee incurred

➤ Early Publication

1. Applicable conditions: while an invention application, and a PCT application for invention is entering the national phase in China
2. Advantages: if the applicant requests the early publication along with the patent application filing, the application will be published in 3 months from the date of filing when there is no notification of rectification; otherwise, it usually shall be published after the expiration of 18 months from its filing date
3. Expenses: no official fee incurred

➤ Patent Prosecution Highway (PPH)

1. Applicable conditions: an invention application in the stage of substantive examination
2. Required documents:
 - ✧ A request form for participation in the patent prosecution highway pilot programme
 - ✧ Copies of all Office Actions issued for the corresponding application by OFF (the Office of First Filing) or OSF (the Office of Second Filing), and translation of them
 - ✧ Copies of all claims determined to be patentable or allowable in the corresponding application issued by OFF or OSF, and translation of them
 - ✧ Copies of references cited by the examiner
 - ✧ An explanation of the correspondence of claims
3. Advantages: speed up the examination, save costs and increase the possibility of grant
4. Expenses: no official fee incurred

➤ Patent Preliminary Examination

1. Background: China National Intellectual Property Administration launched the rapid collaborative protection program for Intellectual Property few years ago, which aims to jointly build Intellectual Property protection centers relying on local IP offices. The program provides competitive industries with a one-stop comprehensive service integrating fast examination, fast granting of rights, and fast enforcement. Currently, there are 31 Intellectual Property protection centers nationwide.
2. Applicable conditions: corporations should be registered in the provinces and municipality where Intellectual Property protection centers were built. The technical fields served by protection centers are mainly focused on new-generation information technology, high-end equipment manufacturing, etc.
3. Advantages: patent preliminary examination could significantly shorten the patent application cycle
4. Expenses: no official fee incurred

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