

CIPO Response to C. PCT 1598

June 5, 2020

Dear WIPO,

The Canadian Intellectual Property Office (CIPO), in its capacity as an International Searching and Preliminary Examining Authority (ISA/IPEA) and a member of the PCT Committee for Technical Cooperation, thanks the World Intellectual Property Organization (WIPO) for the opportunity to provide statements concerning the application from the Eurasian Patent Office (EAPO) to become an ISA/IPEA under the PCT.

Please note that Canada reserves the right to revisit its comments below in case the Secretariat accords an extension to respond to C. PCT 1598.

CIPO has reviewed the application and is satisfied that all of the criteria for appointment as an ISA/IPEA have or will have been met by the time of appointment.

The EAPO currently has just over the minimum required number of full time examiners, all of whom have sufficient technical qualifications to carry out patent searches both in the traditional technical fields of patenting (mechanical engineering, chemistry, electrical engineering, etc.) and in high-tech fields (biotechnology, telecommunications, etc.). It is noted that there is a higher proportion of examiners in the chemical, biotechnology and pharmaceutical fields as compared to the electrical and mechanical fields. This distribution appears to be consistent with the distribution of Eurasian applications received by technical field, however, depending on evolving demands, it could be that future hiring at EAPO will be required in the mechanical and electrical areas to adequately cover all technical fields.

The EAPO's training program appears to be extensive. However, it has been CIPO's experience that a certain quantity of PCT work is needed in order to sustain examiners' knowledge of the PCT processes. Given the relatively small size of the Office, the EAPO may want to consider additional on-going PCT training mechanisms to enable their examiners to maintain their skill set until such time as their PCT workload increases.

The Quality Management System (QMS) provided in the application is well written and very thorough. CIPO currently has no concerns regarding EAPO's QMS. CIPO would like to welcome the EAPO to contribute actively to Quality Subgroup (QSG) discussions at meetings and on the QSG wiki, and encourage them to participate in the peer review held at the QSG meetings as a way to share and learn from other offices.

The EAPO would add another Russian language service to the PCT system, which is seen as advantageous by CIPO. Presently, the only other Russian speaking ISA is Rospatent.

Based upon the strength of the CNIPA's and Rospatent's endorsements of EAPO's adherence to the criteria, CIPO can support this bid on those grounds. We look forward to seeing their work.

Sincerely,

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