CIPO Patent Quality

CIPO Patent Quality Summit

Marie Quinn, Program Manager - Quality, Patent Branch

February 26, 2019
• Purpose
• Quality at CIPO
• CIPO Patent Quality
  • Our Quality Management System (QMS)
    ✓ Quality Products
    ✓ Quality Processes
    ✓ Client Service Excellence
• Measuring Patent Quality
The purpose of this Summit is to engage you, our stakeholders, and collaborate with you in an effort to continually improve the quality of our patent products, processes and services.

We want your feedback and look forward to your participation in the upcoming workshops.
DELIVER QUALITY AND TIMELY IP RIGHTS

One of the 5 pillars in our Five-Year Business Strategy

- Provide IP rights and services that reflect client expectations, market needs and respect the public interest
- Be recognized as a quality-based organization
- Modernize our practices, processes and tools
PATENT BRANCH QUALITY MANAGEMENT SYSTEM
(PB QMS)
QUALITY TEAM

Quality Team
- Core group of 10 including Program Manager, Project Coordinators, ISO Coordinator, Mapping team

Quality Steering Committee (QSC) / Patent Management Committee (PMC)
- Comprises senior executives including the Director General, Patent Branch and Patent Branch Directors

Quality Working Group
- Comprises examiners and supervisors from each Division
CIPPO Patent Branch is **ISO 9001:2015 certified** since March 2017

**Key Quality Objectives**

- **Quality**
- **Timeliness**
- **Efficiency**

**Quality Policy and Patent Examination Quality Standards**

To ensure patent quality, we measure the quality of our products, processes and services:

**Products**
- QA/QC
- Search records

**Processes**
- Timeliness
- Inventories
- Internal and External Audit

**Services**
- Surveys
- Feedback
- Complaints
QUALITY PRODUCTS
ENSURING QUALITY PRODUCTS

Examination Work Products

- **National Products:** Reports and Allowances
  - Quality Control
  - Reporting and continuous improvement, such as:
    - Additional training, improvements to examiner tools, update of QC questions, investigation into any inconsistencies

- **International Products:** ISR/WO and IPRP
  - Quality Control and Quality Assurance
  - Reporting and continuous improvement, such as:
    - Additional training, implementation of checklists, update of QC questions
ENSURING QUALITY PRODUCTS

Examination Work Products - National QC Program

- 25-30% of reports are QC’d by a supervisor
- 30-40% of allowances
  - Further QC for new examiners or as supervisor deems necessary
- Ongoing data collection
- Data analysed semi-annually
- 11 questions related to Examiner’s reports
- 7 questions relating to allowances
  - All allowances are QC’d in order to ensure there are no defects related to non-statutory subject matter
Examination Work Products - Report QC Compliance rates 2017/2018

<table>
<thead>
<tr>
<th>Topic</th>
<th>Non Compliance Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-statutory subject matter correctly identified</td>
<td>&lt;2.4%</td>
</tr>
<tr>
<td>Art cited has a valid citation date</td>
<td>&lt;0.8%</td>
</tr>
<tr>
<td>Art was cited under correct section of the Act</td>
<td>&lt;0.9%</td>
</tr>
<tr>
<td>Argumentation regarding novelty/obviousness is reasonable</td>
<td>&lt;1.3%</td>
</tr>
<tr>
<td>All correct claims identified as novel/obvious</td>
<td>&lt;1.7%</td>
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ENSURING QUALITY PRODUCTS

Examination Work Products - Allowance QC Compliance rates 2017/2018

<table>
<thead>
<tr>
<th>Topic</th>
<th>Non Compliance Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>All claims directed to statutory subject matter</td>
<td>&lt;0.6%</td>
</tr>
<tr>
<td>Claims anticipated or obvious</td>
<td>&lt;0.5%</td>
</tr>
<tr>
<td>Defects resolved in a satisfactory manner</td>
<td>&lt;0.3%</td>
</tr>
<tr>
<td>All defects were identified at earliest report</td>
<td>&lt;2.8%</td>
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Examination Work Products - International QC Program

- 25% of ISR/WO reports are checked by a supervisor to ensure compliance with PCT minimum standard requirements
- 25% of IPRP reports are checked by a supervisor
- Ongoing data collection
- Data analysed semi-annually
- 29 questions related to ISR/WO
- 15 questions relating to IPRP
- Improvements made include Examiner checklist in order to ensure no issues are missed
Search Records

- We collect search information so that we can analyze the data and continually improve our search reports and search quality.
- Examples of metrics collected:
  - % first actions where comprehensive search was performed
  - % applications requiring top-up/supplemental search
  - % applications having corresponding family member prosecution available
  - Stage of foreign prosecution at allowance
- No data collected on individual search strings
QUALITY PROCESSES
Internal Process Audits

Process improvements through identification of opportunities for improvement and correction of nonconformities

- Risk based internal audit approach - auditing higher risk processes more often
- Certified internal auditors

Analyse process risk factors (e.g. complexity, number of actors, task frequency, impact, etc.)

Rank according to risk

Prioritize processes for audit
Internal Audit Findings - May 2018

- 45/185 of PB’s processes were audited against ISO 9001:2015 standards and requirements
- Divergent process implementation was observed in 23% of processes audited
  - Improvements include: update to QC tools, awareness training, updated process flows and software tools, improvement in international PCT mailings, etc.
  - More improvement projects planned and on-going!
External Audits

- ISO 9001:2015 certified in March 2017
- Successfully passed ISO Surveillance Audit in April 2018
- Next Surveillance Audit in March 2019
ENSURING QUALITY PROCESSES

ISO Surveillance Audit in April 2018

Auditor’s report:

10 comments including:

- 8 best practices noted
- 2 opportunities for improvement identified
- 0 negative trends observed
ENSURING QMS AWARENESS

Training

- Mandatory QMS awareness training

Communication

- Regular Examiner Bulletins and Operations Bulletins
- Regular meetings at every level
- Articles
- Quality Booth at Open Doors events
- Patent Quality Conversation webinars
Online Feedback Mechanism (OFM)

- Over 400 issues were logged in 2017/2018
- Response within 5 days
- Analysis of feedback comments for continuous improvement
- Issues identified include:
  - Update to files, missing notices/certificates
  - Missing examination reports and responses to reports
- Currently underway:
  - Lean project to improve incoming correspondence
  - Review of outgoing correspondence processes
Patent Examination Interview Service

- Audit of interview processes allowed for further process improvements both in Operations and Examination
- Audit of interviews conducted performed:
  - Average time for response – 8 days
  - 96% response received by deadline
  - Is there interest in expanding the service (having examiners call more frequently)?
ENSURING CLIENT SERVICE EXCELLENCE

Surveys

2018 CIPO Client Satisfaction Survey

• We heard you and now are working to address your concerns:
  • Quality and consistency during the examination process;
  • Ease and efficiency of the application process;
  • Going the extra mile to ensure clients receive what they need; and
  • Overall timeliness in receiving registration or grant of an application

• Manager Service Excellence, Patent Branch
  • New position as of February
Ensuring Client Service Excellence

National Patent Products Survey

- Examiner Reports – see link at the bottom of every report
- A very small percentage of clients respond to survey
  - Complaints are based on specific applications
- Interview Service implemented in part to address comments received
MEASURING PATENT QUALITY
# Published Patent Quality Indicators by IPO

<table>
<thead>
<tr>
<th>IP Office</th>
<th>Customer Satisfaction (surveys)</th>
<th>Timeliness</th>
<th>Complaints</th>
<th>Product Indicators (QA/QC)</th>
<th>Process Indicators</th>
<th>Quality Report</th>
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* In quality report
MEASURING PATENT QUALITY

PATENT BRANCH QUALITY METRICS

CIPO current state of affairs

- Service standards
- Monthly production statistics
  - Applications filed, Inventory, Granted
- Performance targets
  - Filing certificate, registration certificate, first office action, subsequent office action, sending of an office action for expedited examination, granting of a patent
- Annual report
- 2018 Client Satisfaction Survey
FEEDBACK / QUESTIONS

Let us know what you think!

Please email us at:

ic.qualitedb-pbquality.ic@canada.ca

Ottawa Convention Centre, Ottawa, Ontario (Source: Brand Canada)
Thank you