

Informal Consultation on Patent Citation and Publication document delivery – Further Response Document

Background

1. Between 14 December 2009 and 15 February 2010 an informal consultation was undertaken by the Intellectual Property Office (IPO) entitled 'Informal Consultation on Patent Citation and Publication document delivery'. The consultation paper proposed changes in the way the IPO delivers patent Citations and Publication documents which were designed to:

- Increase emphasis on electronic communication and engagement with our customers.
- Streamline internal procedures to realise further benefits from our electronic case management system and processes.
- Bring our business practices in line with other national and regional offices
- Reduce the amount of printed material generated by the patents granting process.

Publication Documents

2. As outlined in the Formal Response document published in March 2010 on the 7 April 2010 the IPO moved to its on-line publication server as the official means of publication enabling customers to download patent documents free of charge via the Patents Publication Enquiry Link on the day of publication:

<http://www.ipo.gov.uk/types/patent/p-os/p-find-publication.htm>

Citations

Summary of conclusions

3. Over 88% of responses received to the informal consultation raised concerns to the proposed changes. The main concerns raised were:

- Unlike patent citations, which are readily available free of charge via Esp@cenet, non-patent literature is not.
- Many private applicants do not have easy internet access to enable them to view and download patent citations from Esp@cenet.
- Most applicants/attorneys require a paper copy of the patent citation or non-patent literature. The proposed changes were seen as transferring the printing and administration costs from the IPO to the customer.

Changes to the delivery of Patent Citations

4. As a result of the responses received to the Informal Consultation the question of the delivery of patent citations has been considered further and the following changes will be scheduled and implemented at the earliest opportunity. Communication of the changes will be announced in the Patents and CIPA Journals and on our website.

5. The IPO will cease to supply extra sets of patent citations with the search report. However, we will continue to supply one set of citations, including non-patent literature, free of charge.

6. When requesting a search or combined search and examination the applicant/attorney will have to indicate their wish to receive a free set of patents citations. Any cited non-patent literature will be supplied as a matter of course. The Electronic online filing systems together with the paper version of the Form 9A will be updated in due course to facilitate the changes.

7. The changes address the concerns expressed by our customers regarding the difficulties in obtaining non-patent literature free of charge and the availability of patent citations to private applicants. At the same time they will enable the IPO to streamline our internal procedures and reduce amount of printed material generated by the patents granting process.

Extra Copies of Citations

8. Extra copies of the relevant patent citations and non patent literature may be purchased from the Intellectual Property Sales Department and British Library respectively.

May 2010

Annex

List of Respondents

Respondents Name	Firm or Representative Body
Alasdair Kennington	Individual Response
Clive French	Siemens
Trevor Hartman	University of Surrey
Alpha & Omega	Alpha & Omega
Mark Baldwin	Firebird IP
Tom Hutchinson	Individual Response
Ben Hoyle	Individual Response
David Grunfeld	Ford of Europe
Lewis Hands	Handsome IP Ltd
Stuart Harbron	Stuart Harbron Patent Services
Tim Wilson	Individual Response
Tolfree Patents and Trade Marks	Tolfree Patents and Trade Marks
Martin Jackson	J A Kemp
Barbara Cookson	Filemot Technology Law Ltd
Richard Gallafent	Richard Gallafents LLP
Robert Watson	Mewburn Ellis LLP
Graham H. Jones	Institute of Patentees and Inventors
Alastair Neill	The Council Members of FICPI-UK
Stuart Forrest	Patents Committee of the Chartered Institute of Patent Attorneys (CIPA)
Sergeants	Sergeants
Jan Vleck	AIPPI UK
Linda Oakley	ideas21