



# **The future belongs to those who prepare for it today**

Plenary session  
FICPI, 15th Open Forum

Barcelona, 6 November 2014

Günter Hubert  
German Patent and Trade Mark Office

# Agenda

---

- Current position of the DPMA
- Participation in harmonisation efforts
- Current improvements in the German procedure
- Future challenges

# Agenda

---

- Current position of the DPMA
  - Participation in harmonisation efforts
  - Current improvements in the German procedure
  - Future challenges
-

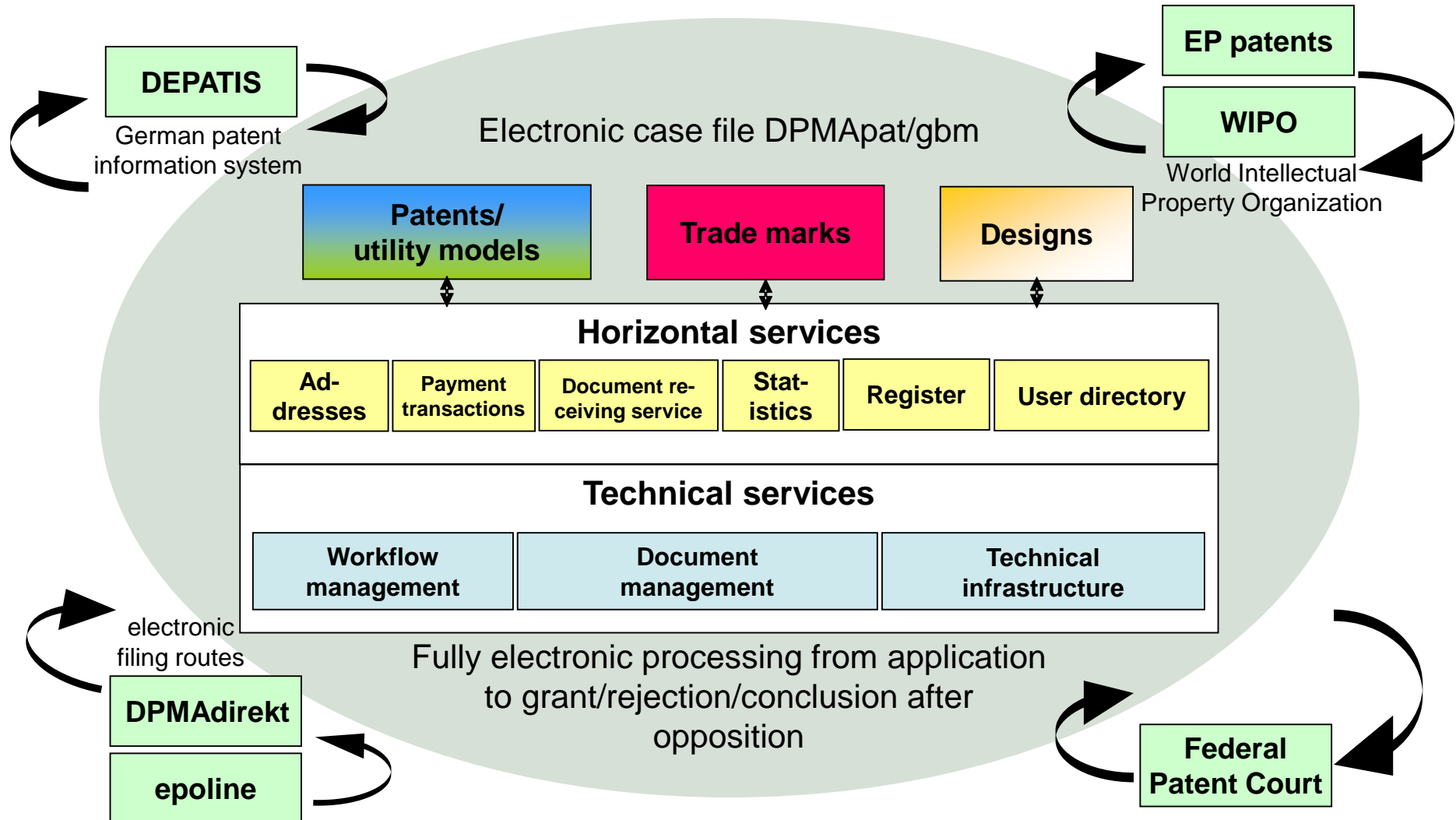
## Current position of the DPMA

---

- The DPMA is the world's sixth largest patent office.
  - increasing number of patent applications
    - 63,158 in 2013 (+ 2.9% vs 2012)
  - national and international applicants
  - fields of focus: automotive engineering, general engineering, electrical engineering
- Electronic case file
  - successful introduction in the field of patents and utility models in June 2011



# Electronic case file DPMAPat/gbm



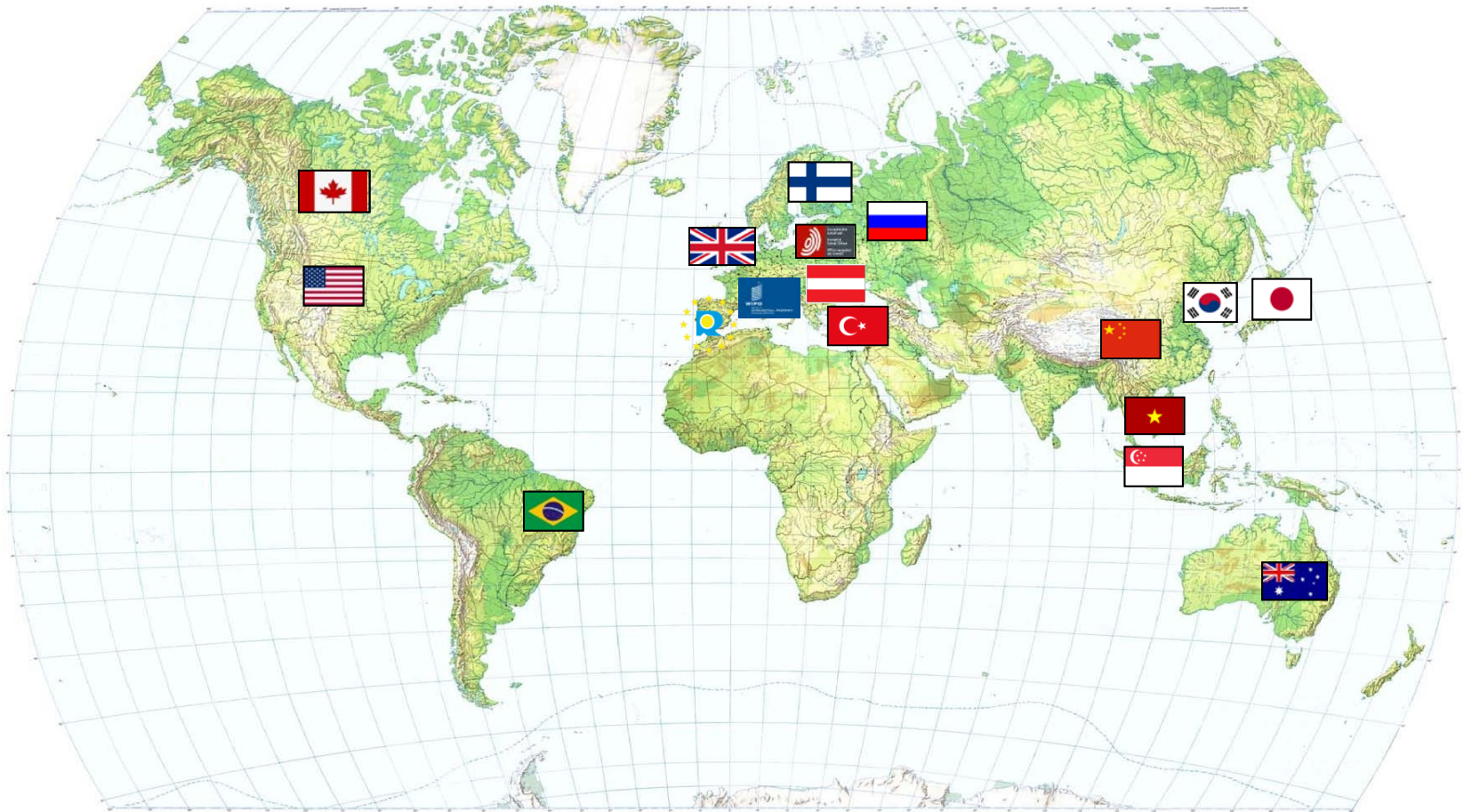
# International relations of the DPMA

---

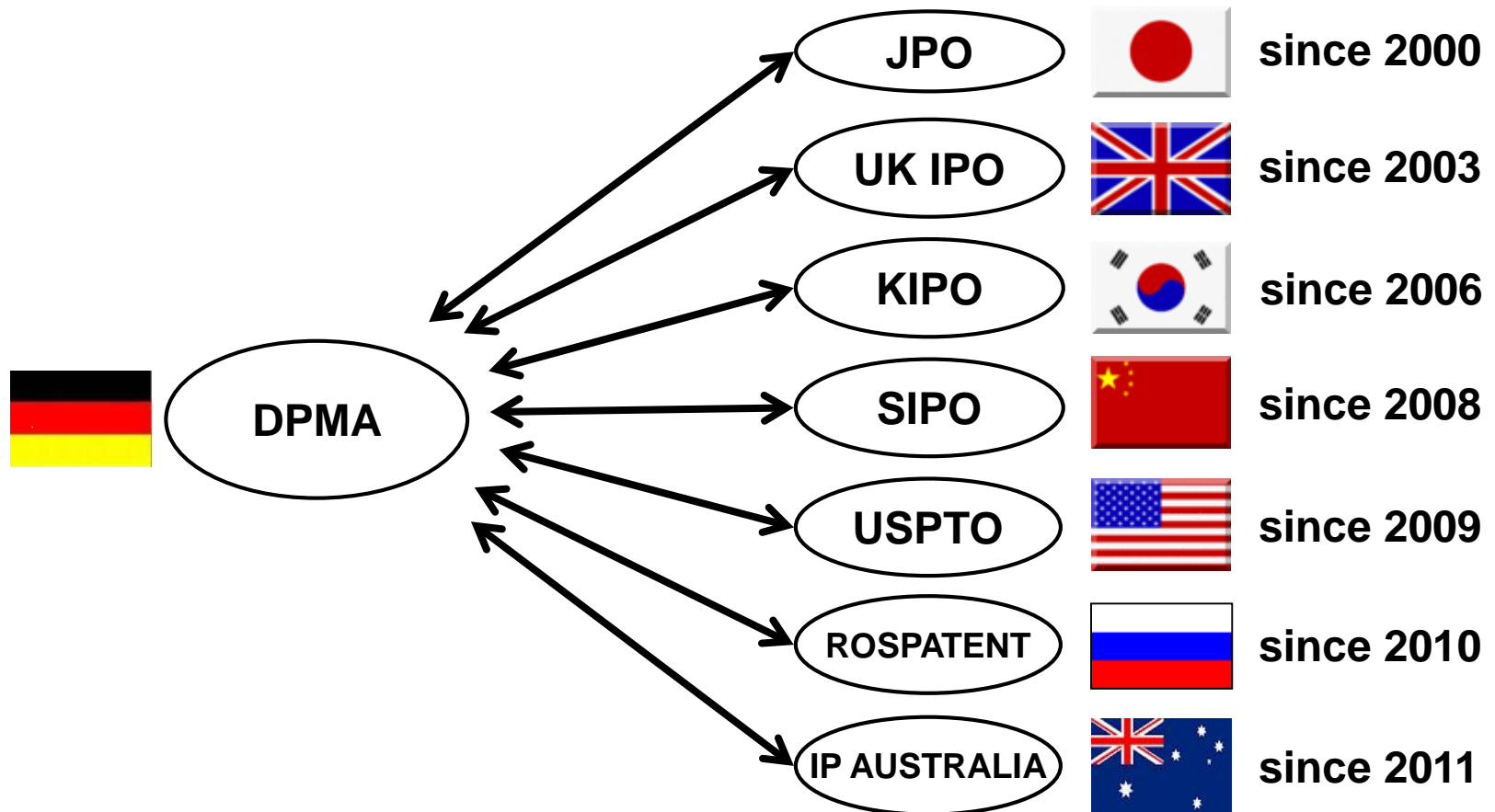
- Bilateral cooperation projects
- Participation in the PPH (Patent Prosecution Highway)
- Host and organiser of the Third ICT (Information Communication Technology) Road Map Meeting from 27 to 29 October 2014



# Bilateral cooperation projects of the DPMA



# Patent examiner exchange





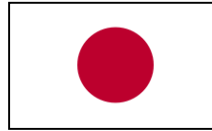


# Patent Prosecution Highway (PPH) partner offices of the DPMA

---



**IPOS**  
since 10/2014



**JPO**  
since 03/2008



**USPTO**  
since 04/2009



**APO**  
since 06/2014



**KIPO**  
since 07/2010



**PRH**  
since 01/2014



**UKIPO**  
since 03/2012



**SIPO**  
since 01/2012



**CIPO**  
since 10/2010



# Agenda

---

- Current position of the DPMA
  - Participation in harmonisation efforts
  - Current improvements in the German procedure
  - Future challenges
-



## Participation in harmonisation efforts

---

The DPMA is participating in international harmonisation initiatives.

- active WIPO member
- work-sharing projects
  - The DPMA is active in the Patent Prosecution Highway (PPH) network.
- member of the Tegernsee Group

# Tegernsee Group

- Informal discussions on international harmonisation of substantive patent law
- Group consisting of the Heads of the Offices from DE, DK, FR, UK, JP, US and of the EPO, representatives from the Federal Ministry of Justice and Consumer Protection
- formed in June 2011; evaluation of the user survey in April 2014 in Trieste: worldwide differing opinions



# Tegernsee Group – results of the user survey (DE)

---

- The majority is against a grace period.
  - Large majority is for the publication of all patent applications after 18 months.
  - The majority is in favour of the present German/European practice of considering conflicting applications for the examination of novelty only and does not support anti-self-collision.
  - The majority is for maintaining the provisions regarding prior user rights.
-



# Agenda

---

- Current position of the DPMA
  - Participation in harmonisation efforts
  - **Current improvements in the German procedure**
  - Future challenges
-

# Current improvements in the German procedure

---

User-friendly changes by the 2013/2014 patent law revision

- extended search report with improved services
- period for giving notice of opposition extended from 3 to 9 months
- public hearings during the opposition proceedings
- The time limit to submit a German translation for a national application filed in English or French has been extended to twelve months from the filing date.
  - For applications for which priority is claimed, a translation into German must be submitted within 15 months from the priority date.

# Current improvements in the German procedure

---

## Customer-orientation

- online file inspection
- online application for trade marks and designs not requiring an electronic signature
- harmonised classification database for goods and services in the field of trade marks



# Agenda

---

- Current position of the DPMA
  - Participation in harmonisation efforts
  - Current improvements in the German procedure
  - Future challenges
-



## Future challenges

---

- Evaluation of the effects of the patent law revision
- Quality management
- Increased use of information technologies
- Increase in search file and its making available
- Customer Care survey (planned for 2016)

# Quality management

---

## Goals:

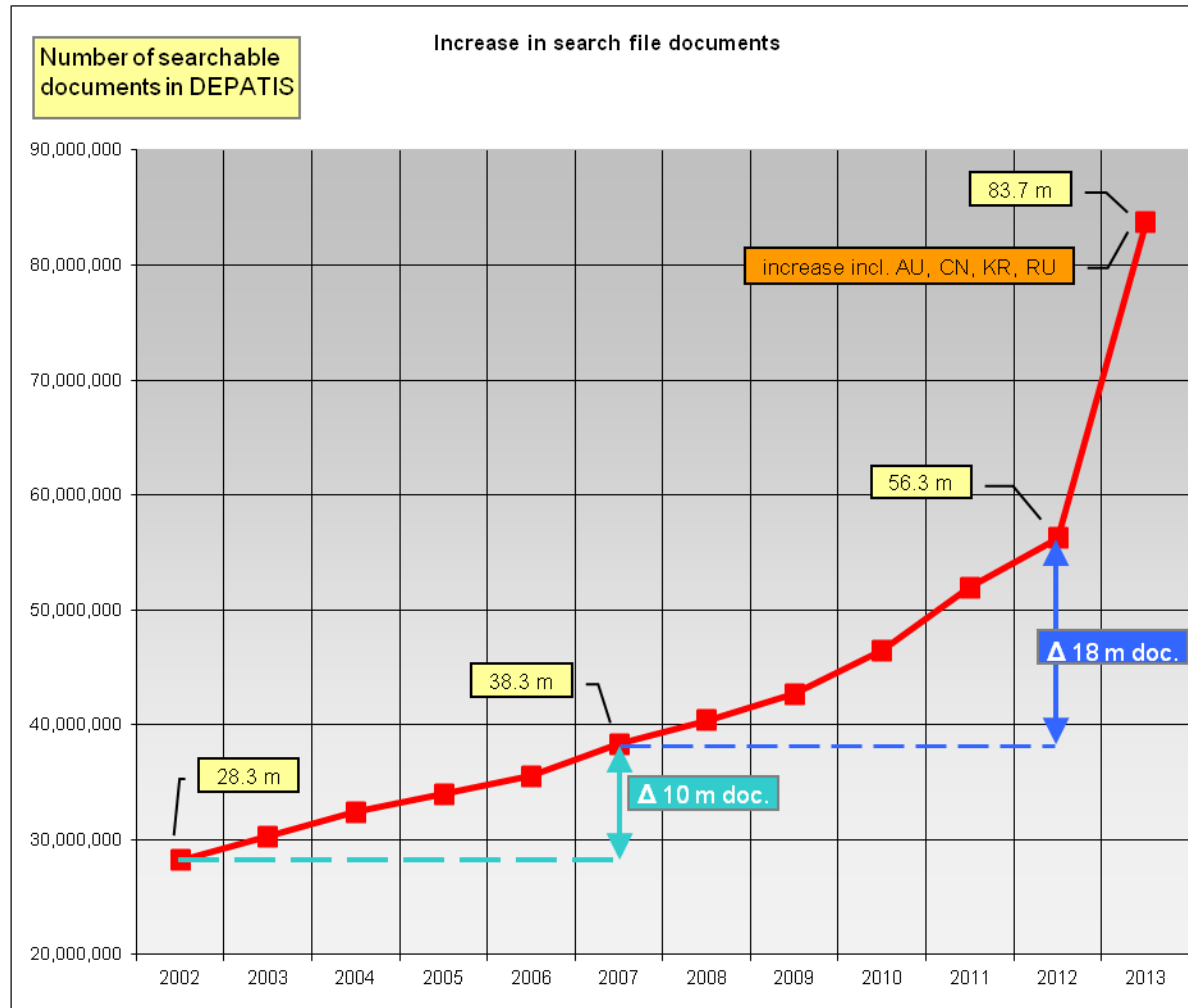
- improvement of our own processes
- alignment to ISO 9001
- specific quality management system (QMS) that considers the structures and culture of the DPMA
- introduction of the QMS in the field of patents first, then in other areas of the DPMA

# Increased use of information technologies

---

- Electronic case file in the whole office
  - DPMApatente/gebrauchsmuster (2011)
  - DPMAmarken (2014/2015)
- Trade mark area:
  - participation in the development of IT applications under the direction of OHIM
  - harmonised classification database for trade marks
  - online application for trade marks and designs not requiring an electronic signature

# Increase in search file at the DPMA



# Making available of patent documentation

---

- Integration of the patent information into the DEPATIS database
- Online file inspection at partner offices
- Cross-language information retrieval (CLIR) translation UI, particularly for the search in Asian patent documentation



# **The future belongs to those who prepare for it today**

Plenary session  
FICPI, 15th Open Forum

Barcelona, 6 November 2014

Günter Hubert  
German Patent and Trade Mark Office