



PRIORITY DOCUMENT Access Service

An Introduction



WORLD
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<http://www.wipo.int/patentscope>

▶▶ **How will priority documents be made available via the service?**

Some details will depend on the Office of first filing, but essentially, the Office will make the priority document available via the service at the applicant's request (in some cases this might be done automatically) and the applicant will be sent an "access code". Using this code and the application number, the applicant will manage the list of Offices authorized to access the document.

▶▶ **How will priority documents be retrieved from the service?**

The applicant will claim priority in exactly the same way as normal, but instead of sending a priority document to the Office of second filing, he will ask the Office to retrieve a copy for itself (for example, by marking a checkbox on the application form). The applicant will also have to ensure that access by that Office is authorized by actively controlling which Offices have access to the document.

▶▶ **What if things go wrong?**

The service will be designed to be very reliable and to cope with short periods where the systems of any Office become unavailable. However, participating Offices of second filing will have to provide safeguards for applicants to protect their rights in cases where a document cannot in practice be retrieved for some reason. This will either be by ensuring that access via the service is restored or by obtaining and transmitting a conventional certified copy from the Office of first filing.

▶▶ **What if the Office of first filing or an Office of second filing does not participate in the service?**

If the Office of first filing does not participate in the system, the applicant will nevertheless be able to make use of the service by obtaining a single certified copy and submitting it to WIPO. If an Office of second filing does not participate, a paper copy in traditional form will still have to be filed with that Office.



We welcome your comments

Suggestions and questions may be sent to patentscope@wipo.int

▶▶ What will the advantages be for applicants?

If an applicant files priority applications in many countries, he will not have to request and pay for multiple copies of paper priority documents, wait for them to arrive and send them to his agents in each country to pass on to the relevant Offices.

The applicant will just request the Office of first filing to deposit the patent application in a digital library (this might happen automatically in the case of some Offices), and will then decide to make it available via the service to any participating Office of second filing.

5 reasons for applicants to use this service

▶ Easy

- Simply ask the Office of first filing to add the priority document into the system, and request Offices of second filing to use the service for obtaining access
- Enable access by Offices of second filing by marking checkboxes through the on-line service

▶ Quick

- No need to provide a certified copy of a priority document separately to each Office of second filing

▶ Secure

- Use of an access code to authorize access
- Data exchange via secure channels
- Service hosted and administered by WIPO

▶ Flexible

- Modify at any time the list of Offices of second filing that are entitled to access
- Change the access code generated by the service to a code of your choice

▶ Inexpensive

- No need to pay for multiple copies of paper priority documents
- No charges by WIPO
- Offices can charge, but it is expected that most will not



Because of restrictions in national law, some Offices might not be able to participate in the service as Offices of second filing, but this should not deter them from offering their applicants the opportunity to use the service as Offices of first filing.

The service will also be consistent with and complementary to other established systems for the exchange of priority documents such as the Trilateral Document Access (TDA) system established by the "Trilateral" Offices (the European Patent Office, the Japan Patent Office and the United States Patent and Trademark Office).

5 reasons for Offices to use this service

▶ Valuable

- Share documents with other Offices
- Offer a new service at low cost for local applicants wishing to file applications in other countries

▶ Flexible

- 3 alternative routes for making a priority document available through the service, taking national legal constraints into account

▶ Easy

- No or reduced need to prepare, check or scan certified copies on paper
- No need to deal with different transmission and document formats
- No need to establish secure connections to multiple Offices

▶ Secure

- Exchanges via secure channels
- Service hosted by WIPO

▶ Inexpensive

- Simple service delivered through channels already existing at most automated Offices



▶▶ What is the Priority Document Access Service?

This service provided by WIPO will offer a simple and safe digital alternative to filing paper copies of priority documents with multiple patent Offices. It will enable a patent applicant claiming priority to ask patent Offices of second filing to retrieve a copy of the priority document themselves via the service.

This service is still in the stages of development. A demo is however available for comments on PATENTSCOPE® website at http://www.wipo.int/patentscope/en/priority_documents.

▶▶ Who will be able to use the service?

The use of the service will be voluntary for both applicants and Offices. Offices that opt to participate in the service will inform WIPO of their intention to do so, and WIPO will make this information available via its PATENTSCOPE® website. A regularly updated list of participating Offices will be available at http://www.wipo.int/patentscope/en/priority_documents.

The service could be used for both patent applications filed via the Paris Convention route and international patent applications filed under the Patent Cooperation Treaty (PCT).

▶▶ What will the advantages be for patent Offices?

The Priority Document Access Service will allow Offices a low cost way of offering a service to local applicants wishing to file applications in other countries. By arranging availability of priority documents through the service, the Office will be able to share documents with a wide range of Offices without having to worry about establishing secure connections with each Office and dealing with different transmission and document formats (similar connections with WIPO are already in place for PCT purposes). The documents will be prepared and transmitted in electronic format directly from a trusted source, eliminating the need for handling paper certified copies.

▶▶ **What if an applicant or an Office does not have adequate Internet connections?**

The service will also offer paper-based options for the benefit of applicants and Offices who are not in position to access the service on-line.

▶▶ **What costs will be associated with the service?**

The service will be offered free of charge by WIPO. However, fees might be charged by Offices of first and second filing for the storage and retrieval of documents. WIPO will give details of such fees if they are notified, but it will be necessary to check with the individual Offices to be certain.

▶▶ **Where can I find more information?**

More information on the service can be found on the PATENTSCOPE® website at http://www.wipo.int/patentscope/en/priority_documents.

World Intellectual Property Organization

Address:

34, chemin des Colombettes
P.O. Box 18
CH-1211 Geneva 20
Switzerland

Telephone:

+41 22 338 91 11

Fax:

+41 22 733 54 28

e-mail:

wipo.mail@wipo.int

Visit the WIPO website at:

<http://www.wipo.int>

and order from the WIPO Electronic Bookshop at:

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