

**Patent Prosecution Highway Pilot Program
Between the United States Patent and Trademark Office and the
Intellectual Property Corporation of Malaysia**

I. Background

Since July 2006, the United States Patent and Trademark Office (USPTO) has partnered with several other offices in the Patent Prosecution Highway (PPH) programs. The PPH program is a work-sharing arrangement between two or more patent offices that enables an applicant who receives a positive ruling on patent claims from one participating office to request accelerated prosecution of corresponding claims in another participating office. Therefore, the PPH program allows the applicant to obtain an expedited patentability decision in the second office. The examiner in the office of later examination is able to utilize and augment the search and examination results from the office of earlier examination. This allows for a more comprehensive review and reduced duplication of effort. The PPH program promotes the USPTO's goal of providing high-quality and timely examination of patent applications by facilitating an expedited and thorough examination.

On January 6, 2014, the USPTO began participating in the Global PPH and IP5 PPH (Global/IP5 PPH) pilot programs, which consolidated and replaced numerous earlier bilateral PPH programs. The Global/IP5 PPH pilot programs streamlined and simplified the PPH program process for both applicants and Global/IP5 PPH participating offices. *See* Implementation of the Global and IP5 Patent Prosecution Highway (PPH) Pilot Programs with Participating Offices, 1400 *Off. Gaz. Pat. Office* 172 (March 18, 2014).

To further its mission of fostering innovation and growth worldwide, the USPTO continually seeks new partners to share in the benefits afforded by the PPH program. Following discussions between the USPTO and the Intellectual Property Corporation of Malaysia (MyIPO), the USPTO will implement a PPH pilot program with the MyIPO. Malaysia is one of the major economies in the Association of Southeast Asian Nations region, and this pilot program will facilitate patenting by U.S. interests in that country. The MyIPO is not currently a Global/IP5 PPH program participating office and is partnering with the USPTO in the PPH program on a bilateral basis. However, a PPH program request submitted at the USPTO, based on a MyIPO work product, will be treated under the published Global/IP5 PPH standards, as discussed in section III below.

II. Trial Period for the PPH Pilot Program with the MYIPO

The PPH pilot program with the MyIPO will commence on March 2, 2023, and will run for a period of three years ending on March 1, 2026. The trial period may be extended upon mutual written decision by the offices. During the trial period, the offices intend to evaluate the PPH pilot program to determine whether and how the program should be modified. Either office may terminate the PPH pilot program early for any reason, including if the volume of participation exceeds a manageable level. A notice will be published if the PPH pilot program will be

extended or terminated. Any extension or termination of the Global/IP5 PPH program will have no effect on this PPH pilot program, unless the MyIPO becomes a Global PPH participating office.

III. Participation in the PPH Pilot Program with the MYIPO in the USPTO

Any request to participate in a PPH program at the USPTO, based on a MyIPO work product, is subject to the same requirements and procedures as, and will receive treatment equivalent to, a request made under the Global/IP5 PPH pilot program, as set forth in the following notice: Implementation of the Global and IP5 Patent Prosecution Highway (PPH) Pilot Programs with Participating Offices, 1400 *Off. Gaz. Pat. Office* 172 (March 18, 2014). This PPH pilot program will also be subject to any modifications to the requirements and procedures of the Global/IP5 PPH pilot program. A participation request form (Form PTO/SB/20MY) is available from the USPTO website at www.uspto.gov/PPH.

Any inquiries concerning this notice may be directed to Bryan Lin, International Patent Legal Administration, at (571) 272-3303 or bryan.lin@uspto.gov.

Specific questions about the PPH program should be directed to the Office of Petitions at (571) 272-3282 or PPHfeedback@uspto.gov.

Date: _____
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Director of the United States Patent and Trademark Office