

PPH: A faster route to grant

Do you already have a granted patent? Do you need a granted patent quickly?

The patent prosecution highway (PPH) is a scheme designed to speed up patent grant, and current evidence suggests that it really does work.

If you already have a granted patent...

- PPH can be used to speed up examination of a patent application if you already have a granted patent for the same invention in another country. Lots of countries take part in the scheme, so check with us for a full list, but notable subscribers include UK, USA, Europe, Japan, Korea, Canada and Australia
- The claims of the application you want to speed up need to be the same as (or very similar to) the claims of your granted patent. We can help with this and advise on whether amendments are required
- Recent statistics suggest that requesting PPH halves the time until examination begins in Europe and UK (just two months in the UK), and reduces the overall time to grant, even when compared with other methods of accelerating prosecution

If you need a granted patent quickly...

PPH can only be requested if you have already a granted patent. If you don't, don't worry. The UK IPO in particular can be very quick to grant applications - we have prosecuted applications from filing to grant in under a year, and some in less than nine months.

Experience has shown that it can be quicker (and cheaper) to obtain a granted UK patent, and then use that as basis for a PPH request overseas, than it is to simply request accelerated examination of your overseas patent application. Using PPH can reduce the cost of overseas examination, by reducing the overall number of examination reports. It can also reduce the overall time to grant, allowing you to enforce your patent rights more quickly.

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However, whilst requesting PPH will speed up the application process, in some jurisdictions (e.g. the EPO), it generally will not help or simplify the prosecution – the EPO will still conduct its own independent search and examination.

If PPH is not for you, then there are other methods we can use to secure a quick grant. Whatever your position, we can advise you on how to proceed.

Approximate costs

Requesting PPH costs, typically £400 - £800, although it can be as little as £250 and up to £2,000 depending on the complexity of the work involved to meet eligibility requirements.

What next?

If you would like more information, then please get in touch. You can email us info@barkerbrettell.co.uk or call us on **+44 (0)121 456 0000**.

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