The Role of the 3 Person Team in Searching

Search Examiner receives search:
- Art. 15(5), PCT, WIPO, Bilateral, AU, etc.
- search planned and passed on within 7 days
- 2 consultant examiners chosen to make 3 person team depending on ability and availability i.e. section roster. At least one of the two consultant examiners should be experienced searching the particular field
- informal search:
  - determine keywords/IPC mark
  - Esp@ce, Google Patents, Epoque, NPL etc,
  - "Quick and dirty" type search
  - retrieve prior art

Three person team includes:
- Searching Examiner
- At least one examiner experienced searching the particular technology
- Another examiner

Each Examiner considers:
- Classification
- Unity
- Construction
- Broadness of claims, descriptive support
- Determine which claims or groups of claims or search statement, can be searched from:
  - independent claims
  - inventive concept
  - Passages of the description (i.e. aspects)
  - Statements in correspondence (i.e. Art 15(5))
- Dependent claims, Trivial features, CGK, Substantial features, Well Known in the art
- Inventive Step Searching

Examiners independently formulate a search strategy

Three person team (3PT) meeting:
Search strategy decided

Examiner consulted once
3PT agree with unity and/or broad claim issues

3PT satisfied no search needed:
- PCT based on Art 15(5)
- WIPO, existing search
- Bilateral has existing search
- Earlier search, same claims, good citations

Search

Does search examiner consider search results adequate?

Yes

Good citations found
- King hits
- good X, Y citations
- good A documents

3PT Meeting:
Discuss search results

Optional step of QA performed within examination section

End

No

3PT Reformulate search
- new strategy
- Informal Inventive Step search:
  Esp@ce, Google patents, Epoque etc.

3PT satisfied no further search needed

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