

## Getting your patent granted more quickly

1. Getting your patent granted may sometimes seem like a long process. Your application must first be searched, then published, and then examined before it can be granted. We do however offer ways of speeding things up in certain circumstances and together these accelerated procedures can help you get a granted patent much more quickly.

### Will a fast grant be helpful?

2. You should think carefully about whether a fast grant is in your best interests. For example, the earlier your patent application is published the earlier the technology is in the public domain. Many applicants are happy to proceed to grant at a slower pace because it enables them to develop and plan the commercialisation and marketing of their invention whilst the patent application process continues. It gives them time to determine whether their invention is commercially viable before committing to a greater financial outlay.

3. There are however circumstances when a fast grant of a patent may be particularly helpful. For example you may see someone infringing your patent application and may want to get a quicker grant in order to be able to take action. Or an investor may require a granted patent before they are willing to invest in your invention (although some investors may be satisfied with the filing of a patent application).

### We offer three types of accelerated service:

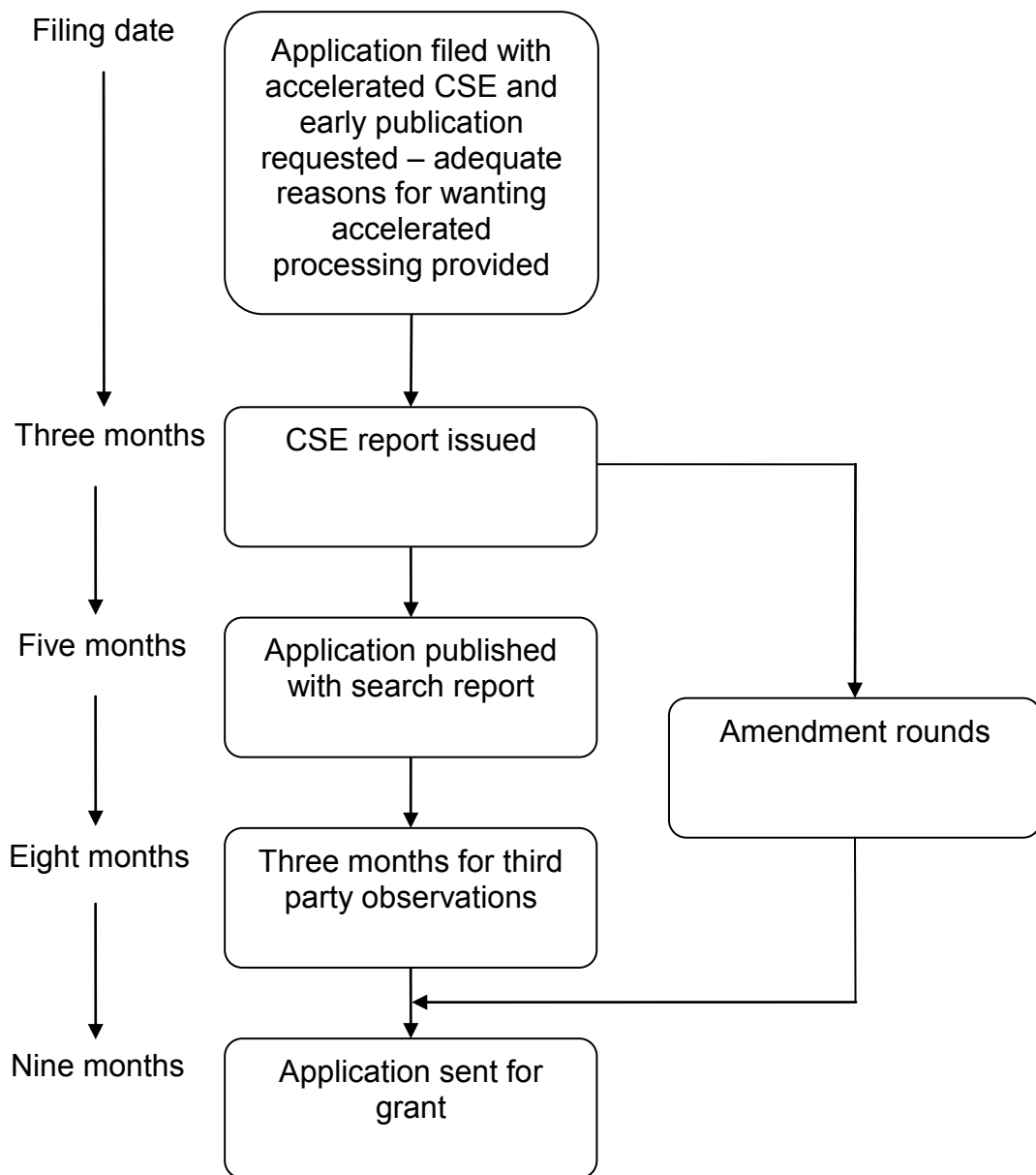
- Combined search and examination (CSE)
- Accelerated search and/or examination
- Early publication

4. Details of these three services are available below. Combined search and examination and early publication are available upon request but to accelerate search or examination you must either demonstrate to us why it is important to you that these be accelerated or demonstrate that your invention relates to a 'green' technology (see [Practice Notice: Green Channel for patent applications](#)).

### How can you use these to get a fast grant?

5. If you request, at the time of filing your application, all three of the above services (and provide adequate reasons for wanting things accelerated – see below) and respond promptly to our reports and letters then you can get your patent granted very quickly – for example in less than a year. See the example timeline below for further details.

## A fast track to grant



6. Even if you are not able or do not wish to provide us with adequate reasons for wanting things accelerated, you can still request combined search and examination and early publication which, if you respond promptly to our reports and letters, can still get your patent granted quickly.

## **Details of the three services**

### **Combined search and examination (CSE)**

7. Most applicants request examination of their patent application some time after receiving the results of the search. If you file your requests for search and examination at the same time we will however do the examination at the same time as the search and issue a combined report. This will start the examination process much sooner and thus helps to get your application ready for grant more quickly. You don't need to provide us with any reasons for wanting to use this service. You will normally receive both the search and the examination reports within four months of requesting search and examination.

### **Accelerated search and examination**

8. For normal applications we aim to issue search reports within about four months – we have an agency target to issue 80% of patent search reports within four months of request. But there may be occasions when you want a search (or a combined search and examination) more quickly, and in such circumstances you can request this. You will however have to give us adequate reasons for your application to jump the queue (see below). Your actions may be a factor in deciding whether to agree to the request. For example a delay in requesting search may in some circumstances count against you.

9. You can also request an accelerated examination. As for accelerated search, you need to give us adequate reasons for your examination to be accelerated. You can request accelerated examination at any time, even before the application has been searched, in which case you can ask for accelerated combined search and examination (CSE).

*What do you get if your search, examination or CSE are accelerated?*

10. If we agree to your request for accelerated search, examination or CSE, the examiner will arrange a timescale with you as to when a report will be issued. If your examination or CSE is accelerated, all subsequent amendment actions will also be accelerated providing your actions continue to demonstrate a desire to process your application quickly. We have an agency target to issue a substantive response to an allowable request for accelerated patent examination within 2 months of receipt in 90% of searched applications.

*What sort of reasons will the Intellectual Property Office accept to allow accelerated processing?*

11. If your invention relates to a 'green' technology then we will allow accelerated search or examination on your application ([see Practice Notice: Green Channel for patent applications](#)). Whether or not the reasons provided

will be sufficient for us to allow a request for accelerated search or examination in other areas of technology will depend very much on the circumstances of the case in question. If you demonstrate that you need a patent granted quickly because you are aware of a potential infringer, or need a faster search, examination or grant in order to secure an investor, then we are likely to accede to your request for accelerated processing.

## **Early publication**

12. Most applications are published eighteen months from their filing date (or priority date if they have one). You can however request that your application be published early. If you make such a request your application will be published in about six weeks from our receipt of your request (provided the search has been done). This helps achieve a fast grant as a patent cannot be granted until three months after the application has been published. This is to allow a period for interested parties to make observations on the patentability of the invention.

## **How do you request these accelerated services?**

### *Combined search and examination*

13. Your application will automatically be subject to combined search and examination if you file your requests for search and examination at the same time.

### *Accelerated search or examination*

14. You can request accelerated search or examination in writing, setting out the reasons why you need your search or examination to be accelerated. If you want to request accelerated processing at the same time as filing your patent application, you can include the request in a covering letter. An examiner will consider your request and will confirm whether or not your request has been allowed, based on the reasons you give.

15. It is helpful to us if you clearly mark any correspondence for example, as **“URGENT – ACCELERATED PROCESSING REQUESTED”** or using similar words if your application is being accelerated. This will help us to identify correspondence relating to accelerated applications as early as possible after the Office has received the correspondence and thus ensure that the examiner receives this correspondence as quickly as possible.