



10/10/2005

Honorable Alain Pompidou  
President  
European Patent Office

Honorable Makoto Nakajima  
Commissioner  
Japanese Patent Office

Honorable Jon Dudas  
Director  
United States Patent and Trademark Office

Dear Sirs:

Thank you for your response to our letter of September 15, 2004, in which you, the Trilateral Offices, stated you each "have a process in place that encourages dialog and communications with private sector organizations involved with the dissemination of patent information." We believe this process will lead to a more effective worldwide patent information dissemination system.

Thank you also for the expression of appreciation for the contribution of the private sector in information dissemination and your looking forward to continued discussions on the topic. During the past year there have been discussions with officials in EPO and USPTO consistent with your response. The US Coalition has worked with USPTO in coordinating online service plans, coordinating data quality improvements, and by exploring initiatives that could increase awareness of the advantages of IP protection by SMEs and thereby increase patent and trademark searches worldwide. The same area is under discussion between EPO and PatCom; there also a better communication policy is developed following the meeting in early September.

The Trilateral Offices and intellectual property information and service companies have the same objective, viz., achieving the highest quality in issued patents and achieving the maximum possible dissemination of patent information. We believe that high quality patent searching can be achieved only by using a variety of sources and systems and that use of only patent office-provided systems is not sufficient to achieve the highest quality patents. In this respect we continue to have concerns about any increase in commercial services by patent offices on a free basis. This will have the effect of reducing innovation and investment in our industry; the very opposite of what the patent system is designed to do. Private sector concern in this respect focuses on some EPO services that, we believe, are best provided by the private sector.

In respect to communication by patent offices of planned changes, meetings held this year with patent offices have resulted in increased transparency that better enable the private sector to respond.

Again, we stand ready to respond to suggestions for additional ways in which the Trilateral Alliance might work in consonance with the Trilateral Offices to improve IP systems on a worldwide basis.

Sincerely,

Willem Geert Lagemaat  
President  
PatCom

  
Yutaka Wada  
President  
Patent Information Online  
Service Council

  
Joseph L. Ebersole  
Counsel  
Coalition for Patent  
and Trademark Information  
Dissemination