APPENDIX A: DETAILED PATENT APPLICATION PROCESS

1. **PROVISIONAL PATENT APPLICATION**
   - The filing date of the provisional application will establish a priority date.

2. **FILE PCT APPLICATION**
   - A PCT must be filed within 12 months of the earliest priority date.

3. **INTERNATIONAL SEARCH REPORT (ISR)**
   - An ISR and written opinion on novelty and inventive step is issued by a patent office, usually by 18 months from the earliest priority date. The claims may then be amended by applicant.

4. **PUBLICATION**
   - The PCT application is published by WIPO at around 18 months from the earliest priority date.

5. **DEMAND FOR IPE**
   - A demand for an International Preliminary Examination is optional.

6. **INTERNATIONAL PRELIMINARY EXAMINATION**
   - Arguments and/or amendments in the claims address the issues raised in the existing written opinion.

7. **CHAPTER I: IPRP**
   - If IPE is not demanded, then an International Preliminary Report on Patentability is issued.

8. **NATIONAL PHASE ENTRY**
   - National Phase must be entered for all desired countries with 30-31 months of the priority date.

9. **EXAMINATION**
   - Each patent office determines whether the patent application meets the validity requirements.

   - **YES**
     - **RE-EXAMINATION**
       - Re-examination may be initiated by the patent office between acceptance and grant.
     - **NOTICE OF ACCEPTANCE**
       - Notice of acceptance is published in the Office Journal of Patents.
     - **OPPOSITION**
       - Opposition may be initiated by others within 3 months from the date of the Notice of Acceptance.
     - **GRANTED PATENT**
       - The term of a patent is generally 20 years from the priority date, provided renewal fees are paid.

   - **NO**
     - **EXAMINATION REPORT**
       - This report summarizes any patentability requirements that need to be met.
     - **PATENT APPLICATION REFUSED**
     - **SUBMISSION OF RESPONSE BY APPLICANT**
     - **PATENT MAY BE REVOKED IN LITIGATION**
     - **POSSIBLE RE-EXAMINATION**
       - Re-examination may be initiated by the patentee. The patent may be revoked or its validity rectified by amendment.

(Adapted from Spruson & Ferguson, 2009)