***Please delete the notes below that are highlighted in yellow when finalising the letter.***

***Please print the letter on company letterhead.***

ISBQPIP

The Hague

The Netherlands

dd-mm-yyyy

To the ISBQPIP,

I confirm that [First name] [Last name] has worked for [Company name] from [dd-mm-yyyy] to [dd-mm-yyyy *or* ‘present’] as [Job title].

In this capacity [First name] [Last name] has spent on average during the past three (3) years:

|  |  |  |
| --- | --- | --- |
| Period  <if the applicant has worked for the same employer for the past 3 years and the type of activities completed by the applicant has not changed over that period, then the start date would be 3 years ago and end date ‘present’ for each activity.> | Approximate percentage | Activity  (*for definitions of each activity see next page*) |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | approximately [percentage] % of his/her time in total on | searching patent information |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | approximately [percentage] % of his/her time in total on | mentoring |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | approximately [percentage] % of his/her time in total on | outsourcing |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | approximately [percentage] % of his/her time in total on | overseeing search work of others |

*Note: the percentages don’t necessarily add up to 100%, because the employee may also have performed other, not patent searching related tasks*

*Please add a similar table if during the past three years the activities of the employee have changed significantly, e.g. when the employee first was searching only, but later started overseeing search work of others for a significant amount of their time.*

*If in the 3 year period preceding the date of application, there is one or more gaps, please explain the reason(s) for the gap(s)[[1]](#footnote-1), provide supporting evidence and provide details about additional work experience in searching patent information that occurred beyond the preceding 3 year period from the date of application in order to establish that the applicant has a total of 3 non-consecutive years of work experience. Also, please add a table for each of the periods (before and after the gap(s)) and please do so for both the table here above (percentage of time split by activity) and the table here below (number and time spent for every type of search projects performed)*

During the past three (3) years [First name] [Last name] has completed:

|  |  |  |  |
| --- | --- | --- | --- |
| Period  <if the applicant has worked for the same employer for the past 3 years, then the start date would be 3 years ago and the end date ‘present’ for each type of search project.> | Type of search project  (*for definitions of each type of search project see next page*) | Number of search projects completed in period\* | Time Spent *(percentages adding up to 100%)* |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | Novelty |  |  |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | Patentability |  |  |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | Opposition |  |  |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | Validity |  |  |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | Patent Landscape |  |  |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | Patent Infringement Risk |  |  |
| [*starting date* dd-mm-yyyy] to [*end* date dd-mm-yyyy *or* ‘present’] | Freedom to Operate |  |  |

\**A single search project can include several individual searches that all aim to answer the question(s) posed by that search project.* *If an exact number cannot be provided, please give an estimation as accurately as possible.*

Regards,

[signature responsible manager]

[printed name responsible manager]

[job title responsible manager]

*Provide contact details (including email address and telephone number) of person signing this letter*

**Definitions of work categories:**

“Searching” includes: understanding the search request, discussions with the person requesting the search, devising a search strategy, searching, evaluating search results, report writing/presenting results and post search discussion.

“Outsourcing” is defined as preparing search requests and instructions for the search service provider who will conduct the search and evaluating results from the outsourcing search service provider.

“Mentoring” is defined as providing training, coaching and/or support in patent searching, wherein the training may focus on a specific patent information database or tool, but the training cannot be conducted by vendor representatives. Mentoring also does not include managing patent searchers.

“Overseeing search work of others” is defined as directly supervising and directing the work of others within the same organisation who in the past three years have each completed at least 45 search projects selected from the list of searches below.

**Definitions of searches:**

A "freedom-to-operate search" is searching for and evaluating any intellectual property rights including but not limited to patents, trade marks, and design registrations, as well as an regulatory standards or industry standards or domestic law that would prevent the sale, manufacture or use of a product, process of system in a particular jurisdiction;

A “novelty search” is searching for and evaluating any prior art that includes prior use or any printed or electronic media describing all of the features of the claimed or proposed invention;

An "opposition search” is searching for and evaluating any prior art that includes prior use or any printed or electronic media describing some or all of features of the claimed invention, and which was made publicly available before the filing date or priority date of the patent of concern (in the case of post-grant opposition) or the filing date or priority date of the accepted patent application of concern (in the case of pre-grant opposition);

A "patentability search" is searching for and evaluating any prior art that includes prior use or any printed or electronic media describing somewhere in the document some or all of features of the claimed or proposed invention such that a novelty or inventive step/obviousness issue arises;

A “patent infringement risk search” is searching for and evaluating granted patents that are still in force, pending patent applications or patents and patent applications that can be revived in the jurisdiction of interest that claim one or more of the features of a proposed product or process;

A “patent landscape search” is searching for, evaluating and analyzing a large set (typically > 100) of granted patents and/or published patent applications and/or documents related thereto for the purpose of deriving insights from the general direction in which patent metrics are developing or changing in order to support policy, business, and research/development decisions.

A “validity search” is searching for and evaluating any prior art that includes prior use or any printed or electronic media describing somewhere in the document some or all of features of the claimed invention, wherein the document was made publicly available before the filing date of the patent or a date from which priority is claimed.

1. Possible reasons for gaps may include but are not limited to voluntary or involuntary termination of employment of the examination applicant, temporary assignments, temporary role changes, maternity leave, paternity leave, adoption, carer’s leave, sabbatical, secondment or illness. [↑](#footnote-ref-1)