

US pre-grant publication

A pre-grant publication system was introduced in the USPTO on 2 January 2001. This was a consequence of the American Inventors Protection Act of 1999 (AIPA). The first patent application publication under these new provisions is expected mid-March 2001.

These new kinds of publication will have a different number format and new kind-of-document codes.

INPADOC in general will follow the new kind code definitions of the USPTO, with two exceptions in which conflicts with the previously used codes could arise.

Table of new USPTO kind codes used on documents published beginning 2 January 2001.

USPTO code	INPADOC code	Kind of document	Comments
A1	AA	Patent application publication	Pre-grant publication available March 2001
A2	AB	Patent Application (re-publication)	Pre-grant publication available March 2001
A9	A9	Patent application (corrected publication)	Pre-grant publication available March 2001
B1	BA	Patent	No previously published pre-grant publication
B2	BB	Patent	Having a previously published pre-grant publication
B8	B8	Corrected front page granted patent	
B9	B9	Corrected complete granted patent	

USPTO code	INPADOC code	Kind of document	Comments
C1 C2 C3	C1 C2 C3	Reexamination Certificate	Previously used codes B1 and B2 are now used for granted patents
P1	P1	Plant patent application publication	Pre-grant publication (available March 2001)
P2	P2	Plant patent	No previously published pre-grant publication
P3	P3	Plant patent	Having a previously pre-grant publication
P4	P4	Plant patent application (re-publication)	Pre-grant publication available after March 2001
P9	P9	Plant patent application (corrected publication)	Pre-grant publication available after March 2001
E	E	Reissue patent	No change
H	H1	Statutory invention registration (SIR)	No change

For the new series, issued from March 2001 onwards there will also be a number format change: eg US 2000 000001 A1 for the first “pre-grant” patent application publication
and US 2000 000001 P1 for the first “pre-grant” plant patent application

INPADOC will use a reduced number format, namely ccyyannnnnn (cc=century, yy=year, nnnnnn=6-digit serial number), in total 10 digits, while the USPTO will issue these documents with a 7-digit serial number, ie ccyy/nnnnnn.

Fictitious examples of the new publications are available as PDF-files in the FAQ section of the INPADOC website of the EPO's (www.european-patent-office.org/inpadoc/inpadoc_faq.htm).