



**MEMORANDUM OF UNDERSTANDING
ON THE PATENT PROSECUTION HIGHWAY (PPH) MOTTAINAI
BETWEEN
THE SPANISH PATENT AND TRADEMARK OFFICE (SPTO)
AND
THE TURKISH PATENT INSTITUTE (TPI)**

The Spanish Patent and Trademark Office (SPTO) and the Turkish Patent Institute (TPI), hereinafter referred to as “the Offices”,

Recognizing the importance of patent protection in fostering technological innovation and economic development;

Taking into consideration the increasing necessity of coping with the ever-growing number of internationally filed patent applications, which have arisen from a growing need for patent protection in the context of globalization of the world economy;

Striving to ensure the benefits of expeditious, inexpensive and high-quality examination for applicants and the benefits of avoiding duplicative work and reducing the examination workload; and

Desirous of promoting inter-office cooperation and enhancing leadership in cooperative worldwide efforts in the patent field,

have reached an understanding on the following:

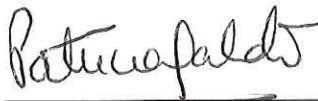
1. The Offices will start a pilot program of the Patent Prosecution Highway (PPH) Mottainai for the patent applications filed with the Offices.
2. The basic concept underlying the PPH-Mottainai is that where the office of earlier examination (OEE) has assessed the patentability of a patent application, the office of later examination (OLE) ensures that the applicant enjoys the benefit of an accelerated examination for the corresponding application, provided that certain conditions are met. These conditions include, but are not limited to, that the claims of the two applications must have

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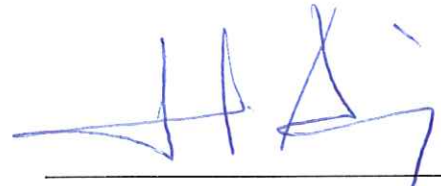
sufficient correspondence, the search and examination results of the OEE must be made available to the OLE and examination report produced by the OEE has been assessed at least one of the claim of the application as novel, inventive and industrially applicable.

3. The PPH-Mottainai Pilot Program will commence on 15.01.2017
4. The Offices will prepare guidelines for the pilot program before the program starts. The guidelines will include the conditions outlined in paragraph 2 as well as the requirements and procedures for participating in the pilot program.
5. This Memorandum of Understanding will come into effect on the date of signature and may be amended at any time with the mutual written consent of the Offices.
6. This MoU is concluded with a view to enhancing and developing cooperation between the Offices and does not constitute an agreement binding upon the States of the Offices. No provisions of this MoU will be interpreted and implemented as creating legal rights or commitments for the States of the Offices. This Memorandum of Understanding is not intended to create any legally binding rights or obligations under International Law.
7. Any dispute arising from the interpretation or implementation of this Memorandum of understanding will be resolved through consultations between the Offices.

Signed in Geneva on October 5th, 2016 in two originals in English.



Ms. Patricia García-Escudero Márquez
Director General
Spanish Patent and Trademark Office



Prof. Dr. Habip Asan
President
Turkish Patent Institute