

Development of the Legal Framework for Patent Application in Singapore

16 November 2019

About IPOS

IPOS is a government agency under the Ministry of Law.

OUR VISION:

A Singapore where innovative enterprises
use intangible assets to grow

OUR MISSION:

We use our IP expertise and networks
to drive Singapore's future growth.



Gearing up for the Future Economy



1 Skilled IP
Manpower

2 Improving IP &
Innovation Regime

3 Creating an
Effective Ecosystem

Improving IP and Innovation Regime



Refine Patents Regime

To support innovators



IP Dispute Resolution Review

To enhance IP legal system

Improving IP and Innovation Regime



Refine Patents Regime

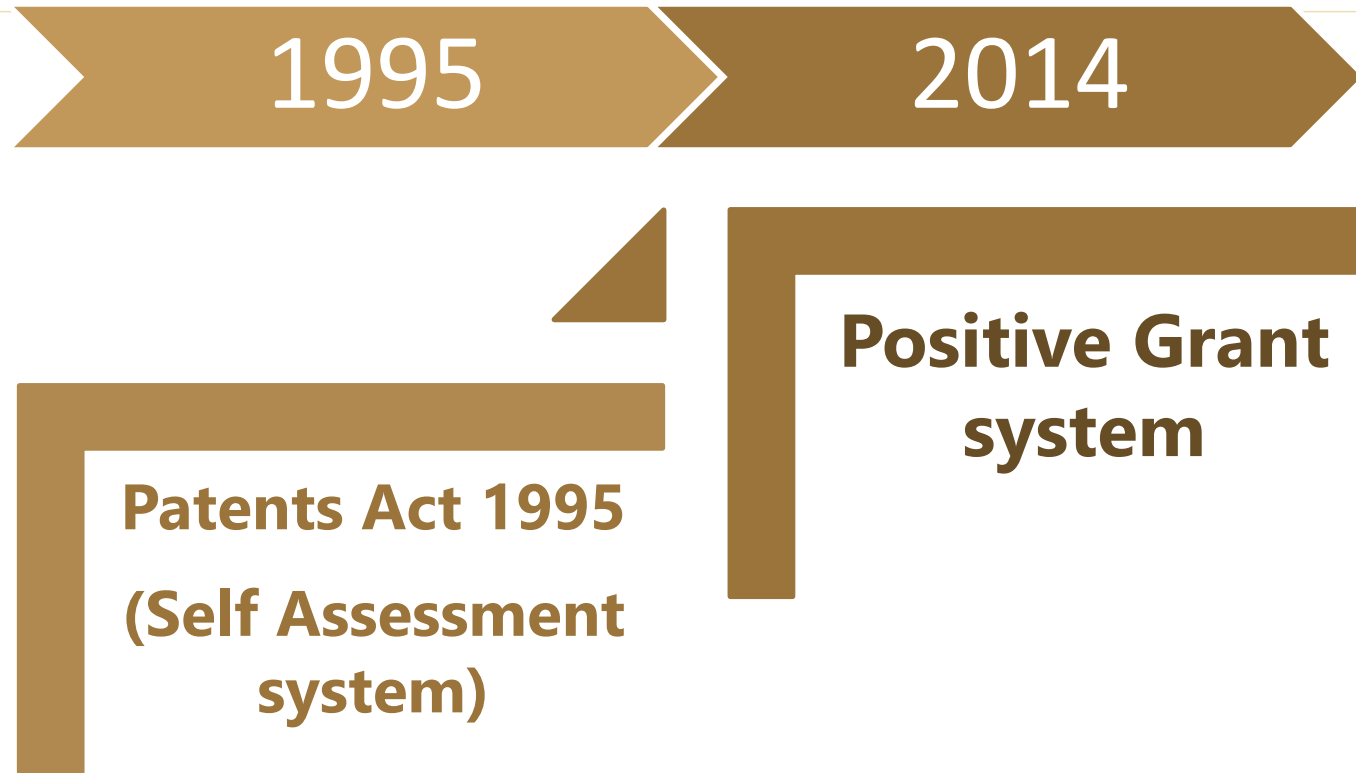
To support innovators



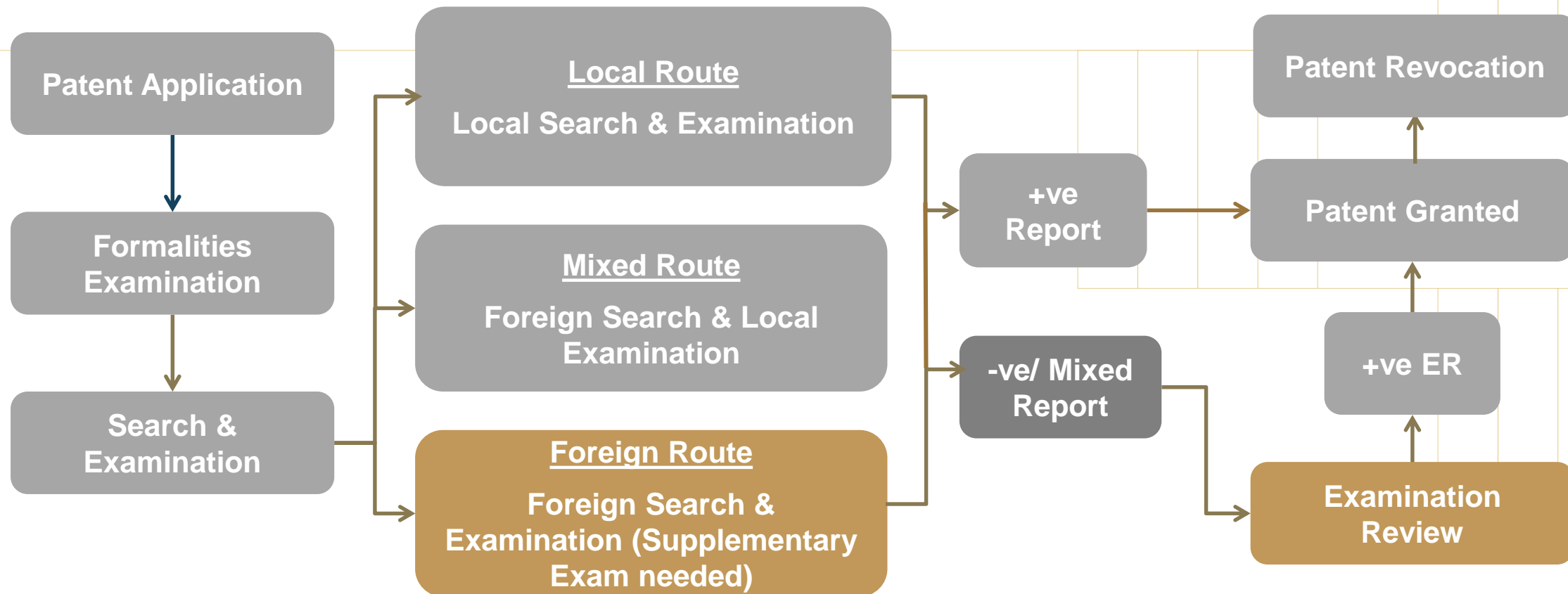
IP Dispute Resolution Review

To enhance IP legal system

Progress of the Patent System in Singapore



Changes introduced with Positive Grant

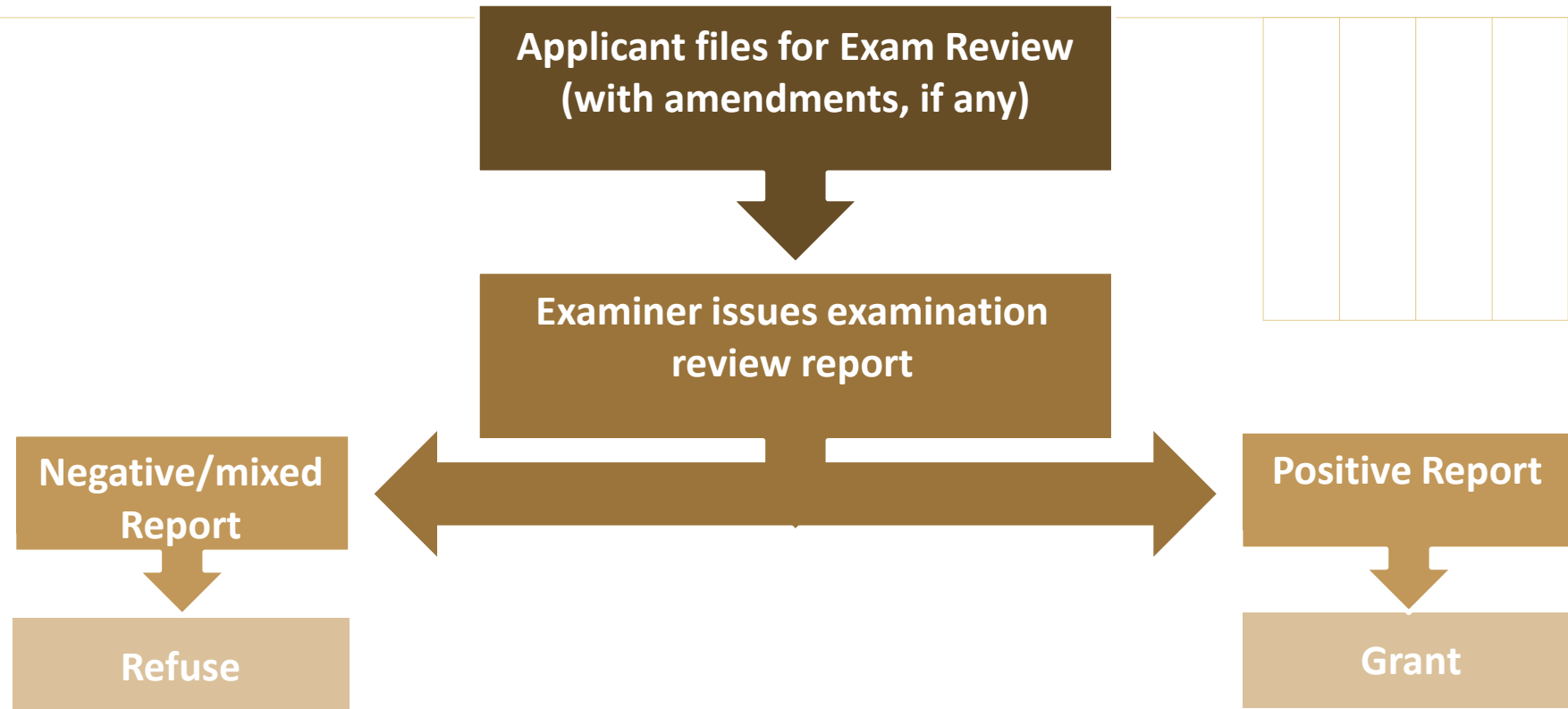


Local: IPOS S&E Unit

Foreign: AU, CA, KR, JP, NZ, UK, US, EPO

* Examination review is available for applications with -ve ER

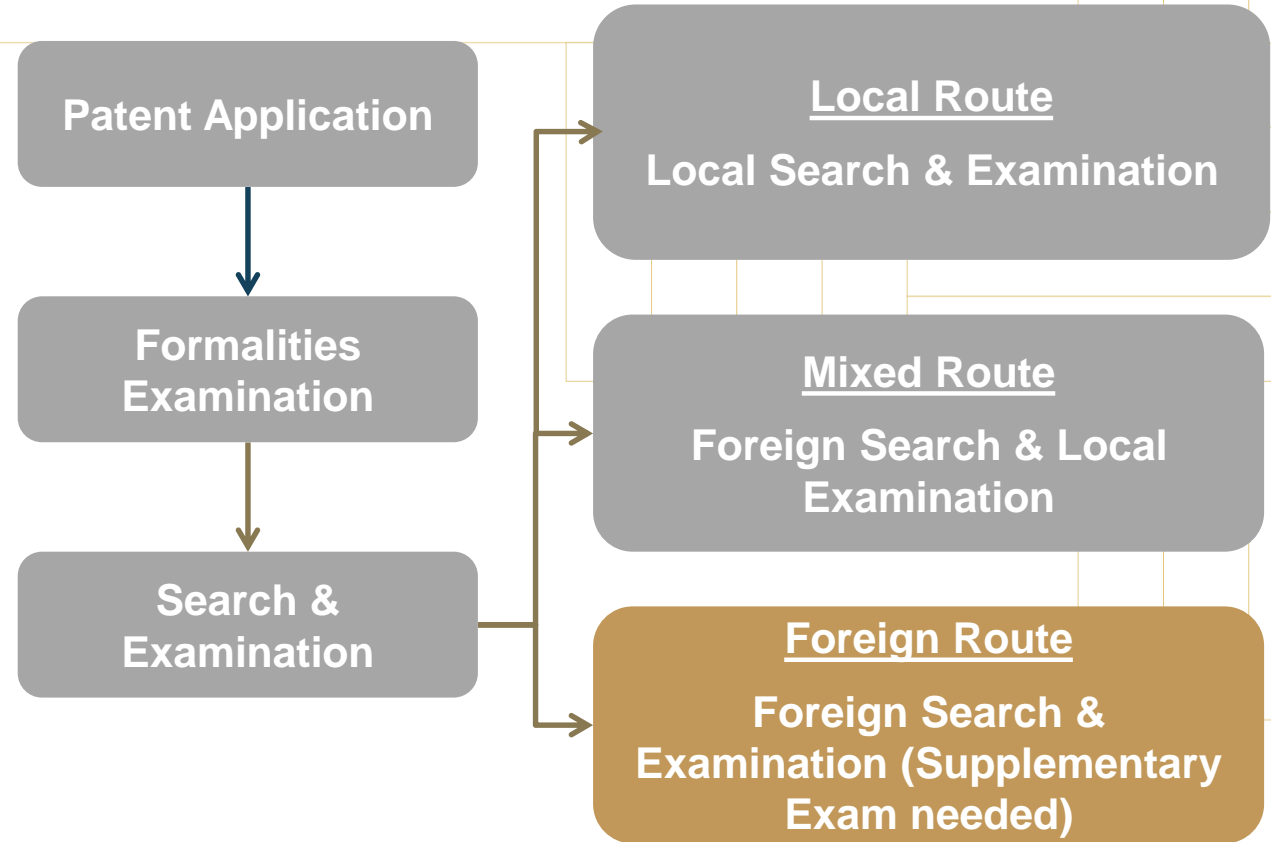
Examination Review



Refinement to Patent Regime (2017)

Closure of Foreign Route

Raise the quality of patents by 1 Jan 2020.



Refinement to Patent Regime (2017)

Expanding the scope of the 12-month Grace period

Provide a safety net for the obtaining of Singapore patent rights for patent applicants in instances where the invention has been publicly disclosed prior to the filing of a patent application.

Improving IP and Innovation Regime



Refine Patents Regime

*To support
innovators*



IP Dispute Resolution Review

*To enhance IP
legal system*

New Bill to Enhance IP Dispute Resolution in Singapore

- 1) Simplify current system by consolidating most civil IP disputes in the High Court.
- 2) Provide clarity that IP disputes can be arbitrated in Singapore.
- 3) Ensure that only deserving inventions enjoy patent protection:
Formalise third party observations on patent applications, introduce post-grant patent re-examination.



Formalise Third Party Observations

Timeframe: Application that has been published and before the issuance of the final examination report.

Method: Third party to write in, stating reasons for observation and to provide supporting documents.

A person does not become a party to any proceedings under this Act before the Registrar.

Introduce Post-Grant Patent Re-examination

Timeframe: At any time after grant*

Method: The request for re-examination can be made by any person on reasons such as:

- 1) The invention is not patentable.
- 2) The specification does not disclose the invention completely and clearly.
- 3) There is added matter.

Written opinion will be issued for proprietor of the patent to respond or make amendments.

If there is/are resolved objection(s), the Registrar must make an order revoking the patent.

*except when there are pending before the court or the Registrar any proceedings in which the validity of the patent may be put in issue.





Other Initiatives

Accelerated Services- Supporting AI Innovation

Since 26 April 2019



Accelerated Initiative for Artificial Intelligence (AI²)

AI patent applications that are first filed in Singapore and fulfil certain criteria* can be granted **as fast as 6 months** from the date of filing of the patent application.

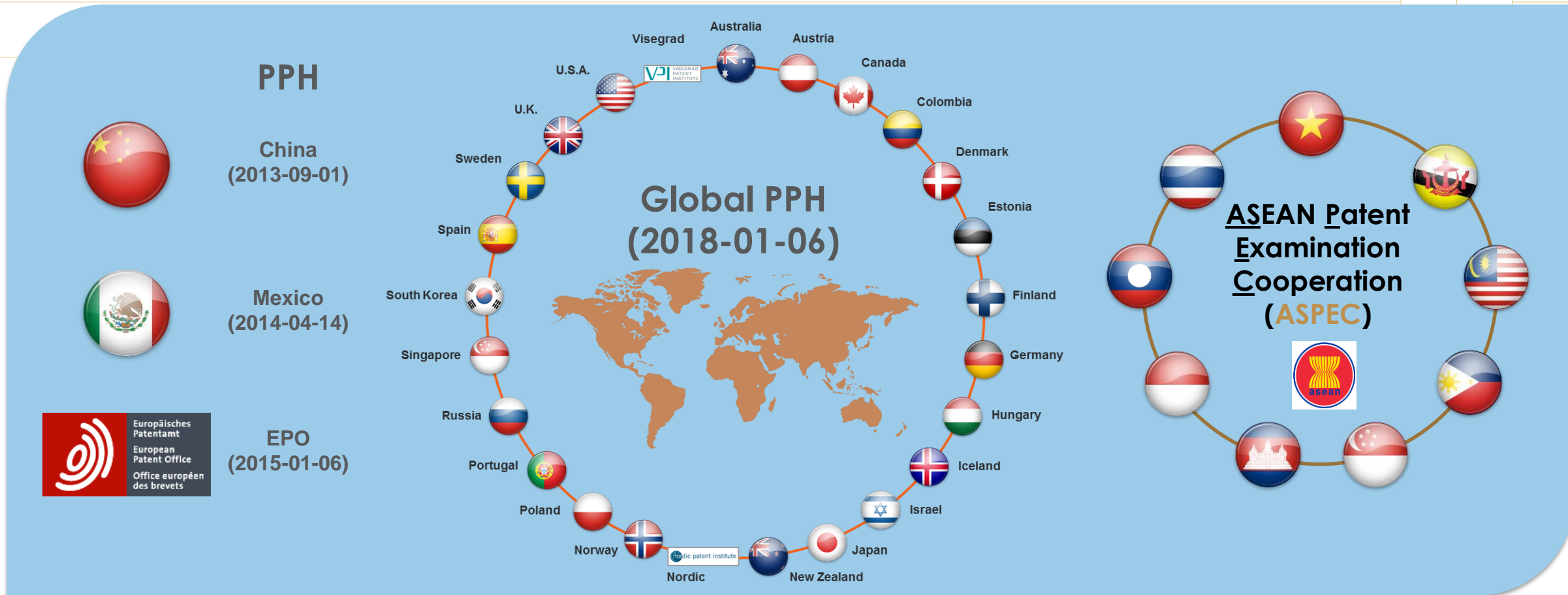
* Patent application is for an AI Invention

Concurrent filing of Application Form & Search and Examination Request

20 Claims or fewer

A similar initiative was launched for FinTech in 2018

We service our innovators through IPOS' Network



ASEAN Patent Examination Co-operation (ASPEC)



NEW

ASPEC

Regional Work-sharing Programme among ASEAN Member State IP Offices

Benefits of ASPEC

- *Streamline patenting process*
- *Fast-track patent protection in ASEAN*
- *Reduce cost due to potential cost saving for translation*

Out-of-turn accelerated examination up to grant

100% Allowance rate at final decision so far

ASPEC AIM*

Prioritises Industry 4.0 patent applications and enables first office actions to be issued within 6 months

PCT-ASPEC

*Scope of ASPEC has been broadened to include PCT reports issued from an ASEAN ISA/IPEA**

*ASPEC AIM refers to **ASPEC** Acceleration for Industry 4.0 Infrastructure and Manufacturing

*ASEAN ISA/IPEA refers to both the Philippines and the Singapore IP Offices

Conclusion



Cost-effective
and Expeditious



IP rights can be
enforced effectively



Build trust and
promote innovation



INTELLECTUAL PROPERTY
OFFICE OF SINGAPORE