

Inside this Issue

<u>Open for public consultation: EPC and PCT-EPO Guidelines</u>	2
<u>The Unified Pharmaceutical Register of Eurasian patents launched</u>	2
<u>Innovation Perseveres: International Patent Filings via WIPO Continued to Grow in 2020 Despite COVID-19 Pandemic</u>	3
<u>TIPO Publishes Amendments to the "Program for Hearing Patent Invalidation Cases" in English</u>	3
<u>JPO Examination Guidelines for Design</u>	4
<u>Protocol to the Eurasian Patent Convention on the Protection of Industrial Designs enters into force</u>	4
<u>EAPO and CNIPA Agreed on Extension of PPH Program</u>	5
<u>Extended Patent Family Information Now Available in PATENTSCOPE</u>	5
<u>IP Australia's Indigenous Knowledge Consultations 2021</u>	6
<u>CGPDTM's notice in furtherance of Supreme Court's order on Limitation</u>	6
<u>EPO launches new Online Filing 2.0 service</u>	7
<u>Offences under Section 63 of Copyright Act, 103 Trademark Act are non-bailable: Bombay high court</u>	7
<u>South Korea Reclaims Position as the 4th Country with the Largest Number of International Patent Applications in 11 Years</u>	8
<u>Digitalization of the Russian patent system noted at the WTO Council for TRIPS</u>	8
<u>IPOPHL extends fee waiver and assistance program for under-resourced inventors seeking global patent protection</u>	9
<u>Non-Patent Literature Now Available in PATENTSCOPE</u>	9

1. Open for public consultation: EPC and PCT-EPO Guidelines

**THE EPO IS
LAUNCHING A PUBLIC
USER CONSULTATION
GUIDELINES 2021, AND IS
INVITING YOU TO PROVIDE
INPUT / COMMENTS.**

[GO TO TOP](#)

Today the EPO is launching a public user consultation on the Guidelines 2021, which have just entered into force[1], and is inviting you to provide input. You can submit your comments in any one of the EPO's three official languages via an online form. The deadline for your contributions is 12 April 2021. The Guidelines for Examination in the European Patent Office ("EPC Guidelines") and the Guidelines for Search and Examination at the European Patent Office as PCT Authority ("PCT-EPO Guidelines") give instructions on the practices and procedures to be followed in the examination of European and international applications and patents in accordance with the European Patent Convention (EPC), the Patent Cooperation Treaty (PCT) and... [Read more](#)

2. The Unified Pharmaceutical Register of Eurasian patents launched

**THE DATA FROM THE
REGISTER IS AVAILABLE TO
ALL USERS AND WILL BE
ESPECIALLY USEFUL TO
PERSONS INVOLVED IN THE
PURCHASE AND
MANUFACTURE OF
PHARMACEUTICALS..**

[GO TO TOP](#)

According to the Eurasian Patent Office, on March 1, 2021 the Unified Pharmaceutical Register of patents for the member states of the Eurasian Patent Organization (EAPO) began to operate. The data from the Register is available to all users and will be especially useful to persons involved in the purchase and manufacture of pharmaceuticals. On the one hand, the Register will help protect the rights of patent owners in the states of the Eurasian Patent Convention. On the other hand, it will allow to verify the existence or non-existence of IP rights. Patent owners can independently submit an online application for the inclusion of information in the pharmaceutical register through EAPO website. In addition, information contained in the... [Read more](#)

3. Innovation Perseveres: International Patent Filings via WIPO Continued to Grow in 2020 Despite COVID-19 Pandemic

**INTERNATIONAL
PATENT APPLICATIONS
FILED IN PCT, GREW BY 4%
IN 2020 TO REACH 275,900
APPLICATIONS – THE
HIGHEST NUMBER EVER,
DESPITE AN ESTIMATED..**

[GO TO TOP](#)

International patent applications via WIPO in 2020 continued to grow amid the COVID-19 pandemic's vast human and economic toll, with leading users China and the U.S. each marking annual growth in filings. International patent applications filed via WIPO's Patent Cooperation Treaty (PCT), which is one of the widely used metrics for measuring innovative activity, grew by 4% in 2020 to reach 275,900 applications – the highest number ever, despite an estimated drop in global GDP of 3.5%. China (68,720 applications, +16.1% year-on-year growth) remained the largest user of WIPO's PCT System, followed by the U.S. (59,230 applications, +3%), Japan (50,520 applications.... [Read more](#)

4. TIPO Publishes Amendments to the “Program for Hearing Patent Invalidation Cases” in English

**THE CHANGE IS DESIGNED
TO ENHANCE THE
EFFECTIVENESS IN MAKING
DECISION ON
INVALIDATION CASES AND
TO FULLY EMBRACE THE
SPIRIT OF ARTICLES 73&74..**

[GO TO TOP](#)

For the “Program for Hearing Patent Invalidation Cases” to proceed smoothly and to prevent continuous submission of litigant documents that change the reason(s) for the allegation or combination of the evidence—which may lead to disputes during the hearing process—TIPO has decided to modify Point 4 of the program. This provision concerns the rule for the continuous submission of documents after the announcement of an invalidation hearing. The change is designed to enhance the effectiveness in making decision on invalidation cases and to fully embrace the spirit of Articles 73 and 74 of the Patent Act. The amendments to the “Program for Hearing Patent... [Read more](#)

5. JPO Examination Guidelines for Design

**THE PRIORITY PERIOD
AND THE TIME LIMIT FOR
SUBMIS. OF THE PRIORITY
DOC. ELAPSE ON OR AFTER
ARIL 1, 2021 AND THE
OTHER PARTS APPLY...**

[GO TO TOP](#)

The column of [Partial Design] in the application is not required for applications filed on or after May 1, 2019. For details, please refer to the Statement in the column of [Partial Design] in the application is not required Part I chapter 2 "4. Notice of reasons for refusal (excluding international applications for design registration)", Part VII "2.2 Period for filing an application in Japan with a priority claim under the Paris Convention" and "2.4 Procedure for priority claim under the Paris Convention" of the revised Examination Guidelines for Design apply to the applications for design registration that the designated time limit, the priority period and the time limit for submission... [Read more](#)

6. Protocol to the Eurasian Patent Convention on the Protection of Industrial Designs enters into force

**ON DEC.17, 2020
ARMENIA BECAME THE
THIRD CONTRACT STATE
(THE FIRST TWO WERE
KYRGYZSTAN AND
AZERBAIJAN)**

[GO TO TOP](#)

On March 17, 2021, the Protocol to the Eurasian Patent Convention of September 9, 1994, on the Protection of Industrial Designs, enters into force. According to article 22 of the Protocol, it enters into force for the first three states that have ratified or acceded to it three months after the deposit of the instrument of ratification or accession by the third state with the depositary (World Intellectual Property Organization). On December 17, 2020 Armenia became the third such state (the first two were Kyrgyzstan and Azerbaijan). The Russian instrument of ratification was deposited on January 11, 2021, during the visit of the of the Head of Rospatent Grigory Ivliev to Geneva. Thus, for the Russian Federation the Protocol will enter into force on April 11, 2021. The Protocol adds industrial design as a... [Read more](#)

7. EAPO and CNIPA Agreed on Extension of PPH Program

**EAPO AND CNIPA
AGREED TO CONTINUE
COOPERATION ON THE
PPH PILOT PROGRAM FOR
ONE YEAR SINCE APRIL 1,
2021.**

[GO TO TOP](#)

The Eurasian Patent Office (EAPO) and the China National Intellectual Property Administration (CNIPA) agreed to continue cooperation on the Patent Prosecution Highway Pilot Program (PPH Program) for one year since April 1, 2021. The decision to extend cooperation on the PPH Program, which was commenced on April 1, 2018 on the basis of the Memorandum of Understanding on the PPH Program between EAPO and CNIPA, was agreed by the two Offices at the beginning of this year. The Offices will further discuss the development and expansion of the existing PPH Program, taking into account the prospects of the EAPO appointment as an International Searching... [Read more](#)

8. Extended Patent Family Information Now Available in PATENTSCOPE

**PATENT FAMILIES
INFORMATION & PATENT
DOCUMENTS AVAILABLE IN
BOTH THE PCT AND PARIS
ROUTE FILINGS.**

[GO TO TOP](#)

In 2020, PCT family information became available in PATENTSCOPE for families containing at least one PCT member. PATENTSCOPE now includes PATENTSCOPE Patent Families with information about patent documents via both the PCT and Paris routes. A new tab is available in the patent documents to show the timeline of the family and the list of all the members: When hovering the cursor over the code available below the filing date on the right hand-side of the list of family members, a pop-up window will be displayed to explain the relationship of the documents: If the tab Family Member is not available, it means that there are no member in this family. It is recalled that, to group the results by families in the result list, the option Single Family Member has to be activated either in the... [Read more](#)

9. IP Australia's Indigenous Knowledge Consultations 2021

**IP SYSTEM CAN BETTER
SUPPORT ABORIGINAL
AND TORRES STRAIT
ISLANDER PEOPLE TO
BENEFIT FROM AND
PROTECT THEIR
INDIGENOUS KNOWLEDGE.**

[GO TO TOP](#)

IP Australia's Indigenous Knowledge Consultations 2021 are now open until 25 May 2021. We are looking at ways the IP system can better support Aboriginal and Torres Strait Islander people to benefit from and protect their Indigenous Knowledge. We use 'Indigenous Knowledge', or IK, as a term to cover a range of culture and knowledge held and continually developed by Aboriginal and Torres Strait Islander people. If you own, use or work with Indigenous Knowledge, then get involved. We are seeking the views of Aboriginal and Torres Strait Islander people, and other Australians, on four topics. Establish an Indigenous Advisory Panel – provide a formal Indigenous voice... [Read more](#)

10. CGPD TM's notice in furtherance of Supreme Court's order on Limitation

**THE PERIOD FROM
MARCH 15, 2020 TO
MARCH 14, 2021 SHALL BE
EXCLUDED FROM
COMPUTING LIMITATION**

[GO TO TOP](#)

The Office of the Controller General of Patents, Designs and Trademarks (CGPD TM) has issued a public notice dated March 24, 2021 in furtherance of Supreme Court's order dated March 8, 2021 in the case of extension of limitation period[1]. The Apex Court in its order of March 8 had held that the period from March 15, 2020 to March 14, 2021 shall be excluded from computing limitation period. The Hon'ble Supreme Court inter alia held that – "2. We have considered the suggestions of the learned Attorney General for India regarding the future course of action. We deem it appropriate to issue the following directions: – In computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 14.03.2021 shall stand excluded. Consequently, the balance period of ... [Read more](#)

11. EPO launches new Online Filing 2.0 service

**THE INTERNATIONAL
PHASE OF PCT
APPLICATIONS, DOC. IN
DOCX CAN BE
TRANSFORMED INTO XML
BEFORE FILING, IN THE
ONLINE FILING 2.0 SOFT..**

[GO TO TOP](#)

On 1 April 2021 the EPO launches its new web-based filing service Online Filing 2.0 [1]. The service is accessible via the EPO's website with a smart card registered for this service. The tool allows the filing of European patent applications, international (PCT) applications and other documents relating to such applications or to patents deriving from such applications in PDF format. International applications can also be filed in XML format. It covers all procedures before the EPO, including those before the boards of appeal. Online Filing 2.0 incorporates and improves the features of new online filing (CMS). It offers a more user-friendly interface, as well as a dedicated entry point for filing... [Read more](#)

12. Offences under Section 63 of Copyright Act, 1957 & Trademark Act are non-bailable: Bombay high court

**SECTION 63 OF
COPYRIGHT ACT & SECTION
103 OF TM ACT WHICH ARE
NOT IN THE INDIAN PENAL
CODE BUT ATTRACT UP TO
THREE YEARS
IMPRISONMENT**

[GO TO TOP](#)

MUMBAI: Bombay high court has held that offences of infringement of copyright under Copyright Act and of falsely applying any trademark under the Trade Marks Act are non-bailable offences as the punishment attracted is up to three years and can be "exact three years." Justice Sarang Kotwal had raised a legal question as to whether these offences punishable with up to three years imprisonment were bailable or non-bailable. The first point which the high court considered was whether offences under section 63 of Copyright Act (infringement of copyright) and section 103 of TM Act (false application of TM) which are not in the Indian Penal Code (IPC) but attract up to three years imprisonment are non-bailable or 'bailable'. The high court held both these offences to be "non-bailable". Advocate... [Read more](#)

13. South Korea Reclaims Position as the 4th Country with the Largest Number of International Patent Applications in 11 Years

KIPO RANK DROPPED TO 5TH IN 2010-2019 AFTER HOLDING RANK AS 4TH IN 2007-2009, BUT WAS ABLE TO RECLAIM THE POSITION BY 2020.

[GO TO TOP](#)

- Yearly PCT applications reached 20,000 after a 5.2% year-on-year increase. - Covid-19 leads to increased Digital/non-contact technology field applications submitted by universities and business. KIPO Commissioner Yong-Rae Kim announced that South Korea secured ranked 4th with the most PCT International Applications* under the World Intellectual Property Organization (WIPO). This position surpasses Germany (5th), the ranking follows China (1st), the U.S. (2nd), and Japan (3rd). Prior, South Korea ranking dropped to 5th in 2010-2019 after holding rank as 4th in 2007-2009, but was able to reclaim the position by 2020.

* Patent Cooperation Treaty (PCT): A single patent... [Read more](#)

14. Digitalization of the Russian patent system noted at the WTO Council for TRIPS

AIMED TO STIMULATING INNOVATION, SIMPLIFYING THE PROCEDURES FOR GRANTING IP PROTECTION IN ORDER TO COMBAT THE GLOBAL COVID-19 PANDEMIC.

[GO TO TOP](#)

The World Trade Organization Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS Council) met again from 10 to 11 March 2021. The central issue of the session was consideration of measures taken by the WTO member states in the area of intellectual property aimed at stimulating innovation, simplifying the procedures for granting intellectual property protection in order to combat the global COVID-19 pandemic. The Russian side presented its approaches to combating the pandemic. In particular, the Council noted the digitalization of the Russian patent system, which had helped to speed up the processing of applications and the granting of... [Read more](#)

15. IPOPHL extends fee waiver and assistance program for under-resourced inventors seeking global patent protection

THE BUREAU OF PATENTS IMPLEMENTS FEES FOR ISR (\$400 FOR SMALL ENTITIES AND \$1,000 FOR BIG ENTITIES) AND IPER (\$200 FOR SMALL ENTITIES AND \$500 FOR BIG ENTITIES)

[GO TO TOP](#)

The Intellectual Property Office of the Philippines (IPOPHL) has extended until Dec. 31, 2021 its Patent Cooperation Treaty (PCT) Filing Assistance Program to benefit more inventors exploring opportunities in global markets. The PCT is a cost-efficient international filing system which allows single-application for protection of invention patents or utility models (UMs) in some or in all of PCT's 153 contracting states. "As we encourage our inventors to think global, we must equip them with the necessary tools to make this leap. IPOPHL's PCT Filing Assistance Program contributes to this goal in that it handholds under-resourced inventors throughout the process of securing... [Read more](#)

16. Non-Patent Literature Now Available in PATENTSCOPE

OVER 54,000 DOCUMENTS (BIBLIO.-DATA & FULL-TEXT) ARE NOW SEARCHABLE IN PATENTSCOPE.

[GO TO TOP](#)

The integration of non-patent literature (NPL) in PATENTSCOPE has now started with the open access (OA) content on Nature.com, a part of publisher Springer Nature, which includes content from some of the world's leading multidisciplinary science journals. Over 54,000 documents (biblio and full-text) are now searchable in PATENTSCOPE.

A new button to include the NPL in the result list is now available in: 1. The advanced search and the Field Combination interfaces. 2. The result list: the refine options is available upon clicking on Include NPL. NPL information integrated in the result list is ranked by relevance together with the patent documents that match the search performed. All the PATENTSCOPE... [Read more](#)