HASAN AND SINGH Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

### **NEWSLETTER APRIL 2022**

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### NEWSLETTER APRIL 2022

## 1. New PCT fees from 1 may 2022

From 1 May 2022 new equivalent amounts in some PCT-fees are established.

- International filing fee: 14 330 SEK
- Fee per sheet in excess of 30: 160 SEK
- Fee reductions: Electronic filing when the request is in character coded format: 2 150 SEK
- Fee reductions: Electronic filing when the request, description, claims and abstract are in character coded format: 3 230 SEK
- Handling fee chapter II: 2 150 SEK

*Fees for applications - Here you find fees to be paid to PRV in its capacity as a receiving Office (RO), International Searching Authority (ISA) and International Preliminary Exam... <u>Read more</u>* 

## 2. JPO - Revision of Fees under Amended Patent Act of 2021 (effective on or after April 1, 2022)

THE PATENT FEES AND THE REGISTRATION FEES ETC. ARE REVISED

**NEW EQUIVALENT** 

AMOUNTS IN SOME

**PCT-FEES ARE** 

**ESTABLISHED** 

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In accordance with the enactment of the Act on the Partial Revision of the Patent Act and Other Acts and the Cabinet Order Regarding the Organization of Relevant Cabinet Orders Accompanying the Coming into Effect of the Act on the Partial Revision of the Patent Act and Other Acts (hereinafter referred to as "Amending Act" and "Amending Cabinet Order"), the following fees shall be revised; patent-related fees, trademark-related fees, and the international search fee for international application, etc. Regarding the patent fees and the registration fees (utility models, designs, trademarks) etc., the maximum fees are legally stipulated in the law, and the specific fees are delegated to the Cabinet Order.The following is a table of the fee revisions ... <u>Read more</u>

# 3. Schedule of PCT Fees at the JPO

INCREASE IN PCT FEES FROM APRIL 1, 2022

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applications under the PCT, with a receiving Office other than the JPO (RO/JP) . [Important Notice] Increase in PCT Fees from April 1, 2022 -

This article is only for applicants who filed international

This is to notify you the revised total amount that you are to pay, which is provided below-

	Until March 31, 2022	From April 1, 2022
1. Additional fee (ISA/JP) for an application in English	JPY 126,000	JPY 168,000 (JPY 42,000 increase)
2. Preliminary examination fee(*1) (IPEA/JP) for an application in English	JPY 58,000	JPY 69,000 (JPY 11,000 increase)

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# 4. PPH pilot program between the Japan Patent Office (JPO) and the Intellectual Property Office of IP Viet Nam

EXTENDED THE PROGRAM FOR THREE MORE YEARS FROM 1 APRIL, 2022 TO 31 MARCH, 2025

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The Japan Patent Office (JPO) and the Intellectual Property Office of Viet Nam (IP Viet Nam) (or the NOIP at the time) commenced the PPH pilot program on 1 April 2016. The JPO and the IP Viet Nam have agreed to extend the program for additional three years from 1 April, 2022.

The new pilot period is scheduled to end on 31 March, 2025, but it will be extended if necessary.

As from April 1, 2019, the IP Viet Nam accepts the maximum number of 200 requests for the PPH pilot program per year (the maximum number of requests per half a year will be limited to 100).

For the number of requests for the PPH Pilot Prog... Read more

# 5. China Joins Two Key WIPO Treaties

WIPO'S HAGUE SYSTEM AND THE MARRAKESH TREATY

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BEIJING - China has joined WIPO's Hague System for the International Registration of Industrial Designs, marking a major development for the International Design System, as well as the Marrakesh Treaty, bringing one of the world's great cultural and literary traditions into the Marrakesh community, a press release by WIPO. WIPO Director General Daren Tang received China's accession document to the Marrakesh Treaty from Vice Minister Zhang Jianchun, National Copyright Administration of China, and China's accession document for the Hague System from Commissioner Shen Changyu, China National Intellectual Property Administration. Chinese residents filed a total of 795,504 designs in 2020, representing some 55% of the wor... <u>Read more</u>

# 6. TIPO's Updated Online Trademark Registration System Now Available!

THIS NEW SYSTEM WAS LAUNCHED FOR SERVICE ON FEBRUARY 15, 2022

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TIPO has updated the trademark online registration process and interface to make it easier for applicants to apply for trademarks online. With our new guided design, users can complete registration in just 5 steps. The new system was launched for service on February 15, 2022 for three forms: traditional trademark applications, amendments, and withdrawals. TIPO is planning to add color, sound, and 3D trademark applications as well as divisional applications and applications for change prior to registration in the third and fourth quarters of 2022. Among the planned additions, the scope of the trademark application service will be expanded to include collective trademarks, certification marks, and collective membership marks at the ... <u>Read more</u>

# 7. Bilateral heads of office meeting with OAPI

DISCUSSED ABOUT THE VALIDATION AGREEMENT BETWEEN BOTH THE MEMBER STATES

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On 24 March, the President met Denis Bohoussou, the Director General of the Organisation Africaine de la Propriété Intellectuelle (OAPI), to exchange on strategic developments at both offices since the last meeting in November 2020. The heads discussed a validation agreement between the EPO and OAPI's member states, clarifying the next legal and procedural steps. The validation agreement breaks new ground for the Office and is expected to provide EPO applicants with direct access to highquality patent protection in 17 states in Africa, a market of some 280 million inhabitants. During the meeting, the EPO underlined its willingness to provide comprehensive legal, administrative and technical assistance to boost support to OAPI and its... <u>Read more</u>

# 8. IPOPHL extends PCT program after record-high 2021 int'l patent applications

IPOPHL EXTENDED ITS PCT FILING ASSISTANCE PROGRAM UNTIL DEC. 31, 2022

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The Intellectual Property Office of the Philippines (IPOPHL) received record international applications for patent protection in 2021, motivating the Office to do more in bringing local inventions to the global stage. Preliminary data show that IPOPHL processed 45 outbound applications under the Patent Cooperation Treaty (PCT) System in 2021, marking a 137% increase from 2020 PCT applications and an all-time high. The PCT System allows an inventor to file a single patent in multiple or all 155 PCT contracting states. "With the continued reopening of the economy, we hope to encourage more local inventors and companies to seek global opportunities," Director General Rowel S. Barba said. As part of this global push, IPOPHL... <u>Read more</u>

# 9. USPTO launches PTAB Pro Bono Program

THIS IS FOR WA ELIGIBLE INVENTORS (US SEEKING LEGAL Ass

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ASSISTANCE

*Program now accepting applications for volunteer patent practitioners with ex parte appeal experience* 

**WASHINGTON** – The United States Patent and Trademark Office (USPTO) today announced a collaboration with the PTAB Bar Association establishing a new Patent Trial and Appeal Board (PTAB) Pro Bono Program. Under the program, the PTAB Bar Association will serve as a national clearinghouse to connect volunteer patent practitioners with eligible inventors seeking legal assistance with ex parte appeals before the Board. Volunteer practitioners will provide their legal services free of charge to qualified inventors. The program will later expand to include AIA Trials. "This program is another example of the... <u>Read more</u>

10. 'Poivre de Penja': first protected geographical indication from the OAPI region

MAKING IT A PIONEER IN THE OAPI REGION

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The European Commission has announced the official registration on the European market of Cameroon's 'Poivre de Penja' as the first geographical indication (GI) directly applied for, from the African Intellectual Property Organization (OAPI) region, and the second from Africa. The EU recognises that Poivre de Penja has a specific geographical origin and possesses particular qualities due to this unique origin. This announcement, contained in the Official Journal of the EU, comes at the end of a 17-month application process, during which the EU-funded African Intellectual Property Rights and Innovation Project (AfrIPI), in cooperation with OAPI, supported the Poivre de Penja Producers Association to fulfil the conditions required to obta... <u>Read more</u>

# 11.New EUIPO examination guidelines enter into force

ENTERED IN TO FORCE FROM 31 MARCH 2022

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The latest edition of the examination guidelines for EU trade marks (EUTMs) and registered Community designs (RCDs) entered into force from 31 March 2022, following the approval by the Executive Director, Christian Archambeau, on 22 March 2022 by means of Decision EX-22-1.

The new edition of the Guidelines has been made more interactive with over 5 000 new hyperlinks to: trade mark regulations, the eSearch Case Law database, learning and other resources. It also incorporates recent case-law from the CJEU as well as changes in practice in a range of areas, among others, the public availability of decisions refusing EUTM applications on absolute grounds. The Common Communication on New Types of Marks... <u>Read more</u>

# 12. QR code-based GI tag to discourage counterfeit production of Kashmiri carpets

FOR EASILY DIFFERENTIATE & VERIFY THE AUTHENTICITY & OTHER SPECIFIC DETAILS

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New Delhi, Mar 11: Implementation of QR-code based Geographical Indication (GI) tag for Kashmiri hand-knotted carpets will discourage their counterfeit production and enable buyers to identify authenticity of carpets produced in the union territory, an official said on Friday.

The QR-code based mechanism has recently been introduced for the purpose of testing and certification of hand-knotted carpets manufactured in Jammu and Kashmir.

The Geographical Indication Registry under the Department of Industry Promotion and Internal Trade, Union Ministry of Commerce and Industry, granted GI tag to Kashmiri carpets in June 2016. "It is an initiative that will go a long way... <u>Read more</u>

# 13. EAPO and CNIPA Agreed on Extension of PPH Program

FOR A YEAR FROM APRIL 1, 2022 TO MARCH 31, 2023

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The Eurasian Patent Office (EAPO) and the China National Intellectual Property Administration (CNIPA) agreed to continue cooperation on the Patent Prosecution Highway Program (PPH Program) for one year since April 1, 2022. 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 during 2022 the development and expansion of the existing PPH Program, taking into account the EAPO's appointment as an International Searching Authority and an International Preliminary Examining Authority under... <u>Read more</u>

14. EPC and PCT-EPO New Guidelines for Examination 2022 enter into force

ENTERED INTO FORCE FROM 1 MARCH 2022

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The EPC and PCT-EPO Guidelines 2022, published in preview mode a month ago, entered into force today, superseding the editions of March 2021. The new EPC and PCT-EPO Guidelines are published in the three official languages on the EPO website where they can be downloaded free of charge in PDF format or accessed section-by-section in HTML format. The PDF versions consist of a "clean copy" as well as a version showing all modifications. Within each section of the HTML version, comparison with the previous version can be made by ticking the Show modifications box in the top right-hand corner of the web page. A full list of the sections which have been amended, together with corresponding hyperlinks, is published... <u>Read more</u>

# **15.CNIPA-EAPO PPH Pilot Program Extended**

FOR A YEAR FROM APRIL 1, 2022 TO MARCH 31, 2023 According to a decision jointly made by CNIPA and EAPO, the CNIPA-EAPO PPH pilot program, launched on April 1, 2018, will be extended for another year between April 1, 2022 and March 31, 2023.

Relevant requirements and procedures to submit PPH requests to the two offices remain unchanged.(Translated from CNIPA Website Chinese Version).

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# 16. New changes to the Designs Act make it easier for designers to protect their IP (AU)

APPLY TO DESIGN APPLICATIONS FILED ON OR AFTER 10 MARCH 2022

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Changes to help designers and improve the registered designs system are now Australian law. These changes will provide more flexibility during the early stages of seeking design protection. IP Australia's Deputy Director General and Registrar of Designs Paula Adamson said the changes to the Designs Act reflected IP Australia's renewed focus on making the intellectual property (IP) system more accessible for Australian businesses.

'The recent reforms to the Designs Act are just one step we're taking to help customers achieve design rights,' Ms Adamson said. 'IP Australia remains committed to taking further steps as part of our process to reform the Australian Designs System.'

Our journey as leaders in the innovation of Australia... Read more

# 17. Hague System – Amendments to the Administrative Instructions

THESE UPDATED INSTRUCTIONS ARE IN FORCE FROM APRIL 1, 2022

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We will shortly be releasing an updated version of the Hague System Administrative Instructions PDF, Administrative Instructions.

### What do the amendments address? In short:

- Update/modernization of signature requirements (section 202). Accepted formats for signature will now also include typed signature (including text-string signature also known as "s-signature").
- **Requirements concerning contact details** (sections 301 and 302). Optional contact details will no longer include fax number, email address (it is now mandatory to... <u>Read more</u>