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1. EU Parliament Adopts Marrakesh Treaty; Blind Union Prepared To Fight Publisher 'Compensation'

**THE NOW-PASSED EU
REGULATION LAYS
DOWN THE CROSS-
BORDER EXCHANGE
WITH THIRD
COUNTRIES ACCORDING
TO THE MARRAKESH
TREATY**

The European Parliament today with over 600 votes adopted the legal instruments to ratify the Marrakesh Treaty on access to reading material for the visually impaired. The treaty, adopted by the members of the World Intellectual Property Organization in 2013 and effective since last year, has been subject of controversies due to lobbying from publishers in the European Union, members of Parliament said today in Strasbourg before the vote. EU member states after today's vote have one year to implement.

Rapporteur Max Andersson (Green Party) welcomed the "deal" struck between the governments in the EU Council, the Commission and the Parliament in May of this year. While exceptions for the blind exist already in some member states. [Read more](#)

2. WIPO Patent Law Committee Agrees On Future Work: Exceptions, Quality, Health, Confidentiality, Tech Transfer

**WORK PROGRAMME IS
A HALF-DAY
INFORMATION
EXCHANGE ON
COOPERATION
BETWEEN PATENT
OFFICES PRODUCTS**

General satisfaction was expressed today at the World Intellectual Property Organization as members of the patent law committee agreed on a future work programme. That is an exercise that they could not complete in December 2016. Included in the work programme is a half-day information exchange on cooperation between patent offices on search and examination, a half-day information exchange on publicly accessible databases on medicines and patent information, and a reference document on exceptions and limitations to patent rights. [Read more](#)

3. Fast-track patent examination launched with Malaysia and the Philippines

**THE EPO AND THE TWO
PARTNER OFFICES WILL
SHARE EXISTING WORK
RESULTS**

On 1 July the EPO launched Patent Prosecution Highway (PPH) pilot programmes with the patent offices of Malaysia and the Philippines to enable work-sharing and accelerated treatment of patent applications.

This follows the signing of PPH agreements in October 2016 by EPO President Benoît Battistelli and Dato' Shamsiah Kamaruddin, Director General of the Intellectual Property Corporation of Malaysia, and with Josephine Santiago, Director General of the Intellectual Property Office of the Philippines. [Read more](#)

4. Supreme Court of Canada rules on Promise Doctrine in favor of Pharma Patent Owners

**THE RULING IS BEING
HERALDED BY PATENT
OWNERS, ESPECIALLY
THOSE IN THE
PHARMACEUTICAL
SPACE**

*On Friday, June 30th, the Supreme Court of Canada issued a ruling in *AstraZeneca Canada Inc. v. Apotex Inc.*, which gives patent owners a far greater ability to protect their intellectual property in the face of Canada's Promise Doctrine, a part of Canadian patent law that requires an invention to be "useful" in order to be patent-eligible subject matter. The ruling is being heralded by patent owners, especially those in the pharmaceutical space, and it provides an interesting juxtaposition in contrast to recent United States policy, which has been tipping the scales in the favor of generic drugmakers over branded pharmaceuticals.*

In Canadian patent law, the Promise Doctrine arises out of Section 2 of Canada's 1985 Patent Act, which defines an invention as "any new and useful art, process, machine, manufacture or composition of matter, or any new and useful. [Read more](#)

5. EPO publishes first ever Quality Report

THEY ENSURE THAT THE EUROPEAN PATENT SYSTEM REMAINS AN EFFICIENT AND RELIABLE PLATFORM TO PROMOTE INNOVATION.

The EPO has published its first ever Quality Report - a new annual review of how the Office implements its quality policy in all of its products and services. A comprehensive report outlining a detailed set of quality indicators, it aims to increase transparency on the effects of that policy, while also serving as an additional instrument for the EPO to systematically monitor and improve its measures relating to quality assurance.

"Against the backdrop of the growing awareness and use of intellectual property rights, the quality of IP-related products and services is becoming a decisive element for companies, inventors and the public,". [Read more](#)

6. Latin American countries establish PPH pilot program

IT IS EXPECTED THAT THIS PPH PROGRAM WILL ESPECIALLY HELP EXPEDITE PATENT ANALYSIS IN BRAZIL

In July 2017, a new agreement between Latin American countries that make up the group named PROSUR will become effective. PROSUR is a joint initiative of certain countries to support and harmonize Industrial Property rights in their jurisdictions, which encompass Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Paraguay, Peru, and Uruguay.

The agreement is a Patent Prosecution Highway (PPH) pilot program, which establishes expedited patent analysis. The program will last until July 31, 2018.

Using the PPH-PROSUR program, it will be possible to request expedited analysis for patents of invention and utility models filed under the Paris Convention or the Patent Cooperation Treaty – PCT, under the following terms. [Read more](#)

7. Compulsory patent licence for HIV drug was legitimate, says Federal Supreme Court in Germany

UNDER THE LEGISLATION, A COMPULSORY LICENCE CAN BE ISSUED IF FOUR CONDITIONS ARE MET

It was legitimate for a judge in Germany to require the owner of a European patent for a drug compound to allow a major pharmaceutical company to make use of its patent to provide medicines to patients with HIV, the Federal Court of Justice in the country has ruled.

The court rejected an appeal by the patent owner, Shionogi, against a compulsory patent licence order previously issued by Germany's Federal Patent Court in preliminary injunction proceedings. The Federal Court of Justice ruled that US pharmaceutical giant Merck, which manufactures and sells Isentress, a drug used to treat HIV. [Read more](#)

8. New Zealand joins the Global Patent Prosecution Highway

THE GPPH IS AN ARRANGEMENT BETWEEN THE INTELLECTUAL PROPERTY OFFICES OF SEVERAL JURISDICTIONS INCLUDING AUSTRALIA, THE UNITED STATES, JAPAN, CANADA AND KOREA

On 6 July 2017, New Zealand joined the Global Patent Prosecution Highway (GPPH) pilot program, providing applicants for New Zealand patents with a means of expediting prosecution of their application.

The GPPH is an arrangement between the intellectual property offices of several jurisdictions including Australia, the United States, Japan, Canada and Korea. Under the GPPH, an applicant who receives a ruling that at least one claim has been allowed by a participating patent office may request that another participating patent office expedite examination of their application.

To be eligible for examination under the GPPH, the following requirements must be met the patent application. [Read more](#)

9. Post-Grant Amendment of Patents in Vietnam

THIS COMPLIES WITH INTERNATIONAL PRACTICE AND ENSURES THE LEGITIMATE INTERESTS OF PATENT OWNERS

In Vietnam, granted patents can be amended under provisions found in Article 97 of the Law on Intellectual Property (IP Law). Under Article 97, a patent owner has the right to ask the National Office of Intellectual Property (NOIP) to amend a granted patent for any of the following reasons:

- 1. To update or correct errors in the name and address of the inventor and patent owner;*
- 2. To correct errors in the patent made by the NOIP; or*
- 3. To narrow the scope of patent protection. In this case, the subject patent application must be reexamined as to substance. The regulations in the IP Law lack specificity, but are clarified to some extent by subordinate guiding legal documents such as Circular No. 01/2007/TT-BKHCN (Circular 01), as well as the NOIP's recent practice. Point 20.1(b) of Circular 01 defines a request to narrow the scope of patent protection, as mentioned above, as a request for the reduction... [Read more](#)*

10. The Israel Patent Office (ILPO) joins TMclass

THE INTEGRATION OF ILPO IS A CONCRETE RESULT OF THE EUIPO'S INTERNATIONAL COOPERATION FRAMEWORK IN COLLABORATION

This last addition brings the total number of national and regional IP Offices, including OAPI, WIPO and EUIPO, in the tool to 63.

TMclass offers users the opportunity to search and translate goods and services to and from any of the 42 available languages, with Hebrew as the latest incorporation.

The integration of ILPO is a concrete result of the EUIPO's International Cooperation framework in collaboration with its international partners. [Read more](#)

11. UK: The UK Supreme Court Re-Vitalises Patent Infringement By Equivalents

POTENTIAL INFRINGERS SHOULD NOT BE ABLE TO AVOID PATENT INFRINGEMENT ONLY BY MAKING IMMATERIAL CHANGES TO A PRODUCT

The question of whether something that falls outside the literal wording of a patent claim is nevertheless an infringement, is one that the courts have had to consider on numerous occasions. Now, in the case of Eli Lilly v Actavis, the UK's highest Court, the Supreme Court, has decided that account should be taken of whether an alleged infringement is an equivalent of the claimed invention. Compared with practice over the last decade, this is a shift towards broadening the protection that a Patentee enjoys. History of the litigation

Eli Lilly's ALIMTA product has been on the market since 2004 ..

[Read more](#)

12. Taiwan-Poland PPH MOTTAINAI program to be launched in August

THE COOPERATION BETWEEN TIPO AND THE PPO ON PPH PROGRAM WILL SPEED UP THE EXAMINATION PROCESS FOR INVENTION PATENT APPLICATIONS IN BOTH COUNTRIES

The Patent Prosecution Highway (PPH) MOTTAINAI program between the Taiwan Intellectual Property Office (TIPO) and the Polish Patent Office (PPO) is to commence on August 1, 2017. This is yet another achievement by TIPO, after it forged cooperation with its counterparts in the US, Japan, Spain, and South Korea on PPH programs.

The cooperation between TIPO and the PPO on PPH program will speed up the examination process for invention patent applications in both countries, allow applicants to get patents in a quick manner, and benefit applicants on both sides in terms of their patent portfolio strategies by promoting business and innovation.

[Read more](#)