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NEWSLETTER AUGUST 2021

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1. USPTO releases new Artificial Intelligence Patent Dataset

TO HELP &
ENABLE RESEARCHERS,
POLICYMAKERS, &
THE PUBLIC

GO TO TOP

The United States Patent and Trademark Office's (USPTO) Office of the Chief Economist released the Artificial Intelligence Patent Dataset (AIPD)—identifying which of the 13.2 million United States patents and pre-grant publications include artificial intelligence (AI)—to help enable researchers, policymakers, and the public explore the impacts of AI on invention.

The Office of the Chief Economist constructed the AIPD using machine learning models for eight AI component technologies. A new working paper highlights the machine learning approach used to generate the dataset, which achieved superior performance compared to existing alternatives. For more information on the new dataset and the working... Read more

2. Revised Examination Guidelines for Computer Software-Related Inventions, Effective July 1st, 2021

IT WILL SERVE
AS A GUIDE FOR
EXAMINERS

GO TO TOP

Technologies such as AI (artificial intelligence) and big data have been booming in recent years, and the number of patent applications for computer software-related inventions has increased accordingly. The Examination Guidelines for Computer Software-Related Inventions has thus been updated by TIPO and came into effect on July 1st, serving as a guide for examiners to handle related cases and reference for applicants.

The key points of the amendment include: Introduced examination procedure and flow chart for computer software inventions evaluations, supplemented by case examples, as a principle for assessing the eligibility of inventions. In line with the principle of TIPO's assessment of inventive step in the.. Read more

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3. Hague System: New Designation Available - Belarus

BELARUS IS THE
66TH CONTRACTING
PARTY TO THE
HAGUE AGREEMENT

GO TO TOP

Belarus is now a member of the Hague System. As of July 19, 2021, Hague System users can seek design protection in Belarus in an international application.

What does this mean for you? By filing just one international application – covering as many as 100 designs, with one set of fees – you may now obtain international protection of your designs in 92 countries (or export markets).

In brief:

International registrations that designate Belarus are renewable twice, guaranteeing up to 15 years of international design protection in Belarus. Designation fees are as follows:

- 60 Swiss francs for one design;.. Read more

4. IPOPHL to publish free patent reports to stimulate R&D on COVID-19 treatments, vaccines

THESE REPORT

CAN BE EXTENDED TO

OTHER FIELDS SUCH

AS ESSENTIAL DRUGS

AND DIAGNOSTICS

GO TO TOP

The Intellectual Property Office of the Philippines (IPOPHL) formally launched on Wednesday its initiative to publish free COVID-19-related Patent Search Information Reports (PSRs), aimed at increasing and speeding up local research and development (R&D) to fight the virus. An initiative by the Bureau of Patents (BOP), the PSRs provide a technological and legal snapshot of select COVID-19 vaccines and medicines approved by the national government for use. "These COVID-19 PSRs will provide government agencies, R&D institutions, health agencies, pharmaceutical companies and the public with easily accessible sources of information to improve the detection, prevention and treatment of the novel coronavirus," BOP Director... Read more

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5. Germany - The unitary patent system

GERMANY CAN
NOW APPROVE A
COMMON COURT
SYSTEM

GO TO TOP

The unitary patent system is based on an agreement between the participating countries. The unitary patent system will not enter into force until the court agreement has been approved by 13 countries, including Germany, France and Italy. Germany had approved the agreement, but the German Constitutional Court declared in March 2020 that the approval was invalid because the German parliament did not vote by a sufficient majority. A political decision has again been taken in Germany that approval can take place and the two subsequent complaints to the Constitutional Court in Germany have now been rejected.

This means that it is a green light for Germany to approve the uniform patent system... <u>Read more</u>

6. The Patent Office joined WIPO DAS, an electronic priority documents exchange system

THE DAS GUARANTEES

DATA SECURITY

BECAUSE ONLY

AUTHORIZED OFFICES

HAVE ACCESS TO THE

SYSTEM

GO TO TOP

From July 1, this year, the Patent Office provides the exchange of patent-priority documents through the World Intellectual Property Organization's Digital Access Service (WIPO DAS). The WIPO DAS system is intended for the secure electronic exchange of priority documents between the participating intellectual property offices, by simplifying and making the process of documents exchange more convenient. When using the DAS, the patent applicant does not have to submit priority documents to other patent office, instead the applicant may ask to upload the priority document to the DAS system, while other offices may download these documents from the system. The DAS guarantees data security because only authorised offices have access to the... Read more

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7. Eurasian Patent office Launche sits Pharmaceutical Register

THIS IS EXPECTED
TO SIMPLIFY THE
RUNNING OF FTO
SEARCHES & HELPS TO
ENFORCE PATENTEES
RIGHTS

GO TO TOP

On 1 March 2021, the Eurasian Patent Organization (EAPO) launched its Pharmaceutical Register, available on the EAPO's website, currently only in Russian. The Pharmaceutical Register contains information on Eurasian patents relating to active pharmaceutical ingredients that have been assigned International Nonproprietary Names (INNs). The information contained includes:

- The application number;
- Patent number;
- The title of invention;
- Patentee's data;
- Patent's term of validity; ... Read more

8. JPO - The Act on the Partial Revision of the Patent Act and Other Acts (Act No. 42 of May 21, 2021)

DEVELOPING NEW
PROCEDURES TO
ADDRESS THE SPREAD
OF THE COVID-19
PANDEMIC

GO TO TOP

On March 2, 2021, the Cabinet approved the Bill for the Act on the Partial Revision of the Patent Act and Other Acts. This Act was passed into law on May 14, 2021 and was promulgated as Act No. 42 on May 21.

The Act's effective date, which will be prescribed in the Cabinet Order, is a date within one year's time of the Act being promulgated with the exception of some provisions. Triggered by the spread of the COVID-19 pandemic, ideal approaches to economic activities have dramatically changed as seen in digitalization, remote work and contact-less services. To address these changes, the Japan Patent Office (JPO) decided to revise the Patent Act and other Acts,* placing emphasis on the... Read more

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9. Philippines to use the harmonised database in TMclass

HARMONIZED
DATABASE IS THE
WORLD'S LARGEST
MULTILINGUAL
DATABASE FOR
GOODS & SERVICES

GO TO TOP

As of 28 July 2021, the Intellectual Property Office of the Philippines (IPOPHL) uses and accepts the list of terms from the harmonised database of goods and services (HDB) in TMclass. Following IPOPHL's decision to use HDB, there are now 17 IP offices outside the EU which use and accept terms from this database. The addition of IPOPHL in TMclass brings the total number of participating national and regional IP offices, including ARIPO, OAPI, WIPO and EUIPO, to 85. TMclass offers users the opportunity to search and translate goods and services to and from any of the 44 languages available.

What is the HDB?- The HDB or harmonised database is the world's largest multilingual database for goods and.. Read more

10. CNIPA and EPO Collaborate to Simplify Patent Application Process

TWO-YEAR PILOT
PROJECT, WHICH
ENABLES NATIONALS
OF CHINA TO SELECT
THE EPO AS THEIR ISA

GO TO TOP

The CNIPA and the European Patent Office (EPO) have reached a consensus. From July 1, 2021, there will be no need to submit a copy of the prior application search report made by the CNIPA when a European patent application or a Patent Cooperation Treaty (PCT) application claiming priority from an earlier application in China filed with the EPO enters the European phase. Refer to the website of the EPO (website: www.epo.org) for specific operational quidance. The smooth cooperation between the CNIPA and the EPO in data exchange over the years has important technical quarantee provided an implementation of this policy. It will further simplify the process and improve the efficiency of patent application in... Read more

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11. Amazon launches IP Accelerator programme in India to help businesses secure trademark

HASAN AND SINGH
IS ONE OF THE IP FIRM
IN SIX, HAVE SIGNED
UP TO BE SERVICE
PROVIDERS AS PART
OF THE IP ACCELERATOR

GO TO TOP

Sellers can choose to engage with the enrolled Intellectual Property law firms to help secure trademarks, protect their brands and tackle infringement on Amazon.in and Amazon websites globally.

NEW DELHI: E-commerce major Amazon on Sunday announced the launch of its Intellectual Property Accelerator (IP Accelerator) programme in India to provide sellers, who are also brand owners, with access to services from IP experts and law firms. These sellers, including small and medium-sized sellers, can choose to engage with these IP law firms to help secure trademarks, protect their brands and tackle infringement, on Amazon.in and... Read more

12. New Madrid System Online Transactions: Change in Holder Details and Renunciation

AN ELECTRONIC
VERSION OF THE MM9 &
MM7 FORMS, THESE
TRANSACTION CAN
NOW BE PERFORMED
ENTIRELY ONLINE

GO TO TOP

Users of the Madrid System may now manage all transactions relating to changes in holder's details and the recording of renunciations, via the WIPO IP Portal.

Change in Holder Details -

This service allows you to change the holder's name, address and contact details, as well as their legal nature, as recorded in the International Register. An electronic version of the MM9 form, this transaction can now be performed entirely online and follows a step-by-step process.

Renunciation: - This service allows you to abandon the effects of your international registration for all the goods and services in respect of some (but not all) of the designated Contr... Read more

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13. Heads of the World's Five Largest Intellectual Property Offices to Focus Co-operation on Initiatives that Benefit Users

THESE OFFICES PLAYS
AN ESSENTIAL ROLE
IN PROTECTING &
PROMOTING
INNOVATIONS TO
OVERCOME COVID-19

GO TO TOP

The heads of the world's five largest intellectual property offices met virtually on 23 June. The 14th annual meeting of the IP5, as the offices are collectively known, was hosted by the Japan Patent Office (JPO), and attended by the European Patent Office (EPO), the Korean Intellectual Property Office (KIPO), the China National Intellectual Property Administration (CNIPA), and the United States Patent and Trademark Office (USPTO). Together, the IP5 account for around 80% of all patent applications filed worldwide. The World Intellectual Property Organization (WIPO) attended the meeting as an observer. The meeting was chaired by Kasutani Toshihide, Commissioner of the JPO, with the part... Read more

14. A MOMENTOUS STEP: Delhi High Court Creates A Separate Intellectual Property Division

THE IPD WOULD BE
GOVERNED BY THE IPD
DELHI HIGH COURT
RULES WHICH ARE IN
THE PROCESS OF BEING
FRAMED

GO TO TOP

Recently, the Delhi High Court has issued a circular stating creation of an Intellectual Property Division ("IPD") at the Delhi High Court. This move of the Delhi High Court has come after the passing of an ordinance for scrapping of Intellectual Property Appellate Board ("IPAB") in April, 2021. Under this Ordinance, the powers vested with IPAB were transferred to the High Court which raised several concerns amongst the IP fraternity and stakeholders. We had briefly discussed about the Ordinance in our earlier post here. As per the office order the IPD would be dealing with the following matters:-

(i) All original proceedings and appellate proceedings including Writ Petitions (Civil), Civil Misc. (Mains), RFA, FAO etc.. Read more