

### ***Inside this Issue***

<a href="#"><u>UAE: Filing Trademarks without Legalized POA</u></a>	<b>2</b>
<a href="#"><u>The Eurasian Patent Office acts as an International Authority under the PCT</u></a>	<b>2</b>
<a href="#"><u>EPO practice confirmed on adaptation of description</u></a>	<b>3</b>
<a href="#"><u>European Commission public consultation on a revised framework for compulsory licensing of patents</u></a>	<b>3</b>
<a href="#"><u>TIPO Will Implement WIPO Standard ST.26 for Nucleotide and/or Amino Acid Sequence Listings Disclosed for Invention Patent Applications</u></a>	<b>4</b>
<a href="#"><u>The Republic of Cape Verde Deposits Instruments of Accession to ARIPO</u></a>	<b>4</b>
<a href="#"><u>TIPO has Compiled the "Patent IPC and Standard Industrial Classification Concordance Table and Statistical Application Analysis Report" for Public Reference</u></a>	<b>5</b>
<a href="#"><u>EPO and IP Australia make their PPH fast-track programme</u></a>	<b>5</b>
<a href="#"><u>China, Malaysia Extend PPH Pilot Program</u></a>	<b>6</b>
<a href="#"><u>FDA Releases Draft Guidance on Evaluation of Therapeutic Equivalence of Small Molecule Drugs</u></a>	<b>6</b>
<a href="#"><u>USPTO modernizes patent, trademark assignment request process</u></a>	<b>7</b>
<a href="#"><u>TIPO Releases Report on "The Relationship Between the Metaverse and Design Patents"</u></a>	<b>7</b>
<a href="#"><u>AI cannot be named as inventor on patent applications: written decision now available</u></a>	<b>8</b>
<a href="#"><u>Montenegro on its way to become 39th EPC Contracting State</u></a>	<b>8</b>
<a href="#"><u>Special drive for disposal of pending opposition and rectification cases of Indian Trade Marks</u></a>	<b>9</b>

## 1. UAE: Filing Trademarks without Legalized POA

**ORIGINAL  
LEGALIZED POA NEED  
TO SUBMIT WITHIN 90  
DAYS**

[GO TO TOP](#)

*ABU DHABI - The Trademark Office of the United Arab Emirates announced that it started accepting filing trademark applications with an undertaking or a scanned copy of the signed Power of Attorney. Earlier, the original POA had to be filed along with the application form only.*

*As per the memo released by the Trademark Office in the UAE, the original fully legalized Power of Attorney must be submitted within 90 days from the filing date, and there will be no extension of the deadline.*

*For more information in this regard, please contact AGIP office in the UAE at [uae@agip.com](mailto:uae@agip.com). [Read more](#)*

## 2. The Eurasian Patent Office acts as an International Authority under the PCT

**EFFECTIVE FROM  
JULY 1, 2022**

[GO TO TOP](#)

*The Eurasian Patent Office starts operations as an International Searching Authority (ISA) and an International Preliminary Examining Authority (IPEA) under the Patent Cooperation Treaty (PCT). Only 24 patent offices in the world have status of International Authorities. The appointment of EAPO as an ISA/IPEA took place at the session of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO). The Patent Cooperation Treaty (PCT) is an international agreement in the field of intellectual property, and currently has 156 Contracting States. The International Authority carries out patent search on the PCT applications and prepares reports on patentability of the inventions at the international... [Read more](#)*

## 3. EPO practice confirmed on adaptation of description

### **THE UNDERSTANDING OF ARTICLE 84 EPC & ARTICLE 69(1) EPC**

[GO TO TOP](#)

*A recent expert workshop held on 23 June 2022 has confirmed the EPO practice whereby the description in a patent application must be made consistent with its amended claims (in accordance with Article 84 EPC) to ensure legal certainty and avoid the public being presented with information that conflicts with the wording of the claims. This was the conclusion reached by user representatives, members of the Boards of Appeal and national judges as well as experienced EPO examiners and lawyers who met to discuss the legal and practical aspects of adaptation of the description. The practice explained in the 2022 edition of the Guidelines for Examination was compared against the recent case law. Parallel breakout sessions were held on chall... [Read more](#)*

## 4. European Commission public consultation on a revised framework for compulsory licensing of patents

### **FOR ISSUING COMPULSORY LICENSE IN A CRISIS**

[GO TO TOP](#)

*On 7 July 2022, the European Commission launched a public consultation on the revised framework for compulsory licensing of patents, which will serve as a basis for the preparation of the impact assessment. The aim of the consultation is to collect views from all stakeholders. It gathers the different grounds and procedures for issuing compulsory licensing in a crisis. The consultation should discover bottlenecks of compulsory licensing and its impact on stakeholders. The consultation is aimed at IP right holders, users of IP-protected technologies and products, the health sector (including generic manufacturers, start-ups and patient associations), public authorities, national IP offices, non-profit organisations, civil society representatives... [Read more](#)*

## 5. TIPO Will Implement WIPO Standard ST.26 for Nucleotide and/or Amino Acid Sequence Listings Disclosed for Invention Patent Applications

**EFFECTIVE FROM  
AUGUST 1, 2022**

[GO TO TOP](#)

WIPO has announced that the WIPO Standard ST.26 applies to international applications with nucleotide and/or amino acid sequence listing filed on or after July 1, 2022. TIPO will fully implement WIPO Standard ST.26 from August 1, 2022. All nucleotide and/or amino acid sequences presented in invention patent applications must comply with the new Standard. In addition, to facilitate the needs of those filing international patent applications, TIPO shall accept all applications between July 1 and 31, 2022, even if the disclosed sequences do not comply with the new Standard. TIPO has published a Q&A on the new listing requirements of WIPO Standard ST.26 on its website.. [Read more](#)

## 6. The Republic of Cape Verde Deposits Instruments of Accession to ARIPO

**THE REPUBLIC OF  
CAPE VERDE BECOMES  
THE 22ND ARIPO  
MEMBER**

[GO TO TOP](#)

The Republic of Cape Verde on 14 July 2022 deposited its instruments of Accession to ARIPO and its Protocols at a ceremony held at the Embassy of Cape Verde in Geneva, Switzerland in the margins of the 63rd WIPO General Assemblies. The Minister of Energy, Trade and Industry of Cape Verde, Hon. Alexandre Monteiro, presented the instruments of accession to the Director General of ARIPO, Mr Bemanya Twebaze.

The Republic of Cape Verde becomes the 22nd ARIPO Member State. Cape Verde acceded to the Lusaka Agreement on the establishment of ARIPO, the Harare, Banjul, Swakopmund & Arusha Protocols. The Director General of ARIPO... [Read more](#)

## 7. TIPO has Compiled the “Patent IPC and Standard Industrial Classification Concordance Table and Statistical Application Analysis Report” for Public Reference

**IT ESTABLISHES A  
LINK BETWEEN PATENT,  
INDUSTRY INFO &  
INTEGRATE PATENT  
AND INDUSTRY DATA**

[GO TO TOP](#)

*TIPO has referenced established international patent-and-industry concordance tables and government statistics to construct a “Patent IPC and Standard Industrial Classification Concordance Table.” By following the table, TIPO has completed Taiwan's first ever industry-scale analysis of patent trends. Also, TIPO has determined Taiwan's IP-intensive industries for the first time as well according to international definitions and government statistics. The purpose of the report is to establish a link between patent and industry information and integrate patent and industry data through automated forms, which will facilitate analysis of industry-wide patent portfolio... [Read more](#)*

## 8. EPO and IP Australia make their PPH fast-track programme

**THE EPO & IPA  
PERMANENTLY  
EXTENDED THE PPH  
PROGRAMME**

[GO TO TOP](#)

*The Patent Prosecution Highway (PPH) programme between the EPO and IP Australia (IPA) becomes permanent on 1 July 2022. The current conditions and requirements for participation will continue to apply. The offices have agreed to permanently extend the agreement, following the successful completion of a pilot programme, which was initially launched in July 2016 and extended in July 2019.*

*The EPO's PPH portfolio - In addition to this PPH programme, the EPO has operational PPH pilot programmes with the IP5 offices (the grouping of the world's five largest IP offices, made up of the European Patent Office (EPO), the Japan Pate.. [Read more](#)*

## 9. China, Malaysia Extend PPH Pilot Program

**FROM JULY 1, 2022  
TO JUNE 30, 2027**

[GO TO TOP](#)

*The China National Intellectual Property Administration and the Intellectual Property Corporation of Malaysia jointly decide to extend the China-Malaysia Patent Prosecution Highway (PPH) pilot program (Note: Originally started on July 1, 2018) for another five years effective from July 1, 2022 to June 30, 2027.*

*The requirements and procedures for filing a PPH request at the two offices remain unchanged.(Translated from CNIPA Website Chinese Version)*

## 10. FDA Releases Draft Guidance on Evaluation of Therapeutic Equivalence of Small Molecule Drugs

**IT DOES NOT ESTABLISH  
ANY RIGHTS FOR ANY  
PERSON AND IS NOT  
BINDING ON FDA OR  
THE PUBLIC**

[GO TO TOP](#)

*On July 20th, the FDA released draft Guidance regarding its standards on therapeutic equivalence (TE) between different versions of small molecule drugs. The definition of "therapeutic equivalence" in the Guidance is: [A]pproved drug products that FDA has determined are pharmaceutical equivalents for which bioequivalence has been demonstrated, and that can be expected to have the same clinical effect and safety profile when administered to patients under the conditions specified in the labeling. The purported purpose of the Guidance and the standards set forth therein is to provide states, formularies, pharmacies, and the like in situations where there are multiple sources of the same drug (e.g., branded and generic). [Read more](#)*

## 11. USPTO modernizes patent, trademark assignment request process

**IT IS REQUIRED  
BY 15 U.S.C. § 1057 &  
1060**

[GO TO TOP](#)

*Beginning August 1, the U.S. Patent and Trademark Office (USPTO) is streamlining the process for following new assignments, obtaining information on pending assignments, questions on assignments, liens on patents, filing assignments, recordation forms, and trademark assignments. Going forward, users will submit requests virtually using the Electronic Patent Assignment System (EPAS) and Electronic Trademark Assignment System (ETAS) storefronts. Paper and fax assignment requests will be directed to the EPAS and ETAS storefronts for digital submissions. The collection of assignment information is required by 15 U.S.C. § 1057 and 1060 and is used by the pub... [Read more](#)*

## 12. TIPO Releases Report on “The Relationship Between the Metaverse and Design Patents”

**IT COVERS WHETHER  
A METAVERSE DESIGN  
PATENT APPLICATION  
WOULD BE EXAMINED, &  
THE VALIDITY OF THAT  
PATENT**

[GO TO TOP](#)

*The Metaverse is all the latest buzz, and in the field of intellectual property, there are increasing discussions on its relationship to trademarks and copyrights as infringements have already occurred.*

*In light of the fact that there are very few cases of Metaverse-related design patent applications filed both domestic and abroad, as well as a conspicuous lack of academic journals, adjudications, and media reports on the subject, TIPO decided to compile a report on the matter for public reference.*

*The report covers whether a Metaverse design patent can be filed, how the application would be examined, and the validity of such a patent... [Read more](#)*

## 13. AI cannot be named as inventor on patent applications: written decision now available

**DECISIONS  
PUBLISHED BY THE  
BOARDS OF APPEAL  
ON JULY 6, 2022**

[GO TO TOP](#)

*The Legal Board of Appeal of the EPO has issued in writing its decision in case J 8/20, which confirmed that under the European Patent Convention (EPC) an inventor designated in a patent application must be a human being.*

*The decision, announced after hearing the appellant in public oral proceedings on 21 December 2021, concerned the rejection of two European patent applications in which an artificial intelligence system called DABUS was designated as inventor.*

*The European Patent Office has taken note of the written decisions published by the Boards of Appeal today and welcomes the clarification on the topic of AI named as invent... [Read more](#)*

## 14. Montenegro on its way to become 39th EPC Contracting State

**EFFECTIVE  
FROM 1 OCTOBER 2022**

[GO TO TOP](#)

*Montenegro is due to become the 39th member state of the European Patent Organisation. On 15 July, the country accomplished the final step towards acceding to the European Patent Convention (EPC) by depositing its instrument of accession. As a result, Montenegro's accession will take effect on 1 October 2022 - pursuant to Article 169(2) EPC. Co-operation between the EPO and Montenegro started in 2007, when the state informed the Office of its wish to conclude an Extension Agreement with the EPO. The signing of the Agreement in 2009 enabled Montenegro to gain the status of both Extension State and observer at the EPO's Administrative Council as of 1 March 2010. Eight years later, on 23 July 2018, Monte... [Read more](#)*



## 15. Special drive for disposal of pending opposition and rectification cases of Indian Trade Marks

**IT'S ACTIVE FROM  
AUG. 2, 2022 TO OCT.  
2, 2022**

[GO TO TOP](#)

**Public Notice** (Office of CGPDTM, Mumbai) - The 75th anniversary of India's independence is just a few days away. To commemorate this monumental occasion, the Government of India has launched 'Azadi Ka Amrit Mahotsav'. In this context, this office is taking an initiative to run a special drive for disposal of IP disputes wherein we encourage the parties to dispose the pending opposition and rectification cases. We also encourage the parties who have already settled their cases amicably should report to the Trademarks Registry (TMR) for formal settlement of dispute before registry. In case, you have sent the communication earlier and no final orders could be issued in such cases, you may... [Read more](#)