

Inside this Issue

<u>Extension of time limits - Ukraine</u>	2
<u>Intellectual property: New rules will make industrial designs quicker, cheaper and more predictable</u>	2
<u>New Patents Examination Manual sections</u>	3
<u>IPOPHL furthers central ASEAN repository of copyright and related rights information</u>	3
<u>Public Notice w.r.t. Filing of Power of Attorney (Form 26)</u>	4
<u>Comprehensive Guide to Domestic and Foreign Trademark Applications is Now Available!</u>	4
<u>EPO sets start of transitional measures</u>	5
<u>New decision from the Brazilian Supreme Court in favor of Patent Term Adjustment (PTA) cases</u>	5
<u>Humble 'weed' shows promise in fight against climate change</u>	6
<u>Hague System: Changes In Individual Designation Fees – Canada and Hungary</u>	6
<u>Patent pledge registration will no longer require a patent certificate, and relaxation of the reasons for applying for the reissuance or renewal of a patent certificate</u>	7
<u>New equivalent amounts in some PCT-fees are established</u>	7
<u>Appeal Against Orders Of Patent Office Would Lie Before High Court In Whose Jurisdiction Appropriate Office Is Located: Delhi High Court</u>	8
<u>The Unitary Patent system: A game-changer for innovation in Europe</u>	8

01. Extension of time limits - Ukraine

**FOR
THREE-MONTHS**

[GO TO TOP](#)

A new extension has been granted for all parties in proceedings before the Office having their residence or registered office in Ukraine.

The new three-month extension published on 31 October 2022 extends all time limits expiring between 2 November 2022 and 1 February 2023 inclusive, until 2 February 2023. This extension follows Decisions EX-22-8, EX-22-5, EX-22-4 and EX-22-2, of the Executive director.

On March 9 the EUIPO, in collaboration with the EU institutions, announced a number of measures in response to the military aggression carried out by the Russian Federation against Ukraine. The EUIPO will continue to review the need for furth... [Read more](#)

02. Intellectual property: New rules will make industrial designs quicker, cheaper and more predictable

**SIMPLIFIED
AND STREAMLINE THE
PROCEDURE**

[GO TO TOP](#)

The Commission is presenting revised rules that will make it cheaper, quicker and more predictable to protect industrial designs across the EU. An industrial design constitutes the outer appearance of a product characterised by its lines, contours or shape. The proposals for a revised Regulation and Directive on industrial designs modernise the existing Community design framework and parallel national design regimes, created and harmonised 20 years ago. The revised rules will help to further improve the conditions for businesses to innovate. At the same time, the rules also introduce a more balanced approach to design protection. This ensures that designs can be reproduced for spare parts, allowing consumers more choice in... [Read more](#)

03. New Patents Examination Manual sections

**INVOLVING
FINANCIAL INTERESTS
& CORRECTIONS OR
ERROR FOR PATENT
CASES**

[GO TO TOP](#)

IPONZ has introduced new sections for its Patents Examination Manual to clarify our practices involving financial interests and corrections or error for patent cases.

We have recently added the following new sections to our Patents Examination Manual:

Section 165: Licenses and financial interests involving Patent and Patent applications.

We have created a new section to clarify our practices in relation to financial interests on patents and patent applications.

Section 165: Licenses and financial interests involving Patent and Patent applications

Sections 200-202: Correcting errors or omissions... [Read more](#)

04. IPOPHL furthers central ASEAN repository of copyright and related rights information

**IPOPHL WILL
BE CLOSELY WORKING
WITH THE ASEAN**

[GO TO TOP](#)

The Bureau of Copyright and Related Rights (BCRR) recently helped advance the ASEAN Creative Information Network (ACIN) Project, which aims to create a central database for copyright information across ASEAN. Recently, the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) held a workshop that gathered creative industry players, who gained insights from copyright specialists and experts on the key metrics and methodologies needed to collate and organize data on copyright and the creative economy. The workshop figures in the ACIN Project's ultimate goal of launching a website that will provide all the latest economic and legislative data and information about copyright and the creative economy in the ASEAN. [Read more](#)

05. Public Notice w.r.t. Filing of Power of Attorney (Form 26)

**WHEN
REQUESTING FOR
EARLY PUBLICATION
ON FORM-9**

All the stakeholders, including Patent Agents, are hereby informed that any request for early publication of patent application made in Form 9 under sub-section (2) of section 11A of the Patents Act, 1970 (as amended) read with rule 24A of the Patents Rules, 2003 (as amended) shall be accompanied by duly executed Form 26 or Power of Attorney, if applicable.

[GO TO TOP](#)

Non-filing of Form 26 or Power of Attorney shall lead to no action in any such request filed through Patent Agent for the early publication till such deficiency is removed (Please refer rule 135 of the Patents Rules in this regard). [Read more](#)

06. Comprehensive Guide to Domestic and Foreign Trademark Applications is Now Available!

**PROVIDES THE
IMPORTANCE OF
APPLYING FOR TM'S IN
DOMESTIC &
OVERSEAS**

To help industries better understand Taiwan's trademark registration process, trademark protection and management, as well as important things to know when applying for trademarks overseas, TIPO has compiled the Comprehensive Guide to Domestic and Foreign Trademark Applications. The guideline provides businesses with tips on how to apply for domestic trademarks and the importance of applying for trademarks overseas. In addition to covering basic knowledge about trademark rights, it also touches upon resolutions for trademark disputes. At the same time, the guideline also provides relevant government resources in hopes of effectively assisting SMEs with difficulties in trademark protection. The guideline... [Read more](#)

[GO TO TOP](#)

07.EPO sets start of transitional measures

FORM
1 JANUARY 2023

[GO TO TOP](#)

Aligning with the recently published implementation roadmap published by the Unified Patent Court (UPC), the EPO has decided to adjust the starting date of its transitional measures to 1 January 2023. As of that date, patent applicants may file early requests for unitary effect and requests for a delay in issuing the decision to grant a European patent. The measures are applicable until the entry into operation of the Unitary Patent Protection system which is expected to be on 1 April 2023. The two measures were introduced to support an early uptake of the Unitary Patent by the users. For detailed information as to the requirements for these two measures, including some examples, please go to the dedicated webpage of the EPO. Please note that in... [Read more](#)

08. New decision from the Brazilian Supreme Court in favor of Patent Term Adjustment (PTA) cases

THIS ORDER
IS ENCOURAGING FOR
PATENT HOLDERS

[GO TO TOP](#)

A new decision from the Brazilian Supreme Court on November 16th brought some hope to patent owners seeking the term adjustment for patents in Brazil. Justice Luiz Fux stated that the Supreme Court's decision in the Direct Plea of Unconstitutionality ("Ação Direta de Inconstitucionalidade" ou "ADI") 5,529 "does not prevent the Judiciary from authorizing the extension, for a determined and reasonable timeframe, of the patent privilege, should there be present, in the concrete case, circumstances which demonstrate unreasonable, unjustified, and exceptional delay of the Brazilian Patent and Trademark Office (BPTO) in granting the patent application"[1]. Such decision was rendered in the Constitutional Claim[2] ("Reclamação Constitucional... [Read more](#)

09. Humble 'weed' shows promise in fight against climate change

**TACKLING
GLOBAL WARMING
FROM THE GROUND
UP**

[GO TO TOP](#)

Plant Variety Rights (PVR) have protected breeders in New Zealand since 1975, today they are showing promise in the fight against climate change. Intellectual property, and innovation, come in many forms. New and distinctive plant varieties might not be the best known of these, or the most glamorous, but they may well come to play an increasingly important role in our climate-challenged world of today. Plant Variety Rights (PVR) have protected breeders in New Zealand since 1975, and this month New Zealand celebrates 41 years as a member of the International Union for the Protection of New Varieties of Plants (UPOV). PVR give a breeder the exclusive right to produce for sale, or sell propagating material of, a plant variety – or... [Read more](#)

10. Hague System: Changes In Individual Designation Fees – Canada and Hungary

**FROM
1 JANUARY 2023**

[GO TO TOP](#)

Starting January 1, 2023, there will be a small change to the individual designation fees applicable when designating Canada or Hungary in an international application or in the renewal of an international registration.

Canada:

There will be a slight increase to the fees applicable to Canada:

- 316 Swiss francs (CHF) per design included in an international application; and*
- 276 CHF per design included when renewing an international registration for the first time. Reminder! There is no individual designation fee for subsequent renewals. [Read more](#)*

11. Patent pledge registration will no longer require a patent certificate, and relaxation of the reasons for applying for the reissuance or renewal of a patent certificate

CHANGE IN REQUISITE INFORMATION TO BE INCLUDED ON PATENT CERTIFICATE

[GO TO TOP](#)

To relax regulations and safeguard the rights of patent holders and pledgees, revisions were made to the Enforcement Rules of the Patent Act and promulgated on October 20, 2022. The application process for patent pledges have been simplified, and reasons for reissuance or renewal of patent certificates have been relaxed. Highlights of the revisions are as follows:

I. Deleted requirement that applicants filing for a patent pledge must include the patent certificate, as well as requirement stipulating that patent pledge information must be included within patent certificate. II. Added "Change in Requisite Information to be Included on Patent Certificate" as.. [Read more](#)

12. New equivalent amounts in some PCT-fees are established

**FROM
1 JANUARY 2023**

[GO TO TOP](#)

Search fee and also for non unity inventions and for Supplementary International Searches: 19 330 SEK.

International filing fee: 15 010 SEK

Fee per sheet in excess of 30: 170 SEK

Reductions (under the Schedule of Fees, item 4):

– Electronic filing (the request being in character coded format): 2,260 SEK

– Electronic filing (the request, description, claims and abstract being in character coded format): 3,390 SEK

Handling fee: 2,260 SEK.

13. Appeal Against Orders Of Patent Office Would Lie Before High Court In Whose Jurisdiction Appropriate Office Is Located: Delhi High Court

**IN WHERE THE
APPROPRIATE OFFICE
IS LOCATED**

[GO TO TOP](#)

The Delhi High Court on Thursday ruled that after the enactment of the Tribunal Reforms Act 2021, appeals challenging the order of the Patent Office would lie before the concerned High Courts having territorial jurisdiction over the "appropriate office" from where the patent application originates, as being the "situs of the said application." Justice Pratibha M Singh observed that in such appeals, the concept of cause of action cannot be pleaded to vest jurisdiction in other High Courts i.e., other than the one in the territorial jurisdiction of which the appropriate office is located. "Once orders are passed by the Patent Office on an application, any challenge to such order or direction would... [Read more](#)

14. The Unitary Patent system: A game-changer for innovation in Europe

**ENTER INTO
OPERATION ON 1
APRIL 2023**

[GO TO TOP](#)

Jointly organised by the Belgian government, the EPO and the European Commission the conference on the Unitary Patent system taking place on Thursday 17 November provides first-hand information on the new patent system which is expected to enter into operation on 1 April 2023 . The programme includes high-level speakers from all three institutions as well as business, the legal profession, academia and the judiciary. This is a unique opportunity for anyone with an interest in innovation and intellectual property (IP) to gain strategic insights into the system before its long-awaited entry into operation, which is expected for April 2023. To reflect on this new era for IP in Europe.. [Read more](#)