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DECEMBER 2023 Inside this Issue Page fees abolished for ST.25 sequence listings filed as part of divisional 2 applications Template and Guidelines for Power of Attorney is Now Available on TIPO's 2 Website PPH pilot program between the Japan Patent Office (JPO) and the China 3 National Intellectual Property Administration (CNIPA) Coming soon: USPTO's new modernized assignment system is replacing ETAS 3 and EPAS Patent Center fully replaces USPTO legacy systems for filing and managing 4 patent applications online PATENT OF THE MONTH: VACCINE AGAINST BIRCH POLLEN AND APPLE 4 <u>ALLERGY</u> New CPC text categoriser is powered by AI 5 JPO – CNIPA Comparative Study on AI-related inventions 5 Hague System – Amendments to Schedule of Fees 6 PTO Provides Guidance for Computer-Related Design Patent Applications 6 Copyright Office Seeking Comments on AI-related Copyright Issues 7 U.S. Copyright Office Extends Deadline for Reply Comments on Artificial 7 Intelligence Notice of Inquiry

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NEWSLETTER

01. Page fees abolished for ST.25 sequence listings filed as part of divisional applications

A CHANGE IN ITS PRACTICE FROM TODAY, ABOLISHING PAGE FEES FOR SEQUENCE LISTINGS Applicants will be exempt from page fees for the parent application's ST.25 sequence listing (in PDF) additionally filed as part of a divisional application. This change in EPO practice follows a request of the user community. The EPO announces a change in its practice from today, abolishing page fees for sequence listings (in PDF) complying with former WIPO Standard ST.25 that are filed as part of divisional appln's in order to ensure compliance with Article 76(1) EPC. This practice is recommended in those cases where the parent appln contains an ST.25 sequence listing as part of the description and where applicants fear to add or lose subject matter when converting the ST.25 sequence listing into one of ST.26. The new WIPO standard, ST.26, applies to all appln's that are filed on or after 1 July 2022... <u>Read more</u>

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02. Template and Guidelines for Power of Attorney is Now Available on TIPO's Website

PROVIDED GUIDELINES FOR FILLING OUT POWER OF ATTORNEY (POA) FORMS FOR PATENTS To address issues of ambiguity and disputes arising from the language and terminology used in power of attorney during the patent formality check procedure TIPO has introduced a standardized template and provided guidelines for filling out Power of Attorney (POA) forms for patents. The template was created in accordance with current patent regulations and content requirements specified by IP 5. The templates and guidelines are available online for public reference..... <u>Read more</u>

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03. PPH pilot program between the Japan Patent Office (JPO) and the China National Intellectual Property Administration (CNIPA)

JPO AND CNIPA STARTED THE PPH PILOT PROGRAM USING PCT INTERNATIONAL The Japan Patent Office (JPO) and the China National Intellectual Property Administration (CNIPA) have commenced the PPH pilot program on 1 November 2011 in accordance with the joint statement of intent at the CNIPA/JPO Heads Meeting held in Beijing on 18 October 2011. The JPO and the CNIPA also started the PPH pilot program using PCT international work products. Following the first extension in 2013, the second extension in 2015, the third extension in 2018 and the fourth extension in 2023, the pilot program will be terminated on 31 October 2028. The pilot program will be extended as necessary....<u>Read more</u>

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04. Coming soon: USPTO's new modernized assignment system is replacing ETAS and EPAS

NEW SYSTEM PROVIDES INTEGRATED INFORMATION SUPPORT As part of our updates to online services, the U.S. Patent and Trademark Office (USPTO) is reforming the Electronic Trademark Assignment System (ETAS) and the Electronic Patent Assignment System (EPAS) into one cohesive and modernized system: the Intellectual Property Assignment System (IPAS). IPAS will be available to customers starting on January 15, 2024.

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This new system provides integrated information support by processing all patent and trademark reassignment requests, in which a patent or trademark holder transfers ownership....<u>Read more</u>

05. Patent Center fully replaces USPTO legacy systems for filing and managing patent applications online

THE PATENT CENTER SYSTEM WILL FULLY REPLACE THESE LEGACY TOOLS, PROVIDING A ONE-STOP As recently announced as part of our modernization efforts to provide our customers with more efficient and effective IT tools, today we are officially retiring the decades-old EFS-Web and Private Patent Application Information Retrieval (Private PAIR). The Patent Center system will fully replace these legacy tools, providing a one-stop shop for our patents customers for filing and managing their applications, offering a next-generation user interface with better overall system performance and security. "This is an important milestone in our efforts to offer customers a better service through enhanced technology," said Under Secretary of Commerce for Intellectual Property and Director....<u>Read more</u>

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06. Patent of the month: Vaccine against birch pollen and apple allergy

FEDERAL MEDICAL AND BIOLOGICAL AGENCY HAS PATENTED AN INVENTION THAT CAN PRODUCE A SINGLE-COMPONENT VACCINE

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The State Research Center "Institute of Immunology" of the Federal Medical and Biological Agency has patented an invention that can produce a singlecomponent vaccine against both birch pollen allergen and apple allergen. The vaccine not only relieves symptoms but also guards against allergies. Birch pollen is the most frequent and widespread allergen in Russia. More than 10% of the population suffers from birch pollinosis. Apples and some other fruits can be dangerous for people allergic to birch pollen because such products can provoke a cross-reactive allergy. The development of a recombinant polypeptide that can produce blocking antibodies to both birch pollen allergen and cross-reactive food allergens such as apple allergen in a single protein is a technical....<u>Read more</u>

07. New CPC text categoriser is powered by AI

EPO's AI-powered CPC text categorizer is released.

CPC IS A PATENT CLASSIFICATION SCHEME DEVELOPED JOINTLY BY THE EPO AND USPTO OVER A DECADE AGO Today the European Patent Office has launched a new text categorizer powered by artificial intelligence (AI) to make it easier to find suitable terms in the extensive Cooperative Patent Classification (CPC). This online symbol predictor makes the CPC system more accessible: from text inputs in English, French or German, the tool returns suitable CPC symbols in a fraction of a second.

The CPC is a patent classification scheme developed jointly by the EPO and USPTO over a decade ago, and now is used for classification by thirty-eight national or regional patent offices. The majority of the patents published today are indexed onto this scheme,<u>Read more</u>

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08. JPO – CNIPA Comparative Study on AI-related inventions

IMPORTANCE OF DEMONSTRATING THE CURRENT EXAMINATION PRACTICES FOR AI-RELATED INVENTIONS AT EACH OFFICE In recent years, there have been active research and development of Artificial Intelligence (AI)–related technologies which have resulted in significant increases in AI-related patent applications. This represents the importance of demonstrating the current examination practices for AI-related inventions at each office. Based on these circumstances, the JPO and the China National Intellectual Property Administration (CNIPA) have jointly conducted a comparative study on AI-related inventions to illustrate the similarities and differences in examination practices to AI-related inventions at both patent offices. The JPO and the CNIPA have published the report of this comparative study below. Please note that the focus of this comparative study is on the examination practices for AI-related inventions. Additionally, the results of this comparative study are not legally binding on either.....<u>Read more</u>

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09. Hague System – Amendments to Schedule of Fees

INCREASE IN THE AMOUNT OF THE BASIC FEE FOR EACH ADDITIONAL DESIGN At its forty-third session, the Assembly of the Hague Union adopted amendments to the Schedule of Fees annexed to the Common Regulations. What will change? In short: Increase in the amount of the basic fee for each additional design included in an international application from 19 Swiss francs to 50 Swiss francs. Accordingly, for international applications filed by applicants from least developed countries (LDCs), the basic fee for each additional design included in the same international application has been increased from 2 to 5 Swiss francs. Deletion of a surcharge fee for the communication....<u>Read more</u>

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10. PTO Provides Guidance for Computer-Related Design Patent Applications

THE GUIDANCE CLARIFIES HOW TO SATISFY THE ARTICLE OF MANUFACTURE REQUIREMENT

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The US Patent & Trademark Office (PTO) published a notice regarding supplemental guidance for PTO personnel examining design patent claims containing computer-generated images. 88 Fed. Reg. 80277 (Nov. 17, 2023). The guidance clarifies how to satisfy the article of manufacture requirement under 35 U.S.C. 171 for ornamental designs relating to computer-generated icons shown on a display panel, as discussed in Section 1505.01(a)(1) of the Manual of Patent Examining Procedure (MPEP). According to the guidance, "the mere display of a computer-generated electronic image on a display panel does not constitute statutory subject matter under 35 U.S.C. 171." However, a computer icon or a graphical user interface (GUI) shown on a display panel (e.g., a computer screen, monitor, computer display system, mobile phone screen or virtual/augmented reality goggles) is more than a mere display of a picture on a screen because it constitutes...<u>Read more</u>

11. Copyright Office Seeking Comments on Alrelated Copyright Issues

COPYRIGHT OFFICE ISSUED A STATEMENT OF POLICY On August 30, the U.S. Copyright Office issued a Notice of Inquiry on Copyright and Artificial Intelligence. The goal of the Notice of Inquiry is to further inform the Office's study of AI and to evaluate whether legislative or regulatory steps are needed. In March, the Copyright Office issued a statement of policy in which it clarified that human authorship is required for work containing AI-generated content to be eligible for copyright protection. Recently, the D.C. District Court affirmed this position taken by the Copyright Office, ruling that an image created by DABUS, an AI algorithm, is not copyrightable. While that question is settled, there are many more questions related to copyright and AI that are still up in the air..... <u>Read more</u>

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12. U.S. Copyright Office Extends Deadline for Reply Comments on Artificial Intelligence Notice of Inquiry

PUBLIC HAVE SUFFICIENT TIME TO PREPARE RESPONSES

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The U.S. Copyright Office is extending the deadline to submit reply comments in response to the Office's August 30, 2023, notice of inquiry regarding artificial intelligence and copyright. The deadline will ensure that members of the public have sufficient time to prepare responses to the Office's questions and submitted comments and that the Office can proceed on a timely basis with its inquiry of the issues identified in its notice with the benefit of a complete record. Reply comments are now due by 11:59 p.m. eastern time on Wednesday, December 6, 2023.

The Federal Register notice announcing this extension and additional information, including instructions for submitting comments, are available on the Artificial Intelligence Study webpage.....<u>Read more</u>