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Advocates, Patent And Trademark Attorneys

NEWSLETTER FEBRUARY 2020

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1. IPOPHL forges ties with Laos to improve local IP systems

IPOPHL FORGES
TIES WITH LAOS
TO IMPROVE LOCAL
IP SYSTEMS
PUBLISHED ON
JANUARY 2, 2020

GO TO TOP

The Intellectual Property Office of the Philippines recently inked a memorandum of cooperation (MOC) with the Department of Intellectual Property (DIP) of the Lao People's Democratic Republic in a bid to boost bilateral collaboration on improving each other's intellectual property systems. IPOPHL Director General (DG) Josephine R. Santiago and the DIP DG Khanlasy Keobounphanh signed the MOC on the sidelines of the 2019 Association of Southeast Asian Nation-Republic of Korea Commemorative Summit held in Seoul, Korea in November 2019. Under the MOC, both offices will work on, among others, strengthening their cooperation to promote and improve existing IP systems by establishing a mechanism where they... Read more

2. The USPTO Will No Longer Accept PCT Collaborative Search and Examination Requests

UNITED STATES

PATENT AND

TRADEMARK OFFICE

WILL NO LONGER

ACCEPT PCT CS AND

EXAMINATION

REQUESTS

GO TO TOP

The Office has reached the total number of applications it can accept under the pilot program. Earlier today, the United States Patent and Trademark Office (USPTO) announced that it will no longer accept requests to participate in the IP5 Patent Cooperation Treaty (PCT) Collaborative Search and Examination (CS&E) pilot and will no longer accept new international applications. The reason for the USPTO no longer accepting these requests is because the Office has reached the total number of applications it can accept. The operational phase of the CS&E pilot went into effect on July 1, 2018 and was established for a two-year period running through June 30, 2020. During this two-year operational phase, each of the International... Read more

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3. Strategies and Global Solutions Using International Arbitration and Mediation for Intellectual Property Disputes on SEP Licensing and FRAND

ALTERNATIVE
DISPUTE RESOLUTION,
A COST AND
TIME EFFECTIVE
SOLUTION FOR SEPS
SEMINAR 2020

GO TO TOP

With the spread of IoT and its impact on SEP licensing disputes, reaching early settlement is the prime focus for Japanese companies involved in multi-jurisdictional SEP/FRAND disputes, making the jurisdiction in that it takes place, the governing law and methods available to solve a dispute essential to the outcome. Supported by the Japanese government, the establishment of the International Arbitration Center in Tokyo (IACT), the Japan International Dispute Resolution Center (JIDRC) and the Japan International Mediation Center (JIMC-Kyoto) has made Alternative Dispute Resolution (ADR), a cost and time effective solution for SEP / FRAND disputes, accessible in Japan. Read more

4. Public Notice - Guidelines for Submission of Cash / Non-Cash documents at Trade Marks Registry

GUIDELINES
FOR SUBMISSION OF
CASH / NON-CASH
DOCUMENTS AT
TRADE MARKS
REGISTRY

GO TO TOP

It has been brought to the notice of the under signed that the documents submitted at the counter of the Trade Marks Registry, Mumbai were not classified properly due to which the documents were not get scanned and digitized as required and also not able to properly distributed in the respective sections for necessary action. Therefore, the following guidelines are issued for proper submission of documents. The documents which found not as per guidelines as below will NOT be accepted at the counter:

1. All applications, notices, statements, or other documents served, left or sent, at or to the Registry or with or to the Registrar shall be typewritten and printed in Hindi or in English.. Read more

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5. New trademark registration system expected in Myanmar

MYANMAR'S

NEW TRADEMARK

REGISTRATION AND

PROTECTION SYSTEM,

WHICH WILL ENTER

INTO FORCE SOON

GO TO TOP

Myanmar's new Trademark Law, enacted last year, establishes the framework for a comprehensive trademark registration and protection system, which will enter into force soon. This is relevant and important to both foreign and domestic trademark owners, who should review their portfolio in light of these significant legal changes. The law is also a positive move for businesses in Myanmar as they have long relied on outdated colonial-era laws to protect their intellectual property rights. The Myanmar Times spoke to Anja Schwarz, a lawyer with Luther Law Firm who specialises in intellectual property, about the changes under the new system and what it means for the business.... Read more

6. IPOS Welcomes Dr. Ming Tan as Managing Director of IPOS International

SINGAPORE
IPOS IS PLEASED TO
ANNOUNCE THE
APPOINTMENT OF DR.
MING TAN AS
MANAGING DIRECTOR
OF ITS NEW SUBSIDIARY,
IPOS INTERNATIONAL

GO TO TOP

Singapore, 2 January 2020 – The Intellectual Property Office of Singapore (IPOS) is pleased to announce the appointment of Dr. Ming Tan (陈淑明) as Managing Director (行政董事)of its new subsidiary, IPOS International. In her role, Ming will direct the strategic growth and oversee all operations at IPOS International, which houses over 100 intellectual property (IP) experts in areas such as IP strategy and management, patent search and analysis, and IP education and training. IPOS International was launched in August 2019 to support both private and public enterprises in their innovation journey. Ming brings extensive experience in bridging and delivering successful public-private partnerships to IPOS International. Ming was previously Head of Stewardship of the COMO Group, a Singaporean portfolio of lifestyle.. Read more

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7. USPTO and Mexican Institute of Industrial Property launch new worksharing arrangement

USPTO
AGREEMENT
MAKES IT EASIER
AND FASTER TO
OBTAIN A PATENT IN
MEXICO

GO TO TOP

WASHINGTON – The United States Patent and Trademark Office (USPTO) and the Mexican Institute of Industrial Property (IMPI) agreed to launch a new worksharing arrangement that will accelerate the process of obtaining a patent in Mexico for businesses and individuals already in possession of a corresponding U.S. patent. Under the terms of the agreement signed by USPTO Director Andrei Iancu and IMPI Director General Juan Lozano Tovar in Mexico City today, the two offices will implement a parallel patent grant framework that allows IMPI to leverage USPTO search and examination results when granting a counterpart Mexican patent. "The economic relation... Read more

8. Malta joins Design Class

MALTA CD-IPRD
IS NOW PART OF
THE COMMON
HARMONISED DATABASE
ON PRODUCT
INDICATIONS IN DESIGN
CLASS

GO TO TOP

The Commerce Department and Intellectual Property Office of Malta (CD-IPRD) is now part of the Common Harmonised Database on Product Indications (HDBPI) in Design Class. The integration was carried out with the support of the EUIPO's European Cooperation Projects and in close collaboration with the CD-IPRD. As a result, the complete set of Maltese translations is now available to all users through the DesignClass tool using the Locarno Classification, which consists of 32 classes (headings) and 219 subclasses (subheadings). Design Class allows users to easily navigate the harmonised database of product indications to search for a specific translated term and find the class they are in before applying for design protection. Terms can be.. Read more

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9. Building bridges through cooperation: EPO and Cambodian Ministry of Industry and Handicraft host first IP conference

THIS WEEK

EPO AND THE MIH

HOSTED THEIR FIRST

JOINT IP CONFERENCE

IN PHNOM PENH,

CAMBODIA

GO TO TOP

This week the European Patent Office (EPO) and the Ministry of Industry and Handicraft (MIH) hosted their first joint IP conference in Phnom Penh, Cambodia. Organised with the support of EuroCham Cambodia and with a welcoming speech by the Ambassador of the EU to Cambodia, Ms Carmen Moreno, the conference celebrated the significant validation registrations being witnessed since the implementation of the EPO-MIH validation agreement which came into force in March 2018, stressing the importance of IP rights in both attracting foreign direct investment as well as supporting innovation locally. Speaking at the event, EPO President António... Read more

10.Implementing Regulations of Foreign Investment Law in Effect, Heavier Sanctions Against IP Violations

IMPLEMENTING
REGULATIONS OF THE
FOREIGN INVESTMENT
LAW OF THE PEOPLE'S
REPUBLIC OF CHINA
CAME INTO FORCE ON
JANUARY 1, 2020

GO TO TOP

With Chinese Premier Li Keqiang's signature inked on a State Council order, the Implementing Regulations of the Foreign Investment Law of the People's Republic of China came into force on January 1, 2020. The Regulations delivers heavier sanctions against IP violations, toughened IP law enforcement, a rapid, coordinated IP protection mechanism, diversified ways to settle IP disputes and impartial treatment of IPRs owned by foreign investors and foreign-invested enterprises. Where patents of foreign investors and foreign-invested enterprises are involved in standard setting activities, relevant rules on standards concerning patents shall prevail. Foreign investors' capital con.. Read more

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11. Coordinating our response to AI and emerging technologies: five largest IP offices hold first joint task force meeting

FIVE LARGEST IPO
HELD THE INAUGURAL
MEETING OF THEIR
JOINT TASK FORCE ON
NEW EMERGING
TECHNOLOGIES AND AI
THIS WEEK IN BERLIN

GO TO TOP

The five largest intellectual property offices held the inaugural meeting of their joint Task Force on New Emerging Technologies and Artificial Intelligence this week in Berlin. Known as the "IP5", the five offices – which are the EPO, the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the China National Intellectual Property Administration (CNIPA) and United States Patent and Trademark Office (USPTO) – together handle about 85% of the world's patent applications. The meeting was organised jointly by the EPO and KIPO. Launched at the IP5 annual meeting last June in Incheon, South Korea, the new task force will explore the legal, technical and policy asp... Read more

12.USPTO welcomes new Patent and Trademark Public Advisory Committee members

U.S. DEPARTMENT
OF COMMERCE'S
USPTO WELCOMES
NEW MEMBERS FOR
THE PPAC AND THE
TPAC

GO TO TOP

Committees review and advise USPTO director on operations including policies, goals, performance, budget and user fees. The U.S. Department of Commerce's United States Patent and Trademark Office (USPTO) welcomes new members for the Patent Public Advisory Committee (PPAC) and the Trademark Public Advisory Committee (TPAC).

New PPAC members- The USPTO welcomes two new members to the Patent Public Advisory Committee:

- Jeremiah Chan
- Tracy-Gene Durkin

Mr. Chan is the Associate General Counsel and Direc.. Read more

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13. News from Abroad: Israel PTO Proposes to Stop Rejecting Divisional Applications for "Overlap" with Parent Cases

ISRAEL PTO
PROPOSES TO STOP
REJECTING DIVISIONAL
APPLICATIONS FOR
"OVERLAP" WITH
PARENT CASES

GO TO TOP

Many patent practitioners will never have need to file a patent application in Israel, a country of nine million people that's geographically smaller than New Jersey. But if you're one of those practitioners who does file in Israel from time to time -- and I suspect that readers of Patent Docs file in Israel at a higher rate than the general practitioner population -- you'll be pleased to know that the Israel PTO (ILPTO) recently proposed a change in patent examination practice that portends relief for beleaguered applicants: the ILPTO plans to tighten the criteria for rejecting claims of an applicant's application for "overlap" with the claims of another of the applicant's applications (or granted.. Read more

14. New insights into the patent system: first results from the EPO Academic Research Programme published

EPO HAS PUBLISHED

SIX RESEARCH

REPORTS DEVELOPED

WITH FUNDING FROM

ITS ACADEMIC RESEARCH

PROGRAMME

GO TO TOP

The EPO has published six research reports developed with funding from its Academic Research Programme. The research used patent data to investigate topics such as financing for innovation, knowledge transfer, trade, tracking inventions in the marketplace, and the growth of technologies to tackle climate change. Grants totalling €300 000 were awarded for the six projects in 2017, with the researchers presenting their final results at a workshop hosted by the EPO in Munich last month. EPO Chief Economist Yann Ménière, who chairs the programme's scientific committee, said: "The impact of the patent system on industry, society and the economy raises important... Read more

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15. Amended chapter on medical-related inventions in the Patent Examination Guidelines came into force on January 1, 2020

AMENDED
CHAPTER ON MEDICAL
-RELATED INVENTIONS
IN THE PATENT
EXAMINATION
GUIDELINES

GO TO TOP

Amendments to Chapter 13, Part 2, of the Patent Examination Guidelines (hereinafter referred to as "the Guideline") on medical-related inventions were published on November 5, 2019 and they came into force on January 1, 2020. The amendments were made to catch up with the fast-changing medical industry and the many types of medical-related inventions filed in Taiwan. Relevant court rulings and examination guidelines in the UK, Europe and Japan were taken into account to make the amendments, and new cases were added as explanatory supplements. On the clarity of claims, in practice, disputes concerning the explanation and applicability of the claims are common. This issue was addressed... Read more

16.2020 New Regulations under the Madrid Protocol and Simplified Renewal of International Registrations

MADRID AGREEMENT
CONCERNING THE
INTERNATIONAL
REGISTRATION OF
MARKS AND THE
PROTOCOL RELATING TO
THAT AGREEMENT

GO TO TOP

We start this new year with changes to the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (Common Regulations). As of February 1, 2020, they become the Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Regulations under the Protocol). One specific change to mention is the amended Rule 30 of the Regulations under the Protocol, which simplifies renewal of international registrations. New Regulations under the Protocol and consequential amendments to the Administrative Instructions and... Read more

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17. Report on the protection and enforcement of IPR in third countries

EUROPEAN
COMMISSION HAS
PUBLISHED ITS
BIANNUAL REPORT ON
THE PROTECTION AND
ENFORCEMENT OF IPR
IN THIRD COUNTRIES

GO TO TOP

The European Commission has published its biannual Report on the protection and enforcement of intellectual property rights in third countries (Third Country Report). The Third Country Report identifies countries outside of the European Union in which the state of intellectual property protection and enforcement gives rise to the greatest concern and provides an update of the existing Commission's list of priority countries. It aims to improve intellectual property rights protection and enforcement worldwide, as well as inform rights holders, including SMEs, of the potential risks when conducting business in certain countries. For the first time, the Third Country Report contains a dedicated... Read more

18. TIPO announced the draft amendments to the Trademark Act

TIPO
ANNOUNCED
THE DRAFT
AMENDMENTS TO
THE TRADEMARK
ACT

GO TO TOP

To make sure the Trademark Act fits the country's practice needs, starting from 2018, TIPO has been drafting amendments to the Act. Two consultation meetings, one attended by invited experts and scholars and the other on trademark examination quality, as well as a public hearing on the draft amendments to the Trademark Act, were held. Upon analyzing the suggestions provided by all circles of society on the public hearing on October 15, 2019, TIPO proposed the draft amendments to the Trademark Act (find the general description of the draft and a comparison table for the articles of the act before and after revision as attached.). In this latest draft, a total of 14 articles were amended and two new articles were added. The main points.... Read more

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19. Enhancing TM protection on e-commerce marketplaces: workshop

ENHANCING TM
PROTECTION ON ECOMMERCE
MARKETPLACES AND
THE EUIPO WILL MEET IN
ALICANTE ON 25
FEBRUARY

GO TO TOP

Representatives from e-commerce marketplaces and the EUIPO will meet in Alicante on 25 February for a first exploratory workshop. The workshop will focus on EU trade mark (EUTM) rights, and will be structured around three main issues — information resources on trade mark rights, access to the IP protection programmes of e-commerce marketplaces and exchange of information, all with the aim of enhancing trade mark protection on e-commerce marketplaces. This first gathering will pave the way for a broader event and discussions with IP owners, and will centre on the discussion of opportunities and concrete actions to jointly develop the EUIPO's initiatives envisioned in its Strategic Plan 2025 to adapt its ser... Read more