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**NEWSLETTER FEBRUARY 2021** 

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#### 1. New trade secrets law takes effect in Iceland

LAW 131/2020
ON NEW TRADE SECRETS
ENTERED INTO FORCE
ON THE 17TH OF
DECEMBER 2020 IN
ICELAND

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Law 131/2020 on trade secrets entered into force on the 17th of December 2020. The law incorporates Directive (EU) 2016/943 of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure into Icelandic law. The law brings the Icelandic legal environment with regards to trade secrets into line with the EEA. The law includes a definition of what constitutes a trade secret, new measures to protect trade secrets as well as a framework for the lawful acquisition of trade secrets. The law also contains provisions on the unlawful acquisition, use and disclosure of trade secrets and possible legal remedies. Trade secrets can be various kinds of information that is valuable to a co... Read more

## 2. Ratification of the Republic of Kazakhstan Deposited with WIPO Director General

KAZAKHSTAN

DEPOSITS INSTRUMENT OF

RATIFICATION OF

PROTOCOL ON INDUSTRIAL

DESIGNS PROTECTION

WITH WIPO DIRECTOR

GENERAL

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On January 12, 2021 at the WIPO headquarters the Permanent Representative of the Republic of Kazakhstan to the United Nations and other international organizations in Geneva Zhanar Aytzhanova, with the participation of the EAPO President Saule Tlevlessova, deposited the instrument of ratification of the Protocol on the Protection of Industrial Designs to the Eurasian Patent Convention with the Director General of the World Intellectual Property Organization Daren Tang. The Protocol on the Protection of Industrial Designs shall enter into force on March 17, 2021 in respect to the first three states that have ratified it - the Kyrgyz Republic, the Republic of Azerbaijan and the Republic of Armenia In respect of the Republic of. Read more

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# 3. Publication of Japan-Taiwan Concordance List of Similar Group Codes (Corresponding to Nice Classification 11th edition, version 2021 (NCL11-2021))

PUBLICATION OF
JAPAN-TAIWAN
CONCORDANCE LIST OF
SIMILAR GROUP CODES
THAT ARE USED IN TM
EXAMINATION IN
JPO & TIPO

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The Japan-Taiwan Exchange Association and the Taiwan-Japan Relations Association agreed by the recognition that it would be contributed to timely obtain of a trademark right for both applicants in Japan and Taiwan, if they create and publish a concordance list of similar group codes that are used in trademark examination in Japan and Taiwan, respectively, in a way to show the corresponding relationship between the respective similar group codes (Japan-Taiwan Concordance List of Similar Group Codes) (Link to the website of The Japan-Taiwan Exchange Association (External link)). Responding to this agreement, the Japan Patent Office (JPO) decided to take responsi... Read more

# 4. The Russian Federation Completed Ratification of the EAPC Industrial Designs Protocol

RUSSIAN
FEDERATION COMPLETED
RATIFICATION OF THE
EURASIAN PATENT
CONVENTION (EAPC)
DESIGNS PROTOCOL

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On 11 January 2021, during his visit to Geneva, Switzerland, Head of Rospatent Mr. Grigory Ivliev deposited the instrument of ratification of the Russian Federation to the Protocol to the Eurasian Patent Convention (EAPC) of 9 September 1994, on the Protection of Industrial Designs, for which the World Intellectual Property Organization (WIPO) Director General Mr. Daren Tang is the depositary. This event marked an accomplishment of procedures required for the Protocol to enter into force for the Russian Federation. President of the Eurasian Patent Office (EAPO) Ms. Saule Tlevlessova attended the ceremony as well. The Protocol on the Protection of Industrial Designs was... Read more

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#### 5. European cooperation: new online services in Bulgaria

THE BPO, WITH THE
SUPPORT OF THE EUIPO'S
EUROPEAN COOPERATION
SERVICE, HAS IMPROVED
THE SERVICE IT PROVIDES
TO ITS USERS WITH THE
LAUNCH OF A NEW..

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The Patent Office of the Republic of Bulgaria (BPO), with the support of the EUIPO's European Cooperation Service, has improved the service it provides to its users with the launch of a new release of the front office system supporting trade mark and design applications and related e-services.

The front office platform, available via the BPO website, now allows users to take advantage of a set of new features, such as:

- fast-track applications for trade marks and designs;
- improved user interface for goods and services;
- improved functionality for filling out the application form using pre-registered data;... <u>Read more</u>

## 6. The Law on 3D Models and Electronic Protection Documents Entered Into Force

THE FEDERAL LAW ON
AMENDMENTS TO PART
FOUR OF THE RUSSIAN
CIVIL CODE WAS SIGNED BY
RUSSIAN PRESIDENT MR.
VLADIMIR PUTIN ON 20
JULY 2020 AND ENTERED
INTO FORCE ON 17-01-2021

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Russia - The Federal Law on Amendments to Part Four of the Russian Civil Code (on the Use of Electronic Technologies in the Registration of Intellectual Property Rights) was signed by Russian President Mr. Vladimir Putin on 20 July 2020 and entered into force on 17 January 2021. The applicants can now attach three-dimensional models to their applications for inventions, utility models, industrial designs, and trademarks. The law also allows the applicants to obtain the protection documents in electronic form, except patents for secret inventions. The paper documents are still available if the applicants request so. Rospatent initiated these amendments of the Russian Civil Code within the framework of the national program entitle Digital Economy of the Russian Federation. They aim at improving business... Read more

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### 7. European Cooperation: visual search for TMview extended to Denmark

DANISH PATENT
AND TRADEMARK OFFICE
(DKPTO) HAS MADE ITS
TRADE MARK IMAGES
AVAILABLE TO TMVIEW
EXTENDED VISUAL SEARCH
TOOL

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As of 18 December 2020, the Danish Patent and Trademark Office (DKPTO) has made its trade mark images available to TMview visual search tool. TMview's visual search facility allows users to search for trade mark images in the world's largest online trade mark database. Since 2017, when the first image search facility was implemented in TMview, additional intellectual property offices have incorporated this function into their search facilities. With this latest addition, the DKPTO joins the rest of the intellectual property offices already using visual search, thus bringing the total number of participating offices to 26. The image search function can be used on trade marks regi.... Read more

# 8. UK: Address for service for intellectual property rights from 1 January 2021

THE RULES
GOVERNING ADDRESS
FOR SERVICE FOR
INTELLECTUAL PROPERTY
RIGHTS IN
THE UK HAVE CHANGED

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The rules governing address for service for intellectual property rights in the UK have changed. An address for service is an address that you use to correspond with the Intellectual Property Office (IPO) and also for the purposes of proceedings under IP legislation. It can be your address, or if you wish, you can provide the address of your attorney or representative. The IPO's rules on address for service have changed. From 1 January 2021 you will need an address in the UK, Gibraltar or the Channel Islands before we consider your application. This means we will no longer accept addresses in the EEA. The changes will also affect other procedures relating to existing rights which are set out below. You will not need to change your address for service if... Read more

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# 9. Chinese and German offices extend Patent Prosecution Highway (PPH) pilot

DPMA AND CNIPA
HAVE EXTENDED THE
PILOT PROGRAMME'S
DURATION BY A FURTHER
THREE YEARS UNTIL 22
JANUARY 2024

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Since 23 January 2012, patent applicants have been able to request accelerated examination of their applications at the German Patent and Trade Mark Office (DPMA) and at the China National Intellectual Property Administration (CNIPA). This option will continue to be available. The DPMA and CNIPA have extended the pilot programme's duration by a further three years until 22 January 2024. The PPH allows the applicant to file a request for accelerated examination as soon as at least one patent claim has been found to be patentable by the partner office. The DPMA will then carry out an independent search on the basis of the partner office's work results. The applicant bene... Read more

# 10. Ratification of the Russian Federation Deposited with WIPO Director General

RATIFICATION OF
THE RUSSIAN FEDERATION
DEPOSITED WITH WIPO
DIRECTOR GENERAL
DAREN TANG

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On January 11, 2021 the Head of the Federal Service for Intellectual Property of the Russian Federation (Rospatent) Grigory Ivliev, with the participation of the EAPO President Saule Tlevlessova, deposited the instrument of ratification of the Protocol on the Protection of Industrial Designs to the Eurasian Patent Convention with the Director General of the World Intellectual Property Organization Daren Tang. The Protocol on the Protection of Industrial Designs shall enter into force on March 17, 2021 in respect to the first three states that have ratified it - the Kyrgyz Republic, the Republic of Azerbaijan and the Republic of Armenia. In respect of the Russian Federation, the Protocol shall enter into force three months after de... Read more

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#### 11. Mandatory Videoconference Hearings at the EPO

EPO PRESIDENT, ORAL
PROCEEDINGS BEFORE
OPPOSITION DIVISIONS
WILL ALSO BE HELD ONLY
BY VIDEOCON., AT LEAST
DURING A PILOT PHASE.
FROM 4 JAN. 2021 TO 15
SEP. 2021

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Due to the Covid-19 pandemic, since 2 April 2020 oral proceedings before examining divisions of the European Patent Office have been held by videoconference only (Skype for Business), in line with a first decision of the EPO President. Furthermore, according to a second decision of the EPO President, oral proceedings before opposition divisions will also be held only by videoconference (Zoom), at least during a pilot phase from 4 January 2021 to 15 September 2021. Videoconference hearings will thus be mandatory during the coming months at the first instances of the EPO, unless there are "serious reasons" not to do so, e.g. the need to take evidence directly, in which case they will be postponed to a date after 15 September 2021... Read more

# 12. Patent Cooperation Treaty: Declaration by the United Kingdom

GOVT. OF THE
UK OF GREAT BRITAIN AND
NORTHERN IRELAND
DEPOSITED A
DECLARATION THAT THE
UNITED KINGDOM'S
RATIFICATION OF THE PCT
WILL BE EXTENDED..

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On 23 December 2020, the Government of the United Kingdom of Great Britain and Northern Ireland deposited a declaration that the United Kingdom's ratification of the Patent Cooperation Treaty will be extended to the territory of the Bailiwick of Guernsey, for the international relations of which the United Kingdom is responsible. The declaration will enter into force with respect to that territory on 23 March 2021. For further information, please refer to PCT Notification No. 218, which is published at: Click here. It is recalled that the United Kingdom's ratification of the Paris Convention for the Protection of Industrial Property was extended to the territory of the Bailiwick of Guernsey with effect from 13 November 2020 (pleas... Read more

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# 13.EPO and CIPO make their PPH fast-track programme permanent

EPO AND THE CIPO
HAVE ANNOUNCED THAT
THE PPH PROGRAMME
BETWEEN THE TWO
OFFICES BECAME
PERMANENT ON 6
JANUARY 2021

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The EPO and the Canadian Intellectual Property Office (CIPO) have announced that the Patent Prosecution Highway (PPH) programme between the two offices became permanent on 6 January 2021. The offices have agreed to extend the agreement, following the completion of a pilot programme, which started in January 2015. "We are very pleased to announce the continuation of the PPH with CIPO as a permanent service to our users," said EPO President António Campinos. "This is another milestone in our co-operation, which is aimed at improving the environment for innovation and streamlining the conditions for expedited prosecution at the two offices. We believe it will fur... Read more

### 14. Numerical Limit to Japan-Brazil PPH Requests to be Relaxed

PPH PROGRAM BETWEEN
THE JPO AND THE OF
BRAZIL INPI, THE NUMBER
OF PPH REQUESTS THAT
AN APPLICANT HAS BEEN
ALLOWED TO FILE WITH
THE INPI HAS BEEN LTD. TO
ONE PER MONTH

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Concerning the ongoing Patent Prosecution Highway (PPH) program between the Japan Patent Office (JPO) and the National Institute of Industrial Property of Brazil (INPI), the number of PPH requests that an applicant has been allowed to file with the INPI has been limited to one per month. However, form January 1, 2021, an applicant will be allowed to file one PPH request per week with the INPI. Brazil, which boasts the largest economy and population in South America, is home to many Japanese companies that are developing businesses. However, the patent examination procedures in place at the INPI often require six years on average between receiving an application and issuing a notice of the result. In light of this situation, on Apri ... Read more

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### 15.IPO new search UK trade mark classes service now available

IPO NEW SERVICE
CAN HELP SEARCH FOR
THE GOODS AND SERVICES
NEEDED WHEN APPLYING
TO REGISTER A UK TRADE
MARK

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The new service can help search for the goods and services needed when applying to register a UK trade mark. New service available to search and classify, trade mark goods and services. When applying to register a UK trade mark, you may use the UK classification system to specify the goods and/or services you are seeking protection for. This service will allow you to search for the goods and services you intend to use your trade mark on before you apply. Intellectual Property Offices worldwide use a trade mark classification system that groups together similar goods or services into 45 different classes. This is referred to as Nice Classification. While a member state of the EU, the... Read more