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Advocates, Patent And Trademark Attorneys

NEWSLETTER JANUARY 2024

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01. Proposed changes to our fees: IP Australia

REGULAR AND ONGOING
REVIEWS HELP TO
ENSURE IP AUSTRALIA'S
FEES REFLECT EFFICIENT
AND EFFECTIVE COSTS

We've released our 2024-2025 draft Cost Recovery Implementation Statement and Costs Awarded. Tell us what you think about our proposed fee changes. Public consultation is open until Sunday 21 January 2024.

Your feedback is welcome

We're committed to reviewing our fees every 4 years to assess the entity's cost recovery arrangements in accordance with the Australian Government Charging Framework. Regular and ongoing reviews help to ensure IP Australia's fees reflect efficient and effective costs, that fee setting is transparent and accountable, and fees are set to recover the costs associated with administering......Read more

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02. EPO makes it easier to search in carbon capture and storage technologies

THE EUROPEAN
COMMISSION IS
GEARING UP TO UNVEIL
A GROUND-BREAKING
NET-ZERO INDUSTRIAL
CARBON

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Unlocking the potential of carbon capture and storage (CCS) technologies is becoming a global priority in the fight against climate change. With COP 28 and the EU Green Deal emphasising decarbonisation, the European Commission is gearing up to unveil a ground-breaking Netzero industrial carbon management strategy. This strategy aims to guide the EU towards climate neutrality by 2050, offering a strategic vision for industrial carbon management. To support this journey, today the EPO has updated and further expanded the information in its Clean Energy platform with a new section on carbon capture and storage (CCS) technologies. Since its initial launch a year ago, EPO patent examiners and data analysts have compiled almost 70 datasets..... Read more

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03. Upholding our commitment to excellence: EPO

EPO HAS ONCE AGAIN
ACHIEVED
CERTIFICATION UNDER
THE ISO STANDARDS
FOR MANAGEMENT
SYSTEMS

Recent external ISO audits have reconfirmed the successful implementation of best practices at the European Patent Office (EPO), in line with international standards.

Applying international standards

This year, the EPO has once again achieved certification under the ISO standards for management systems pertaining to quality (ISO 9001) and occupational health and safety (ISO 45001). The success of the first surveillance audit pertaining to information security (ISO 27001) marked a further significant milestone.

The ISO audits have also reconfirmed that the EPO's entire quality management system (QMS) continues to meet ISO 9001 requirements, following its extension beyond the core business in 2022.....Read more

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04. Further process: EPO

ALL SUMMONSES AND DECISIONS ISSUED ON PAPER AS FROM 1 FEBRUARY 2024

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digitalization of our patent grant

As the EPO continues its journey towards a digital and sustainable future, postal acknowledgments of receipt will be abolished as from 1 February 2024. This change only affects communications on paper with the EPO.

All summonses and decisions issued on paper as from 1 February 2024 will no longer include acknowledgements of receipt (EPO forms 2936, 3936 and 7936). Users will thus no longer be required to acknowledge receipt of these documents. Similarly, the practice of offering users the possibility to receive acknowledgement forRead more

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05. US and Taiwan Signs MOU on the Secure Exchange of Patent Data

SECURE EXCHANGE OF
PATENT DATA,
STREAMLINING AND
REDUCING THE COST OF
PATENT PRIORITY CLAIMS

On November 22, 2023, Taiwan and the US signed the MOU on the Secure Exchange of Patent Data, streamlining and reducing the cost of patent priority claims for Taiwanese applicants who annually file over 20,000 patent applications in the United States.

The annual number of patent applications filed by Taiwanese applicants in the United States has consistently been around 20,000 in recent years. The numbers rose a significant 6% from 2021 to 2022. The MOU aims to alleviate this burden by facilitating the secure exchange of priority documents between the Taiwan Intellectual Property Office and the United States Patent and USPTO. Read more

ESG (Environmental, Social, and Governance) is currently one of the

hottest topics in the semiconductor industry, closely related to the

concept of the circular economy. In the traditional linear economy,

resources are obtained, transformed into products, used, and

reintegrating them into the manufacturing process to achieve

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06. TIPO Releases "Report on Key Technologies and Patent Analysis for Waste Management in the Global Semiconductor Industry" for Public Reference

SEMICONDUCTOR
INDUSTRY, CLOSELY
RELATED TO THE
CONCEPT OF THE
CIRCULAR ECONOMY

eventually discarded as waste. Managing and recycling waste or reducing resource waste in the manufacturing process is crucial for the semiconductor industry's circular economy (or ESG). For instance, purifying waste resources into semiconductor-grade chemicals and

sustainable goals through green practicesRead more

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07. The PPH Program between the JPO and the CNIPA Extended for Additional Five Years

ESPECIALLY IN RECENT YEARS, THE LARGEST NUMBER OF PPH REQUESTS

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The Japan Patent Office (JPO) and the China National Intellectual Property Administration (CNIPA) have agreed to extend the PPH pilot program for another 5 years from 1 November 2023. This pilot program has been used by many users. Especially in recent years, the largest number of PPH requests with the JPO as the Office of Earlier Examination are filed to the CNIPA as the Office of Later Examination. You can continue to obtain patent rights in China faster by using the JPO-CNIPA PPH pilot program. The JPO is currently implementing the PPH programs with 44 IP Offices in the world including the CNIPA. We hope you will take advantage of the PPH with the JPO.......Read more

08. USPTO announces new Public Advisory Committee members to help advise agency and advance core mission of fostering and protecting innovation across America

TODAY ANNOUNCED

NEW MEMBERSHIP TO ITS

PATENT AND TRADEMARK

PUBLIC ADVISORY

COMMITTEES

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WASHINGTON—The U.S. Patent and Trademark Office (USPTO) today announced new membership to its Patent and Trademark Public Advisory Committees, composed of private-sector individuals who advise the agency on its patent and trademark operations.

New members of the USPTO's Patent Public Advisory Committee (PPAC) include Lateef Mtima, Earl "Eb" Bright, and Marvin Slepian, while the new members of the Trademark Public Advisory Committee (TPAC) are Valerie Calloway, Nehal Madhani, and Douglas Masters (all bios for the new Public Advisory CommitteeRead more

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09. Amendments and Addenda to the Patent Regulations under the Eurasian Patent Convention

MODIFIED TIME LIMITS
FOR FILING
OPPOSITIONS WITHIN
THE ADMINISTRATIVE
REVOCATION
PROCEDURE

The amendments and addenda to the Patent Regulations under the Eurasian Patent Convention (Patent Regulations) come into force on January 1, 2024. The main amendments concern the establishment of a time limit for the submission of claims that are not included in the Eurasian application files received by the Eurasian Patent Office (EAPO), modified time limits for filing oppositions within the administrative revocation procedure of Eurasian patents. The list of verifications carried out by the EAPO in respect of a claimed industrial design as part of the substantive examination.....Read more

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10. Preliminary injunctions in Polish law – changes from 01 July 2023

PERSONAL RIGHTS IN

RELATIONS TO

PROMOTION,

ADVERTISING, RESEARCH

ACTIVITIES

On July 1, 2020 the IP specialized courts in Poland were created. We now have five 1st instance courts (the Regional Courts), and Two 2nd instance courts (The Courts of Appeal) which are dealing with cases concerning:

Copyrights, including software,

Industrial property rights, so: trademarks, designs, patents, utility models;

Unfair competition;

Personal rights in relations to promotion, advertising, research activities, including rights relating to the personality.

The reason for creating this courts was clear: specialized judges and harmonization of jurisprudence....Read more

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11. China: New Rules for Patent Examination and Protection

PATENT LAW WILL
FACILITATE SMOOTH
EXECUTION OF A SLEW
OF NEW MEASURES

BEIJING - China National Intellectual Property Administration (CNIPA) released the Revised Patent Examination Guidelines and Implementing Regulations of the Patent Law on December 21, 2023, which will go into effect on January 20, 2024.

The amendment of the Rules for the Implementation of the Patent Law will facilitate smooth execution of a slew of new measures prescribed in the Patent Law after its fourth amendment and play a crucial role in cultivating, assuring and supporting the law-governed environment for innovation. The revision of the Implementation..... Read more

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12. UAE Releases New Patent and Design Regulations

NEW CHARGES

SPECIFICALLY

APPLICABLE TO

ACADEMIC AND SME

ENTITIES

DUBAI – The UAE Patent Office announced, in its meeting with IP local agents on December 25, 2023, new regulations pertaining to the patents in the UAE.

The new regulations that will be adapted as of January 15, 2024, are summarized as follows:

New Charges for Academic and SMEs: The Patent Office has introduced new charges specifically applicable to Academic and SME entities. These charges will be enforced exclusively on local firms.

Submission of Legal Documents and Arabic Translation: The Patent Office allows a grace period of 90 days for the submission of legal documents and Arabic translations following the filing of an application. However, an official fee of (109.71 USD).....Read more

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13. GCC Patent Office Introduces WIPO Publish System for Electronic Publishing of Patent Applications

WIPO PUBLISH SYSTEM
IS TAILORED FOR
ELECTRONICALLY
PUBLISHING

RIYADH - The Patent Office of the Gulf Cooperation Council (GCCPO) signed an agreement with the World Intellectual Property Organization (WIPO) to introduce the "WIPO Publish" search system to search for patents granted by the Office.

The WIPO Publish System is tailored for electronically publishing patent applications by using multiple tools that comply with WIPO's standards for patent search databases, similar to the standards adopted by advanced patent offices worldwide. It allows researchers in the GCC and abroad to access patents granted..... Read more

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14. China's National Intellectual Property Administration to Allow Third-Party Challenges to Pharmaceutical Patent Term Extensions

LIFE OF A PATENT DUE
TO A POTENTIALLY
LENGTHY REGULATORY
REVIEW PROCESS

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On December 21, 2023, China's National Intellectual Property Administration (CNIPA) announced it would allow third parties to challenge the grant of patent term extension (PTE) for Chinese pharmaceutical patents effective January 20, 2024. PTE extends the life of a patent due to a potentially lengthy regulatory review process. Per the recently released Implementing Regulations of the Patent Law PTE is calculated by deducting 5 years from the interval between the date of filing of the patent application and date of licensing of the drug. The announcement also allows for a patentee to challenge......Read more

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15. Your guide to understanding descriptive trade marks

CERTAIN WORDS,
PHRASES AND IMAGES
THAT CAN'T BE TRADE
MARKED, OR CAN
ONLY BE REGISTERED

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Descriptive trademarks can present challenges, but with the right strategy they can be valuable to your brand. An image of three people sitting on yellow chairs around a table. They are smiling and having a conversation. In the middle of the table is a laptop, cup of coffee, and three notebooks In the crowded business world, having a trade mark can be crucial. A trade mark is a sign used to distinguish your goods or services from others. A trade mark can be used to protect a logo, phrase, word, letter, colour, sound, smell, picture, movement, aspect of packaging or any combination of these. There are certain words, phrases and images that can't be trade marked.......Read more

16. Madrid e-Filing Now Available in San Marino

EXPAND THE
PROTECTION OF
THEIR NATIONAL
TRADEMARK
REGISTRATIONS

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Are you the holder of a national trademark registration in San Marino, looking to extend your business overseas? If yes, you can now file an application for an international trademark registration directly online using our Madrid e-Filing service

The San Marino State Office for Patent and Trademarks (USBM) is pleased to introduce the Madrid e-Filing and its advantages to the public. Madrid e-Filing will allow San Marino trademark owners to expand the protection of their national trademark registrations in a secure and online environment The e-filing solution allows users to communicate directly with USBM and receive and respond to irregularities issued by WIPO online, saving....Read more

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17. AMENDMENTS OF CERTAIN FEES (INDUSTRIAL DESIGNS)

PATENT REGULATIONS
UNDER THE EURASIAN
PATENT CONVENTION

The new amounts of certain fees of the Eurasian Patent Organization for legally significant and other actions performed in relation to Eurasian design applications and Eurasian design patents are established from January 1, 2024.

Amended fees of the Eurasian Patent Organization Filing and Examination of Eurasian Application:

The following fees shall be paid for filing a Eurasian application:

(i) unitary procedural fee according to Article 13(3) of the Protocol on Protection of Industrial Designs to the Eurasian Patent Convention (Protocol) and Rule 108 (1) of the Patent Regulations under the Eurasian Patent Convention (Patent Regulations)....Read More

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