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## 1. ASEAN: Recent changes to patent and trade mark procedures in Laos

**A NEW LAW ON INTELLECTUAL PROPERTY ENTERED INTO FORCE IN THE LAO PEOPLE'S DEMOCRATIC REPUBLIC**

*On 8 June 2018, a new Law on Intellectual Property entered into force in the Lao People's Democratic Republic. A major change is the introduction of an opposition procedure for patents, petty patents, industrial designs and trade marks. According to the new law, third parties may now file an opposition within the following periods from publication date: 90 days (patents/petty patents), 60 days (industrial designs) and 30 days (trade marks). Furthermore, the start of the 10-years protection period for trade marks is now calculated from the application date (previously: registration date). 3D images and animated images can now also be registered as trade marks. The recent amendments bring... [Read more](#)*

## 2. EPO intensifies co-operation with the Canadian Intellectual Property Office

**JOHANNE BÉLISLE, CEO OF THE CANADIAN INTELLECTUAL PROPERTY OFFICE (CIPO) AND EPO PRESIDENT BENOÎT BATTISTELLI**

*EPO President Benoît Battistelli met with Johanne Bélisle, Commissioner of Patents, Registrar of Trademarks and CEO of the Canadian Intellectual Property Office (CIPO), in San Francisco to launch a comprehensive bilateral co-operation programme on patents. The meeting was held on the side-lines of the 11th IPBC Global congress hosted by IAM Magazine, where the EPO President will deliver a keynote address on the topic "The patent system in the age of Artificial Intelligence". The EPO and the CIPO signed a Memorandum of Understanding on Bilateral Co-operation as well as an MoU on the Introduction of the Cooperative Patent Classification (CPC) at CIPO. Both MoUs... [Read more](#)*

## 3. Long-awaited Trademark Law of Myanmar to be announced this year

**LONG-AWAITED  
TRADEMARK LAW  
OF MYANMAR  
TO BE ANNOUNCED  
THIS YEAR**

*Trade mark owners worldwide should watch out for the long-awaited first modern Trademark Law in Myanmar – very likely to come into force anytime in the coming months.*

*On 15 February 2018, the Upper House of the Myanmar Parliament passed the long awaited Trademark Bill, Patent Bill, Industrial Design Bill and Copyright Bill in an effort to set up a new regime of protection of intellectual property rights in Myanmar. As the next steps, the Laws will be submitted to the Lower House of the Myanmar Parliament and the Assembly of the Union of Myanmar for approval, and will be signed by the President before coming into effect upon publication in the Myanmar... [Read more](#)*

## 4. European Commission publishes research on 'unitary SPCs'

**EUROPEAN  
COMMISSION PUBLISHES RESEARCH ON  
'UNITARY SUPPLEMENTARY PROTECTION  
CERTIFICATE**

*Following the adoption of the Single Market Strategy in 2015, the European Commission has been reviewing the EU Supplementary Protection Certificate (SPC) framework, to help decide both whether to revise the existing SPC legislation (which introduced national SPC rights to be granted by member states) and whether to introduce a new SPC title at EU level: a 'unitary SPC'.*

*The current legislation creating the new unitary patent system does not create a 'unitary SPC', although it is generally understood (but not yet confirmed by the Commission) that a unitary patent may be used as the basic patent for a national SPC application. The Commission has recently published... [Read more](#)*

## 5. Romanian government prepares legislation to ratify the UPC Agreement and its Protocol on Provisional Application

**ROMANIAN GOVERNMENT RECENTLY PUBLISHED ITS LEGISLATIVE PROGRAMME FOR THE PERIOD MAY-DECEMBER 2018.**

*The Romanian government recently published its legislative programme for the period May-December 2018. The document states that the Ministry of Justice will refer to the government draft legislation aimed at ratifying the Agreement on a Unified Patent Court (UPC Agreement) and its Protocol on Provisional Application (PPA) by September 2018.*

*Romania is a signatory Member State to both the UPC Agreement and the PPA, which as reported here it signed in September 2016, but both signatures are subject to ratification. The Ministry of Justice has already taken steps in collaboration with the Romanian Patent Office to prepare the necessary legislation. [Read more](#)*

## 6. China IP Legal Update – China Anti-Unfair Competition Law Amended

**CHINA IP LEGAL UPDATE – CHINA ANTI-UNFAIR COMPETITION LAW AMENDED**

*On November 4, 2017, the Amended Anti-Unfair Competition Law was passed by the Standing Committee of the Chinese People's Congress and promulgated on the same day. The new law became effective on January 1, 2018. The new law has brought some significant changes relevant to trademark lawyers, including amendments to the definitions of acts to mislead or confuse and acts of false or misleading commercial representations. The TMCA presents highlights of these changes:*

**1. Acts to mislead or confuse (Article 6 of the new law)** – *This new provision, which replaces Article 5 of the old law, gives a more detailed definition of acts of unfair competition.. [Read more](#)*

## 7. Patent Eligibility of Bioinformatics Innovations

**CLS BANK INT'L HELD THAT COMPUTER-IMPLEMENTED INVENTIONS UNTRANSFORMED BY HUMAN INGENUITY ARE NOT PATENT-ELIGIBLE SUBJECT..**

*Bioinformatics has increasingly become of interest in the last decade. Bioinformatics generally refers to the use of computational methods used to compile, analyze, visualize effects, and predict trends or outcomes for oftentimes large data sets. Bioinformatics tools can be applied to gene regulation, immunology, drug repositioning, drug identification, and virtually any other application where a large data set is involved. In 2017, the bioinformatics market was valued at about \$1.2 billion, and with a CAGR of 20.3% (between 2017 and 2025), the market is expected to reach \$117 billion by 2025. This market value does not easily translate to a corresponding increase in patent applications... [Read more](#)*

## 8. Legal Alert: New Local Patent Rule in District of Massachusetts

**EFFECTIVE JUNE 1, 2018, THE DISTRICT OF MASSACHUSETTS HAS ADOPTED A NEW LOCAL PATENT RULE 16.6.**

*Effective June 1, 2018, the District of Massachusetts has adopted a new Local Patent Rule 16.6. The new rule is the result of a multi-year process and is a comprehensive revision of the rule. It will apply to all patent cases in the district for which a scheduling order has not yet been entered. The new rule provides a fixed and relatively short timeline for patent cases. Trial is to begin within 24 months of the scheduling conference. The claim construction hearing is to take place within 9 months of the scheduling conference. Fact discovery should close 15 months from the scheduling conference, and expert discovery should close 3 months after fact discovery. The rule also contains a substantial framework for automatic disclosures. The patentee must make... [Read more](#)*

## 9. Registration of Chinese Patents in Cambodia

### **REGISTRATION OF PATENTS OF THE PEOPLE'S REPUBLIC OF CHINA IN THE KINGDOM OF CAMBODIA BETWEEN THE STATE INTELLECTUAL PROPERTY...**

Following the signature of a "Memorandum of Understanding on the Registration of Patents of the People's Republic of China in the Kingdom of Cambodia Between the State Intellectual Property Office of the People's Republic of China (SIPO) and the Ministry of Industry and Handicraft of the Kingdom of Cambodia (MIH)" on 29 March 2018, it is now possible for owners of patents granted in China (including patents granted on the basis of PCT applications) to register their Chinese patents in Cambodia. Under this arrangement, the MIH will check the necessary application materials without the need to conduct a substantive review, before registering a Chinese patent in Cambodia. The Chinese... [Read more](#)

## 10. Electronic Filing and Processing of International Applications

### **SWEDISH PATENT AND REGISTRATION OFFICE NO LONGER ACCEPTS PCT-SAFE FILINGS**

**Swedish Patent and Registration Office no longer accepts PCT-SAFE filings** The Swedish Patent and Registration Office, in its capacity as receiving Office, has notified the International Bureau that, with effect from 1 August 2018, it will no longer accept the filing of international applications in electronic form using PCT-SAFE.

The Office will continue to accept the filing of international applications in electronic form using ePCT-Filing and EPO Online Filing.

(Updating of PCT Applicant's Guide, [Annex C \(SE\)](#)).. [Read more](#)

## 11. JPO Released Its Practical Guide to SEP Licensing Negotiations

**THE JAPAN PATENT OFFICE (JPO) PUBLISHED A 56-PAGE "GUIDE TO LICENSING NEGOTIATIONS INVOLVING STANDARD ESSENTIAL PATENTS" ("GUIDE")**

*The Japan Patent Office (JPO) published a 56-page "Guide to Licensing Negotiations Involving Standard Essential Patents" ("Guide") [1] on June 5, 2018. The Guide provides an overview of licensing negotiation processes and royalty calculation methods based on the latest case law and legislative developments mainly in the United States, Europe, and Japan. [2] Cases referred to include Microsoft v. Motorola (U.S.), [3] In re Innovatio (U.S.), [4] TCL v. Ericsson (U.S.), [5] Huawei v. ZTE (E.C.J.), [6] Unwired Planet v. Huawei (Eng.), [7] Apple v. Samsung (Japan). [8] Although this Guide is not legally binding, it could be a useful reference tool for practitioners who engage in the.... [Read more](#)*

## 12. Patent Eligibility Determinations in Life Sciences Patent Cases

**THIS ARTICLE EXAMINES SUPREME COURT AND FEDERAL CIRCUIT ANALYSES OF PATENT ELIGIBILITY UNDER 35 U.S.C.**

*This article examines Supreme Court and Federal Circuit analyses of patent eligibility under 35 U.S.C. § 101 where the patent claims at issue were directed to Life Sciences-related technologies. I first examine this topic in the context of composition of matter patent claims and then in the context of method claims. As reflected in the below discussion, while the § 101 case law is fairly straightforward with respect to composition claims, the case law is murkier when it comes to method claims.*

**Composition of Matter Claims-** *The seminal Supreme Court case addressing patent eligibility for composition of matter claims in the Life Sciences space is Myriad. See Assoc.'n for Molecular Pathology v. Myriad Genetics, Inc., 569 U.S. 576 (2013). [Read more](#)*

## 13. European Patent Office inaugurates new premises in The Hague

**EPO TODAY INAUGURATED THE NEW MAIN BUILDING ON ITS SITE IN RIJSWIJK, NEAR THE HAGUE, IN THE PRESENCE OF HIS MAJESTY KING WILLEM-ALEXANDER OF THE NETHERLANDS**

**The Hague/Munich, 27 June 2018** - The European Patent Office (EPO) today inaugurated the new main building on its site in Rijswijk, near The Hague, in the presence of His Majesty King Willem-Alexander of the Netherlands during a ceremony hosted by EPO President Benoît Battistelli. Designed by renowned architects Ateliers Jean Nouvel (Paris) and Dam & Partners Architecten (Amsterdam), the landmark building unites bold contemporary architecture with a modern, sophisticated infrastructure. It has been constructed by a Dutch consortium from the Group TBI, composed of the companies J.P. van Eesteren and Croonwolver&dros. The inauguration ceremony was... [Read more](#)

## 14. USPTO issues guidance on patent eligibility of method of treatment claims in light of Vanda Pharmaceuticals

**USPTO ISSUED NEW GUIDANCE TO ITS EXAMINING CORPS IN THE FORM OF A MEMORANDUM DISCUSSING THE FEDERAL CIRCUIT'S APRIL 13, 2018 DECISION**

On June 7, 2018, the USPTO issued new guidance to its examining corps in the form of a memorandum discussing the Federal Circuit's April 13, 2018 decision in *Vanda Pharmaceuticals Inc. v. West-Ward Pharmaceuticals*, 887 F.3d 1117 (Fed. Circ. 2018).

On patent eligibility, *Vanda* itself held that the claims at issue were not merely directed to a natural relationship of an individual's ability to metabolize a drug with the proper dosage for that individual, which would have seen the claims rendered patent ineligible under *Association for Molecular Pathology v. Myriad Genetics, Inc.*, 569 U.S. 576 (2013) and *Mayo Collaborative Services v. Prometheus Laboratories, Inc.*, 566 U.S. 66 (2012). [Read more](#)



## 15. Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure

### **BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROOR- GANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

*Communication by the Kingdom of Belgium Relating to a Change in the Name of the BCCM/LMBP Plasmid and DNA Library collection, one of the collections of the Belgian Co-ordinated Collections of Microorganisms (BCCM™). The Director General of the World Intellectual Property Organization (WIPO) presents his compliments to the Minister for Foreign Affairs and has the honor to notify the receipt on May 3, 2018, of a communication of the Kingdom of Belgium, dated April 27, 2018, relating to a change of the name of the BCCM/LMBP Plasmid and DNA Library collection, one of the collections of the Belgian Co-ordinated Collections of Microorganisms (BCCM™), an International Depositary Authority (IDA) under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, done at Budapest on April 28, 1977, and amended on September 26, 1980 (see Budapest Notification No. 104 of February 12, 1992).*

*Text of the communication by the Kingdom of Belgium Relating to a Change in the Name of the BCCM/LMBP Plasmid and DNA Library collection, one of the collections of the Belgian Co-ordinated Collections of Microorganisms (BCCM™).*

*The consortium of the Belgian Co-ordinated Collections of Microorganisms (BCCM™), is the International Depositary Authority (IDA) for which the Belgian State has furnished the... [Read more](#)*