HASAN AND SINGH Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER **JUNE 2022**

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1. Extensions of time limits – in Ukraine

POSSIBLE TO REQUEST RESTORATION OF EXPIRED TIME

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Information about the Swedish Intellectual Property Office (PRV:s) handling of cases affected by the military aggression in Ukraine. The war in Ukraine may be an acceptable reason for granting extension of certain time limits. Upon request in trademark and design matters, repeated extensions may be granted.

Upon request in patent applications, an extension can be granted to respond to technical orders for a total of 4 months instead of 2 months.

Time limits relating to responding in opposition cases in patent cases, cases concerning supplementary protection, patent limitation or revocation of patents will be extended by 2 months upon request. If a missed time limit has caused loss... <u>Read more</u>

2. PPH between the Japan Patent Office (JPO) and the Eurasian Patent Organization (EAPO)

PPH BETWEEN JPO & EAPO IS SUSPENDED, EFFECTIVE FROM 10 MAY, 2022

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Effective 10 May,2022, The Patent Prosecution Highway (PPH) between the Japan Patent Office (JPO) and the Eurasian Patent Office (EAPO) is suspended.

Please note that on and after 10 May, 2022, the JPO will no longer grant requests to participate in the PPH at the JPO when such requests are based on work performed by EAPO as an Office of Earlier Examination (OEE) under the PPH.

In addition, in pending cases in which, prior to 10 May,2022, the JPO entitled the accelerated examination status under the PPH to applications based on work performed by EAPO as OEE, the JPO removes such status and no longer treats them as... <u>Read more</u>

3. EU and India: IP cooperation at a glance

IN WHICH BIENNIAL WORK PLANS WILL BE DRAWN UP

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The EUIPO and the Department for Promotion of Industry and Internal Trade of India sign a bilateral agreement. In May 2022, the EUIPO and the Department for Promotion of Industry and Internal Trade (DPIIT) signed a Memorandum of Understanding (MoU), which will set the ground for future relations and cooperation between the two organisations.

The IP cooperation between the EU and India dates back to 2015 when the EU-funded cooperation project, EU-India Intellectual Property Cooperation (IPC-EUI), was launched. The project kicked off the negotiations between the EUIPO and the Indian authorities, namely the Controller General of Patents, Designs and Trade Marks (CGPDTM) and the DPIIT, and ultima... <u>Read more</u>

4. Designers Worldwide to Benefit From China's Entry to The Hague System in Effect

CHINA IS SHIFTING QUICKLY FROM "MADE IN CHINA" TO "CREATED IN CHINA"

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On May 5, the Hague Agreement Concerning the International Registration of Industrial Designs (Hague Agreement) entered into force in China. On the effective day, a total of 49 Chinese enterprises submitted 108 international applications for design patents. The China National Intellectual Property Administration (CNIPA) received 58 international applications for design patents. As of 5:30 PM Geneva Time, the World Intellectual Property Organization (WIPO) had received 50 international applications for design patents directly from Chinese applicants. Lenovo (Beijing) Co., Ltd., GEMT Technology (Shanghai) Co., Ltd. and Beijing Xiaomi Mobile Software Co., Ltd. pace all applicants via the CNIPA route while WIPO's data suggests Shenzh... Read more

5. Lithuania joined the IP Register in Blockchain

FOR STRONG, SECURE, FAST & DIRECT CONNECTIVITY BETWEEN IP OFFICES & RIGHTS HOLDERS

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The State Patent Bureau of the Republic of Lithuania joined the IP Register in Blockchain on 7 April. Along with the EUIPO, the Malta Commerce Department and the Estonian Patent Office, participation in the blockchain network has now expanded to four offices. These can connect to TMview and Designview through blockchain at near-real-time data transfer speeds. Through their continued commitment and dedication, the participating offices are shaping and enabling the future of blockchain-powered intellectual property services.

Christian Archambeau, Executive Director of the EUIPO: This cutting-edge technology allows for the development of a strong distributed platform providing a secure, fast and dire... <u>Read more</u>

6. New equivalent amounts in some PCT-fees are established - Sweden

ENTERS INTO FORCE FROM 1 JULY 2022

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International filing fee: 13,470 SEK

Fee per sheet in excess of 30: 150 SEK

Reductions (under the Schedule of Fees, item 4):

Electronic filing (the request being in character coded format):
2,020 SEK

– Electronic filing (the request, description, claims and abstract being in character coded format): 3,030 SEK

– Handling fee: 2,020 SEK

7.USPTO enters Phase 3 and reopens facilities to the public

We continue to monitor local conditions and adjust operations as needed.

REGARDING COVID-19 PROTOCOLS

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On May 25, 2022, the United States Patent and Trademark Office (USPTO) fully reopened all locations to employees and resumed some in-person events and appointments for the public. Visitors should review this health questionnaire prior to entering and may not enter facilities if they answer "yes" to any of the questions. We continue to monitor local conditions for all locations as determined by the Center for Disease Control's (CDC) COVID-19 community levels. Levels can be low, medium, or high. In communities with low or medium transmission levels, wearing a mask in our buildings is optional. In communities... <u>Read more</u>

8. CNIPA Issues Instructions on Patent Open License to Local Authorities

FOR MARKET TREND, STRENGTHENING SERVICE & ENHANCING DIFFERENT POLICIES

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The China National Intellectual Property Administration (CNIPA) recently released the Trial Program on Patent Open License mainly instructions for provincial authorities - in an effort to follow the instructions of the Outline of Construction of an IP Powerhouse Country (2021-2035) and the 14th Five-Year National Plan for IP Protection and Application, ensure smooth execution and efficient operation of the patent open license system, and propel IP commercialization. Referencing the basic concepts, system design and relevant links of the implementation of the statutory open license system, the Program defines provincial IP authorities to facilitate measures for commercialization of patent licenses, organize the... Read more

9. The President of the German Patent and Trade Mark Office of 2 May 2022 concerning the Guidelines for Opposition, Revocation and Limitation Proceedings before the DPMA -Notice No.4/2022

FOR SMALL AND MEDIUM-SIZED ENTERPRISES AS WELL AS INDIVIDUAL APPLICANTS

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The Guidelines for Opposition, Revocation and Limitation Proceedings before the DPMA of 3 July 2018 have been revised. The Guidelines, as revised, entered into force on 1 May 2022. The Guidelines explain the office's practice in the light of the statutory framework, parts of which were amended by the Second Act to Simplify and Modernise Patent Law (2. Patentrechtsmodernisierun -gsgesetz) of 10 August 2021 (Federal Law Gazette I p. 3490). They take into account the information needs of small and medium-sized enterprises as well as individual applicants. The current version of the Guidelines is available on the... <u>Read more</u>

10. Hague System: Morocco Joins the Geneva Act of the Hague Agreement

THE 1999 ACT WILL ENTER INTO FORCE IN MOROCCO ON JULY 22, 2022

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Morocco – the last Hague System contracting party PDF, List of Hague System contracting parties outside of the European Union and the African Intellectual Property Organization (OAPI) bound only by the 1960 Hague Act – has acceded to the 1999 Geneva Act of the Hague Agreement. The Government of Morocco deposited its instrument of accession to the 1999 Geneva Act on April 22, 2022. Morocco is the 69th contracting party to join the 1999 Act.

What does this mean for designers worldwide? :- From July 22, 2022, companies and designers in Morocco will be able to seek design protection in all of the 94 countries covered... <u>Read more</u>

11. The German Patent and Trade Mark Office of 2 May 2022 concerning the revision of the Guidelines for the Examination Procedure and the repeal of the Notice No. 7/87 of the President-Notice No. 5/22

THESE NEW GUIDELINES ENTERED INTO FORCE ON 1 MAY 2022 The Guidelines for the Examination Procedure have been revised and in particular brought into line with amendments resulting from the Second Act to Simplify and Modernise Patent Law (2. Patentrechtsmodernisierungsgesetz) of 10 August 2021 (Federal Law Gazette I p. 3490). The Guidelines for the Examination Procedure, as revised, entered into force on 1 May 2022. The Guidelines are addressed to the examining sections of the German Patent and Trade Mark Office. A form P 2796 (not yet in english) containing the text of the Guidelines can be obtained free of charge from the German Patent and Trade Mark Off... <u>Read more</u>

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12. New standard for presenting biological patent sequence listings in New Zealand

STANDARD ST.26 REPLACES THE PREVIOUS STANDARD ST.25, FROM 1 JULY 2022

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A new World Intellectual Property Organization (WIPO) standard on patent information and documentation is expected to come into force on 1 July 2022.

About the new standard:

Standard ST.26 requires all Patent Cooperation Treaty (PCT) applications which include biological sequence listings to be filed electronically in extensible markup language (XML) format. Standard ST.26 replaces the previous Standard ST.25. Further information about Standard ST.26 is available from the WIPO website: <u>FAQ: Implementation of WIPO ST.26</u> <u>Full description and definition of Standard ST.26</u>... <u>Read more</u>

13. The President of the German Patent and Trade Mark Office concerning the temporary option to defer the grant of a patent in connection with the entry into force of the Agreement on a Unified Patent Court (UPCA)-Notice No. 6/2022

UNDER CERTAIN CONDITIONS, DOUBLE PROTECTION IS SUBJECT TO AN OBJECTION TO DOUBLE DEMANDS The prohibition on double protection, as it is referred to in Article II section 8 of the Act on International Patent Conventions (Gesetz über internationale Patentübereinkommen), is amended by Article 1 No. 1 lit. c) of the Act Adjusting Patent Law Provisions Due to the European Patent Reform (Gesetz zur Anpassung patentrechtlicher Vorschriften auf Grund der europäischen Patentreform) of 20 August 2021 (Federal Law Gazette I p. 3914). The amendment to Article II section 8 of the Act on International Patent Conventions shall enter into force on the date on which the UPCA enters into force in accordance with Article 89... <u>Read more</u>

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14. Workshop on Designs and Utility Models for the ARIPO Member States

EXPLAINED THE REQUIREMENTS & PROCEDURES UNDER THE ARIPO REGISTRATION SYSTEM

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The two-day presential Workshop on Designs and Utility Models for the African Regional Intellectual Property Organization (ARIPO) member states was held at the ARIPO Secretariat in Harare, Zimbabwe on 27 and 28 April 2022.

At least 80 participants from the ARIPO member states and observer states (including Angola and South Africa) attended the workshop. The participants represented national IP offices, universities and research and development institutions. The Director-General of ARIPO Mr Bemanya Twebaze, the Representative of the EU Delegation to Zimbabwe Mrs Lourdes Chamorro, and the team leader of AfrIPI Mr Dennis... <u>Read more</u>

15. JPO Further Increases Its Competence to Act in the Capacity as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) for PCT International Applications

THE JPO TO ACT AS ISA & IPEA FOR SAUDI ARABIA The JPO to act as a competent International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) for Saudi Arabia. With an increasing number of Japanese companies creating their R&D centers in emerging markets, their intellectual property activities in these countries are becoming more important than ever. As a result, the need is rising for Japanese businesses to ensure that their inventions are appropriately acquired and protected as patent rights in these countries. The JPO has held international discussions to increase its competency to act as an ISA and IPEA for PCT applications... <u>Read more</u>

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16. New WIPO-standard for biosequences in patent applications

ENTERS INTO FORCE FROM 1 JULY 2022

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WIPO's new standard for biosequences in patent applications, ST. 26, enters into force on 1 July 2022. After this date you must comply with a number of new requirements e.g. file format (XML) and file structure.

The new standard applies to sequence lists in all patent applications with a filing date from 1 July 2022. Sequence lists in applications filed before 1 July 2022 must comply with WIPO's standard 25.

You can read more about the new standard in WIPO's FAQs. The tool WIPO Sequence developed by WIPO may help you prepare your sequence lists compliant with ST. 26... <u>Read more</u>

17. PPH between the Japan Patent Office (JPO) and the Federal Service for Intellectual Property, Patents & Trademarks of Russia (ROSPATENT)

PPH BETWEEN JPO & ROSPATENT IS SUSPENDED, EFFECTIVE FROM 10 MAY, 2022

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Effective 10 May, 2022, The Patent Prosecution Highway (PPH) between the Japan Patent Office (JPO) and the Federal Service for Intellectual Property, Patents & Trademarks of Russia (ROSPATENT) is suspended. Please note that on and after 10 May, 2022, the JPO will no longer grant requests to participate in the PPH at the JPO when such requests are based on work performed by ROSPATENT as an Office of Earlier Examination (OEE) under the PPH. In addition, in pending cases in which, prior to 10 May, 2022, the JPO entitled the accelerated examination status under the PPH to applications based on work performed by ROSPATENT as OEE, the JPO removes such status and no longer... <u>Read more</u>

18. National Collection of Austria Now Available in PATENTSCOPE

PATENTSCOPE.

IT BRINGS TO 74TH NUMBER OF NATIONAL/REGIONAL COLLECTIONS AVAILABLE IN WIPO The national patent collection of Austria is now available in WIPO's global patent search system PATENTSCOPE. It includes over 675,000 patent documents. Among which over 9,000 documents are German full-text (OCR) documents. The addition of the national collection of Austria brings to 74 the number of national/regional collections available in

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