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1. Resolution on Compulsory licences for Patented Medicines passes in Chile

**THE RESOLUTION
DIRECTS THE HEALTH
MINISTER TO
FACILITATE THE
ACQUISITION OF
NECESSARY DRUGS AT
PRICES AFFORDABLE**

A resolution has been passed by Chile's Chamber of Deputies, a branch of its National Congress, to encourage the use of compulsory licences to import generic versions of a patented drug when necessary to protect and promote the health of the population.

The resolution is available here [in Spanish]. A partial unofficial translation has been posted by Knowledge Ecology International, which first issued notification of the resolution. IP-Watch also carried out an informal translation of the 5-page text. According to translations, the resolution directs the health minister to facilitate the acquisition of necessary drugs at prices affordable for the population, and to build the administrative procedures necessary to better. [Read more](#)

2. EPO and Rospatent launch PPH pilot

**PPH PILOT PROGRAMME
IS TO USE FAST-TRACK
PATENT EXAMINATION
PROCEDURES ALREADY
AVAILABLE AT THE
OFFICES**

The European Patent Office (EPO) and the Russian Federal Service for Intellectual Property (Rospatent) have launched a patent prosecution highway (PPH) pilot.

The programme started yesterday, February 1 and will continue for a period of three years, ending on January 31, 2020.

Back in October 2015, the offices announced their intention to launch the programme.

The aim of the PPH pilot programme is to use fast-track patent examination procedures already available at the offices, allowing applicants to obtain corresponding patents faster and more efficiently. [Read more](#)

3. CDSCO, FSSAI joint committee to soon classify products as 'nutraceutical' or 'drug' on science based evaluation

**SCIENCE BASED
CLASSIFICATION WHICH
WILL HELP DETERMINE
EFFICACY OF A PRODUCT
EITHER AS
'NUTRACEUTICAL' OR AS
'DRUG'**

Against the backdrop of pharma firms marketing drugs as food supplements to escape the price control, a joint committee comprising experts from Central Drugs Standard Control Organisation (CDSCO) and the Food Safety and Standards Authority of India (FSSAI) will soon come out with a science based classification which will help determine efficacy of a product either as 'nutraceutical' or as 'drug'.

This comes close on the heels of industry recommendations to the Drugs Controller General of India (DCGI). [Read more](#)

4. Indian Pharmaceutical Alliance demands streamlining of approval of new drugs, biosimilars & revamping of CDSCO

**STRENGTHENING
REGULATORY REGIME SO
THAT IT CAN TAKE
SCIENCE BASED
DECISION TO PROMOTE
PUBLIC HEALTH ON THE
LINES OF GLOBAL
PRACTICES**

Close on the heels of Finance Minister Arun Jaitley's announcement to amend Drugs and Cosmetics Rules in Budget 2017-18 to make drugs affordable, Indian Pharmaceutical Alliance has sought streamlining the process of new drug approval, transparent and clear regulatory process for biosimilar approval and revamping CDSCO structure and organization to serve patients' interest at par with developed markets.

Today Indian pharma's biggest bottleneck in overseas market is functioning of our drug regulatory system which is taken into account to determine quality of drugs supplied by the country's drug makers. It is our long-standing demand for restructuring and strengthening regulatory regime so that it can take science based decision to promote public health on the lines of global practices. [Read more](#)

5. ASEAN: Amendment of the Indonesian patent law

ACCORDING TO THE NEW LAW, SIMPLE PATENTS MAY ALSO BE GRANTED FOR NEW INVENTIONS OR IMPROVEMENTS RELATED TO PROCESSES

Indonesia enacted a new patent law (Law No. 13 of 2016) which became effective as of 26 August 2016. Some major provisions are as follows:

Introduction of online filing

Extension of the scope of "simple patents" (utility models). These were granted previously only for visible improvements of existing product patents. According to the new law, simple patents may also be granted for new inventions or improvements related to processes.

Stronger protection of genetic resources and traditional knowledge. [Read more](#)

6. Patent office hopes to halve backlog by March 2018

THE BACKLOG, WHICH HAS REACHED OVER 1.7 LAKH, HAS BEEN DUE TO SHORTAGE OF PATENT EXAMINERS WHO STUDY THE CASE AND DECLARE IT FIT TO BE PATENTED

With the appointment of 460 examiners, the office of Controller General of Patents is aiming to reduce the backlog by over half till March 2018.

This was informed by joint controller of patents K S Kardam, who was in the city to hold a training session for representatives of BRICS countries at the Rajiv Gandhi National Institute of Intellectual Property Management here on Wednesday.

The backlog, which has reached over 1.7 lakh, has been due to shortage of patent examiners who study the case and declare it fit to be patented.

Once an application is submitted with the patent office, it has to be examined to establish the uniqueness of the products concerned. Kardam, while talking to TOI, said the patent office, which needs another 400 examiners to get the full strength. [Read more](#)

7. ARIPO, OAPI to harmonise practices on Intellectual Property in Africa

THE PURPOSE OF THE AGREEMENT IS TO ESTABLISH A COMPREHENSIVE COOPERATION FRAMEWORK IN IP BETWEEN THE ARIPO & OAPI.

The African Regional Intellectual Property Organization (ARIPO) and its sister organisation, Organisation Africaine de la Propriété-Intellectuelle [African Intellectual Property Organization] (OAPI) have signed a memorandum of understanding to harmonise the intellectual property systems of the two institutions.

According to the Cooperation Agreement (pdf) signed in Harare, Zimbabwe earlier this month, the two institutions pursue common missions, in particular: the grant of intellectual property titles and the dissemination of technical information; and public sensitization on IP aspects, including legal, technical, economic and strategic aspects. [Read more](#)

8. TRIPS Council to consider the two sides of IP – Innovation Booster and Barrier

A GROUP OF DEVELOPED COUNTRIES HAVE PROPOSED AN AGENDA ITEM ON INCLUSIVE INNOVATION IN MICRO, SMALL AND MEDIUM-SIZED ENTERPRISES

The role of intellectual property in innovation is expected to be considered through different lenses at the upcoming meeting of the World Trade Organization committee on intellectual property. A group of developed countries have proposed an agenda item on inclusive innovation in micro, small and medium-sized enterprises, while discussions are expected on the report of the United Nations Secretary General's High-Level Panel on Access to Medicines, and a side event featuring High Level Panel members has been convened by a group of developing countries. Electronic commerce, and in particular copyright issues and electronic signatures are also on the agenda next week. [Read more](#)

9. Alert: USPTO Enacts New Audit Rules Targeting Trade-mark Renewals

IT IS POSSIBLE THE NEW RULES WILL PARTICULARLY AFFECT TRADE-MARK OWNERS WITH REGISTRATIONS OBTAINED THROUGH INTERNATIONAL TREATIES

Effective February 17, 2017, the United States Patent and Trademark Office ("USPTO") implemented a revised rule under which USPTO examining attorneys may request additional evidence of use from registrants beyond what was previously required in a renewal affidavit. Many believe that the rule could result in the narrowing of US registrations obtained by international companies. Still, the rule is a reminder of the importance of having evidence to support use of each type of good or service claimed in a registration. A trademark registration may, at the renewal stage, be subject to an audit by the USPTO requiring proof of use for goods and services . [Read more](#)

10. France: No requirement for a domain name to be distinctive in unfair competition claims

DOMAIN NAMES ASSOCIATED WITH ACTIVELY USED WEBSITES CAN BE RELIED UPON IN AN UNFAIR COMPETITION ACTION IN FRANCE

In a decision of 6 December 2016, the French Supreme Court of the Judiciary ("Cour de Cassation") provided a very useful clarification in relation to unfair competition claim ("concurrency déloyale", a tortious action) based on domain names. The Cour de Cassation stressed that neither the distinctiveness nor the originality of a domain name were a requirement for an unfair competition claim to be admissible but that they would simply be relevant when assessing likelihood of confusion.

The Claimant was a French company called Pressimmo On Line and was the owner of the word trade mark "lacoteimmo" (the "Trade Mark") and the registrant the domain names <lacoteimmo.com> and <lacoteimmo.fr>. [Read more](#)