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1. The Intellectual Property Office (Belgium) Delegates Receiving Office Functions to the European Patent Office

**THIS INFORMATION
UPDATES THE PCT
APPLICANT'S
GUIDE, ANNEX B1 (BE)**

The Intellectual Property Office (Belgium) (OPRI) has notified the International Bureau (IB) that, with effect from 1 April 2018, it will cease to act as a receiving Office under the PCT. As from that date, it will therefore, in principle, no longer be possible to file PCT applications with that Office.

The OPRI will delegate its duties as receiving Office under the PCT to the European Patent Office (EPO), which is already a competent receiving Office (in addition to the IB), for PCT applicants who are nationals of or resident in Belgium. [Read more](#)

2. Excerpts from the PCT Newsletter in Chinese and Korean

**PCT NEWSLETTER
ARE NOW BEING
MADE AVAILABLE
ONLINE IN
CHINESE AND
KOREAN**

We are pleased to announce that excerpts from the PCT Newsletter are now being made available online in Chinese and Korean. Excerpts have been made available in Japanese on the PCT website since 2003, and we now provide a similar service for Chinese and Korean PCT users. The excerpts provide information which is relevant to all PCT users, as well as information of particular relevance to users from the countries where the respective language is spoken. Certain information, for example the PCT Seminar Calendar, the PCT Fee Tables and the list of PCT Contracting States continue to be available only in English.

The excerpts are made available as soon as possible after the finalization of the English language PCT Newsletter. [Read more](#)

3. WIPO Performances and Phonograms Treaty

**DIRECTOR GENERAL OF
THE WORLD
INTELLECTUAL
PROPERTY
ORGANIZATION
(WIPO) PRESENTS HIS
COMPLIMENTS TO THE**

The Director General of the World Intellectual Property Organization (WIPO) presents his compliments to the Minister for Foreign Affairs and has the honor to refer to the deposit, on December 14, 2009, of the instruments of ratification of the WIPO Performances and Phonograms Treaty, adopted at Geneva on December 20, 1996, by the Kingdom of Denmark, together with the Council of the European Union and the Governments of some of its Member States.

In this respect, the Director General has the honor to notify the deposit, on January 30, 2018, by the Kingdom of Denmark declaration according to which it extends the application of the said Treaty to the Faroe Islands. [Read more](#)

4. USPTO and EAPO Establish PPH Pilot Program

**U.S. PATENT AND
TRADEMARK OFFICE
ANNOUNCED THAT IT
WAS IMPLEMENTING A
PPH PILOT PROGRAM
WITH THE EAPO**

In a notice issued in the Official Gazette (1446 OG 52) last month, the U.S. Patent and Trademark Office announced that it was implementing a Patent Prosecution Highway (PPH) pilot program with the Eurasian Patent Office of the Eurasian Patent Organization (EAPO). PPH programs permit applicants who receive a positive ruling on patent claims from one participating office to request accelerated prosecution of corresponding claims in another participating office.

Because the EAPO is not currently a Global or IP5 PPH participating office, the USPTO noted that it would be partnering with the EAPO on a bilateral basis only. [Read more](#)

5. UK to allow 'moving image' trade marks

**BUSINESSES WILL BE
ABLE TO REGISTER
TRADE MARKS FOR
MOVING IMAGES UN-
DER CHANGES PRO-
POSED TO UK LAW**

The Intellectual Property Office (IPO) has opened a consultation on planned amendments to the existing Trade Marks Act in the UK (68-page / 1.77MB PDF) which it said would implement the EU's most recent Trade Marks Directive. The majority of the new provisions set out in the 2015 Directive must be implemented into national laws across EU member states by 14 January 2019. Perhaps the biggest change which will be brought about by the EU reforms is the removal of the existing requirement for trade marks to be capable of being represented graphically. This requirement has served to limit the type of things that can qualify for trade mark protection. [Read more](#)

6. BPTO extends USPTO highway

**THE BRAZILIAN PAT-
ENT AND TRADEMARK
OFFICE HAS EX-
TENDED ITS PPH
AGREEMENT WITH THE
US PATENT AND
TRADEMARK OFFICE**

The Brazilian Patent and Trademark Office (BPTO) has extended its Patent Prosecution Highway (PPH) agreement with the US Patent and Trademark Office. According to a BPTO bulletin, the agreement, which had a deadline of 31 January 2018, has been extended to 10 May 2018. PPH agreements allow patent offices to request fast-track examination in a partner country after a patent has already been granted in the home country. Brazil has entered into a range of PPH agreements with various patent offices, including the European Patent Office, the State Intellectual Property Office of China, and the Japan Patent Office. The BPTO is also a part of a PPH programme that encompasses the Latin American PROSUR group, including Argentina, Chile, Colombia, Costa Rica, Ecuador, Paraguay, Peru and Uruguay. [Read more](#)

7. Can Post-Filing Evidence be used to Invalidate a Patent?

PATENT OWNERS MUST NOW CONSIDER THE RISK OF THEIR OWN POST-FILING DISCLOSURES WHICH MAY CONCEIVABLY BE USED

This past October, in Amgen v. Sanofi (Fed. Cir. 2017), the Federal Circuit sent shivers down the spine of the biotechnology industry when it overturned a district court decision confirming the validity of two patents that claim antibodies for lowering cholesterol. One of the issues litigated was whether or not a court may rely on post-priority-date, i.e., post-filing, evidence to determine if a patent discloses a representative number of species to satisfy the written description requirement. To the surprise and dismay of many innovators, the Court held that post-filing evidence may be relied upon to determine if a specification provides a sufficient number of species that fall within the scope of the genus [Read more](#)

8. Russia: The Hague Agreement enters into force on 28 February 2018

THIS MAKES THE RUSSIAN FEDERATION THE 53RD MEMBER OF THE 1999 ACT AND 67TH MEMBER OF THE HAGUE UNION

On November 30, 2017, the Government of the Russian Federation deposited its instrument of ratification of the Geneva (1999) Act of the Hague Agreement with WIPO's Director General. This makes the Russian Federation the 53rd member of the 1999 Act and 67th member of the Hague Union.

The 1999 Act will enter into force in the Russian Federation on February 28, 2018. As of February 28, 2018, companies and designers from the Russian Federation can begin using the Hague System to protect their industrial designs in the Contracting Parties to the 1999 Act of the Hague Agreement. [Read more](#)

9. Validation of European Patents in Cambodia to Begin March 1st 2018

MARCH 1, 2018 EUROPEAN PATENT APPLICATIONS AND REGISTRATIONS CAN BE VALIDATED IN CAMBODIA

From March 1, 2018 European patent applications and registrations can be validated in Cambodia, thereby conferring essentially the same protection as throughout the 38 member states of the European Patent Organization. Validation is made upon request and payment of a 180 Euro validation fee, and only possible for European or international applications filed on or after March 1, 2018. The validation system is based on an agreement between the President of the European Patent Office and the Cambodian Minister of Industry and Handicraft dated January 23, 2017 ratified by Royal Kram No. NS/RKM/11117/017 and implemented through the declaration (prakas). [Read more](#)

10. EPO And Argentina Step Up Co-Operation on Patents

ON THIS OCCASION, THE EPO ALSO SIGNED A MEMORANDUM OF UNDERSTANDING WITH THE NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY OF ARGENTINA (INPI)

EPO President Benoît Battistelli met with Dámaso Pardo, President of INPI on 5 February in Buenos Aires to discuss recent developments in patents and innovation and the co-operation between the two regions in this field. On this occasion, the EPO also signed a memorandum of understanding with the National Institute of Industrial Property of Argentina (INPI) on the introduction of the Cooperative Patent Classification (CPC) by INPI. "I am pleased to see that the strategic partnership between the EPO and INPI, which started in 2017, is already producing very tangible results," said EPO President Benoît Battistelli. " This MoU on CPC is only one of the many activities INPI is undertaking with EPO support to progress in the modernization. [Read more](#)