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1. Board of Appeal decision on plant patentability published

**THE CASE IS
RELATED TO A
DECISION BY AN
EXAMINING DIVISION OF
THE EPO TO REFUSE A
EUROPEAN PATENT
APPLICATION**

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Today, the EPO was informed that in case T1063/18 regarding the patentability of plants a decision has been issued by the competent Technical Board of Appeal. The written decision can be accessed on the website section of the Boards of Appeals of the EPO. The case is related to a decision by an Examining Division of the EPO to refuse a European patent application related to pepper plants on grounds that the invention could not be patented under Rule 28 (2) EPC. The decision of the EPO to refuse the patent application was appealed by the patent applicant. The Technical Board of Appeal set the EPO's decision aside and remitted the case back to the patent examiners for further consideration. The Technical Board of Appeal stated inter alia that Rule... [Read more](#)

2. Enhancing the visibility of intellectual property: EPO and LESI sign MoU on bilateral co-operation

**EPO AND THE
LESI HAVE SIGNED A
MEMORANDUM OF
UNDERSTANDING ON
BILATERAL CO-
OPERATION**

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The European Patent Office (EPO) and the Licensing Executives Society International (LESI) have signed a Memorandum of Understanding on bilateral co-operation to help innovators make better use of the European patent system. The agreement was signed by EPO President António Campinos and LESI President François Painchaud on the occasion of LESI's recent Winter Planning Meeting in Miami, Florida. This enhanced co-operation will enable the EPO and LESI to extend the reach of joint activities for stakeholders in the innovation ecosystem, especially small and medium-sized enterprises, industry representatives, technology transfer experts, publicly funded research organi.... [Read more](#)

3. European Cooperation: Sweden launches new online services for trade marks and designs

**EUROPEAN
COOPERATION:
SWEDEN LAUNCHES
NEW ONLINE SERVICES
FOR TRADE MARKS
AND DESIGNS**

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The Swedish Patent and Registration Office (PRV) has introduced a new service that allows users to file oppositions online. This e-service is part of the Software Package Front Office, a tool developed under the auspices of the EUIPO's European Cooperation Fund. Over the last 12 months, PRV has launched 15 new e-services for trade marks and designs in cooperation with the EUIPO. PRV's online services platform is expected to serve around 13 000 applications per year. The platform and the new e-services facilitate the introduction of future IP legislation by streamlining and modernising the way users perform all activities connected with the trade mark and design lifecycle... [Read more](#)

4. US Chamber Releases 2019 International IP Index

**US CHAMBER
OF COMMERCE'S
GLOBAL INNOVATION
POLICY CENTER (GIPC)
RELEASED ITS
INTERNATIONAL IP
INDEX**

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WASHINGTON, D.C. – *The US Chamber of Commerce's Global Innovation Policy Center (GIPC) released its International IP Index, "Inspiring Tomorrow," which assesses the intellectual property (IP) environments of 50 world economies. Covering all forms of IP, the report highlights movement in almost half the Index economies over the last year, a press release by the Chamber stated. Over the past year, IP has taken center stage in international key trade discussion. The ongoing trade dispute between China and the US brought much-needed attention to long-standing challenges that are holding back global investment in IP-intensive industries. Additionally, the United States-Mexico-Canada Agreement (USMCA) laid a foundation for 21st century IP agree... [Read more](#)*

5. Latest Updates on Madrid Goods & Services Manager

**MANY CHANGES
HAVE BEEN
INTRODUCED TO THE
MADRID GOODS &
SERVICES (MGS)
MANAGER SINCE THE
BEGINNING OF 2019**

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Many changes have been introduced to the Madrid Goods & Services (MGS) Manager since the beginning of 2019. For example, the database is now aligned with the 2019 eleventh edition of the Nice Classification of Goods and Services, which includes 215 new terms. Also, the Georgian Intellectual Property Office is a new participant, taking the number of contributing national and regional offices to 35.

New terms in MGS Manager :- Before filing an international trademark application, Madrid users need to determine the list of products and services to be covered by the mark. The updated Madrid Goods & Services (MGS) Manager helps trademark applicants compile and classify their lists by prov.... [Read more](#)

6. FDA Finalizes Two Guidance Documents Regarding Regenerative Medicine Therapies

**U.S. FOOD AND
DRUG ADMINISTRATION
("FDA") FINALIZED TWO
GUIDANCE DOCUMENTS
REGARDING
REGENERATIVE
MEDICINE THERAPIES**

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On February 15, 2019, the U.S. Food and Drug Administration ("FDA") finalized two guidance documents regarding regenerative medicine therapies (see FDA's announcement [here](#)). This development comes nearly 14 months after FDA issued both guidance documents in draft form, which also coincided with FDA's announcement of a new comprehensive regenerative medicine policy framework intended to spur innovation and efficient access to new regenerative medicine products. FDA Commissioner Scott Gottlieb remarked that the finalization of regenerative therapy guidance documents "demonstrate[s] [FDA's] continued commitment" to fulfilling the promise.... [Read more](#)

7. Patent Prosecution Highway (PPH) Program with Viet Nam to be Expanded

**JPO AND THE IPO
OF VIET NAM WILL
DOUBLE THE NUMBER OF
TARGET APPLICATIONS
THAT THE IP VIET NAM
ACCEPTS UNDER THE
ONGOING PPH**

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From April 1, 2019, the Japan Patent Office (JPO) and the Intellectual Property Office of Viet Nam (IP Viet Nam) will double the number of target applications that the IP Viet Nam accepts under the ongoing Patent Prosecution Highway (PPH)* Program between the JPO and IP Viet Nam. As Viet Nam has been advancing the development of business environments in recent years, many Japanese companies in the automobile, electronics and electricity and others industries are embarking on business in the country. As one of the approaches to smoothly advancing business in the country, these companies need to make use of their patent rights. However, the examination proce... [Read more](#)

8. A Look at China's Proposed Introduction of Punitive Damages Against Intellectual Property Infringement

**CHINESE GOVT'S
ONGOING EFFORTS TO
PROTECT IPR, THE NPC
LAUNCHED PUBLIC
COMMENT ON A
PROPOSED LEGISLATIVE
AMENDMENT THAT
CLAMPS DOWN ON IPR
INFRINGEMENTS**

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On January 4, as part of the Chinese government's ongoing efforts to protect intellectual property rights (IPR), the National People's Congress (NPC) launched public comment on a proposed legislative amendment that clamps down on IPR infringers. The draft mandates that the infringed will have the right to claim corresponding punitive damages when IPR is intentionally infringed upon and the circumstances are serious. While punitive damages are well established in the Chinese legal system, this marks the first time that punitive damages for intellectual property (IP) infringement are noted specifically in Civil Code, tier 1 legislation in China—a declaration of war against IP infringers and counterfeiters. Last year commemorated the 40th.. [Read more](#)

9. Fast action protocol for IP matters for the Mobile World Congress 2019 (Barcelona, February 25-28, 2019)

**FAST ACTION
PROTOCOL FOR IP
MATTERS FOR THE
MOBILE WORLD
CONGRESS 2019
(BARCELONA,
FEBRUARY 25-28, 2019)**

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Yet another year, the Judges of the Commercial Courts of Barcelona have set up a Protocol of action that will allow holders of intellectual property rights to obtain preliminary injunctions in cases of infringement in an extraordinarily short time during the Mobile World Congress, the most important congress in the field of communication and mobile telephony, which will be held in Barcelona from February 25 through February 28, 2019. Accordingly, urgent preliminary injunctions (with or without a hearing) will be dealt with by the Courts with preference and priority, so that applications for preliminary injunctions without hearing of the defendant (ex parte) will be resolved... [Read more](#)

10. A Draft Manual of Patent Office Practice and Procedure, 2019 is published by Office of the Controller General of Patents, Designs and Trade Marks

**A DRAFT MANUAL
OF PATENT OFFICE
PRACTICE AND
PROCEDURE, 2019 IS
PUBLISHED BY OFFICE OF
THE CONTROLLER
GENERAL OF PATENTS,
DESIGNS AND TM**

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A Draft Manual of Patent Office Practice and Procedure, 2019 is published by Office of the Controller General of Patents, Designs & Trade Marks for inviting suggestions from the stakeholders up to 21-03-2019. The suggestions should be sent on email address "wm.dhumane@nic.in". The suggestions received will be considered and the final version of the Manual will be published on 01-04-2019. The Patents Act, 1970 was amended in 1999, 2002 and finally in 2005 to provide for product patents in chemicals, pharmaceuticals, food and agro-chemicals and bring in other necessary amendments in line with Trade... [Read more](#)

11. Trademark Law and Industrial Design Law enacted

**MYANMAR
HAS ENACTED
LEGISLATION TO
PROTECT IP IN ANOTHER
STEP FORWARD FOR
BUSINESSES IN THE
COUNTRY**

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Myanmar has enacted legislation to protect intellectual property (IP) in another step forward for businesses in the country. On January 30, the Trademark Law and Industrial Design Law were passed into legislation by the Pyidaungsu Hluttaw. However, both laws provide that they will be effective only after a notification is issued by the President of Myanmar. "As such, while both are now statutes, their effect and implementation will continue to be deferred to a later date. This is the same approach adopted with other laws, such as the Companies Law and the Competition Law," according to law firm Kelvin Chia Yangon in a February 1 note. So far, there has been no indication on when the President's notification on the effective date of the Trademark.... [Read more](#)

12. ARIPO Publishes its Amended Protocols

**AFRICAN REGIONAL
INTELLECTUAL
PROPERTY
ORGANIZATION (ARIPO)
PUBLISHES ITS AMENDED
PROTOCOLS**

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ZIMBABWE - ARIPO has availed online the updated editions of its two main protocols; namely the Protocol on Patents and Industrial Designs, widely known as the Harare Protocol and the Banjul Protocol on Marks. The amendments were adopted by the 42nd Session of the Administrative Council of ARIPO in November 2018. The Office has also published its Administrative Instructions under the Harare Protocol according to the official website of ARIPO.

Banjul Protocol on Marks :- The changes that were made were largely made to give more clarity to certain clauses of the protocol as well as aligning the text of the protocol with that of the regulations and vice-versa. However, the... [Read more](#)