

Inside this Issue

<u>Enhancing the national phase for international patent applications</u>	3
<u>The Unitary Patent is to become a reality</u>	3
<u>USPTO ushers in new era with introduction of electronic patent grants</u>	4
<u>EAPO being involved in all stages of the international phase of the PCT for the first time</u>	4
<u>Updates to the Patents Examination Manual</u>	5
<u>TIPO Enhances Online Systems with Addition of New Administrative Appeal and Litigation Case Information</u>	5
<u>Enforcement of the revised patent law on relaxation of requirements for restoration of patent rights</u>	6
<u>New Patent Annuities Procedures Implemented in Kuwait</u>	6
<u>Egypt Increases Official Fees for Patent Examination</u>	7
<u>It's Official: European Unitary Patent And Unified Patent Court Arrive On June 1, What You Should Know And Do To Prepare</u>	7
<u>Semiconductor patents rise by 59% in five years to reach to record high</u>	8
<u>Digitizing the trade mark opposition process</u>	8

Inside this Issue

<u>Changes to Description of Designated Goods and Services for Trademark</u>	9
<u>Publication of Japan-Taiwan Concordance List of Similar Group Codes</u>	9
<u>New trademark rules for protecting non-traditional marks, mandating online transactions take effect</u>	10
<u>Mauritius Joins the Madrid System</u>	10
<u>Publication of the first 3D application for industrial design</u>	11
<u>Mauritius Joins the Hague System</u>	11
<u>Brazil Joins the Hague System</u>	12
<u>Copyright Office to Reinstate Pre-Pandemic Notifications in eCO</u>	12

01. Enhancing the national phase for international patent applications

**PCT BIBLIO. DATA WILL
AUTOMATICALLY BE
RECORDED IN THE SAME
FORMAT AS WIPO
RECORDS**

[GO TO TOP](#)

We're making some changes to make it easier to enter the national phase. Over the coming months, we'll upgrade online services to integrate with the World Intellectual Property Organization (WIPO) ePCT system — WIPO's online portal for filing and managing Patent Cooperation Treaty (PCT) applications. This integration will allow the most up-to-date information and relevant documents of each WIPO number or PCT application to be downloaded at the time of entering the Australian national phase of the application process.... [Read more](#)

02. The Unitary Patent is to become a reality

**CENTRALISED
PLATFORM FOR
EUROPE-WIDE PATENT
LITIGATION BEFORE
THE UNIFIED PATENT
COURT**

[GO TO TOP](#)

Today, the German government deposited its instrument of ratification of the Agreement on a Unified Patent Court (UPCA) with the Council of the European Union. The step marks the successful completion of the necessary ratification procedures by the participating EU member states for the Unitary Patent Package to become effective for currently 17 states. The new system is now ready to enter into operation on 1 June 2023. More countries are expected to join in the future.

Welcoming the news, EPO President António Campinos said, "The deposit by Germany opens the door for a new era of IP protection in Europe. Under the Unitary Patent system, European businesses will be able to benefit from broader and more effective patent protection at lower costs, which is particularly important for smaller entities..... [Read more](#)

03. USPTO ushers in new era with introduction of electronic patent grants

**EGRANT PROCESS
SIGNIFICANTLY
DECREASES USPTO'S
PRINTING AND MAILING
NEEDS**

WASHINGTON—Beginning April 18, 2023, the U.S. Patent and Trademark Office (USPTO) is shifting towards issuing paper waste-reducing [electronic patent grants \(eGrants\)](#) to patent recipients—a new process that delivers the official copy of patent grants in an electronic format. We will provide a bound paper version as a ceremonial copy throughout a limited transition period, and then for a nominal fee thereafter.

- ◆ “By issuing eGrants, we’re making considerable strides toward more environmentally-conscious operations at the USPTO,” said Kathi Vidal, Under Secretary of Commerce for Intellectual Property and Director of the USPTO....[Read more](#)

[GO TO TOP](#)

04. EAPO being involved in all stages of the international phase of the PCT for the first time

**“ONE WINDOW” FOR
APPLICANTS OF THE
EURASIAN SPACE TO
PATENT THEIR
INVENTIONS
WORLDWIDE**

- ◆ The first international application has been published on the website of the World Intellectual Property Organization (WIPO), where the Eurasian Patent Office (EAPO), in accordance with its status as an International Searching Authority (ISA) and an International Preliminary Examination Authority (IPEA), was involved at all stages.
- ◆ The international application filed through the EAPO describes a new system and a way to sell goods and services using a user mobile device with an installed application. With their help, the seller can sell more goods and services without attracting additional human resources. The buyer, in turn, gets the opportunity to purchase goods or services below market value at a price equal to the cost of the certificate.....[Read more](#)

[GO TO TOP](#)

05. Updates to the Patents Examination Manual

**THE MAIN
SUBSTANTIVE CHANGE
IS TO CLARIFY THAT
THIS REGULATION
APPLIES TO THE SCOPE
OF THE RESPECTIVE
CLAIMS**

IPONZ has updated its Patents Examination Manual to clarify our practice for situations where a divisional patent application's claims overlap with those of its parent.

Following regular reviews and consultation with our Patents Technical Focus Group, we have updated the following section of our Patents Examination Manual.

Regulation 82: Parent and divisional claims "for substantially the same matter"

We have made substantial changes to this section of the examination manual, which was previously titled "Regulation 82: Claims overlap between parent & divisional applications".....[Read more](#)

[GO TO TOP](#)

06. TIPO Enhances Online Systems with Addition of New Administrative Appeal and Litigation Case Information

**USERS CAN BROWSE
ADMINISTRATIVE
APPEALS & LITIGATION
INFORMATION &
DOWNLOAD**

TIPO has collaborated with the Petitions and Appeals Committee of the Ministry of Economic Affairs and the Judicial Yuan to increase the accessibility of intellectual property information in Taiwan. As a result of this partnership, TIPO has integrated patent and trademark case information (including this year and the last five years) and litigation information (dating back to 2021) into systems such as "Patent Public Information Inquiry System", "Trademark Search," and the "My Filings" section on the e-Filing platform, allowing users to access complete case information. These services were officially made available to the public on December 19, 2022..... [Read more](#)

[GO TO TOP](#)

7. Enforcement of the revised patent law on relaxation of requirements for restoration of patent rights

IF THERE IS A JUSTIFIABLE REASON FOR BEING UNABLE TO FILE..." WERE CHANGED TO "(IF THE DELAY) WAS UNINTENTIONAL"

The Japanese Patent Law as amended in 2021 (hereinafter referred to as the "Amended Japanese Patent Law") will come into effect on 1 April 2023. Along with this amendment, the regulations under the Japanese Patent Law will also be revised.

The Japanese Patent Law amendment in 2021 was made within the scope allowed to the Contracting Parties of the Patent Law Treaty (PLT) and the Singapore Treaty on the Law of Trademarks (STLT).

Article 12(1) of PLT requires the Contracting Parties to reinstate the rights of the applicant or owner of a patent when the applicant or owner has failed to comply with a time limit for an action in a procedure..... [Read more](#)

[GO TO TOP](#)

8. New Patent Annuities Procedures Implemented in Kuwait

ALL DUE ANNUITIES FOR ACTIVE PATENT APPLICATIONS MUST BE PAID THROUGH THE NEW E-SYSTEM BEFORE THE SPECIFIED DEADLINE

KUWAIT – The Trademark and Patent Office of Kuwait updated its E-system for filing patent applications, and implemented a new online payment procedure for patent annuities.

The patents that are subject to annuities due are summarized as follows:

1-National/ local applications (Paris route): At the beginning of each year subsequent to the year in which the application was filed.

2-PCT national phase: At the beginning of each year starting from the second year of the international filing date of the PCT.... [Read more](#)

[GO TO TOP](#)

9. Egypt Increases Official Fees for Patent Examination

CAIRO – The Egyptian Minister of Higher Education and Scientific Research issued a decision regulating the fees payable for patent examination in Egypt.

**ENTERED INTO FORCE
ON FEBRUARY 22, 2023**

The decision stipulates that the official fees for carrying out the patent examination have increased from EGP 17,000 to EGP 25,000. Yet, school and university students are exempted from paying such fees.

[GO TO TOP](#)

This decision was published in the official gazette, and entered into force on February 22, 2023..... [Read more](#)

10. It's Official: European Unitary Patent And Unified Patent Court Arrive On June 1, What You Should Know And Do To Prepare

Highlights

**LOWER LITIGATION
COSTS IF ENFORCEMENT
PLANNED IN ONLY ONE
OR TWO CMS**

A new Unified Patent Court (UPC) creates a centralized European patent system for infringement and validity actions

Unitary Patent (UP) protection and enforcement across 17 UPC countries at onset

Starting March 1, 2023, a patentee must opt out to avoid UPC

[GO TO TOP](#)

On Feb. 17, 2023, the final step to ushering in the new era of the Unitary Patent (UP) and Unified Patent Court (UPC) fell into place as the German government ratified the agreement instituting the same....[Read more](#)

11. Semiconductor patents rise by 59% in five years to reach to record high

**CHINA FILED 55% OF
GLOBAL
SEMICONDUCTOR
PATENTS IN THE PAST
YEAR**

69,000 patents related to semiconductors were filed in the 2021/22

55% of global patents in 2021/22 were Chinese in origin

UK lags behind other nations with just 0.26% of patents filed in the last year

There have been a record 69,190 global patents for semiconductors filed in the past year, up 59% from 43,380 five years ago and 9% more than the 62,770 filed in 2020/21, shows new research by Mathys & Squire, the leading intellectual property law firm.*

R&D in the semiconductor industry has underpinned the growth in technology and the intense competition within the sector.... [Read more](#)

[GO TO TOP](#)

12. Digitizing the trade mark opposition process

**FILING THROUGH
ONLINE SERVICES THE
FASTEST AND QUICKEST
FILING PROCESS.**

We've streamlined how you make a trade mark opposition request, to make it easier and faster to file.

What's new?

In response to your feedback, we've released a structured request for the Statement of Grounds and Particulars (SGP) form, which means that you can now complete the form directly in online services. You won't need to download, complete and upload the form anymore, making filing through online services the fastest and quickest filing process.

We've also improved the structure of the request to make it easier to navigate the filing process, and included guidance text to help you better understand and select relevant grounds for your opposition....[Read more](#)

[GO TO TOP](#)

13. Changes to Description of Designated Goods and Services for Trademark Registration

**EFFECTIVE AS OF
JANUARY 1, 2023**

[GO TO TOP](#)

In response to the revision of the 12th edition of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, TIPO has updated its list of Description of Designated Goods and Services for Trademark Registration. Effective as of January 1, 2023, the changes include 481 additions or amendments and 48 deletions. Additionally, 42 class/subclass names or notes have been added, removed, or amended. The electronic trademark application system's "Description of Designated Goods and Services for Trademark Registration".....[Read more](#)

14. Publication of Japan-Taiwan Concordance List of Similar Group Codes (Corresponding to Nice Classification 12th edition, version 2023 (NCL12-2023))

**TIPO TO UTILIZE THIS LIST
WHEN SEARCHING FOR
THE EXISTENCE OF
ALREADY REGISTERED
TM'S**

[GO TO TOP](#)

The Japan-Taiwan Exchange Association and the Taiwan-Japan Relations Association agreed by the recognition that it would be contributed to timely obtain of a trademark right for both applicants in Japan and Taiwan, if they create and publish a concordance list of similar group codes that are used in trademark examination in Japan and Taiwan, respectively, in a way to show the corresponding relationship between the respective similar group codes (Japan-Taiwan Concordance List of Similar Group Codes.....[Read more](#)

15. New trademark rules for protecting non-traditional marks, mandating online transactions take effect

RULES RECOGNIZE, COLOR MARKS, 3D, POSITION MARKS AND MOTION MARKS MAY BE FILED & DISTINCTIVENESS AS DEFINED UNDER THE IP CODE

The Intellectual Property Office of the Philippine (IPOPHL) has promulgated the Revised Rules and Regulations on Trademarks, Service Marks, Trade Names and Marked or Stamped Containers. Replacing the revised trademark regulations of 2017, the new rules under Memorandum Circular (MC) 2023-001 prepared by the Bureau of Trademarks (BOT) took effect on 14 February 2023. "MC 2023-001 institutionalizes the protection of non-traditional visual marks. With this, IPOPHL is now clear with the acceptability of color marks per se, motion marks, position marks and hologram marks," Director General Rowel S. Barba said.[Read more](#)

[GO TO TOP](#)

16. Mauritius Joins the Madrid System

MADRID OFFERS A CONVENIENT AND COST-EFFECTIVE SOLUTION FOR REGISTERING & MANAGING TM'S WORLDWIDE

Mauritius has joined the Madrid System, rounding up the number of countries covered by WIPO's international trademark system to 130.

The Government of Mauritius deposited its instrument of accession to the Madrid Protocol with WIPO Director General, Daren Tang on February 6, 2023. Mauritius is the 114th member of the Madrid System. Its accession further strengthens the Madrid System's status as a truly global option for trademark protection, and particularly in the Eastern Africa and Indian Ocean Regions.

WIPO Director General Daren Tang welcomes the accessions of Mauritius to WIPO's Madrid and Hague Systems.....[Read more](#)

[GO TO TOP](#)

17. Publication of the first 3D application for industrial design

WHEN THE APPLICANT ATTACHED A 3D MODEL OF THE CLAIMED FLAW DETECTOR OBJECT FOR THE FIRST TIME

The application with a 3D model of the claimed object (3D application) is published on the Eurasian Publication Server. The publication of the document took place in accordance with the Patent Regulations under the Eurasian Patent Convention.

Pursuant to the procedure, the application and the submitted documents, including 3D models of the claimed objects, are published by the Eurasian Office within one month from the date of sending the notification of successful result of the preliminary examination to the applicant.[Read more](#)

[GO TO TOP](#)

18. Mauritius Joins the Hague System

IT IS THE 70TH CONTRACTING PARTY TO THE 1999 ACT, AND 78TH MEMBER OF THE HAGUE UNION

Mauritius has joined the Hague System, bringing the total number of countries covered by WIPO's international design system to 95. The Government of Mauritius deposited its instrument of accession to the 1999 Geneva Act of the Hague Agreement on February 6, 2023. Mauritius is the 70th contracting party to the 1999 Act, and 78th member of the Hague Union.

WIPO Director General Daren Tang welcomes the accessions of Mauritius to WIPO's Madrid and Hague Systems.

*The 1999 Act will enter into force in Mauritius on **May 6, 2023**[Read more](#)*

[GO TO TOP](#)

19. Brazil Joins the Hague System

**BRAZIL IS THE 71ST
CONTRACTING PARTY
TO THE 1999 ACT AND
THE 79TH MEMBER OF
THE HAGUE UNION**

Brazil has joined the Hague System, extending the geographical scope of WIPO's international design system to 96 countries. Brazil is the largest economy in Latin America and its accession strengthens the status of the Hague System as a truly global option for securing design protection.

The Government of Brazil deposited its instrument of accession to the 1999 Geneva Act of the Hague Agreement on February 13, 2023.

Brazil is the 71st Contracting Party to the 1999 Act and the 79th member of the Hague Union

*The 1999 Act will enter into force in Brazil on **Aug. 1, 2023** ...[Read more](#)*

[GO TO TOP](#)

20. Copyright Office to Reinstate Pre-Pandemic Notifications in eCO

**TO AVOID CLOSURE
AND ENSURE THE
SHORTEST PROCESSING
TIME FOR AN
APPLICATION**

The U.S. Copyright Office will reinstate automated notifications and claim closures in the electronic registration system (eCO), which were suspended in 2020. Beginning on March 1, 2023, the Office will email applicants whose deposits have not been received. These applicants will have forty-five days to submit the missing deposit. If the Office does not receive the deposit, the claim will be closed, and the filing fee will not be refunded.

The Office is taking this action because of thousands of incomplete registration claims that it cannot process. In each claim, the work being registered (the deposit) is missing.....[Read more](#)

[GO TO TOP](#)