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1. USPTO Tightens Requirements For Commercial Use Of Trade-marks

**TRADEMARK OFFICE
REQUIRES THAT
APPLICANTS PROVIDE
SPECIMENS SHOWING
THE MARK BEING USED
IN CONNECTION WITH
ACTUAL GOODS OR
SERVICES**

On March 21, 2017, the USPTO implemented changes to its requirements for continued use of trademarks in commerce that will require some trademark owners to provide additional materials and documentation when they renew their registrations. Registrants need to be aware that they may be randomly selected for this program, and understand what will be required of them if they are selected.

For a trademark to be federally registered, it must be used in commerce in the United States in connection with all of the goods and services recited in the application. To enforce this requirement, the Trademark Office requires that applicants provide specimens showing the mark being used in connection. [Read more](#)

2. Michelle Lee launches PTAB initiative to 'shape and improve' IPR proceedings

**IT WILL EVALUATE THE
INPUT ALREADY
RECEIVED FROM SMALL
AND LARGE
BUSINESSES, STARTUPS
AND INDIVIDUAL
INVENTORS**

Last week the United States Patent and Trademark Office (USPTO) announced that at the direction of USPTO Director Michelle Lee the Office is launching an initiative "to further shape and improve Patent Trial and Appeal Board (PTAB) trial proceedings, particularly inter partes review proceedings." According to the USPTO, the purpose of the initiative is to ensure that post grant proceedings are both effective and as fair as possible.

The timing of the announcement is curious given that Michelle Lee's days seem numbered as Director of the Office. Given that Lee's days may be numbered as Director of the Office. [Read more](#)

3. New version Rules of Procedure Unified Patent Court available

**THE PROVISIONAL
APPLICATION PERIOD OF
THE UPC IS SCHEDULED
TO START AT THE END
OF MAY**

The Preparatory Committee for the Unified Patent Court has published a new version of the draft Rules of Procedure.

According to the Committee, the draft 'is yet to come under scrutiny by the European Commission on the compatibility of the Rules of Procedure with Union law and will be subject to formal adoption by the UPC Administrative Committee (...) during Provisional Application.'

The newest version of the Rules of Procedure includes some minor amendments, which were agreed on during the Committee's meeting of 15 March 2017. [Read more](#)

4. Due diligence mandatory before filing patents: Government to labs

**APPROPRIATE DUE
DILIGENCE FOR TECHNO-
COMMERCIAL
EVALUATION HAS NOW
BEEN MADE
MANDATORY**

The Council for Scientific and Industrial Research (CSIR) has asked its laboratories to file patents with proper techno-commercial evaluation and utmost due diligence owing to high costs, the government said today.

In a written response to a question in the Rajya Sabha, Union Minister of State for Science and Technology Y S Chowdary said due diligence for techno-commercial evaluation has now been made mandatory.

The CSIR, under the Ministry of Science and Technology, is a premiere research body with nearly 38 laboratories under its wing that work on diverse topics. "In order to align the Intellectual Property strategy of CSIR with the priorities of socio-economic. [Read more](#)

5. Indian pharma cos get 55 final ANDA approvals from US FDA in Q1 of 2017

BASED ON FIRST QUARTER FIGURES, THE US FDA APPROVALS MAY CROSS APPROVAL FOR 700 ANDA IN 2017

Higher investments in R&D during last couple of years has started yielding good results for R&D based Indian pharma companies in current year. Indian companies received 55 ANDAs approvals from US FDA and 16 tentative approvals during the first quarter ended March 2017. The US FDA approved total 171 ANDAs and 43 tentative approvals during first quarter and Indian companies secured 32.2 per cent and 37.2 per cent respectively of aggregate approvals. Based on first quarter figures, the US FDA approvals may cross approval for 700 ANDA in 2017, highest in the last decade and growth of over 17. [Read more](#)

6. Trademarks by foreign firms doubled in 2015-16: Report

FOREIGN COMPANIES AND ORGANISATIONS ARE SEEKING MORE TRADEMARK PROTECTIONS IN INDIA AS COMPARED TO DOMESTIC PLAYERS

Trademark applications in the country filed by foreign companies have doubled to 15,670 in 2015-16, reflecting renewed interest in Indian market.

According to the annual report (2015-16) of Office of the Controller General of Patents, Designs, Trademarks and Geographical Indications, filing of these applications by Indians too increased to 2.68 lakh in 2015-16 from 2.03 lakh in the previous fiscal.

Experts said the rise in these numbers reflect increase and expansion in the business activities by both domestic and foreign businesses in the country. "Foreign companies and organisations are seeking more trademark protections in India as compared to domestic players," President of the National Intellectual Property Organisation (NIPO) T C James said. Overall, the filing of trademark applications has increased. [Read more](#)

7. Russia-India intellectual property agreement on the cards - Rospatent head

**INDIA WANTS TO MAKE
AN AGREEMENT ON AC-
CESS TO THE DIGITAL LI-
BRARY OF THE TRADI-
TIONAL KNOWLEDGE**

Russia and India will sign an intellectual property rights protection agreement later in the year, Grigory Ivliev, head of the Russian Federal Service for Intellectual Property (Rospatent), told RIR in an interview in New Delhi on April 7.

"Russia and India have already prepared a proposed agreement in the intellectual property which is likely to be signed in the autumn," Ivliev said. "Moreover, India wants to make an agreement on access to the digital library of the traditional knowledge, which has information about Yoga, Ayurveda and other fields of knowledge that India is looking to spread." Russia has worked with 62 countries in the area of intellectual property. [Read more](#)

8. Japan looks to AI to simplify patent screening

**AROUND 850 OF THE OF-
FICE'S 890 OR SO DUTIES
WERE DEEMED TOO SIM-
PLE FOR AI TO BE USE-
FUL.**

*Technology will automate complex tasks with pattern-matching
TOKYO -- Japan plans to begin using artificial intelligence technology to process patent, trademark and design applications, automating such cumbersome tasks as literature reviews.*

The Japan Patent Office looks to apply AI tech as early as the April 2018-March 2019 fiscal year to 20 tasks where ample documentation exists to train software and for which pattern analysis and recognition, the technology's specialty, is expected to prove useful. These include searching through heaps of files to ensure a technology or similar piece of intellectual property has not already been patented, as well as classifying applications by field. Image-recognition technology will help screen potential trademarks against a catalogue of registered. [Read more](#)

9. African Civil Society, Farmers Demand ARIPO Lift Blackout On Protocol Protecting Plant Varieties

ARIPO DESCRIBES THE PROTOCOL AS SEEKING TO PROVIDE MEMBER STATES WITH A REGIONAL PLANT VARIETY PROTECTION SYSTEM

Civil society and farmers allege communication blackout from by the African Regional Intellectual Property Organization (ARIPO) about a protocol protecting new plant varieties. The 2015 protocol was highly criticised by those organisations as endangering traditional practices of African farmers. Draft regulations could not be adopted in December, but the regional organisation, according to the civil society and farmer groups, is keeping the outcome of the December meeting secret.

A 11 April letter [pdf] was addressed to ARIPO Director General Fernando Dos Santos by the Alliance for Food Sovereignty in Africa (AFSA). [Read more](#)

10. Industry group: 'Unified Patent Court hands patent trolls a powerful weapon'

THE UPC WON'T HAVE JURISDICTION TO HEAR DISPUTES RELATING TO NATIONAL PATENTS

Activities of Patent assertion entities (PAEs) in Europe are increasing dramatically and are encouraged by the Rules of Procedure of the upcoming Unified Patent Court, especially the possibility to obtain an EU wide injunction. This is argued by Intellectual Property 2 Innovate (IP2I), a coalition made up with nine companies 'that create innovative products and services in Europe', and two European industry groups that represent over 35 companies. Its members include Adidas, Bull, Daimler, Proximus, SAP, Spotify, Wiko, Intel and Google. IP2I says 'incomplete' and 'outdated' findings of a study of the European Commission fail to show how serious the problem is and calls for a range of measures. Kluwer IP Law interviewed Patrick Oliver. [Read more](#)

11. Ghana, Kenya and Malawi to pilot GSK malaria vaccine from 2018

THE WHO PILOT PROGRAMME WILL ASSESS WHETHER THE MOSQUITRIX'S PROTECTIVE EFFECT IN CHILDREN AGED 5 TO 17 MONTHS CAN BE REPLICATED IN REAL-LIFE

The injectable vaccine, called RTS,S or Mosquirix, was developed by British drugmaker GlaxoSmithKline to protect children from the most deadly form of malaria in Africa. In clinical trials it proved only partially effective, and it needs to be given in a four-dose schedule, but is the first regulator-approved vaccine against the mosquito-borne disease. WHO's African regional director said, "Information gathered in the pilot will help us make decisions on the wider use of this vaccine. Matshidiso Moeti, the "Combined with existing malaria interventions, such a vaccine would have the potential to save tens of thousands of lives in Africa." The WHO pilot programme will assess whether the. [Read more](#)

12. EPO News: change in practice for applications lacking unity

THIS NEW PROCEDURE WILL APPLY TO DIRECTLY FILED EUROPEAN APPLICATIONS

On 1 April 2017 the EPO changed its practice slightly for patent applications containing more than one inventive concept (i.e. for applications that the EPO search division has decided lack unity). Previously, in cases where the EPO thought there was a lack of unity, applicants would receive a communication under either Rule 64 or Rule 164 EPC enclosing a partial search report on the first claimed invention within the claim set and an invitation to pay one or more search fees (at 1300 Euros per additional search). An extended European search report (EESR), including a written opinion, would then be issued on all the inventions for which a search fee had been paid. From 1 April 2017 however the partial search report will also be accompanied by a provisional opinion on the patentability of the invention. [Read more](#)

13. CPhI expert plea for reducing time for ANDA approvals

THIS TIME CAN POTENTIALLY BE REDUCED TO 15 DAYS IF THE FDA MODIFIES THEIR REVIEW PROCESS

Girish Malhotra, president of EPCOT International, and CPhI Worldwide Annual Industry Report member, has stressed the need for reducing time for ANDA approvals, arguing that if the current approval time can be reduced from 10 months to three months, drug costs will decrease.

According to Malhotra, in order to decrease the time for ANDA approvals, there are three main challenges to overcome. Currently, it takes up to four review cycles to approve an ANDA, and the first and foremost challenge is with submission completeness. On an average, it takes the FDA reviewing team 45 days to determine application completeness. This time can potentially be reduced to 15 days if the FDA modifies their review. [Read more](#)

14. Health Canada to go eCTD-only for Drug Applications

MEDICAL DEVICE AND VETERINARY DRUG SUBMISSIONS, HOWEVER, "REMAIN OUT OF SCOPE FOR FILING IN ECTD FORMAT"

Beginning on 1 January 2018, Health Canada will only accept submissions for certain regulatory procedures in electronic common technical document (eCTD) format.

As of that date, Health Canada says that sponsors must use eCTD format for all new drug submissions (NDS) and abbreviated new drug submissions (ANDS), as well as supplements to both submission types.

The agency also notes that sponsors can request an exemption from the requirement for individual products, but says it expects companies to provide their "rationale for the exemption as well as an intended plan for converting to eCTD format. For many sponsors, this should not be a dramatic transition. [Read more](#)

15. UAE partners with Korea to improve patent system

**HIGHLY QUALIFIED
TECHNICAL EXPERTS
AND PATENT EXAMINA-
TION EXPERTS FROM KO-
REA WILL BE ASSIGNED
TO THE INTERNATIONAL
CENTER FOR PATENT
REGISTRATION**

The UAE Ministry of Economy has signed new cooperation agreement with the Korean Intellectual Property Office (Kipo) aimed towards improving the UAE's patent system.

The agreement falls within the framework of completion and implementation of the terms of a Memorandum of Understanding (MoU) signed by the two parties in October of last year, which looks to enhance the patent system in the UAE.

The agreement was signed during the UAE – Korean Bilateral Meeting that was held recently in Seoul by Mohammed Ahmed bin Abdul Aziz Al Shehhi, Undersecretary for Economic Affairs of the UAE Ministry of Economy, and Choi Dong Yu, general commissioner of Kipo. [Read more](#)

16. EPO and Eurasian Patent Office agree to launch Patent Prosecution Highway

**THE FAST-TRACK PRO-
GRAMME WILL ENABLE
COMPANIES AND INVEN-
TORS FROM BOTH OUR
REGIONS TO OBTAIN
PATENTS MORE QUICKLY
AND EFFICIENTLY**

The EPO and the Eurasian Patent Office (EAPO) have agreed to launch a joint Patent Prosecution Highway (PPH) pilot programme to enable work-sharing and accelerated treatment of patent applications at both offices.

The agreement was signed today in Munich by EPO President Benoît Battistelli and EAPO President Saule Tlevlessova.

"We are pleased to be able to extend co-operation with our partners in the Eurasian region," said EPO President Benoît Battistelli.

"The fast-track programme will enable companies and inventors from both our regions to obtain patents more quickly and efficiently, boosting business and innovation." [Read more](#)