HASAN AND SINGH Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2020

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1. Intellectual Property Laws Amendment Regulations 2020

IP LAWS

AMENDMENT
(PRODUCTIVITY

COMMISSION RESPONSE
PART 2 AND OTHER

MEASURES)

REGULATIONS 2020

GO TO TOP

The Intellectual Property Laws Amendment (Productivity Commission Response Part 2 and Other Measures) Regulations 2020 ("the Regulations") were registered on the Federal Register of Legislation on 3 April 2020. The Regulations amend the Patents Regulations 1991 ("Patents Regulations") in line with changes that Schedules 1, 2, 4 and 8 to the Intellectual Property Laws Amendment (Productivity Commission Response Part 2 and Other Measures) Act 2020 ("the Act") make to the Patents Act 1990 ("Patents Act"). Further information on the Act is available here. With effect from 4 April 2020, Parts 2 and 3 of Schedule 1 to the Regulations make minor amendments to the Patents Regulations for consistency with the amended provisions of the... Read more

2. Professional events for patent attorneys held by TIPO in 2020

TIPO WILL HOLD
SUCH EVENTS
INCLUDING 2020
SEMINAR ON THE IP
LANDSCAPE IN NEW
SOUTHBOUND
COUNTRIES SEMINARS

GO TO TOP

To ensure applicants' rights and to improve the quality of services provided by patent professionals, patent attorney and patent agent should participate in the training related to Patent Attorney expertise every two years during practice; the required minimum number of hours is twelve. This year, TIPO will hold such events including 2020 Seminar on the IP Landscape in New Southbound Countries, Seminars on IP Affairs, and 2020 Seminar on the Global Patent Search System and Its Applications (see attachments). Those interested are welcome to take part. However, please be noted that the schedules for the aforementioned events may be adjusted depending on how the COVID-19 pandemic goes. For the latest updates.... Read more

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3. China Becomes Top Filer of International Patents in 2019 Amid Robust Growth for WIPO's IP Services, Treaties and Finances

CHINA IN 2019
SURPASSED THE U.S. AS
THE TOP SOURCE OF
INTERNATIONAL PATENT
APPLICATIONS FILED
WITH WIPO

GO TO TOP

China in 2019 surpassed the United States of America (U.S.) as the top source of international patent applications filed with WIPO amid another year of robust growth for the Organization's international intellectual property (IP) services, treaty-adherence activity and revenue base. "2019 was the year that was. ... Last year was the best year we have experienced in the course of the past decade. In fact, it was the best year we have experienced in the history of the Organization." With 58,990 applications filed in 2019 via WIPO's Patent Cooperation Treaty (PCT) System, China ended the U.S. (57,840 applications in 2019) reign as the biggest user of the PCT System that helps incentivize and.. Read more

4. The work of IP Offices in times of pandemic was discussed during the videoconference organized by WIPO

THE WORK OF
IP OFFICES IN TIMES
OF PANDEMIC WAS
DISCUSSED DURING
THE VIDEOCONFERENCE
ORGANIZED BY WIPO

GO TO TOP

The adoption of epidemic containment measures implies new working conditions for IP Offices all around the world. During a WIPO-initiated videoconference, heads of 16 leading Patent Offices discussed intellectual property trends related to mitigating the consequences of the pandemic and controlling the spread of COVID-19. Videoconference chaired by WIPO Director-General Francis Harry was attended by the Heads of IP Offices of Australia, Brazil, the United Kingdom, India, Canada, China, the Republic of Korea, Russia, Singapore, the USA, France, Switzerland, Japan, as well as the European Union Intellectual Property Office (EUIPO). The Heads of Offices... Read more

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5. IP Australia joins global trade marks database TMView

IP AUSTRALIA
CONTINUES TO SUPPORT
THE GLOBAL IP
COMMUNITY BY
JOINING TMVIEW, AN
INITIATIVE OF
THE EUIPO

IP Australia continues to support the global IP community by joining TMView, an initiative of the European Union Intellectual Property Office (EUIPO). TMView is an online tool which allows users to perform word and image searches for trade marks from 74 participating IP offices around the world. With the addition of more than 1.6 million Australian trade marks, TMView provides information and access to a total of over 59 million trade marks from around the world. Since its launch ten years ago, TMView has served more than 70 million searches from 169 different countries. Joining TMView gives Australian businesses another avenue for exposure to the global marketplace... Read more

GO TO TOP

6. WIPO Launches New Search Facility For PATENTSCOPE Database to Support COVID-19 Innovation Efforts

WIPO LAUNCHES

NEW SEARCH FACILITY

FOR PATENTSCOPE

DATABASE TO SUPPORT

COVID-19 INNOVATION

EFFORTS

GO TO TOP

The World Intellectual Property Organization (WIPO) today launched a new search functionality for its global patent database, PATENTSCOPE, to facilitate the location and retrieval of information contained in published patent documents that may be useful for innovators developing new technologies to fight the COVID-19 pandemic. The WIPO COVID-19 search facility of PATENTSCOPE will provide scientists, engineers, public health policymakers, industry actors and members of the general public with an easily accessible source of intelligence for improving the detection, prevention, and treatment of diseases such as the novel coronavirus. "Given the drastic impact of the COVID-19 crisis on human health and welfare, the world needs easy access to every bit of information available for the successful inno... Read more

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7. Users discuss expanding use of ViCos in oral proceedings at first-ever online SACEPO meeting

EPO'S SACEPO
EARLIER THIS WEEK
HELD ITS USER
CONSULTATION
MEETING FOR THE FIRST
TIME BY VICO.

GO TO TOP

The EPO's Standing Advisory Committee (SACEPO) earlier this week held its user consultation meeting for the first time by video conference (ViCo). The spring meeting of the SACEPO Working Party on Rules on 31 March looked at measures to further facilitate the use of ViCo in oral proceedings in examination and opposition. In view of current travel restrictions due to the Covid-19 outbreak, user representatives recognised that ViCo contributes to a more efficient and sustainable European patent system. The Committee members were also consulted on several other projects being rolled out under the EPO Strategic Plan 2023, including a pilot on using email for notifications related to pen... Read more

8. China-Norway patent prosecution highway pilot launches

CHINA AND
NORWAY WILL SPEED UP
AND REDUCE COSTS
WHEN APPLYING FOR
PATENTS ON APRIL 1,
THE CHINA-NORWAY
PPH PILOT

GO TO TOP

A memorandum between China and Norway will speed up and reduce costs when applying for patents On April 1, the China-Norway Patent Prosecution Highway (PPH) pilot began and is in effect until March 31, 2023. A memorandum of understanding was signed between the China National Intellectual Property Administration (CNIPA) and the Norwegian Industrial Property Office (NIPO) at the end of 2019 allowing for accelerated examination of patent applications in each jurisdiction. Applicants can request accelerated examination in China when a corresponding Norwegian patent application has one or more claims that are determined to be patentable by NIPO. Applicants can also request accelerated examination in Norway. Read more

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9. Circular of the China National Intellectual Property Administration on the Application Scope of Relief in Relation to Time Limits for Handling Affairs Regarding Patents, Trademarks and Layout-Designs of Integrated Circuits during the COVID-19 Epidemic

NOTICE ON TIME
LIMITS FOR HANDLING
AFFAIRS REGARDING
PATENTS, TRADEMARKS
AND LAYOUT-DESIGNS
OF INTEGRATED
CIRCUITS UNDER THE
IMPACT OF THE COVID19 EPIDEMIC

GO TO TOP

Under the impact of the COVID-19 epidemic, and in order to effectively protect the legitimate rights and interests of interested parties to patents, trademarks, and layout-designs of integrated circuits, the China National Intellectual Property Administration has issued Notice No. 350 on January 28th, 2020, clarifying relief measures for parties exceeding the time limits for handling affairs in relation to patents, trademarks and layout-designs of integrated circuits as a result of the epidemic.

This Notice applies to all interested parties in countries and regions affected by the COVID-19 epidemic. Parties affected by the epidemic may complete relevant formalities in accordance with the requirements stipulated in Notice No. 350. (Translated from CNIPA Website Chinese Version). Read more

Annex: Notice on Time Limits for Handling Affairs Regarding Patents, Trademarks and Layout-Designs of Integrated Circuits under the Impact of the COVID-19 epidemic (Notice No. 350)

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10. "Fourteen Challenges that Startups Tend to Face and Measures for Overcoming the Challenges Based on the JPO's Awareness through its IP Support Measures" Released

JPO PUBLISHED A
COMPILATION TITLED
"FOURTEEN CHALLENGES
THAT STARTUPS TEND
TO FACE AND MEASURES
FOR OVERCOMING THE
CHALLENGES BASED ON
THE JPO'S AWARENESS
THROUGH ITS IP
SUPPORT MEASURES

GO TO TOP

The Japan Patent Office (JPO) published a compilation titled "Fourteen Challenges that Startups Tend to Face and Measures for Overcoming the Challenges Based on the JPO's Awareness through its IP Support Measures." This is a collection of successful case examples of leading startups that the JPO has supported under the IP Acceleration Program for Startups (IPAS), a program aiming to encourage startups to accelerate their growth by taking advantage of intellectual property (IP).

Outline of the IPAS -

The IPAS is a program for supporting startups in developing their IP strategies. Under this program, the JPO will consult on technologies, ideas and business plans submitted by selected startups that are subject to support measures, identify challenges faced by the startups as well as areas in which the startups need support, and organize "IP Mentoring Teams" consisting of business and IP experts with knowledge and skills applicable to each startup.

Through a three-month mentoring program, respective pairs of selected startups and IP Mentoring Teams will develop a business strategy and an IP strategy linked to that strategy. Read more

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11.New "Fast-Track" trademark examination mechanism to hit the road on May 1 for applicants to secure their rights quickly

TIPO'S E-FILING

APPLICATION SYSTEM

AND TO SPEED UP TM

EXAMINATION, TIPO

WILL ENFORCE A "FAST
TRACK" MECHANISM

SOON

GO TO TOP

To encourage applicants to utilize TIPO's e-filing application system and to speed up trademark examination, TIPO will enforce a "Fast-Track" mechanism soon. From May 1, 2020 on, the trademark applicants who pay their fees duly and whose documents meet the following requirements at the time of application will find their cases examined two months earlier than others: 1. Only applications for plain trademark are eligible, excluding non-traditional trademark, certification mark, collective membership mark and collective trademark.

2. The names of the designated goods or services are exactly the same as the ones listed in TIPO's e-filing system. Read more

12.Official Notice of 2nd ex-officio extension for designated periods due to the effects of the COVID-19

OFFICIAL NOTICE
OF 2ND EX-OFFICIO
EXTENSION FOR
DESIGNATED PERIODS
DUE TO THE EFFECTS
OF THE COVID-19

GO TO TOP

Due to the domestic and international spread of the coronavirus (COVID-19), there are concerns that applicants in the process of patents, utility models, designs and/or trademarks may not be able to abide the specified periods designated by the KIPO Commissioner, etc. as indicated in related legislations. As such, if the designated periods, enumerated in the appendix, ends on a date between April 30, 2020 - May 30, 2020, the deadline of such periods according to Article 15(2) of the Patent Act, Article 3 of the Utility Model Act (Article 15(2) of the Patent Act shall apply mutatis mutandis), Article 17(2) of the Design Protection Act and Article 17(2) of the Trademark Act will be ex-officio... Read more

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13. GERMANY: IP Office Seminar Sheds Light on 2019 Trademark Law Amendments

GERMAN PATENT
AND TRADEMARK
OFFICE SEMINAR
SHEDS LIGHT ON 2019
TRADEMARK LAW
AMENDMENTS

GO TO TOP

The German Patent and Trademark Office (GPTO) last month held an informational event that provided helpful insight into significant amendments to German trademark law, which were introduced last year and take effect in May 2020. Potentially, the most important change, already in place as of January 2019, is the introduction of certification marks. Contrary to other jurisdictions, this type of trademark did not exist in Germany prior to 2019. It was introduced after a decision of the Court of Justice of the European Union (CJEU) regarding genuine use—or rather the lack of genuine use—of a quality label. The GPTO is looking forward to receiving clarification from the German... Read more

14. TIPO-JPO Permanent PPH MOTTAINAI Program Comes Into Effect on May 1, 2020

TIPO-JPO
PERMANENT PPH
MOTTAINAI PROGRAM
COMES INTO EFFECT
ON MAY 1, 2020

GO TO TOP

The Patent Prosecution Highway (PPH) pilot program between Taiwan and Japan will come to an end on April 30, 2020. In view of its excellent performance, both sides agreed that a permanent PPH program will be in place, starting on May 1 this year. The permanent program is aimed at continuing to provide applicants with stable and convenient PPH services. Taiwan and Japan have enjoyed a close economic and trade relationship. For long years, Japan outnumbers other countries in invention patent applications filed in Taiwan. Last year (2019), TIPO received as many as 13,198 invention patent applications from Japanese applicants. On the other hand, JPO received a total of 1,548 invention patent applications from Taiwanese app... Read more

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15. Procedures for Seeking the Application of Exceptions to Lack of Novelty of Design, corresponding to the Design Act Article 4

NEW HANDLING
OF PROCEDURES
AFFECTED BY COVID19 PANDEMIC
(UPDATED APRIL,
2020)

GO TO TOP

The JPO has been asking applicants to submit an original certificate (the document proving that the requirements for seeking application of Exceptions to Lack of Novelty of Design are satisfied) with Affixation of Name with Seal or Signature by responsible person, which must be submitted within 30 days from the filing date*. (For details of the required certificate, see the 2.Procedures for Seeking the Application of Exceptions to Lack of Novelty of Design).

* In case that international application which designates Japan under the "The 1999 Act of the Hague Agreement Concerning the International Registration of Industrial Designs",... Read more

16. IPOS Ranked as World's Most Innovative Intellectual Property Office 2020

IPOS WAS RANKED
AS THE WORLD'S MOST
INNOVATIVE IP OFFICE
FOR THE FIRST TIME, BY
LEADING PRACTITIONERLED PUBLICATION WTR

GO TO TOP

SINGAPORE, 9 April 2020 – The Intellectual Property Office of Singapore (IPOS) was ranked as the world's most innovative intellectual property (IP) office for the first time, by leading practitioner-led publication World Trademark Review (WTR). This is the fourth edition of WTR's IP Office Innovation Ranking. IPOS topped the list of 50 of the world's leading IP offices, for improvements in various areas, including its "refined online platform and ongoing push to help firms commercialise their trademarks and brands" said the publication. 2. Several of IPOS's innovative initiatives were singled out in the report, including its Enhanced Mediation Promotion Scheme (EMPS)... Read more

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NEWSLETTER MAY 2020

17. Singapore to Offer the World's Fastest Patent Application to Grant

IPOS WILL OFFER A
PILOT PROGRAMME TO
ACCELERATE GRANTS OF
PATENT APPLICATIONS
IN ALL TECHNOLOGY
FIELDS TO JUST SIX
MONTHS STARTING

GO TO TOP

Singapore, 27 April 2020 – In conjunction with the World Intellectual Property Day[1] 2020 celebrations themed "Innovate for a Green Future", the Intellectual Property Office of Singapore (IPOS) will offer a pilot programme to accelerate grants of patent applications in all technology fields to just six months, starting from 4 May 2020. The programme – the SG Patent Fast Track – is the world's fastest application-to-grant process of its kind.

2. The technology-neutral programme reflects the important role IP offices play in supporting innovators and their solutions to address global developments in sustainable development, and particularly in current times, that of public healthcare. Read more

18. IP filings in 2019 grow close to 10%, bolstered by trademark applications

IPOPHL IN

JANUARY TO DECEMBER

2019 RECEIVED A

RECORD-HIGH IN

ANNUAL FILINGS FOR IP

PROTECTION, WHICH

TOTALED 47.282

GO TO TOP

The Intellectual Property Office of the Philippines (IPOPHL) in January to December 2019 received a record-high in annual filings for intellectual property protection, which totaled 47,282. This marks a nearly 10% rise from the 43,300 applications in 2018. Filings for trademarks (TM) posted the biggest annual growth at 10% to 39,399 from 35,672. Bulk of the filings were in agricultural products and services, followed by pharmaceuticals, research, cosmetics; scientific health, information communication technology; management, communications, real estate, and financial services; and textiles - clothing and accessories. Residents were the biggest TM filers, accounting for 60% or 23,447. This was followed by Madrid System... Read more

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19. Poland jurisdiction report: Poland welcomes new IP rules

THERE HAVE

BEEN NUMEROUS

CHANGES RELATING

TO IP REGULATIONS IN

POLAND

GO TO TOP

There have been numerous changes relating to IP regulations in Poland. One of the most significant is the establishment of specialised IP courts. The new law of February 13, 2020 on the amendment of the 1964 Polish Code of Civil Procedure and certain other acts introduces an additional chapter to the Code of Civil Procedure, dedicated to the proceedings in matters concerning IP. The IP subject matter is defined broadly as including copyright, industrial property rights, protection against unfair competition and protection of personal rights in matters relating to advertising, individualisation on the market, and also to research and inventive activities. All IP cases are... Read more

20. USPTO extends certain patent and trademark deadlines to June 1

USPTO TODAY

ANNOUNCED FURTHER

EXTENSIONS TO THE

TIME ALLOWED TO FILE

CERTAIN PATENT AND

TRADEMARK-RELATED

DOC. AND TO PAY

GO TO TOP

In accordance with the temporary authority provided by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) signed by President Trump on March 27, the United States Patent and Trademark Office (USPTO) today further extended the time to file certain patent and trademark-related documents and to pay certain required fees, which otherwise would have been due between March 27 and May 31, to June 1, 2020. This is in addition to the prior extension the USPTO had announced on March 31, 2020. "Innovation and entrepreneurship will play a key role in our fight against this pandemic, and in the upcoming recovery of our country," said Andrei Iancu, Under Secretary of Commerce for Intellectual Property and Director of the United... Read more

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NEWSLETTER MAY 2020

21. EUIPO Guidelines in electronic format: new functionalities

EUIPO GUIDELINES
FOR EXAMINATION OF
EUTMS AND RCDS IN
ELECTRONIC FORMAT
HAVE BEEN ENHANCED
WITH NEW
FUNCTIONALITIES

GO TO TOP

The EUIPO Guidelines for Examination of EUTMs and RCDs in electronic format have been enhanced with new functionalities. Among the improvements, an advanced search function and the possibility to download a PDF on Part and Section level have been made available, following the feedback received from users. An advanced search function has been made available to allow users to better define searches. It is now possible to search in the entire Trade Mark or Design Guidelines publication, in a specific Part, or in a specific Section. In which Part or Section a search is initiated depends on where you have navigated to within the Guidelines. Additionally, in order to improve the user experience... Read more

22. Handling of Procedures Affected by COVID-19

JPO DUE TO THE
COVID-19, PLEASE
CARRY OUT THE
PRESCRIBED
PROCEDURES IN
ACCORDANCE WITH THE
FOLLOWING INS.

GO TO TOP

The following is information for those who have been unable to go through filing procedures for patents, utility models, designs, and trademarks due to the adverse effects of the COVID-19.

I. Designated Time Limits - If you are not able to carry out procedures within the time limits designated by the Japan Patent Office (JPO) due to the Novel Coronavirus Disease (COVID-19), please carry out the prescribed procedures in accordance with the following instructions. The procedures will be considered to be valid even after the designated time limits expired. When it comes to procedures to respond to orders or notices for formality examinations by the JPO (except those for trials/appeals pending at the JPO), the procedures will be considered to be... Read more

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23. eRegister (beta version) launched

E-REGISTER, A NEW
TOOL FOR ACCESSING
HISTORICAL INFO. ON
EUTMS AND RCDS, HAS
BEEN LAUNCHED TODAY
IN BETA VERSION

GO TO TOP

eRegister, a new tool for accessing historical information on European Union trade marks (EUTMs) and registered Community designs (RCDs), has been launched today in beta version. EUIPO's goal with the future eRegister is to offer an official record, in electronic form, of every entry made in the Register in relation to an EUTM or RCD application or registration. As the records are presented in chronological order they also serve for historical reference purposes. With the future eRegister tool, EUIPO's users will be able to access EUTM and RCD related information in such manner that a consultation of the situation of the IP right at a given point in time remains stable independently of... Read more

24. Patent Center Beta now available

PATENT CENTER IS
A NEW TOOL FOR
ELECTRONIC FILING AND
MANAGEMENT OF
PATENT APPLICATIONS
IN A SINGLE UNIFIED
INTERFACE

GO TO TOP

Patent Center Beta is now available for all users. Patent Center is a new tool for electronic filing and management of patent applications in a single unified interface. Patent Center allows for submission of the specification, claims, and abstract as a single DOCX document without the need to manually separate sections. Additionally, Patent Center features a training mode to practice filing in DOCX format. You can help shape the future of the systems at the USPTO by using Patent Center Beta and providing feedback. We encourage you to provide feedback on Patent Center Beta by visiting the eMod IdeaScale. Additionally, you can send questions and comments to eMod@uspto.gov. More information about Patent Center Beta is available on the Patent Center information page or you can register for an... Read more

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NEWSLETTER MAY 2020

25. Finland joins DesignClass

FINNISH PRH IS

NOW PART OF THE

COMMON HARMONISED

DATABASE ON PRODUCT

INDICATIONS (HDBPI)

IN DESIGNCLASS

GO TO TOP

The Finnish Patent and Registration Office (PRH) is now part of the Common Harmonised Database on Product Indications (HDBPI) in DesignClass. The integration was carried out on 30 March 2020 with the support of the EUIPO's European Cooperation Projects (ECP1) and in close collaboration with the PRH office. With this latest addition, there are 35 IP offices in the database, including all national and regional intellectual property offices in the EU. As a result, product indications with Finnish translations are now available to all users through the DesignClass tool. The HDBPI is constantly updated so it evolves with the market and user needs. In addition to Locarno classification, the HDBPI is enriched with product indications from Eurolocarno and from national and regional IP offi... Read more