HASAN AND SINGH Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

Inside this Issue

Unitary Patent secondary legislation	2
Hong Kong and Australia renew MOU on cooperation in the field of intellectual property	2
Extension of time limits - Ukraine	3
<u>Pilot project for oral proceedings in opposition by VICO extended to 31 December</u> <u>2022</u>	3
International Design: China joins The Hague System	4
Enhanced PPH Program between the JPO and the USPTO (5 April 2022)	4
<u>Duration of Copyright in Canada</u>	5
Revision of Examination Guidelines related to Multi-Multi Claim Restriction	5
The Republic of Chile Joins the Madrid System	6
From 1 July 2022 new equivalent amounts in some PCT-fees are established	6
EPO and CPVO renew cooperation agreement	7
IP KEY: new drive to support IP in Latin America	7
Cabo Verde Joins the Paris Convention and the PCT	8
Hague System: More Information on China's Accession	8
Schedule of fees - JPO	9
National Collection of Austria Now Available in Patentscope	9

Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

1. Unitary Patent secondary legislation

THE RULES
RELATING TO FEES FOR
UNITARY PATENT
PROTECTION

GO TO TOP

In 2015, the Select Committee of the Administrative Council of the European Patent Organisation adopted two pieces of secondary legislation for the implementation of the Unitary Patent at the EPO: the Rules relating to Unitary Patent Protection and the Rules relating to Fees for Unitary Patent Protection. Following amendments made to the Rules relating to Unitary Patent Protection and adopted by the Select Committee in December 2021 and March 2022 (Rules 16(1)(i), (w) and (x)), the EPO has now published a consolidated version of the amended Rules in the April issue of its Official Journal. On this occasion and with a view to providing the users with an overview of the most important secondary legislation regarding the Unitary Patent... Read more

2. Hong Kong and Australia renew MOU on cooperation in the field of intellectual property

RENEWED FOR
A PERIOD OF THREE
YEARS UNTIL 2025

GO TO TOP

The Intellectual Property Department (IPD) and IP Australia renewed a Memorandum of Understanding (MOU) on collaboration between the Hong Kong Special Administrative Region and Australia in the field of intellectual property for a period of three years until 2025.

The two sides will continue to exchange information and share practice experience in areas including operation of their registries and the promotion of intellectual property trading and commercialization.

The MOU was first signed in 2019 and is subject to periodic renewal. Read more

Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

3. Extension of time limits - Ukraine

THE EUIPO WILL
CONTINUE TO REVIEW
THE NEED FOR
FURTHER EXTENSIONS

GO TO TOP

A new extension has been granted for all parties in proceedings before the Office having their residence or registered office in Ukraine. The two-month extension published on March 30 extends all time limits expiring between 1 April 2022 and 1 June 2022, inclusive, until 2 June 2022. This extension follows Decision 22-2 of the Executive director, which already extended all time limits expiring between 24 February 2022 and 31 March 2022 inclusive until 1 April 2022. On March 9 the EUIPO, in collaboration with the EU institutions, announced a number of measures in response to the military aggression carried out by the Russian Federation against Ukraine. The EUIPO will continue to review the need for further extensions and additional measures as we... Read more

4. Pilot project for oral proceedings in opposition by VICO extended to 31 December 2022

EXTENDED
UPTO 31 DECEMBER
2022

GO TO TOP

Following two years of positive experience and steady progress in the large-scale implementation of videoconference (VICO) for oral proceedings, the President of the EPO has decided to further extend the pilot project for oral proceedings in opposition by VICO until 31 December 2022. The extension reflects the EPO's continuing concern for the health and safety of staff and visitors on site in the light of the ongoing pandemic and provides an opportunity to release additional tools and procedures in relation to VICO. Where there are serious reasons preventing the use of VICO for oral proceedings in opposition, the proceedings will be postponed until after 31 December 2022. Requests for on-site oral proceedings in view of such serious reasons will be... Read more

Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

5. International Design: China joins The Hague System

THE 1999 ACT
ENTERS INTO FORCE IN
CHINA ON MAY 5,
2022

GO TO TOP

China is the 94th country to join the Hague System for the international protection of Designs. On February 5, 2022 China deposited its instrument of accession to the 1999 Geneva Act of the Hague Agreement and now China is a contracting party on the 1999 Act and a member of the Hague Union.

The 1999 WIPO's Hague System Act will enter into force in China on May 5, 2022.

WIPO's Hague System provides a unique international mechanism for securing and managing design rights simultaneously in 94 countries through one application, in one language with one set of fees. Thanks to China accession to the Hague System, companies and designers in China... Read more

6. Enhanced PPH Program between the JPO and the USPTO (5 April 2022)

FULLY IMPLEMENTING
THE JAPAN-US PPH
PROGRAM SINCE JAN.
4. 2008

GO TO TOP

The JPO works with the USPTO to further improve the predictability of the examination timing on the Patent Prosecution Highway (PPH).

The two Offices have been fully implementing the Japan-US PPH since January 4, 2008, based on the experience of one and a half years' pilot program. With a view to making it easier for users to predict the timing of examination for the acquisition of a patent across the border, the pair has agreed to establish a target deadline for issuing office actions (OAs) for PPH applications. The foregoing target applies to subsequent as well as first OAs from the Office of later examination. The improvement has been effective as of January 1 this year. We remain comm... Read more

Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

7. Duration of Copyright in Canada

THE AUTHOR
LIFE-PLUS-FIFTY YEARS

GO TO TOP

The duration of copyright in Canada is 50 years after the death of the author. There are several exceptions to this general rule of duration in Canadian copyright law, some of which are set out below. Canada's copyright duration will be extended to 70 years after the death of the author in keeping with requirements of the Canada-United States-Mexico Agreement (CUSMA, known as USMCA in the U.S.). See below for further information.

THE DURATION OF COPYRIGHT IN CANADA - Unlike physical property, ownership in copyright material has a limited duration. So for example, you can own a work of art for an indefinite amount of time, but you can only own the intellectual property or copyright in a painting or photograph for a limited... Read more

8. Revision of Examination Guidelines related to Multi-Multi Claim Restriction

USED IN
EXAMINATION OF THE
APPLICATIONS FILED
FROM APRIL 1, 2022

GO TO TOP

The draft revision of the Examination Guidelines for Patent and Utility Model in Japan (hereinafter, simply referred to as the "Examination Guidelines") has been prepared based on the discussions at the 16th meeting of the Working Group on the Patent Examination Standards supervised by the Patent System Subcommittee under the Intellectual Property Committee of the Industrial Structure Council. The public comments were invited from February 10 to March 11, 2022. The Examination Guidelines related to Multi-Multi Claim Restriction is revised in light of the public comments. (Note) The term "Multi-Multi Claim" as restricted by the revised Ministerial Ordinance means "any dependent claim that refers to more than one other... Read more

Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

9. The Republic of Chile Joins the Madrid System

THE PROTOCOL
WILL ENTER INTO
FORCE ON JULY 4,
2022

GO TO TOP

On April 4, 2022, the Government of the Republic of Chile deposited its instrument of accession to the Madrid Protocol, making it the 111th member of the Madrid System. This country is the latest in the Southern Cone to join the Madrid System, which now covers 127 countries.

The Protocol will enter into force for Chile on July 4, 2022. Starting July 4, 2022, local brand owners in Chile will be able to protect their trademarks in any of the 126 territories of the Madrid System by filing a single international application and paying a single set of fees. At the same time, foreign businesses and trademark owners will be able to seek trademark protection of their products in Chile using the Madrid System's... Read more

10. From 1 July 2022 new equivalent amounts in some PCT-fees are established

EFFECTIVE FROM 1 JULY 2022

GO TO TOP

- International filing fee: 13,470 SEK
- Fee per sheet in excess of 30: 150 SEK

Reductions (under the Schedule of Fees, item 4):

- Electronic filing (the request being in character coded format):2,020 SEK
- Electronic filing (the request, description, claims and abstract being in character coded format): 3,030 SEK
- Handling fee: 2,020 SEK.

Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

11.EPO and CPVO renew cooperation agreement

EPO RENEWED
THE EPO-CPVO
AGREEMENT FOR FIVE
YEARS

GO TO TOP

On 31 March, in an online meeting, President Francesco Mattina of the Community Plant Variety Office (CPVO) and President António Campinos of the European Patent Office (EPO) renewed the EPO-CPVO cooperation agreement for a duration of five years. The first Administrative Arrangement was signed in 2016. It enabled greater transparency and exchange of knowledge between the two organisations. The cooperation focuses on data exchange and sharing work practices regarding the use of databases and other work tools. The exchange of data allows the examiners to search plant varieties protected by certificate, thus further increasing the validity of the European patents. The relevant databases have also been made available to...Read more

12. IP KEY: new drive to support IP in Latin America

IP KEY LATIN

AMERICA WILL RUN

FOR 3 YEARS

GO TO TOP

On 27 April, the official launch of the second phase of the IP Key Latin America project, funded by the European Union (EU) and managed by the European Intellectual Property Office (EUIPO), took place in Mexico City. The aim of this project is to increase intellectual property protection and enforcement throughout Latin America. IP Key Latin America will run for 3 years and focus on Chile, Mexico, the Andean Community (Colombia, Ecuador, Peru), Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama) and Mercosur (Argentina, Brazil, Paraguay, Uruguay). It will: work in areas related to trade agreements between the EU and Latin America. support the protection of trade marks, designs, geographical indications, plant varieties, patents and copyright throughout the region. suppo ... Read more

Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

13. Cabo Verde Joins the Paris Convention and the PCT

ENTER INTO FORCE ON JULY 6, 2022

GO TO TOP

On April 6, 2022, the Government of Cabo Verde deposited its instruments of accession to both the Paris Convention for the Protection of Industrial Property (Paris Convention) and the Patent Cooperation Treaty (PCT) with WIPO's Director General. The Paris Convention and the PCT will both enter into force for Cabo Verde on July 6, 2022. The accession of Cabo Verde to the PCT will make it the 156th member of the PCT Union. As from July 6, 2022, inventors in Cabo Verde will be able to file patent applications under the PCT as a means of seeking patent protection in PCT Contracting States. Likewise, starting July 6, 2022, foreign innovators will be able to use the PCT System to seek patent protection for their inventions in... Read more

14. Hague System: More Information on China's Accession

HAGUE
AGREEMENT
CONCERNING THE INT'L
REGISTRATION OF
INDUSTRIAL DESIGNS

GO TO TOP

China's accession to the Hague System – which brings the total number of countries covered to 94 – is just around the corner. What are the main details of their accession that you will need to bear in mind when you start designating China in your international design applications?

Find out more in Information Notice No. 6/2022 -

Accession to the 1999 Act: China- 1. On February 5, 2022, the Government of China deposited with the Director General of the World Intellectual Property Organization (WIPO) its instrument of accession to the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs ("1999 Act").

2. The instrument of accession was accompanied by the following declarations under the 1999 Act and the Common... Read more

Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

NEWSLETTER MAY 2022

15. Schedule of fees - JPO

EFFECTIVE FROM APRIL 1, 2022

GO TO TOP

Patent application	Fees
Patent application	¥14,000
Application in foreign language	¥22,000
Submission of a description and drawings for a patent application containing a reference to a previously filed application	¥14,000
Entry into the national phase in Japan (under the PCT)	¥14,000
Application for registration of an extension of the term of patent right	¥74,000

... Read more

16. National Collection of Austria Now Available in Patentscope

THIS BRINGS TO
74TH NUMBER OF
NATIONAL
COLLECTIONS
AVAILABLE IN WIPO

GO TO TOP

The national patent collection of Austria is now available in WIPO's global <u>patent search system PATENTSCOPE</u>.

It includes over 675,000 patent documents. Among which over 9,000 documents are German full-text (OCR) documents.

The addition of the national collection of Austria brings to 74 the number of national/regional collections available in PATENTSCOPE.