# HASAN AND SINGH Intellectuals @ Law

Advocates, Patent And Trademark Attorneys

**NEWSLETTER NOVEMBER 2019** 

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#### 1. Update on Patent Subject Matter Eligibility

UPDATE
PROVIDES FURTHER
EXPLANATION ON HOW
THE USPTO APPLIES THE
2019 PATENT SUBJECT
MATTER ELIGIBILITY
GUIDANCE

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The update provides further explanation on how the USPTO applies the 2019 Patent Subject Matter Eligibility Guidance. The United States Patent and Trademark Office (USPTO) today provided notice of an update to the 2019 Revised Patent Subject Matter Eligibility Guidance (2019 PEG). The October 2019 Update responds to public comments regarding the 2019 PEG. The update does not change the 2019 PEG, but provides further explanation on how the USPTO applies such guidance. For example, the update provides additional information on how the USPTO determines if a claim "recites" an abstract idea and how groupings within the abstract idea exception are determined. It also explains the procedures examiners can use to... Read more

### 2. EPO signs reinforced partnership agreement with Malaysia

EUROPEAN
SIGNS REINFORCED
PARTNERSHIP
AGREEMENT WITH
MALAYSIA

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EPO President António Campinos and the Director General of the Intellectual Property Corporation of Malaysia (MyIPO), Dato' Mohd. Roslan bin Mahayudin, signed a Memorandum of Understanding (MoU) on Reinforced Partnership between their two offices on the margins of the WIPO General Assemblies in Geneva yesterday. The agreement follows on from longstanding co-operation between Europe and Malaysia in the field of patents going back to the 1990s. MyIPO is the first intellectual property office in Southeast Asia to sign this advanced type of bilateral co-operation agreement with the EPO, and the fourth office worldwide to date, following the recent signature of agreements with the offices of South Africa, Ethiopia and Argent... Read more

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## 3. IP Australia is the first in the world to extend its WIPO's Digital Access Service (DAS) digital library to trade marks

IP AUSTRALIA IS THE FIRST IN THE WORLD TO EXTEND ITS WIPO'S DAS DIGITAL LIBRARY TO TRADE MARKS NOVE. 01, 2019

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IP Australia is pleased to announce the extension of its digital library in the World Intellectual Property Organization (WIPO)'s Digital Access Service (DAS) to trade marks and designs as of 1 November 2019. Extending the DAS supports IP Australia's offering for a modern, customer-centric service experience through digitally enabled services. The DAS is an electronic digital library service, administered by WIPO, to facilitate the secure exchange of priority documents between intellectual property offices (IPOs). Previously, applicants had to request certified paper copies of documents from an initial IPO and then file those documents with other IPOs. The DAS simplifies this... Read more

#### 4. CNIPA Starts Use of New Official Seal for GIs

CHINA NATIONAL
INTELLECTUAL
PROPERTY
ADMINISTRATION
(CNIPA) RELEASED AN
OFFICIAL SEAL FOR GIS

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On October 16, China National Intellectual Property Administration (CNIPA) released an official seal for geographical indications (GIs). According to relevant regulations including the Trademark Law of the People's Republic of China and the Patent Law of the People's Republic of China, CNIPA is competent for registering GIs and rendering official protection. The outgoing seal is still valid before the new one is used officially and its transitional period will last until December 31, 2020. A principal of CNIPA's IP Protection Department introduced that the official seal for GIs is designed to reflect authority, representation, versatile to suit and easy to identify. The seal is an official one featuring solemnity and authority and designed with... Read more

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### 5. Regulations on Trademark Application and Registration to come into force from December 1

REGULATIONS ON TRADEMARK APPLICATION AND REGISTRATION TO COME INTO FORCE FROM DECEMBER 1

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On October 17, the State Administration for Market Regulation (SAMR) hold a press conference, centering around the theme of "broadening the market access and optimizing the business environment". It was learned at the press conference that the Regulations on Trademark Application and Registration (thereinafter shorted as "Regulations")had been released by SAMR as the 17th decree and will take into force from December 1. Qin Yizhi, Deputy Head of SAMR indicated that SAMR and CNIPA will take into consideration both the execution of Trademark Law and Regulations to continuously push forward the reform of trademark registration facilitation and to crack down on vario... Read more

### 6. Further strengthening co-operation with our international partners

MEETING OF
THE EPO PRESIDENT
WITH MICHAEL
SCHWAGER, DIRECTOR
GENERAL IP
AUSTRALIA

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To strengthen international co-operation on patents, a delegation from the EPO met with representatives of intellectual property offices from around the world on the fringes of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO) in Geneva last week and signed a number of agreements. In all, some 40 official meetings were held with partner organisations, making it a key week for setting the EPO's international agenda for the coming year. Creating an effective IP network with our partners is a high priority under our new Strategic Plan," said EPO President António Campinos. "Patent offices around the world are sharing a number of challenges ranging from increasing complexity of inventions ... Read more

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### 7. Singapore Maintains Top Position in Asia for IP Rights Protection: IPR Index 2019

SINGAPORE

MAINTAINS TOP

POSITION IN ASIA FOR

IP RIGHTS

PROTECTION IPR

INDEX 2019

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SINGAPORE – Singapore moved up one notch to be the fourth amongst 129 countries in the International Property Rights Index (IPRI) 2019 report. The Republic now sits alongside strong IP powerhouses such as Finland, Switzerland and New Zealand. Singapore continues to retain its top spot in Asia, according to the official website of Intellectual Property Office of Singapore (IPOS). The index, which ranked 129 countries representing 93.83% of the world's population and 97.72% of the world's GDP, placed Singapore within the top countries under the three core categories of (i) Legal and Political Environment, (ii) Physical Property Rights, and (iii) Intellectual Property (IP) Rights. The index... Read more

## 8. Draft Patents (2<sup>nd</sup> Amendment) Rules, 2019- published for Objections or suggestions

DRAFT
PATENTS
(2ND AMENDMENT)
RULES, 2019- PUBLISHED
FOR OBJECTIONS
OR SUGGESTIONS

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The draft rules to further amend the Patents Rules, 2003 which the Central Government proposes to make in exercise of the powers conferred by section 159 of the Patents Act, 1970, are hereby published as required by sub-section (3) of the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of thirty days from the date on which copies of the Gazette of India, in which this notification is published, are made available to the public. Objections or suggestions, if any, may be addressed to Ms Pooja Swaroop, Deputy Secretary, Department for Promotion of Industry and Internal Trade, Ministry of Commerce and .... Read more