

PATENTS

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INTELLECTUAL PROPERTY
OFFICE OF SINGAPORE



PATENTS

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The information provided in this infopack is meant as a guide only and does not amount to legal advice. Please seek independent professional advice before acting on any matter contained in this infopack.

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1 INTRODUCTION AND FUNDAMENTALS

Intellectual Property (IP) refers to the product of your mind or intellect. IP can be an invention or innovation, special names and images used in trade, original designs or an expression of an idea. In Singapore, laws exist to protect such IP. This may be through a registration process such as patent grants for inventions, trade mark registration for signs used in trade, industrial design registration for designs applied to articles and grants of protection for plant varieties. Other forms of IP, that need not be registered, but may be protected nonetheless, include copyright works, geographical indications, layout-designs of integrated circuits, confidential information and trade secrets.

Introduction

A Patent is a monopoly right given by the Government to the owner of an invention to enable him to prevent others from using, copying or making the invention without his consent in the country in which he has obtained patent protection.

To obtain a patent in Singapore, one must submit a patent application to the Registry of Patents. The patent application should contain particulars including a full written explanation or disclosure of the invention and the mechanics by which the invention works.

A patentable invention can be a product or a process that gives a new technical solution to a problem. It can be a new method of doing things, the composition of a new product, or a technical improvement on how certain objects work.

Rights Conferred by a Patent

For a patent granted in Singapore, the rights conferred by a patent extend throughout Singapore. It confers on the owner the right to prevent others from exploiting the invention without his consent during the term of the patent, which is 20 years subject to annual renewal.

A patent is a form of property and it can be assigned, licensed or mortgaged.

Legislation Governing Patents

The Patents Act came into force on 23 Feb 1995 and provided Singapore with its own patent system. The Patents Act (Cap. 221) and its subsidiary legislation, which consists of the Patents Rules, the Patents (Patent Agents) Rules, and the Patents (Composition of Offences) Regulations, form the legislation governing patent law in Singapore.

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- » View the Patents Act online at <http://statutes.agc.gov.sg> and visit the IPOS website www.ipos.gov.sg for the latest legislation update.
 - » Copies of the legislation including the Patents Rules, the Patents (Patent Agents) Rules, and the Patents (Composition of Offences) Regulations are available at www.myepb.com or the Legal Publications Retail Outlet at 491, River Valley Road, #01-20, Valley Point, Singapore 248371. Tel: 6733 5794
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Benefits of Patents

Apart from using the patent to prevent others from exploiting the invention, the patent owner can exploit his patent in many ways. He can use his patent to raise funds for his business, license it to third parties for commercial returns or sell the patented invention for a sum of money.

When to File

The patent system in Singapore operates on a first-to-file basis. In other words, the first person to file an application will, in general, have priority over others. The basis of deciding who was the first-to-file is based on the date of filing accorded to the application. The Registry of Patents allocates a date of filing based on the date it receives a patent request, together with an identification of the applicants and a description of the invention.

Singapore, like many countries, allows priority claims to be made in a patent application. If an applicant has an application filed earlier in a Paris Convention or World Trade Organisation member country, he may claim this earlier filed application as priority in his subsequent Singapore patent application(s). This is provided that the Singapore application is made within 12 months from the date of filing of the earlier filed application.

>> For the list of parties to the Paris Convention and members of the World Trade Organisation, please refer to the WIPO website www.wipo.int and the WTO website www.wto.org.

Patentable Inventions

For an invention to be patentable, it must, in general, satisfy three key criteria.

New : The invention should not have been made known to the public in any way, anywhere in the world. Owners of inventions should be careful to keep the invention secret, until a patent application has been successfully made. An invention could be considered as not new if it has already been made available to the public by word of mouth, or it has been commercially exploited, or it has been featured in an article or advertised in the press, or it has been demonstrated. Such disclosure may be novelty destroying and forms one of the grounds for the revocation of a patent.

In certain cases, it may be necessary to disclose the invention before the application for a patent is made, e.g. disclosure to a marketing consultant. Care must be taken to ensure that the disclosure is made in confidence so that such disclosure will not be fatal to the subsequent patenting of the invention.

Once a date of filing has been obtained for the patent application, the invention can claim a "Patent Pending" status and the applicant can proceed to disclose the invention as such in the patent application to interested parties. As part of the application process, the patent application will be published. Once published, details of the invention will be made available for public scrutiny.

Inventive Step : The invention must be something that represents an improvement over any existing product or process that is already available. The improvement must be non-obvious to a person who is skilled in the art in that technological field of the invention. If an invention is new yet obvious to a person skilled in the art, the invention would not fulfil the inventive step requirement.

Industrial Application : The invention must be useful and have some form of practical application. It should be capable of being made or used, or achieving a concrete end result in any industry.

>> The description, claim(s) and drawing(s) (if any) form the specification of the patent application.

In addition, the publication or exploitation of the invention must not encourage offensive, immoral or anti-social behaviour.

Patent Information Search

It is important to know the state-of-the-art before filing for a patent. An inventor would not have to re-invent the wheel and the owner of the invention would not infringe on other patents filed or granted. There are resources available to help search for existing patents.

SurfIP, a special project by IPOS, is an IP portal that offers a comprehensive suite of services supporting both the layman as well as the professional user. At SurfIP, a user can conduct research on IP information, search for prior art, gather business intelligence, monitor technology and commercialise his IP. www.surfip.gov.sg

ePatents is a one-stop website for electronic patent searches and transactions. Upon registration, a user gains free access to basic bibliographic details on all patent applications filed with IPOS. He can also access and download the published patent register and patent specification (where available) for a fee. www.epatents.gov.sg

The Public Search Room at IPOS keeps records of all patents in Singapore for public access. Here, the public can access patents information, request for the specification of any published Singapore application, and search for the records via ePatents. The specification search and printing services are chargeable.

Note: These tools and resources provide non-exhaustive searches and an official search will be conducted as part of the application process.

2 OWNERSHIP AND RIGHTS

Entitlement to a Patent

The right to the grant of a patent belongs primarily to the inventor or inventors. However, should the invention be developed in the course of work, under Singapore law, the rights to the invention may then vest with the employer. The patent law lays down the circumstances in which inventions by the employee belong to the employer and those in which they remain with the employee.

The owner of the invention may also assign his rights to another person or entity and the rights would pass over to the assignee.

Any person or corporation claiming to be the owner of an invention can apply for a patent in Singapore. There are no restrictions or discrimination as to nationality or residency. However, an applicant who is not a resident in Singapore must provide the Registry of Patents with an address for service in Singapore to which all correspondences will be sent. If a patent agent is hired to act on the applicant's behalf, this address for service should be the practice address of the patent agent.

Term and Renewals

The term of a patent is 20 years from the date of filing subject to the payment of annual renewal fees. Annual renewal fees are payable starting from the end of 4th year from the date of filing, and for every subsequent year thereafter, until the patent expires.

Infringement

Infringement occurs when an invention of a patented product or process is used without the consent of the patent owner while the patent is in force.

In general, there is infringement when a party, without the consent of the patent owner, makes, disposes of, offers to dispose of, uses or imports the product or keeps it whether for disposal or otherwise.

In general, there is infringement when a party uses the process or offers it in Singapore when he knows, or it is obvious to a reasonable person in such circumstances, that the use without consent would be infringing on the rights of the patent owner. It is also an infringement when he disposes of, offers to dispose of, uses or imports any product obtained directly by means of that process or keeps any such product whether for disposal or otherwise.

Enforcement

The patent owner can take civil legal action against an infringing party, seeking relief in the form of an injunction to stop the infringing action, demand for the profits gained by the infringing party at his expense and/or, seek damages for the loss suffered.

Unauthorised Claims

It is a criminal offence to make unauthorised claims about patent rights or patents applied for. If a party falsely claims his product is "patented" or "patent pending" or he claims to have applied for a patent for his product without actually doing so, he may be subject to legal proceedings.

3 APPLICATION PROCESS

Filing an Application

The applicant must file the application form together with the necessary supporting information and documents with the Registry of Patents. This includes:

- Description** : The description should disclose and describe the invention clearly and completely to enable any skilled person in that field of the invention to perform or reproduce the invention.
- Claim(s)** : The claim(s) define the scope of the protection requested by the applicant. It usually includes the essential principles or features of the invention and should relate to the Description. Claims must be well-crafted in order for it to be effective, as it sets out the protection limits and boundaries under the patent.

>> Singapore does not require the filing of claims at the point of filing the application. Claims however, have to be furnished within a prescribed period. Failure to do so would result in the application being treated as abandoned.

- Drawing(s)** : Drawing(s) may be schematic, cross-sectional or in a form that can properly illustrate the invention. They should be furnished as they form part of the disclosure of the invention.
- Abstract** : Every application should contain an abstract, or a summary of the invention. It is not part of the specification, but is used in the publication of the patent.

>> The description, claim(s) and drawing(s) (if any) form the specification of the patent application.

>> Although not a requirement in Singapore, an applicant should consider seeking the services of a patent agent for his patent application. Patent applications are technical and legal documents and it is very important that the patent application is carefully drafted for it to be effective.

Services provided by a patent agent include giving advice on the making of any pre-application disclosure and on the patentability of an invention, conducting searches on existing inventions, drafting of the patent specification and prosecuting the patent application before the Registrar of Patents.

In Singapore, the patent agent profession is regulated by The Patent (Patent Agents) Rules 2001 and Section 104 and 105 of the Patents Act. If a person describes himself as a patent agent, he must be registered with IPOS and have a practising certificate issued by IPOS. The list of Singapore-based registered patent agents are available at the IPOS website www.ipos.gov.sg.

Patent Application Fund Plus (PAF PLUS)

Singapore wants to encourage inventors, start-ups and small and medium enterprises (SMEs) to patent inventions and commercialise their inventions. The PAF PLUS scheme helps cover some of the costs of filing patent applications. The Economic Development Board (EDB) currently administers this scheme.

For more details, please contact the Intellectual Property Strategic Business Unit at EDB at Tel: (65) 6832 6832 or visit www.sedb.com

Priority Claim

If the applicant wishes to claim priority, the declaration of priority has to be made at the time of filing the application. Where applicable, the priority documents must be furnished within a prescribed period.

Naming of Inventors

An applicant who is not the inventor must identify the inventor or inventors of the invention and state how he derived the right to the invention, e.g. by assignment or by contract of employment.

Address for Service

An address for service in Singapore must be provided in all patent applications. This is the address to which all correspondences from the Registry of Patents will be sent. Where there is a change in the address for service, the applicant will have to notify the Registry of Patents.

Estimated Processing Time

There is no definite answer to this. It could range from two to four years. This is dependent on factors such as complexity of the invention, amendments to the application and the search and the examination processes.

Forms and Fees

A list of forms and fees pertaining to patents is enclosed at the back of this infopack. All forms are available at the Registry of Patents and are downloadable from the IPOS website www.ipos.gov.sg.

ePatents

ePatents is a one-stop solution designed to facilitate online patent related searches and transactions in Singapore. ePatents services include:

- search, view basic bibliographic information for any patent application or patent filed in Singapore;
- download of register for any patent application or patent that has been published in Singapore;
- download of specification for any patent application or patent that has been published (where available) in Singapore;
- file a patent application;
- file a statement of inventorship and of right to the grant of a patent;
- request for a search report or supplementary search report;
- request for a search and examination report;
- request for an examination report;
- amend a patent application before grant;
- request for issuance of certificate for grant;
- annual renewal of the patent;
- request for furnishing of or access to miscellaneous information;
- request for certified copies of patent documents;
- declaration of authorisation of agent;
- request for information relating to a patent or a patent application; and
- alter the name of address of applicants/inventors, address for service, address of agent or correct an error.

For an updated list of services offered by ePatents, please visit the ePatents website www.epatents.gov.sg.

Application Submission

In our effort towards greater efficiency, many processes have been computerised. With effect from 1 August 2003, the filing of patent applications can be done electronically via ePatents. An applicant who wishes to file a patent application has the following three options:

1. ePATENTS - Online Submission via Online Internet Service (OIS)

Patent applications can be submitted online through a secured and encrypted channel via OIS. The OIS is recommended for the submission of applications and/or patents forms (attachments included) no larger than 5MB. Otherwise, the Electronic Patent Preparation (EPP) option should be used.

2. ePATENTS - Electronic Media Submission using Electronic Patent Preparation (EPP) Software

The EPP is a tool for the preparation of patent applications in digital format and they are to be copied onto a recordable medium (such as a CD-ROM) to be sent over to the Registry by hand or mail. The EPP software is free and downloadable from ePatents www.epatents.gov.sg.

Applicants who bring only their paper documents to file their patent applications can still do so via ePatents. The Self-Help Kiosk is a facility available at the Registry for converting the documents into digital format. It is a room with a PC, scanner, appropriate software and a CDR Writer. The same terminal may also be used for online submission using OIS or EPP.

>> Besides patent application, other patent forms such as those listed under ePatents on page 6 may also be filed using OIS and EPP. For an updated list of patent forms supported and the applicable surcharges for filings done using OIS or EPP, please refer to the ePatents Online Fees at the back of this Infopack.

3. Manual / Paper Submission

Patent applications can also be submitted using paper copies. They will be sent to the Service Bureau (page 8) where the patents forms and documents will be converted into a digital format for electronic processing. The applications in paper copies can be sent to the Registry by hand or mailed to the address below:

Address	: Registrar of Patents Registry of Patents Intellectual Property Office of Singapore 51 Bras Basah Road #04-01 Plaza By The Park Singapore 189554
Business Hours	: Monday to Friday: 8:30am to 12:30pm, 1:30pm to 5:30pm Saturday : 8:30am to 1:00pm
Payment Hours	: Monday to Friday: 8:30am to 12:00pm, 1:30pm to 4:30pm Saturday : 8:30am to 12:00pm
Customer Enquiry Hotline	: (65) 6339 8616
Fax	: (65) 6339 9230
Email	: ipos_enquiry@ipos.gov.sg

Payment Modes

Manual submission by hand	NETS, CashCard or GIRO, cheque (crossed), money order and bank draft (in Singapore dollars) made out to <u>Intellectual Property Office of Singapore</u>
Manual submission by mail	Cheque / money order / bank draft / the request for GIRO payment
ePatents - OIS	Online payment by CashCard or GIRO
ePatents - EPP	Online payment by CashCard or GIRO

For submission by mail, the application form must be completed and duly signed together with all the required documents and the appropriate mode of payment.

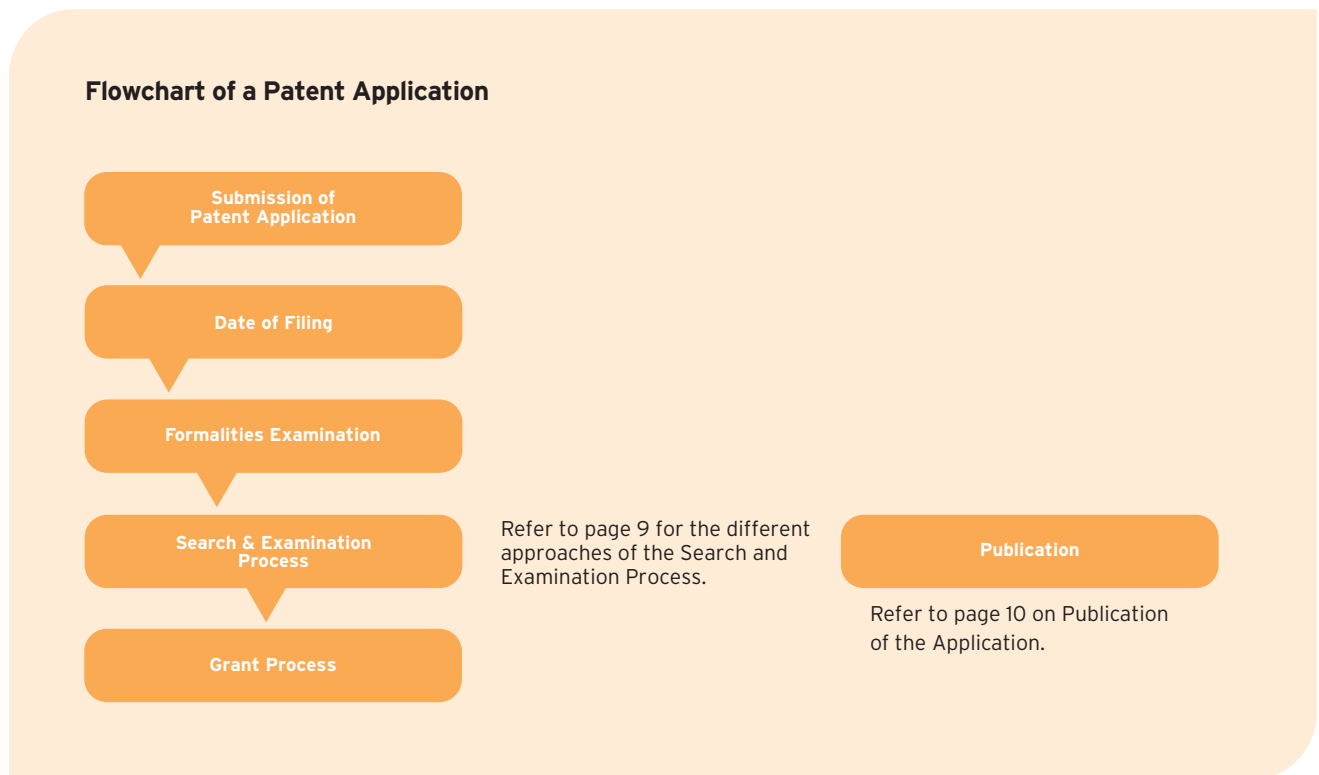
Submission of documents can be done after the Registry's operating hours. A Patents Deposit Box is available outside the Registry (4th Floor) for applications to be deposited into. Depending on the time of deposit, with midnight as the cut-off time, the date of receipt will be the date of deposit in the Patents Deposit Box.

Service Bureau (SB)

If a patent application is submitted in paper copies, it will be sent to the Service Bureau where the printed forms and documents will be converted into an electronic format for the application to be electronically processed by ePatents. The relevant SB fees will apply.

For specific patent forms where the electronic submission options (OIS and EPP) are not available, SB fees will not apply.

Process After Submission



Date of Filing

The date of filing is issued by the Registry of Patents and is the earliest date on which the patent request, an identification of the applicants and a description of the invention is received by the Registry.

Formalities Examination

After the applicant has filed all the necessary documents within the time periods prescribed, the Registry of Patents would conduct a formalities examination of the documents. This entails a check to ensure that all documents have been submitted in the prescribed format, presentation, size and is suitable for reproduction in general.

Search and Examination

After the application has passed the formalities examination, the applicant may proceed to the next stage which is the search and examination process. The Registry of Patents in Singapore offers three approaches to the search and examination process; namely all-local, all-foreign and a combination of local/foreign approach.

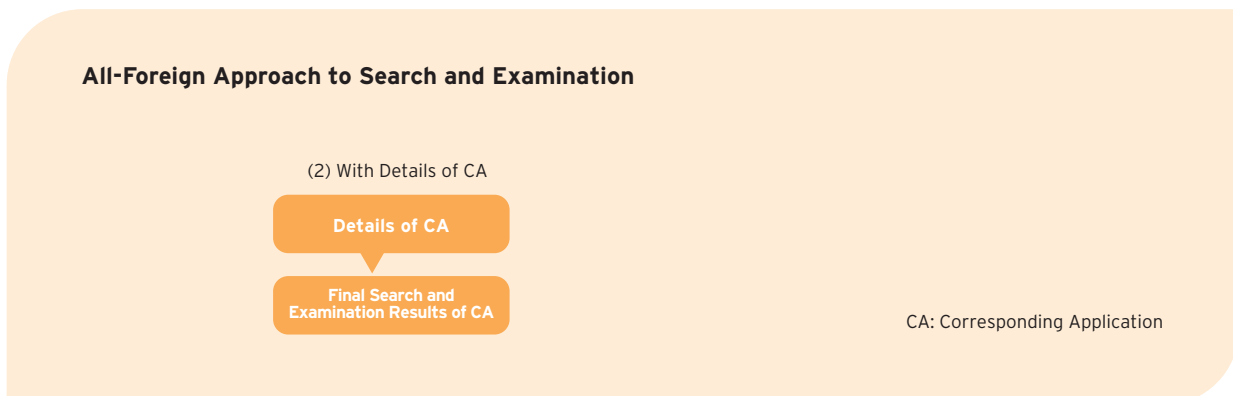
The search process is essentially a search conducted for all materials and information which are relevant to the subject of the invention. It allows the patent examiners to check if the invention is new. The results of the search are reflected in a search report.

The examination process involves the consideration of the examiner as to whether the invention qualifies for patent protection under the three criteria (new, involves an inventive step and capable of industrial application). The results of the examination are reflected in an examination report.

1. In the all-local approach, an applicant may request to undergo either a search-then-examination process or a combined search-and-examination process as shown in these flowcharts.

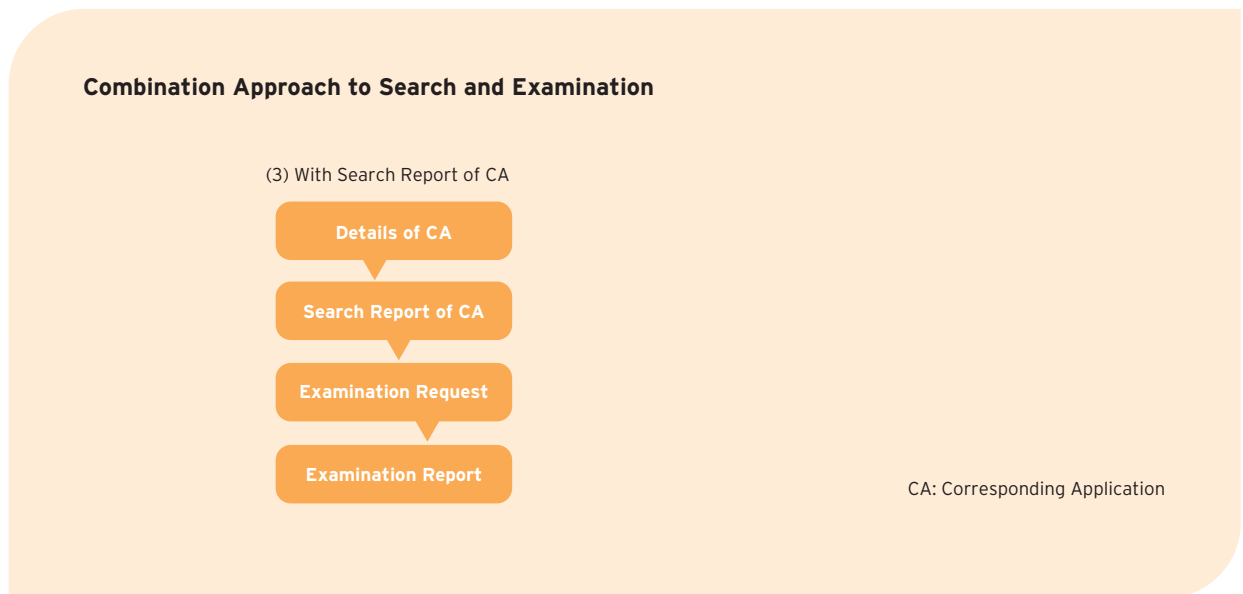


2. In the all-foreign approach, the applicant first furnishes the Registry of Patents with details of each corresponding application and subsequently the final search and examination results or copy of the grant of a corresponding application. Under this approach, the applicant does not need to file a further search and examination request with the Registry of Patents in respect of the same invention.



- >> Effective from 1 July 2004
For an application with a date of filing on or after 1 July 2004, details of corresponding application(s) are no longer required to be furnished. The applicant can proceed directly to submit the final search and examination results or copy of the grant of a corresponding application.

3. In the combination approach, the applicant first furnishes details of each corresponding application and subsequently files an examination request with the Registry of Patents relying on the search results of a corresponding application furnished earlier.



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- >> Effective from 1 July 2004
For an application with a date of filing on or after 1 July 2004, details of corresponding application(s) are no longer required to be furnished. The applicant can proceed directly to file an examination request together with the search results of a corresponding application and any other required documents.
 - >> In general and subject to other requirements, a corresponding application is an application for a patent filed with any prescribed patent office. The list of prescribed patent offices is found in the Patents Rules and the detailed requirements on corresponding applications in the Patents Act and Patents Rules.
-

Different approaches may be selected depending on the applicants' needs. Applicants should seek the advice of their patent agents on the best option that is suitable for them.

Request for Extension of Time

There are prescribed periods within each stage of the search and examination process. If the applicant is unable to meet one or more of these periods, an extension of time for that specific period may be requested.

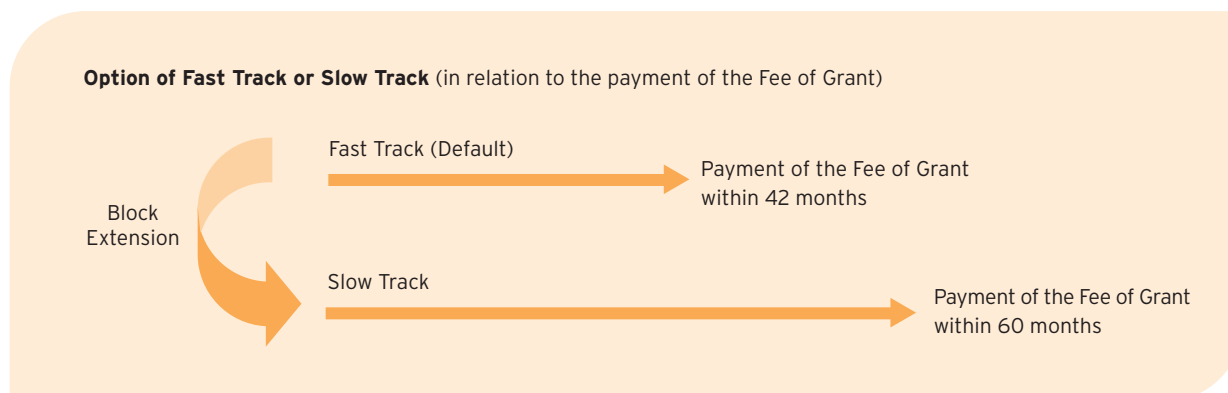
Publication of the Application

The application will be published in the Patents Journal produced by the Registry of Patents as soon as possible after 18 months from the priority date or where there is no priority date, the date of filing of the application. Either the search report, the combined search and examination report or the search and examination results of a corresponding patent application must also first be available.

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- >> Effective from 1 July 2004
Applications with a date of filing on or after 1 July 2004 will be published as soon as possible after 18 months from the priority date or where there is no priority date, the date of filing of the application. However, there is no requirement that the search report, the combined search and examination report or the search and examination results of a corresponding patent application to be made available at the point of publication.
 - >> Copies of the latest Patents Journals may be purchased at the IPOS counter.
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2-Track Application System - Effective 1 July 2004

To ensure a nimble patents registration system catering to the growing diversity and needs of businesses in Singapore, for applications with a date of filing on or after 1 July 2004, a new 2-Track Application System has been introduced, comprising a default Fast Track system and a Slow Track system. Each Track has its own set of prescribed periods for the purposes of complying with the search and examination and payment of the fee for grant deadlines within the application process.



The prescribed periods under the Fast Track system shall apply by default when an application is first filed. These periods shall continue to apply until a request for block extension of periods is made within 39 months from the priority date or where there is no priority date, the date of filing of the application. Upon approval of this request by the Registry, the prescribed periods under the Fast Track will be replaced by the later prescribed periods under the Slow Track system.

Grant of the Patent

Upon the receipt of a search and examination report, the applicant would have to assess if it is worthwhile to proceed to obtain a grant of a patent and maintain the patent. If the applicant chooses to do so, he would then submit a request for grant. On grant, a certificate of grant would be issued, and this fact and date of grant will be published in the Patents Journal.

After Grant

Term

The term of a patent is 20 years from the date of filing subject to the payment of renewal fees.

>> Effective from 1 July 2004

For patents granted on applications with a date of filing on or after 1 July 2004, an application can be made to the Registrar to extend the term of a patent beyond 20 years from its date of filing. Such an application can be made under the following grounds:

- there was an unreasonable delay by the Registrar in granting the patent;
- there was an unreasonable delay caused by a foreign patent office in the issuance of the patent relating to a corresponding application, or
- there was an unreasonable delay in obtaining marketing approval for a pharmaceutical product.

Renewals

Annual renewal fees are payable for the first time at the end of 4th year from the date of filing, for the 5th year, and for every subsequent year after that until the patent expires.

If a patent is granted after the 4th year from the date of filing, the annual renewal fees would be payable within 3 months from the date of grant, for the following year and for every subsequent year after that until the patent expires.

Amendments and Corrections

Amendments and corrections to patent documents must be made according to the statutory requirements. For example, an amendment to the specification of a patent should not include any additional matter or extend the scope of protection conferred.

Revocation and Re-examination

Any party, on application to the Registrar, may seek to revoke a patent on grounds including the following:

- the invention is not a patentable invention;
- the patent was granted to a person who is not entitled to the grant;
- the specification does not disclose the invention clearly and completely for it to be performed by a person skilled in the art;
- the matter disclosed in the specification extends beyond that disclosed in the application as filed;
- the amendment or correction to patent application or patent should not have been allowed;
- the non-disclosure/inaccurate disclosure of prescribed material information;
- the patent was obtained on a misrepresentation; or
- the patent was obtained fraudulently.

Post-Grant Search and Examination

Any party, on application to the Registrar, may request for a post-grant search and examination to be conducted for any claim of a patent which has not been examined or prior art not considered before its grant.

4 APPLYING FOR A PATENT OUTSIDE SINGAPORE

Introduction

Patent protection is territorial in nature. Separate applications will have to be made in each of the country/region where patent protection is desired. To obtain protection overseas, it is necessary to file applications in the countries concerned either individually or through the Patent Co-operation Treaty.

Clearance under Section 34 of the Patents Act

It is not mandatory to apply for patent protection in Singapore first before seeking protection overseas. However, Section 34 of the Patents Act states that any person resident in Singapore is required to obtain a written authorisation from the Registrar of Patents before he files or causes to be filed outside Singapore an application for a patent for the same invention.

The only exception to this is a patent application that has been filed in Singapore for 2 months or more and there is no further direction from the Registrar under Section 33 of the Patents Act.

Contravention of Section 34 is a criminal offence.

Seeking Registrar's Written Authority

Persons wanting such permission should apply direct to the Registrar of Patents, in writing. The Section 34 application form is available at the Registry of Patents or IPOS website at www.ipos.gov.sg. A brief summary of the invention and the drawings, if any, should accompany the application for written authority.

The information in such an application is confidential. Therefore, for submission by hand, the applicants are advised to place their requests into the National Security Box that is located at the IPOS' counter.

For submission by fax or mail, the applicants are advised to inform the officers on duty in the Registry of Patents of their intentions. This would enable the officers to look out for the requests and deal with them expeditiously. To enquire on and speak to the officers on duty, please call the Registry at Tel: (65) 6339 8616.

Upon receipt of the request, the Registry would respond in less than 5 working days from the date of receipt. For urgent cases, wherever possible in the event where the officers have been given prior notice, immediate action would be taken.

The Patent Co-operation Treaty (PCT)

The PCT is an international treaty to facilitate the filing of patent applications in different countries concurrently. The PCT system produces the same effect as if a national patent application has been filed with the national patent office in each country designated by the applicant. It allows the applicant to seek patent protection for his invention in several countries simultaneously by filing an international application with a single office, in one language and a single set of forms and fees.

The PCT system for filing of an international application is administered by the International Bureau of the World Intellectual Property Organisation (WIPO) based in Geneva, Switzerland.

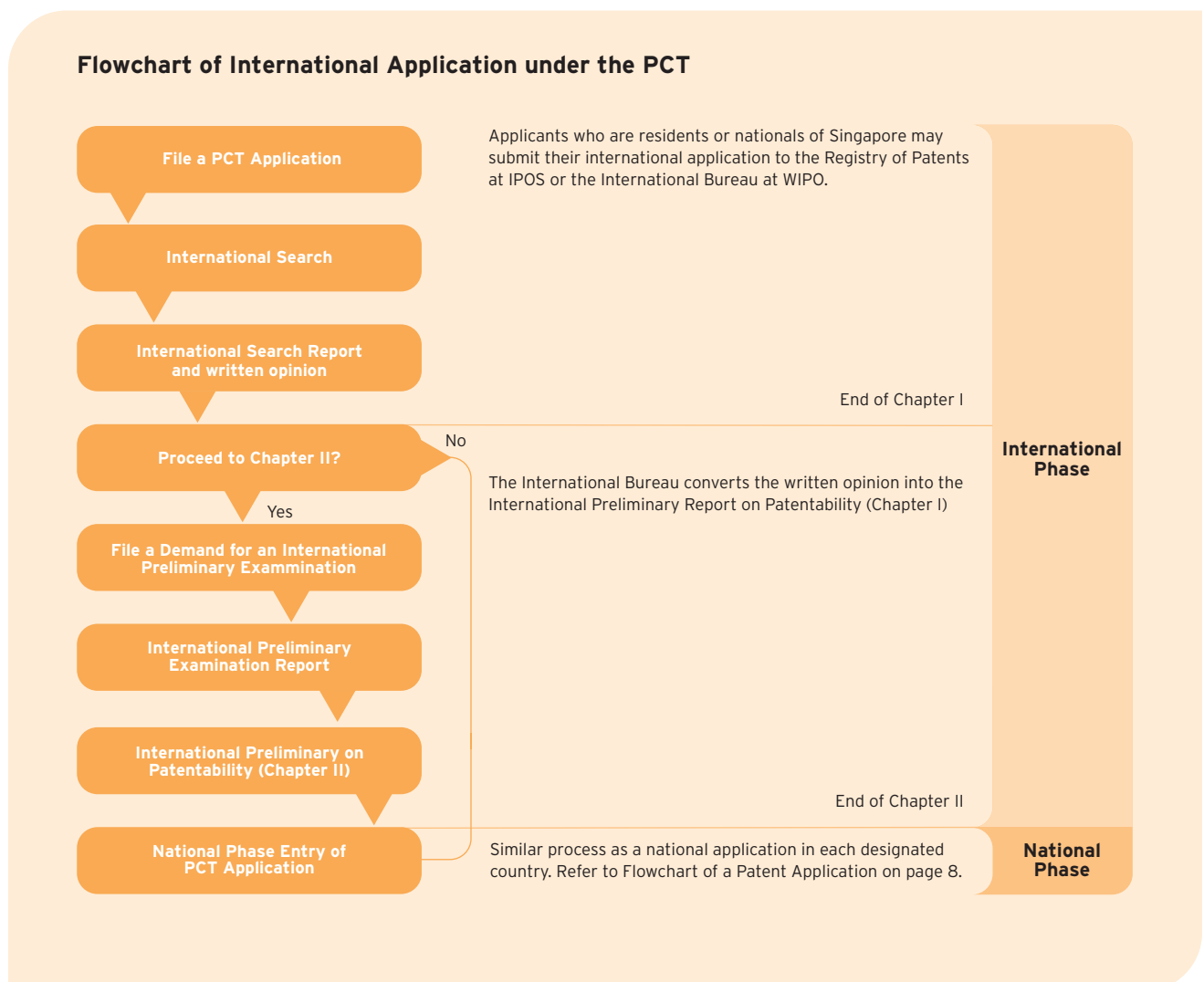
An international application may be initiated by a resident or national of a PCT contracting country wanting to seek protection in other PCT Contracting States. To apply, an applicant would file an international application with the patent office in his home country or the International Bureau of WIPO in Geneva. The filing of a PCT request constitutes the automatic designation of all Contracting States that are bound by the PCT on the international filing date.

>> The list of PCT contracting countries and PCT Applicant's Guide are available at the WIPO website www.wipo.int.

International Application Submission

Upon submission, the international application undergoes the international phase and where an applicant decides to do so subsequently, the regional or national phase.

The international phase constitutes two chapters: Chapter I & Chapter II. The applicant has the option of entering national phase upon completion of the Chapter I or II. On entering the national phase, each designated office would evaluate the application and decide on grant or refuse the national patent according to its national laws.



In Chapter I of the PCT, the international application will be subject to a search by an International Searching Authority (ISA). A written opinion will also be issued by the ISA within the international search procedure. Details of the international application and the International Search Report, will be published by the International Bureau. This concludes Chapter I of the PCT. If the applicant chooses to enter the national phase at this juncture, the written opinion by the ISA will be converted by the International Bureau into the International Preliminary Report on Patentability (Chapter I) (IPRP (Chapter I)).

Where the applicant decides to proceed with the international phase, he will file a demand for an international preliminary examination under Chapter II of the PCT. The examination gives the applicant a preliminary and non-binding opinion on the patentability of the invention. For the purposes of the examination, the written opinion issued in Chapter I of the international phase may be used. Upon completion of the examination, an International Preliminary Report on Patentability (Chapter II) (IPRP (Chapter II)) will be established. This concludes Chapter II of the PCT.

>> As Singapore is a PCT Contracting State, an international application may be filed by a resident or national of Singapore with the Registry of Patents at IPOS in Singapore as the receiving office.

Advantages

1. The PCT system offers convenience should the applicant wish to seek patent protection in more than one PCT contracting region or country. Being a file-once-apply-all system, the applicant does not need to file separate applications in each of the designated countries.
2. An international application benefits from the longer time period offered by the international phase of the PCT. This is the period from the time of filing to the time for entering the regional or national phase. During this period, the applicant can re-assess the commercial viability of the invention before incurring further costs associated with the national phases at the designated regions or countries. In the national phase, there may be expenses such as translation costs, agent fees, and national fees that can amount to a considerable sum of money.

Filing a PCT Application with Singapore as the Receiving Office

An applicant, who is a resident or national of Singapore, may file an international application under the PCT directly with the Registry of Patents in Singapore or the International Bureau at WIPO in Geneva, Switzerland. Where applicable, the necessary Section 34 National Security Clearances should be obtained. Please refer to page 13 for more details.

In Singapore, the Registry of Patents accepts international application in a type-written format; or a printed cum digital format by using the PCT-SAFE software provided by WIPO. PCT-SAFE also provides a feature for the preparation of documents for electronic filing of PCT applications. However, please note that the Registry of Patents in Singapore is not ready to accept PCT applications filed electronically. The PCT-SAFE software can be downloaded at http://pcteasy.wipo.int/pct_safe.

International Application Entering National Phase in Singapore

The requirements for national phase entry into Singapore can be found in the Patents Act and Rules.

Singapore has acceded to both Chapter I and Chapter II of the PCT. An applicant, in his international application with respect to Singapore, has a choice whether to enter the national phase in Singapore under Chapter I or Chapter II. Such international applications are treated the same as any patent application filed in Singapore.

Entering National Phase After Chapter I

On entering national phase in Singapore under Chapter I, the applicant may proceed to file a request for examination relying on the search results obtained earlier during the international phase. On receipt of the examination report from the Registry of Patents in Singapore, the applicant may proceed to pay the fee for the grant of a patent. This grant is subject to the application meeting the necessary statutory requirements.

For applications with a date of filing on or after 1 July 2004, applicants may instead of requesting for an examination report in Singapore, rely on their IPRP (Chapter I) established during the international phase to meet the search and examination requirements under the Patents Act. If this option is chosen, the applicant may proceed directly to pay the fee for the grant of a patent.

Entering National Phase After Chapter II

On entering the national phase in Singapore under Chapter II, the applicant may proceed to pay the fee for the grant of a patent relying on the IPRP (Chapter II). This grant is subject to the application meeting the necessary statutory requirements.

>> The PCT forms and fees are available at the WIPO website www.wipo.int and the forms available during the national phase in Singapore are available at the Registry of Patents and are downloadable from the IPOS website www.ipos.gov.sg.

Frequently Used Terms in Patents

Abstract	A brief summary of your invention that describes its key important features.
Claims	Written statements defining the boundaries of protection under the patent. It usually includes the essential principles or features of the invention and should relate to the Description.
Description	A clear and complete disclosure and description of the invention to enable any skilled person in that field of the invention to perform or reproduce the invention.
Disclosure	The act of making something known through speech, written language or demonstration.
Drawings	Technical drawings referred to in the Description and Claims. They form part of the disclosure of the invention.
Examination	The process where the invention is examined to determine if it is new, involves an inventive step and capable of industrial application.
Date of Filing	The date issued by the Registry of Patents upon receipt of the patent request, together with an identification of the applicants and a description of the invention.
First to File	The applicant who is the first to file for a patent will have priority over the others.
Formalities Examination	The check conducted by the Registry of Patents to ensure that the formal requirements have been met. This includes the check that all necessary documents and forms have been submitted in proper and correct order, such as format, presentation, size and suitable for reproduction in general.
Inventive Step	An improvement that is non-obvious to a person who is skilled in the art in the technological field of the invention.
Inventor	The person who is the actual deviser of the invention.
Industrial Application	Having practical application in any industrial field.
New/Novel	Not known to anyone in any form, anywhere in the world.
Patent Agent	A person who provides professional advice on the measures to take in making any pre-application disclosures, advises on searches on existing inventions, on the patentability of an invention, attends to the drafting of the patent application and the prosecution of the patent application before the Registrar of Patents. If he describes himself as such, he must also be registered as a patent agent with IPOS and have a practising certificate issued by IPOS.
Priority Date	The date officially established when the applicant first files for a patent application in a country that is a member of the Paris Convention or the World Trade Organisation.
Search	The process of searching for any relevant information and materials related to the invention.
Specification	The description, claim(s) and drawing(s) (if any) required to support a patent application.

INTELLECTUAL
PROPERTY
OFFICE OF
SINGAPORE

The Intellectual Property Office of Singapore or IPOS (<http://www.ipos.gov.sg>) is the lead government agency that formulates and regulates intellectual property (IP) laws, promotes IP awareness and provides the infrastructure to facilitate the greater development of IP in Singapore. With IP fast becoming a critical resource in today's new economy, IPOS' vision is to foster a creative Singapore where ideas and intellectual efforts are valued, developed and exploited. Formerly known as the Registry of Trade Marks and Patents, IPOS was established as a statutory board of the Ministry of Law on 1 April 2001.

