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NEWSLETTER NOVEMBER 2024

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01. Easier fee payments for Chinese applicants to the EPO

CHINESE APPLICANTS
TO PAY EPO PCT
SEARCH FEES IN
RENMINBI (CHINESE
YUAN) STARTING
DECEMBER 1, 2024

Chinese applicants can more easily use the EPO as their International Searching Authority under the PCT. They will be able to pay fees in their local currency from 1 December 2024. The European Patent Office (EPO) and the China National Intellectual Property Administration (CNIPA) are pleased to announce the next phase in their joint Patent Cooperation Treaty (PCT) pilot project. Starting 1 December 2024, Chinese applicants designating the EPO as their International Search Authority (ISA) will be able to pay their search fees through the CNIPA to the EPO in Renminbi (Chinese Yuan), offering greater convenience.

Building on the success of the pilot, launched on 1 December 2020, this new phase simplifies the process for Chinese... Read more

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02. Patent literature citations now solely digital

EPO SHIFTS TO
ELECTRONIC ACCESS
FOR CITED PATENT
LITERATURE, PHASING
OUT PAPER COPIES
FOR EPC AND PCT
PROCEEDINGS

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Patent literature documents cited in search and examination proceedings under the EPC and PCT can be accessed via Espacenet. Paper copies are no longer provided.

As previously announced, the EPO now makes cited patent literature in search and examination proceedings under the EPC and the PCT available only in electronic format. Users of MyEPO Portfolio, who receive around 75% of all notified documents, continue to receive those documents electronically in their mailboxes. Users still relying on postal delivery of search reports, search opinions, international preliminary examination reports and communications from examining divisions can access citedpatent literature via Espacenet, the world's largest search tool containing over 150 million patent documents... Read more

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03. EPO meets with JIPA

JIPA DELEGATION
VISITS EPO TO DISCUSS
SUSTAINABILITY,
DIVERSITY, AND
UNITARY PATENT
ENGAGEMENT

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On 26 September 2024, representatives from the Japan Intellectual Property Association (JIPA) visited the European Patent Office (EPO) in Munich. As a non-profit, non-governmental organisation with some 1400 members, JIPA represents industries and users of the IP system. Led by JIPA Managing Director Eiichiro Yagi, the JIPA delegation met with the EPO to discuss and exchange on JIPA's initiatives in the areas of sustainability, diversity & inclusion, and international communication. In a further meeting with EPO Vice-President for Legal and International Affairs Christoph Ernst, there were exchanges on the importance of engaging with Japanese users and the uptake of the Unitary Patent among applicants from Japan. The EPO took the opportunity to record an interview... Read more

04. Uruguay joins the PCT

URUGUAY JOINS THE PATENT COOPERATION TREATY (PCT) AS THE 158TH MEMBER, EFFECTIVE JANUARY 2025

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On October 7, 2024, the Government of Uruguay deposited its instrument of accession to the Patent Cooperation Treaty (PCT) with WIPO's Director General. The PCT will enter into force for Uruguay on January 7, 2025. The accession of Uruguay to the PCT will make it the 158th member of the PCT Union. As from January 7, 2025, applicants and inventors in Uruguay will be able to file patent applications under the PCT as a means of seeking patent protection in PCT Contracting States.

Likewise, starting from January 7, 2025, foreign innovators and companies will be able to use the PCT System to seek patent protection for their inventions in Uruquay.

At the time of depositing the instrument of accession, Uruguay also made a reservation that it is not ound by Chapter II... Read more

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05. Second round of discussions on EPC, PCT-EPO and Unitary Patent Guidelines

EPO DISCUSSES DRAFT 2025 GUIDELINES AND UNITARY PATENT GUIDELINES AT 28TH SACEPO MEETING The 28th meeting of the SACEPO Working Party on Guidelines (SACEPO WP/G) took place on 9 October 2024. This was the second of two meetings to discuss the draft Guidelines for 2025.

As part of our commitment to incorporating user feedback, the European Patent Office (EPO) held this year's second meeting on the annual Guidelines revision cycle with representatives of user groups. SACEPO WP/G members had been invited to review the draft Guidelines over the summer and provide their input. Of the 409 comments received in total, 113 were on the EPC Guidelines, 54 on the Guidelines for Search and Examination at the EPO as PCT Authority (PCT-EPO)... Read more

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06. Cambodia to Assess New Penalty for Late Patent Annuity Payments

CAMBODIA
INTRODUCES NEW
PENALTY FOR LATE
PATENT ANNUITY
PAYMENTS STARTING
OCTOBER 2024

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Starting October 15, 2024, Cambodia will implement a new penalty for late patent annuity payments and restorations, according to an unofficial announcement from the country's Department of Industrial Property under the Ministry of Industry, Science, Technology, and Innovation. This new penalty will apply to patents, utility model certificates, and plant variety protection registrations. To avoid additional charges and prevent the abandonment of any pending applications or the lapse of registrations, applicants and registration owners must pay each annuity within the six months before the annuity period starts, or by its due date. If the annuity is not paid by the due date, a grace period of six months is allowed for late payment, with a daily charge of KHR 500... Read more

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07. Updated NPL Collection Now Available in PATENTSCOPE

WIPO UPDATES NON-PATENT LITERATURE COLLECTION IN PATENTSCOPE WITH NEW CONTENT FROM IEEE, NATURE, MDPI, AND WIKIPEDIA The Non-Patent Literature (NPL) collection in PATENTSCOPE was updated last week, providing more recent content from the publishers who are currently sharing their data with WIPO:

IEEE: Both open and closed access documents are available.

Nature: Open access articles with full text and bibliographic data.

MDPI: Open access articles with full text and bibliographic data.

Wikipedia: scientific and technical articles filtered by WIPO's classifier.

While the documents from IEEE are searchable, the full text is accessible through links to IEEE Xplore. Closed access documents require either a subscription or ad-hoc payment for viewing and downloading... Read more

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08. Council Gives Its Final Approval to the Designs Protection Package

EU COUNCIL ADOPTS
REVISED DESIGN
LEGISLATION TO
STRENGTHEN
PROTECTION AND
STREAMLINE
REGISTRATION
PROCESS

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On 10 October, the Council of the European Union adopted legislative acts under the design package: the revised directive on the legal protection of designs and the amended regulation on community designs. The adopted texts update the current design legislation to improve the protection of industrial designs in the era of digital designs and 3D printing. The newly adopted directive and regulation will streamline the process for registering designs at the EU level, making it more affordable and straightforward. Additionally, it will align procedures across European and national systems, enhancing harmonisation.

The directive and regulation also introduce a "repair clause," establishing new rules that exempt... Read more

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09. Out Now: New IP Special on Generative Artificial Intelligence

EUROPEAN IP
HELPDESK PUBLISHES
SPECIAL ON
GENERATIVE AI:
INSIGHTS ON
COPYRIGHT, AI ACT,
AND PATENT
LANDSCAPE

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Generative artificial intelligence (GenAI) is a subset of artificial intelligence focused on using generative models to create various types of data, such as text, images, or videos. These models typically produce content based on specific prompts or inputs provided by users. The first item, a blog post "Artificial Intelligence and Copyright" highlights the use of generative AI tools (such as ChatGPT or Midjourney) for the creation of new content or works of art, and its implication from an intellectual property (IP) perspective. Secondly, a training recording explains the background and purpose to the European AI Act, key provisions and requirements and many other aspects. As the third item, new Patent Landscape... Read more

10. The Intellectual Property Office of the United Kingdom Continues Issuing Statements of Grant of Protection

UK IPO TO CONTINUE ISSUING STATEMENTS OF GRANT FOR HAGUE SYSTEM-REGISTERED DESIGNS

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Following a successful trial launched in February 2024, the Intellectual Property Office of the United Kingdom (UK IPO) has announced it will continue issuing statements of grant of protection for designs registered under the Hague System. The procedure under Rule 18bis(1) of the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement allows designated Contracting Parties to communicate the grant of protection for internationally registered designs in their respective jurisdictions by issuing a statement of grant of protection With this development, businesses and designers using the Hague System will now have clearer information regarding their design protection in the UK... Read more

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11. Pharmaceutical companies around the world are interested in the Eurasian Pharmaceutical Register

EAPO LAUNCHES
EURASIAN
PHARMACEUTICAL
REGISTER TO SUPPORT
PATENT PROTECTION
AND PROMOTE
TRANSPARENCY

Pharmaceutical inventions account for the majority of Eurasian applications filed. Therefore, the EAPO maintains the Eurasian Pharmaceutical Register to protect such patents. It includes data on patented active pharmaceutical ingredients having international nonproprietary names, and on the legal status of such patents on the territory of 8 EAPO states.

"There is a mechanism for acknowledging such information as official on the territory of the state, for example, by concluding an agreement with the EAPO. Besides, the state can independently determine the purposes and scope of information from the Pharmaceutical Register. It can also use such data when imposing restrictive... Read more

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12. TIPO Releases the Patent Trends on Wastewater Treatment and Recycling Technologies in Semiconductor Industry Report

TIPO RELEASES REPORT
ON PATENT TRENDS IN
WASTEWATER
TREATMENT &
RECYCLING
TECHNOLOGIES FOR THE
SEMICONDUCTOR
INDUSTRY

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In line with Taiwan's vision for the sustainable development of the semiconductor industry, TIPO has released the Patent Trends on Wastewater Treatment and Recycling Technologies in Semiconductor Industry Report. The report shares concrete case studies and offers an in-depth analysis of patent development and technology trends in this field, serving as a key reference for industry efforts in promoting green transformation.

The report highlights that over the past 20 years, there has been a significant increase in global patent applications related to wastewater treatment and water recycling technologies, reflecting the strong focus of businesses on sustainability and ESG... Read more

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13. TIPO Publishes English Version of Patent Examination Guidelines, Part II: Substantive Examination for Invention Patents, Chapter 6 "Amendments"

RELEASE OF ENGLISH
VERSION OF TAIWAN
PATENT EXAMINATION
GUIDELINES –
CHAPTER 6
"AMENDMENTS"

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TIPO has released the English version of the Patent Examination Guidelines, Part II: Substantive Examination for Invention Patents, Chapter 6 "Amendments" to enhance the international IP community's understanding of Taiwan's patent examination process. This chapter outlines the appropriate timing for proposing amendments and explains how admissibility is evaluated during the examination process.

This chapter outlines the appropriate timing for proposing amendments and explains how admissibility is evaluated during the examination process. Moreover, it functions as a helpful tool for foreign applicants, enabling them to assess whether their patent applications meet specified Guideline requirements... Read more