

To : Intellectual Property Office of Singapore
Attn: Mr Chig Kam Tack (chig_kam_tack@ipos.gov.sg)

From : Dr. Aaradhana Sadasivam

Date : 21 April 2006

Subject: PS Review 2006: Invitation For Comments
Our Ref: IPOS/PS Review 06

Dear Mr Chig,

In response to the Registry of Patents, IPOS's invitation for comments on the proposed revision to the timelines of prosecuting national phase entries of international applications, I would like to submit the following comments for your consideration:

Sr. No.	Amendment	Remarks
1	<p data-bbox="126 233 506 275">Prescribed period under section 29(2) (b) to (e) or (4)</p> <p data-bbox="126 275 506 709">Addition of paragraph 43(1A) & Amendment of paragraph 43(2)</p> <p data-bbox="126 709 506 1003">Addition of paragraph 43(4A)</p>	<p data-bbox="506 233 1620 709">These are highly welcome amendments to the Patent Rules. Given the fact that a large number of filings with the IPOS are in fact national phase entries, addition of this provision will help and encourage applicants in using the benefits of the amended patent regime that came into force on 1 July 2004. This amendment will have the effect of saving costs (in terms of extension fees) for the applicants who wish to request search and examination or examination of their national phase applications in Singapore but could not do so in view of huge extension fees involved. Further, not every national phase application has corresponding applications filed with the prescribed patent offices!</p> <p data-bbox="506 709 1620 1003">Allotment of just 12 months from the date of nationalizing an international patent application in Singapore to gather and file Prescribed Information or even to decide on relying on IPRP, especially where amendments to the patent specification are necessary (ie, where IPRP is unfavorable or where issues must be addressed by way of amendments), is simply not enough. This amendment will address that issue and provide applicants with the single most important thing in patent prosecution –TIME.</p>
2	<p data-bbox="126 1003 506 1045">Written Opinion of Examiner, etc.</p> <p data-bbox="126 1045 506 1150">Addition of paragraph 46 (8A)</p>	<p data-bbox="506 1003 1620 1150">Fits with the addition of paragraph 43(1A). This amendment is in favor of the examiners.</p>
3	<p data-bbox="126 1150 506 1556">Putting application in order: Addition of paragraph 47(1A)</p>	<p data-bbox="506 1150 1620 1556">Extension of the 42-month deadline to 60 months must relieve the applicants. The period of 12 months from the date of effecting national phase entry was really short for the applicants to decide on for example making amendments, either voluntary or in view of a corresponding application filed elsewhere, to the patent applications. Practical 'unavailability' of options to explicitly request either combined search and examination or examination in view of huge extension fees was another barrier (which thankfully has been removed now). Basically the applicants have more time to decide on search and examination strategy for their national phase application which was one of the main objective of the amendments made to the Singapore patent law in year 2004.</p>
4	<p data-bbox="126 1556 506 1745">Alteration of time limits 108(1) to 108(2)</p>	<p data-bbox="506 1556 1620 1745">This flexibility would be much sought after in cases where applicants intend to rely on Prescribed Information or IPRP for obtaining grant of their national phase entry in Singapore but the documents are not available even by the 60th months of the priority date.</p>
5	<p data-bbox="126 1745 506 1852">Transitional provisions</p>	<p data-bbox="506 1745 1620 1852">It is recommended that the proposed amendments be brought into effect immediately or at least as soon as possible, so that applicants can enjoy the benefits of these helpful provisions.</p>

Looking forward to seeing the implementation of the proposed amendments soon.

Yours sincerely,

Aaradhana Sadasivam