

IPOS' RESPONSE 3 Jan 08
TO FEEDBACK ON IPOS' CONSULTATION 11 Jul to 7 Aug 06
(On the proposed repeal of sections 51 & 52 of the Patents Act)

Further to IPOS' Response of 15 Mar 2007, IPOS is pleased to inform all of its decision on sections 51 and 52 to the Patents Act.

Background

2. The Public Consultation on the proposed amendments to the Singapore Patents Act & Rules was held from 11 July 2006 to 7 August 2006 where we invited patent users to give their suggestions and comments on the proposed changes.

3. On 15 Mar 07, we replied to the respondents of the Consultation and with respect to the proposed repeal of sections 51 and 52, we said that this was still under consideration.

Consideration

4. The consideration of these 2 provisions is now concluded. Our deliberation took into account the views and comments that were given on the proposed repeal.

5. In the light of Singapore's competition regime, it is felt that issues covered under Sections 51 and 52 would be more appropriately analysed and dealt with under such regime. Such an approach is consistent with trends in other jurisdictions and will reinforce Singapore's pro-enterprise and pro-competition policies as well as enhance the efficient functioning of our markets, thereby creating competitiveness in our economy.

Amendments

6. Consistent with this, sections 51 and 52 will be amended so as to restrict their applications to contracts or licences made between 23 February 1995 and the date on which the amendment comes into operation. They will no longer apply to agreements made on or after the amendment comes into effect.

7. The amendments when finalised are scheduled to be submitted to Parliament this year.
