



ASIAN PATENT ATTORNEYS ASSOCIATION
Singapore Group

BY HAND & FAX: 6339 0252

7 August 2006

MS ISABEL CHNG
DIRECTOR, REGISTRY OF PATENTS
INTELLECTUAL PROPERTY OFFICE OF SINGAPORE
51 Bras Basah Road #04-01
Plaza By The Park
Singapore 189554

Dear Madam,

CONSULTATION 2007 ON THE PATENT LAWS IN SINGAPORE

Thank you for the invitation to comment on the proposed draft amendments.

We have the following feedback to offer:

Proposed amendments to the Patents Act

1. Section 2.

Currently an international application that does not designate Singapore can be relied as an option for the search and examination of a convention application originating in Singapore. The option is not available if the international application designates Singapore. This amendment will mean that the IPRP of all international applications can no longer be relied upon.

2. Section 17

Clearly, offering both alternatives would extend the options for patent users. However, if a choice has to be elected, we would support the criteria of unintentional failure. As this is the criteria adopted in the UK Patents Act, it will provide us with ready access to a body of case law on the application of the criteria.

3. Section 26

This amendment is acceptable as long as the missing matter sought to be introduced is supported and identical to that in the priority application.

4. Section 51

We are of the view that section 51 should remain.

5. Section 87

This amendment will bring clarity to the provision and thus is acceptable.

Proposed amendments to the Patents Rules

1. Rule 2

This is acceptable.

2. Rule 9

Whilst two months may be a reasonable period for the requirement to file an application for late declaration, we are concerned that two months may not be sufficient for an overseas applicant to gather the supporting evidence and provide the statutory declaration for the application. We propose that the period be extended to 4 months.

3. Rule 19

This amendment is acceptable.

4. Rule 26

It is not clear from the proposed amendment whether the whole document, which is not in English, ought to be translated or only the missing portion needs to be translated. The former would be a costly exercise. Needless to say the latter is preferred.

5. Rule 28

This amendment is acceptable.

6. Rule 46

The proposed amendment is acceptable but we would like to know how IPOS will handle the replacement sheets at their end such that there is no confusion over the pages.

7. Rule 86

This amendment simplifies the workflow and is acceptable.

Please do not hesitate to contact the undersigned if you have queries regarding the feedback.

Yours faithfully,



LEE AI MING
PRESIDENT
APAA-Singapore Group