

10 January 2012

PUBLIC CONSULTATION ON THE PROPOSED CHANGES TO THE PATENTS LAWS (CONSEQUENTIAL TO THE PROPOSED CHANGES TO THE HEALTH PRODUCTS ACT)

Background

1. Currently, the Patents Act refers to the Medicines Act for the definition of "medicinal products" and "marketing approval".
2. The Health Sciences Authority (HSA), a statutory board of the Ministry of Health, plans to bring the existing regulatory controls under the Medicines Act (Cap 176) for certain medicinal products over to the Health Products Act (Cap 122D). Such medicinal products will be regulated as "*therapeutic products*" under the Health Products Act. The public consultation document on HSA's website at http://www.hsa.gov.sg/publish/hsaportal/en/news_events/public_consultation.html provides further details of the intended changes in this regard.

Proposed Patents' legislative changes

3. In view of HSA's proposed changes to the Medicines Act and the Health Products Act IPOS is proposing consequential changes to the definitions of "medicinal products" and "marketing approval" under the Patents Act. This is to ensure that these definitions will continue to refer to the correct legislation, in particular, for the category of medicinal products that will be regulated as "*therapeutic products*" under the Health Products Act.
4. For details of the proposed changes to the Patents legislation, please refer to Annexes A and B.

Period of public consultation

5. The consultation period is from 10 January 2012 to 5 February 2012.

Response to the public consultation

6. IPOS invites interested members of the public to provide feedback, using the template as provided on the IPOS website at <http://www.ipos.gov.sg/topNav/leg/Public+Consultations.htm>. The feedback may be sent in electronic or hard copy form to:

Intellectual Property Office of Singapore
51 Bras Basah Road #04-01
Manulife Centre Singapore 189554
Tel: (65) 63398616



Intellectual Property Office of Singapore

51 Bras Basah Road #04-01
Manulife Centre Singapore 189554
Tel: (65) 63398616 Fax: (65) 63390252

Fax: (65) 63390252

Email: ipos_patentlawfeedback@ipos.gov.sg

7. Where feedback or suggestions are not classified as "Confidential", IPOS may disclose them and make them available to the general public, in whole or in part, through its website or other means. However, the identity of the respondents will not be disclosed.

INTELLECTUAL PROPERTY OFFICE OF SINGAPORE

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Attachments

- Annex A: Draft changes to the Patents Act
- Annex B: Draft Patents (Medicinal Health Products) Rules