

"Yeo King" <yeoking@singnet.com.sg>

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To

Kam Tack CHIG/IPOS/SINGOV@SINGOV

cc

Subject

PS Review 2006: Invitation For Comments

To : Intellectual Property Office of Singapore  
Attn: Mr Chig Kam Tack (chig\_kam\_tack@ipos.gov.sg)

From : Tay Yeo King

Date : 21 April 2006

Subject: PS Review 2006: Invitation For Comments

Dear Mr Chig,

In response to IPOS invitation for comments on the proposed revision to the timelines of prosecuting a PCT national phase patent application, I now submit the following comments for your consideration:

- 1) I believe that this proposed revision of the timelines for prosecuting a PCT national phase patent application need to be enacted in the Patent Rules. With the revision of the 21-month timeline to 39-month for requesting examination or combined search and examination, the incompatibility of the Singapore timeline with the PCT Regulations would be addressed; the revision of the 42-month timeline to 60-month for requesting grant would then be a logical move;
- 2) It would be simpler to administer if this revision would be effective with immediate effect, even back date retrospectively instead of setting a transition date of 1<sup>st</sup> October 2006;
- 3) On the text of the proposed changes to the relevant rules, I have the opinion that the phrase “read as” should not be included. For example, in proposed Rule 43(1A), it may then read: “... the period prescribed ~~referred to~~ in paragraph .... is altered to 39 months.”;
- 4) The separate rules listed in Rule 108(3) would be clearer if they are separated by semi-colons instead of commas; and
- 5) IPOS states that Rule 43(5) would not be affected by the proposed revision. Would IPOS consider to correct the timeline in Rule 43(5) to address its inconsistency with that in Rule 47A(3) in a separate revision? This is because Rule 43(5) states that the (*extended*) period prescribed for filing the prescribed information or notice in PF 11C is 39-months whilst the extended period in Rule 47A(3) is 60-months.

We hope the above comments are constructive and helpful, and we look forward to seeing the enactment of the relevant changes in the patent rules.

Yours faithfully,  
Tay YK