



**IPOS' Guide on the 2007 amendments  
relating to patent filing**

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## IPOS' Guide on the 2007 amendments relating to patent filing

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<b>PUBLICATION HISTORY OF THIS GUIDE</b>	
Sections 2 & 3 on "Date of Filing" & "Preliminary Examination" in the Guide to Patent Law Amendments 2007	20 April 2007



## **IPOS' Guide on the 2007 amendments relating to patent filing**

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### **What is in this Guide?**

This Guide replaces and updates Sections 2 and 3 on “Date of Filing” and “Preliminary Examination” in the IPOS' Guide to Patent Law Amendments 2007 (2007 Guide).

As far as possible, we have provided markings on the left margin in this Guide to reflect the changes to the corresponding text in the 2007 Guide.

### **Purpose of this Guide**

The purpose of this Guide is to provide users with a better understanding of the 2007 patent laws amendments relating to patent filing.

Do take note that this Guide is neither exhaustive nor authoritative. Please refer to the Patents Act and Rules for details.

IPOS does not provide legal or other specific advice in relation to Patents or any other matters on this Guide. The information contained in this Guide is not intended to be advice, and is only for general information.

### **Feedback if any**

This Guide is prepared by the Patent Quality Management Unit (PQMU).

If you have any suggestions or feedback in relation to this Guide, please drop us an e-mail ([ipos\\_enquiry@ipos.gov.sg](mailto:ipos_enquiry@ipos.gov.sg)) and attention it to this Unit.

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20 Oct 08

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## **FILING A PATENT APPLICATION**

### **Getting Started**

In addition to the Patents Act and Rules, you are advised to have the following documents (hereinafter referred to as the “Apr 2007 amendments”) before you proceed to read the rest of this section in this Guide:-

- Statutes (Miscellaneous Amendments) Act 2007
- Patents (Amendment No. 2) Rules 2007
- Patents Form 56 (also referred to as “PF 56” in this Guide)

## **(A) Date of Filing**

### **Basic Concepts**

☑ The Date of Filing of a patent application in Singapore shall be the earliest date on which the documents filed at the Registry of Patents (hereinafter referred to as the “Registry”) satisfy the following conditions:-

- indication that a patent is sought;
- identification of the applicant for the patent; and
- description of the invention

☑ The Date of Filing is a specific term used in patents. In general, if the requirements are met, the Date of Filing is the day the patent application was initiated with the Registry. However, if the requirements are not met, the Date of Filing accorded will not be the same as the day when the patent application was initiated.

# **1**

## **What's new? - Incorporating the Description in the patent application by Reference**

Section 1.1  
26(1);  
Rule 26

With the “Apr 2007 amendments”, instead of filing the description of the invention on the day a patent application is initiated, an applicant would still be able to obtain a Date of Filing for the Singapore patent application if he:-

- (a) makes a reference to an earlier relevant application declared in accordance with section 17(2);
- (b) provides the Date of Filing of this earlier application and the country it was filed in; and
- (c) makes a statement that the description is incorporated in the application by reference to, and is completely contained in, the earlier application, as filed.

1.2 ☛ Patents Form 1 (2004) has been updated accordingly to help applicants who wish to make use of this new feature. By filling up the

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relevant portions in this form, the applicant would have complied with the relevant procedural requirements to obtain a Date of Filing.

### 1.3 Example 1

An applicant does not have a description to attach with the patent application when he initiates it with IPOS but he wishes to get a Date of Filing as soon as possible. The application also contains 2 priority declarations. Hence, he decides to proceed under section 26(1)(c)(ii) of the Patents Act and indicates his intention to “incorporate by reference” the description in the 2<sup>nd</sup> declared priority application on Patents Form 1(2004) (also referred to as “PF 1(2004)” in this Guide) as such:

#### **Under paragraph (4) of PF 1(2004):-**

4. DECLARATION OF PRIORITY UNDER SECTION 17(2) (see note 5)

A. Country/country designated	US		DD MM YYYY
File number	08/123,456	Filing Date	10/10/2006
<input type="checkbox"/> This information is provided to meet the requirements under section 26(1)(c)(ii)(B) (Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)			

B. Country/country designated	US		DD MM YYYY
File number		Filing Date	11/10/2006
<input checked="" type="checkbox"/> This information is provided to meet the requirements under section 26(1)(c)(ii)(B) (Statement under section 26(1)(c)(ii)(C) is to be made in paragraph 9)			

☛ Indications in this part of the Patents Form reveal the applicant’s intention to incorporate the description in the application by reference of the 2<sup>nd</sup> declared priority claim as required under section 29(1)(c)(ii)(A).

☛ Details as to the Date of Filing and Country in which the 2<sup>nd</sup> declared priority claim was filed in should also be furnished as required under section 29(1)(c)(ii)(B).

Rule  
26(1)

#### **Under paragraph (9) of PF 1(2004):-**

9. STATEMENT UNDER SECTION 26(1)(c)(ii)(C) (see note 10)

The description of the invention for which the patent is sought is incorporated in the application by reference to, and is contained in, the earlier relevant application, as filed

☛ By checking this box, it will reflect the applicant’s statement as required under section 29(1)(c)(ii)(C) to the effect that the description is

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incorporated in the application by reference to, and is completely contained in, the earlier application, as filed.

### Under paragraph (10) of PF 1(2004):-

(A) The application consists of the following number of sheets

i.	Request	4	Sheets
ii.	Description	0	Sheets
iii.	Claim(s)	2	Sheets

⊛ As a request for the description to be incorporated by reference is being sought, this paragraph on description in PF 1(2004) should be reflected as such since no description is attached.

### Take Note!

- 1.4 ! This new feature does not replace the need to file drawings, if any. If no drawings are filed on the Date of Filing of the application in suit, any drawings filed later may be treated as a part missing from the application.

*(Refer to page 11 on “Missing Parts” and page 17 on “Any Drawings missing ...” in this Guide for more details)*

Sections 1.5 If the Singapore patent application has a Date of Filing under section 26(6); 26(7)

Rules 26(3); 26(4); 108

If the Singapore patent application has a Date of Filing under section 26(1) by reason only that the documents filed to initiate the application satisfy the conditions in section 26(1)(a), (b) and (c)(ii), the applicant shall have to:-

- (a) within 3 months from the Date of Filing (for national filings) or 3 months from the initiation date (for divisional applications);
- (b) file a written notice confirming that the description is incorporated in the application by reference to the earlier relevant application;
- (c) file the description of the invention on Patents Form 56; and
- (d) file a copy of the earlier relevant application and where the

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earlier relevant application is in a language other than English, its English translation. Note that only this requirement is extendable.

- 1.6  Patents Form 56 is designed in such a way to help applicants who wish to make use of this new feature to only file a single form while complying with several procedural requirements at the same time.

1.7 **Example 2**

### Under paragraph 4 of PF 56

4. NOTICE UNDER SECTION 26(7) OR REQUEST UNDER SECTION 26(9) OR 28(9)\*  
(Note: Only one checkbox may be crossed.)

- In accordance with section 26(7)(a), I/we confirm that the description of the invention for which the patent is sought is incorporated in this application by reference to the earlier relevant application referred to in section 26(1)(c)(ii)(C).
- In accordance with section 26(9)(b), I/we request the Registrar for section 26(8)(b) not to apply to this application. I/We hereby make a statement that the missing part filed under section 26(8) with this request is incorporated in this application by reference to, and is completely contained in, the earlier relevant application, as filed.
- In accordance with section 28(9)(b), I/we request the Registrar for section 28(8)(b) not to apply to this application. I/We hereby make a statement that the drawing or part of the description of the invention filed under section 28(8) with this request is incorporated in this application by reference to, and is completely contained in, the earlier relevant application, as filed.

By checking this box, the applicant's request to the Registrar is reflected.

### Under paragraph 5 of PF 56

5. INFORMATION ON THE EARLIER RELEVANT APPLICATION REFERRED TO IN SECTION 26(1)(c)(ii), 26(9) OR 28(9)\* (see note 4)

Country/country designated

DD MM YYYY

File number

08/123,457

Filing Date

Indicate the file number if this was not previously given

### Under paragraph 6 of PF 56

6. DOCUMENTS ENCLOSED\*

- Description of the invention referred to in section 26(7)(b).
- Missing part of the application referred to in section 26(8).
- The drawing or part of the description of the invention referred to in section 28(8).
- A copy of the earlier relevant application.
- A copy of the English translation of the earlier relevant application, or of every part of that earlier relevant application in which the missing part of the application for a patent / the drawing or part of the description of the invention that is missing from the application for a patent is contained.

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☛ Ensure that a copy of the description and a copy of the earlier relevant application are attached to this form.

### **Take Note!**

Section 1.8  
26(12)

! Care must be taken to ensure that all the requirements are complied with within the specified time period as failure to do so would result in the Singapore patent application being treated as having been abandoned.

1.9

### **Example 3**

#### Step 1

The applicant relies on the new feature of incorporation by reference to obtain a Date of Filing:-

- Date of Filing = 4 Apr 2007

#### Step 2

Applicant files PF 56 with description on 4 Jul 2007. However, no extension of time was sought thereafter for late filing of the earlier relevant application required under rules 26(3) and 26(4).

#### Step 3

For this case, the application shall be treated as abandoned since the applicant fails to file a copy of the earlier relevant application within the prescribed period.

### 1.10 Transitional & Savings Provisions

The amendments will apply to an application for a patent that is initiated on or after 1st April 2007, and section 26 of the Patents Act and rule 26 of the Patents Rules in force immediately before that date shall continue to apply to an application for a patent that qualifies for a Date of Filing before that date.

**(B) Missing Parts****Basic Concepts**Sections  
2(1); 26

Any drawing or part of the description of the invention that is filed after the Date of Filing of the Singapore patent application would result in the Date of Filing being changed to the date when the drawing or part of the description is filed at the Registry.

"missing part" in relation to an application for a patent means:-

(a) any drawing; or

(b) any part of the description of the invention for which the patent is sought, which was missing from the application at the Date of Filing of the application.

**2****What's New? - Incorporating missing parts into the application by reference**

2.1 Applicants who discover after filing the patent application with IPOS, that a drawing or part of the description is missing, can now proceed to file that missing part and still retain the original Date of Filing accorded to the patent application, if they comply with the necessary requirements.

Sections  
26(8);  
26(9)

2.2 What are these necessary requirements?

Rule 26A

(a) The Singapore patent application must contain a priority declaration. Such a declaration of priority must have been made on or before the Date of Filing of the Singapore patent application.

(b) The following must be complied with within 3 months from the Date of Filing of the Singapore patent application (or within 3 months from the initiation date for divisional application):-

I. The missing part is filed on Patents Form 56.

II. A request to the Registrar for section 26(8)(b) not to apply

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to the application.

III. A statement is made that the missing part referred to in section 26(8) is incorporated in the application by reference to, and is completely contained in, the earlier relevant application, as filed.

IV. Furnish the information prescribed under section 26(9)(b)(iii).

V. File the required documents under rule 26A(7).

Rule 108 2.3 Only items (b)(IV) (when it relates to the file number of the earlier relevant application) and (V) above are extendable.

2.4  Patents Form 56 is to be used for applicants who wish to make use of this new feature. By filling up the relevant portion in this form, the applicant would have complied with several of the relevant procedural requirements to retain their Date of Filing. Refer to the example below.

2.5 **Example 4**

**Under paragraph 4 of PF 56**

4. NOTICE UNDER SECTION 26(7) OR REQUEST UNDER SECTION 26(9) OR 28(9)\*  
(Note: Only one checkbox may be crossed.)

- In accordance with section 26(7)(a), I/we confirm that the description of the invention for which the patent is sought is incorporated in this application by reference to the earlier relevant application referred to in section 26(1)(c)(ii)(C).
- In accordance with section 26(9)(b), I/we request the Registrar for section 26(8)(b) not to apply to this application. I/we hereby make a statement that the missing part filed under section 26(8) with this request is incorporated in this application by reference to, and is completely contained in, the earlier relevant application, as filed.
- In accordance with section 28(9)(b), I/we request the Registrar for section 28(8)(b) not to apply to this application. I/we hereby make a statement that the drawing or part of the description of the invention filed under section 28(8) with this request is incorporated in this application by reference to, and is completely contained in, the earlier relevant application, as filed.

By checking this box, the applicant's request to the Registrar is reflected.

**Under paragraph 5 of PF 56**

5. INFORMATION ON THE EARLIER RELEVANT APPLICATION REFERRED TO IN SECTION 26(1)(c)(ii), 26(9) OR 28(9)\* (see note 4)

Country/country designated

DD MM YYYY

File number  Filing Date

Do indicate the priority claim which you are relying on in this Form. Take

note that this priority claim must have been already declared when you filed the application for a patent.

### Under paragraph 6 of PF 56

**6. DOCUMENTS ENCLOSED\***

- Description of the invention referred to in section 26(7)(b).
- Missing part of the application referred to in section 26(8).
- The drawing or part of the description of the invention referred to in section 28(8).
- A copy of the earlier relevant application.
- A copy of the English translation of the earlier relevant application, or of every part of that earlier relevant application in which the missing part of the application for a patent / the drawing or part of the description of the invention that is missing from the application for a patent is contained.

✳ Ensure that a copy of the missing part is attached to this form together with a copy of the earlier relevant application.

Rule 26A(7) 2.6 If the earlier relevant application is not in English, an English translation of that document is required to be filed with the Registry. Applicants would only need to provide the English translation of every part of that earlier relevant application in which the missing part of the Singapore patent application is contained.

Section 26(8) 2.7 If the applicant fails to comply with all the relevant requirements, and he does not withdraw the missing parts before the end of the prescribed period, the missing parts shall be treated as included in the application and the Date of Filing will be altered to be the date on which those missing parts are filed at the Registry.

Rule 26A(1)(b) 2.8 For applicants who wish to file the missing part and yet do not wish to rely on the new feature to incorporate the missing part in the application by reference, they should lodge this missing part under the cover of Patents Form 99.

2.9 ✳ Patents Form 56 is relevant only when, the applicant wishes to retain the Date of Filing.

## 2.10 Transitional & Savings Provisions

These features apply to an application for a patent that is initiated on or after 1st April 2007, and section 26 of the Patents Act and rule 26 of the Patents Rules in force immediately before that date shall continue to apply to an application for a patent that qualifies for a Date of Filing before that date.

## **(C) Non-English description**

### **Basic Concepts**

- Section 26                       It is possible to obtain a Date of Filing for the Singapore patent application when the documents filed at the Registry to initiate an application for a patent include something which is or appears to be a description and is in a language other than English.

## 3

### **What's New? - Requirements relating to Non-English Description**

- Rules 19(10); 19(11); 108      3.1      When a copy of the non-English description is filed with the Registry, the Registrar shall send a notification to the applicant for an English translation of that document. Applicants are required to file the necessary document within 2 months from the date of the said notification. This time period is extendable.
- 3.2      Patents Form 99 has to be used when the applicant files the English translation of the description with the Registry.

### **TAKE NOTE!**

- Rule 19(12)      3.3      ! Applicants should have regard to the requirements under rule 19(11) as the failure to meet them would result in the Registrar refusing the application.

### **Transitional & Savings Provisions**

- 3.4      These features will apply to an application for a patent that is initiated on or after 1st April 2007, and rule 19 of the Patents Rules in force immediately before that date shall continue to apply to an application for a patent that is initiated before that date.

## **PRELIMINARY EXAMINATION**

### **Getting Started**

In addition to the Patents Act and Rules, you are advised to have the following documents (hereinafter referred to as the “Apr 2007 amendments”) before you proceed to read the rest of this section in this Guide:-

- Statutes (Miscellaneous Amendments) Act 2007
- Patents (Amendment No. 2) Rules 2007
- Patents Form 56

### **Basic Concepts**

Prior to the Apr 2007 amendments, section 28 consists only of details relating to the formalities examination procedure of a patent application in Singapore.

Section  
28

With the implementation of the Apr 2007 amendments, section 28 now contains more features. As such, this section has been renamed from “Examination as to form” to “Preliminary examination” and details on what this stage covers are given below.

Section  
28(3)

Preliminary examination is the stage where the Registrar determines:-

Rule  
34(1)

- whether the declaration of priority for the purposes of section 17(2) specifies a Date of Filing for an earlier relevant application which is more than 12 months before the Date of Filing of the Singapore patent application,
- whether the application complies with all the formal requirements; and
- whether any drawing or part of the description of the invention is missing from the application.

Section  
28(1)

Preliminary examination would commence as soon as:-

- the application has a Date of Filing;
- the application has not been withdrawn or treated as abandoned;
- the filing fee has been paid;
- one or more claims has been filed under section 26(12)(a); and
- where the application makes use of the new feature to incorporate by reference the description in the application, all relevant conditions have been satisfied.

Section  
28(2)

Unless otherwise provided, any drawing or part of the description of the invention that is filed after the Date of Filing of the Singapore patent application would result in the Date of Filing being changed to the date when the drawing or part of the description is filed at the Registry.

## **4** **What's new? - Any Drawing or Part of the Description that is Missing from the application**

4.1 As explained earlier, applicants can on their own volition, file a “missing part” of the application on a later date and yet retain the original Date of Filing, provided that the necessary requirements are met.

4.2 Unlike the case where the applicant initiates the filing of a “missing part” with the Registry, an applicant who is not aware that there is a drawing or part of the description missing from his application but is informed by the Registrar during preliminary examination, would still be able to retain the original Date of Filing when he files the drawing or part of the description on a later date, provided that the necessary requirements are met.

Rules  
34(2);  
34(5)


4.3 In the event when the Registrar determines that the drawing or part of the description of the invention is missing from the application, he shall inform the applicant accordingly.

Rules 4.4  
34(3);  
34(6);  
34(7);  
34(8)

What are these necessary requirements?

The following requirements have to be complied with within 3 months from the date of the Registrar's notification if the applicant wishes to include the drawing or part of the description in the application and yet retain the original Date of Filing.

- a) The missing drawing or part of the description is filed on Patents Form 56.
- b) A request to the Registrar for section 28(8)(b) not to apply to the application.
- c) A statement is made that the missing drawing or part of the description referred to in section 28(8) is incorporated in the application by reference to, and is completely contained in, the earlier relevant application, as filed.
- d) Furnish the information prescribed under section 28(9)(b)(iii).
- e) File the required documents under rule 34(8).

4.5  Patents Form 56 is to be used for applicants who wish to make use of this feature. By filling up the relevant portion in this form, the applicant would have complied with several of the relevant procedural requirements to retain their Date of Filing. Refer to the example below.

4.6 **Example 5**

**Under paragraph 4 of PF 56**

4. NOTICE UNDER SECTION 26(7) OR REQUEST UNDER SECTION 26(9) OR 28(9)\*  
(Note: Only one checkbox may be crossed.)

- In accordance with section 26(7)(a), I/we confirm that the description of the invention for which the patent is sought is incorporated in this application by reference to the earlier relevant application referred to in section 26(1)(c)(ii)(C).
- In accordance with section 26(9)(b), I/we request the Registrar for section 26(8)(b) not to apply to this application. I/we hereby make a statement that the missing part filed under section 26(8) with this request is incorporated in this application by reference to, and is completely contained in, the earlier relevant application, as filed.
- In accordance with section 28(9)(b), I/we request the Registrar for section 28(8)(b) not to apply to this application. I/we hereby make a statement that the drawing or part of the description of the invention filed under section 28(8) with this request is incorporated in this application by reference to, and is completely contained in, the earlier relevant application, as filed.

 By checking this box, the applicant's request to the Registrar is reflected.

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## Under paragraph 5 of PF 56

5. INFORMATION ON THE EARLIER RELEVANT APPLICATION REFERRED TO IN SECTION 26(1)(c)(ii), 26(9) OR 28(9)\* (see note 4)

Country/country designated	US		DD MM YYYY
File number	08/123,457	Filing Date	11/10/2006

☛ Do indicate the priority claim which you are relying on in this Form. Take note that this priority claim must have been already declared when you filed the application for a patent.

## Under paragraph 6 of PF 56

6. DOCUMENTS ENCLOSED\*

- Description of the invention referred to in section 26(7)(b).
- Missing part of the application referred to in section 26(8).
- The drawing or part of the description of the invention referred to in section 28(8).
- A copy of the earlier relevant application.
- A copy of the English translation of the earlier relevant application, or of every part of that earlier relevant application in which the missing part of the application for a patent / the drawing or part of the description of the invention that is missing from the application for a patent is contained.

☛ Ensure that a copy of the drawing or part of the description is attached with this form together with a copy of the earlier relevant application.

Rule 34(8) 4.7 If the earlier relevant application is not in English, an English translation of that document is required to be filed with the Registry. Applicants would only need to provide the English translation of every part of that earlier relevant application in which the drawing or part of the description of the invention that is missing from the Singapore patent application is contained.

Section 28(8) 4.8 If the applicants fail to comply with all the relevant requirements and they do not withdraw the missing drawing or part of the description before the end of the prescribed period, that drawing or part of the description shall be treated as included in the application and the Date of Filing shall be the date on which that document is filed at the Registry.

### 4.9 Transitional & Savings Provisions

These features apply to an application for a patent that is initiated on  
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or after 1st April 2007, and section 26 of the Patents Act and rule 34 of the Patents Rules in force immediately before that date shall continue to apply to an application for a patent that qualifies for a Date of Filing before that date.

## 5 Frequently Asked Questions

### 5.1 Q1: How do you define 'completely contained'?

A1: "completely contained" like the terms "unintentional" or "in spite of due care" are terms used in the new PCT provisions as well. In the PCT, the considerations are as follows:

#### **Extract taken from PCT/GL/RO/6(June 16, 2008)**

205A. The receiving Office checks whether the sheets submitted by the applicant are completely contained in the earlier application. For that purpose, the Office compares the relevant part in the earlier application with the sheets submitted by the applicant under Rule 20.6(a)(i). Where the later submitted sheets seem to go beyond the correction of formal defects and to modify the substantive content of the application, the receiving Office may, where applicable, invite the applicant to request the authorization of the rectification of an obvious mistake from the competent ISA under Rule 91(Form PCT/RO/108).

In any event, as a national office, we see the term "completely contained" as being identical to the description/part of the description/drawing(s) in the earlier relevant application as filed. Concept-wise, this should be the case. For example, an applicant who is not furnishing a description but wants a Date of Filing to be accorded, he has to state that the description is incorporated in the application by reference to the earlier relevant application.

This position was also shared by one patent user group in our Jul 2006 consultation.

If there are minor differences, applicants can always submit their case before the Registry as to how they meet the criteria of 'completely contained'.

### 5.2 Q2: If I have a missing drawing and a missing part of the description, can I make a single request for the Date of Filing not to change, i.e. file one PF 56 for both? Or I need to file one PF 56 for each part?

A2: One PF 56 will cover both, as long as both the missing drawing and part of description are filed together.

- 5.3 **Q3: Why include a new provision that expressly requires an English translation of a non English description filed to initiate an application [rule 19(10) to (12)]? Moreover, the provision that allows the Registrar to refuse the application if no English translation is filed within the prescribed period seems harsh.**

A3: Under the pre-1 Apr 2007 rule 112(2), there is no time period to file an English translation of the description nor is there a clear consequence of not filing the translation. The status of the application is in limbo. By introducing a time period (which is extendable) and the consequence of a failure to file a translation, there is now an element of certainty. UK has a similar feature.

- 5.4 **Q4: With regards to a verification document of an English translation, what does it mean by “made in accordance with the Registrar’s requirements”?**

A4: The verification document should contain, inter alia, the name of the translator, a statement that he/she is well versed in English and the relevant foreign language, and a reference to the document being translated.

- 5.5 **Q5: Can I file a drawing that is originally missing from the application without relying on the new feature to incorporate the missing drawing into the application by reference?**

A5: For applicants who wish to file a drawing or part of the description that is missing from the application and yet do not wish to rely on the new feature on incorporation by reference, they can lodge the said drawing or part of the description under the cover of Patents Form 99. The Date of Filing of the application would be altered to the date when the Registry receives the said documents.

- 5.6 **Q6: Why are the applicants given only 3 months to file the description or missing part?**

A6: These are new features designed to give applicants an added option and a second chance (for missing part). However, a balance has to be sought and uncertainty to the public needs to be minimized, as

the application should be put in order as soon as possible. Otherwise, with incomplete documents in the patent file, the processing of the documents has to be put on hold.

5.7

**Q7. What is the difference between the term “missing part” and “any drawing or part of the description that is missing from the application”?**

A7. The term “missing part” is used in Section 26 when the applicant files on his own initiative, a drawing or part of the description that is originally missing from the application without any notification from the Registrar that something in the patent specification is missing.

The term “any drawing or part of the description that is missing from the application” is used in Section 28 when the Registrar notifies the applicant that something in the patent specification is missing, and the applicant is given an opportunity to make right his documents.

In both instances, the Date of Filing accorded earlier could be re-dated to a later date if the requirements are not met.

## Overview

	<b>Missing Description</b>	<b>Missing Parts (Where the Original Date of Filing is retained)</b>	<b>Drawings or parts of the description missing (Where the Original Date of Filing is retained)</b>
<b>Section 17(2) Priority Declaration</b>	Section 26(1)(c)(ii)	Section 26(9)(a)	Section 28(9)(a)
<b>Statement of Incorporation</b>	Section 26(1)(c)(ii)	Section 26(9)(b)(ii)	Section 28(9)(b)(ii)
<b>Confirmation of Incorporation</b>	Section 26(7)(a)	-	-
<b>Request for the later Date of Filing not to apply</b>	-	Section 26(9)(b)(i)	Section 28(9)(b)(i)
<b>Filing the missing description etc.</b> ▪ <b>Patents Form 56</b>	Section 26(7)(b) Rule 26(4)(c)	Section 26(9)(b)(iv) Rule 26A(2)	Section 28(9)(b)(iv) Rules 34(3)
<b>Furnishing further Information/Documents</b>  ▪ <b>Priority application</b> a. Date of Filing b. Country of filing c. Filing Number d. Copy of priority application Translation where necessary	Section 26(1)(c)(ii)(B) Section 26(7)(c)  Rules 26(1), 26(4)  NB: Filing Number of Priority application is not required.	Section 26(9)(b)(iii)  Rules 26A(6), 26A(7)	Section 28(9)(b)(iii)  Rules 34(7), 34(8)



## **IPOS' Guide on the 2007 amendments relating to patent filing**

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### **Feedback if any**

This Guide is prepared by the Patent Quality Management Unit (PQMU).

If you have any suggestions or feedback in relation to this Guide, please drop us an e-mail (ipos\_enquiry@ipos.gov.sg) and attention it to this Unit.

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