

Annex B – Amendments to the Patents Rules

Note:

- (1) Please note that the wording of the proposed amendments is subject to change after legislation drafting by the Attorney General's Chambers.
- (2) The proposed amendments are intended to come into operation on such date as the Minister may, by notification in the Gazette, appoint.

New Patents Rule 8 (to replace the existing provision)

8. —(1) The prescribed document referred to in section 14(5C) are:

- (a) a request for a search and examination of a patent application;
- (b) a request for an examination of a patent application;
- (c) a request for a review of an examination report or a search and examination report; and
- (d) a response to a written opinion.

(2) For the purposes of section 14(5C), the prescribed requirements for the supporting written evidence are the following: —

- (a) All supporting written evidence shall be in the form of a statutory declaration.
- (b) Where the applicant for a patent wishes the disclosure of matter constituting the invention to be disregarded in accordance with section 14(4)(c), the statutory declaration shall:
 - (i) state that the invention was in fact exhibited at an international exhibition, and provide identification of the invention; and
 - (ii) state the opening date of the exhibition and, where the first disclosure of the invention did not take place on the opening date, the date of the first disclosure.
- (c) Where the applicant for a patent wishes the disclosure of matter constituting the invention to be disregarded in accordance with section 14(4)(a), 14(4)(b), 14(4)(d) or 14(4)(e), the statutory declaration shall set out all relevant facts why the disclosure of matter constituting the invention should be disregarded, and annex documentary evidence in support thereof.
- (d) Where section 14(5B) applies, the statutory declaration shall annex documentary evidence containing an acknowledgment from the Registrar, the Registrar of Designs, the Registrar of Plant Varieties, the Registrar of Trade Marks or the foreign intellectual property office that the publication occurred in error.

(d) Where the Examiner is of the opinion that the supporting written evidence is insufficient, the Registrar may by letter direct an applicant to furnish to the Registrar, within 2 months after the date of the Registrar's letter, such additional supporting written evidence as the Examiner may reasonably require, and if the applicant fails to comply with the Registrar's direction, the applicant's wish for the disclosure of matter constituting the invention to be disregarded in accordance with section 14(4) shall be treated as having been abandoned.

New Patents Rule 36 (to replace the existing provision)

Search report

36(1). A request for a search report under section 29(1)(a) shall be made on Patents Form 10.

36(2) A search report issued by the Examiner need not take into account any document filed by the applicant after he has commenced drawing up his search report.

New Patents Rule 37 (to replace the existing provision)

Search and examination report

37(1) A request for a search and examination report under section 29(1)(b) shall be made on Patents Form 11.

37(2) A search and examination report issued by the Examiner need not take into account any document filed by the applicant after he has commenced drawing up his search and examination report.

Amendment to Patents Rule 46(7) (proposed amendment is indicated with the tracked changes)

46 (7) A further opinion or report issued by the Examiner need not take into account any response or document filed by the applicant after he has commenced drawing up his opinion or report.

Amendment to Patents Rule 86(4) (proposed amendments are indicated with the tracked changes)

86 (4) In the case of an international application for a patent (Singapore) —

(a) ~~rule 8(1) shall not apply if the applicant, on filing the application, states in writing to the receiving Office that the invention has been displayed at an international exhibition;~~

(b) ~~rule 8(2),(3) and (4) may be complied with at any time before the end of 2 months from the time limit for entering the national phase;~~

(c) [Deleted by S 366/2004];

(d) where an English translation of a document or part of a document is required by the Act or these Rules to be filed before or at the time limit for entering the national phase, verification of the translation, as required under rule 112 and permitted by rule 51 bis 1(d) of the Regulations under the Patent Co-operation Treaty, may be given to the Registrar at any time before the end of 2 months from that time limit.