



BRUNEI DARUSSALAM

CURRENT STATUS AND FUTURE PROSPECTS ON PATENT

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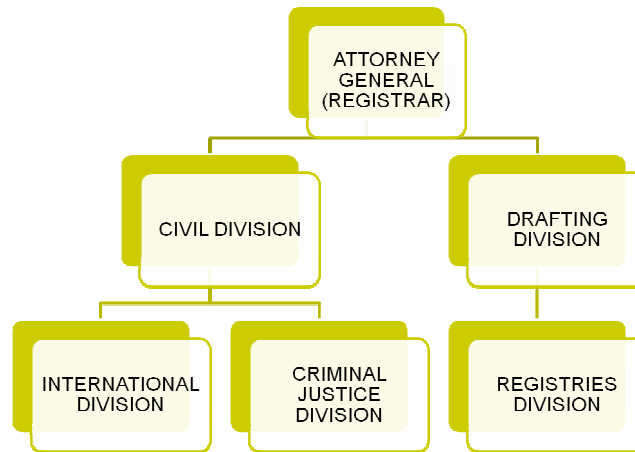


Outline

- Organisation
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- New Patent Law
- Accession to International Treaties
- Regional Cooperation
- Next Step



Organisation



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Overview of Current System



- Inventions Act (Cap 71)
- Re-registration of patents which have been registered in Malaysia, Singapore or the United Kingdom
- There is no independent system of examination for patentability
- Substantive examination is done by the patent office which granted the patent

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Requirements



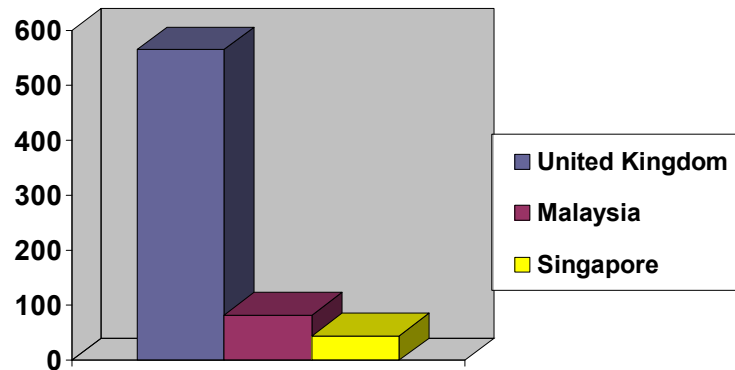
- Exclusive rights to the respective invention would not be prejudicial to the public interest
- Must be registered in Brunei Darussalam within three years from the date of grant in any of the aforementioned countries
- Such grant will remain valid as long as the patent remains valid in the said countries

Application Procedures



- Application made enclosing stamped original copy of PA registered in Brunei Darussalam
- Certificate fee B\$250
- Publication in Government Gazette

Statistics 1993-2009



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New Patent Law



- Emergency (Patents) Order of 1999 yet to be fully implemented
- Based on the Singapore's Patent Act and will provide for an independent system based on formalities examination only
- Substantive examination for patentability will be conducted abroad under a referral arrangement with foreign patent offices

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Features of the New Law



- Independent patent system
- TRIPS-compliant
- Patentable invention must satisfy the following conditions:
 - The invention must be new;
 - It involves an inventive step; and
 - It is capable of industrial application

Accession to International Treaties



- Paris Convention
- PCT
- Budapest Treaty

Future Steps



- Implementation of independent patent system
- Set up an independent IP Office
- Close collaboration with the University Brunei Darussalam to encourage further R&D activities through its Industry Liaison Office (ILO)
- Align IP system with the country's 2035 NDP's vision to diversify the economy

Patent Cooperation



- Regional cooperation - tap on ASPEC platform vis-à-vis patent examination report from patent offices
- PPH
- Practice & experience sharing with IP Offices

Thank You for Your Attention



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