



WIPO sub-regional workshop on the utilization of patent examination results to enhance patent examination capacities and increase the quality of patents

Kuala Lumpur, Malaysia

Nov.29 - Dec.3, 2011

By participant from:
INTELLECTUAL PROPERTY DIVISION
Ministry of Economic Affairs
Thimphu, BHUTAN
Web site: www.ipbhutan.gov.bt

Intellectual Property Division, MoEA

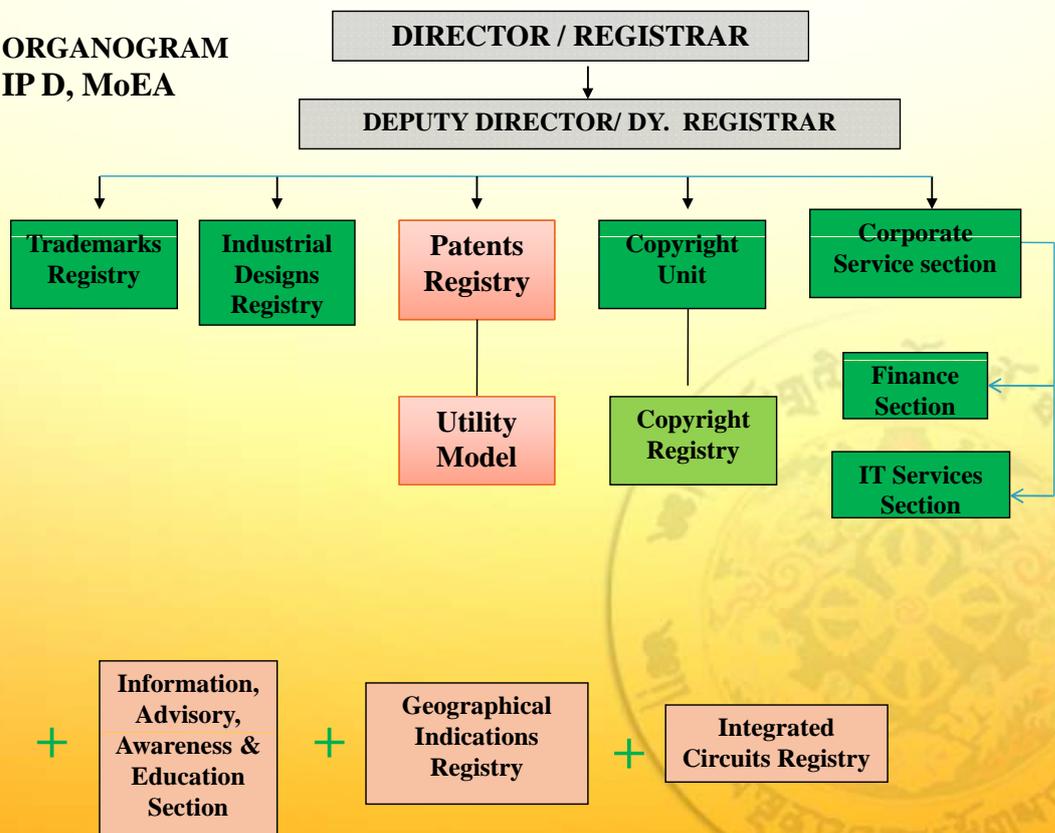
Vision

- To use the intellectual property protection system as a stimulus for the social, cultural, technological and economic growth of the country

Mission

- To establish a comprehensive well-balanced and effective system for the protection and enforcement of intellectual property rights

ORGANOGRAM
IP D, MoEA



Intellectual Property Division, MoEA

LEGISLATION

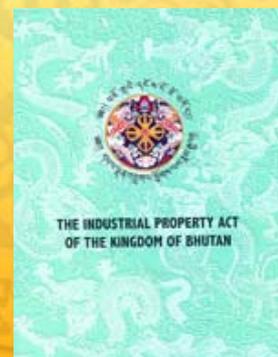
- ▶ The Act has been cited as “THE INDUSTRIAL PROPERTY ACT OF THE KINGDOM OF BHUTAN, 2001”.
- ▶ **17 July, 2001 / 79th** session of the National Assembly.
- ▶ Provisions on Patents, Trademarks and Industrial Design
- ▶ Ministry of Economic Affairs is authorized to regulate the Act.



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2001 ACT, PATENT PROVISIONS:

- Industrial Property Act of the Kingdom of Bhutan (Part 2/Sec. 4-16)
- Definition
- Matters excluded from Patent protection
- Patentable Inventions
- Patent Applications & examination procedures
- Grant of Patent
- Rights conferred by Patent
- Duration and fees
- Invalidation
- Compulsory license



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STAFF

Staff in Patent Registry:

- | | | |
|------------------------|---|---|
| a) Examiner | = | 2 |
| b) Assistance Examiner | = | 1 |

| | | |
|--------------|--|----------|
| TOTAL | | 3 |
|--------------|--|----------|

- Background required = Minimum science graduate
- Collectively work together on all aspects of legal and technical Patent Registration System
- Also looks after other general and policy aspects of intellectual property

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CURRENT ACTIVITIES

- ▶ Revising patent laws (IP Act, 2001)
- ▶ Drafting Patent Rules, guidelines & work manuals (timeline, fees, forms etc.)
- ▶ Linking with external search and examination authorities
- ▶ Building in-house expertise:

Example:

- Training on examination, search and legislative aspects= for *Examiners*
- Patent drafting= for *Examiners and Agents*
(forth coming agenda with WIPO)

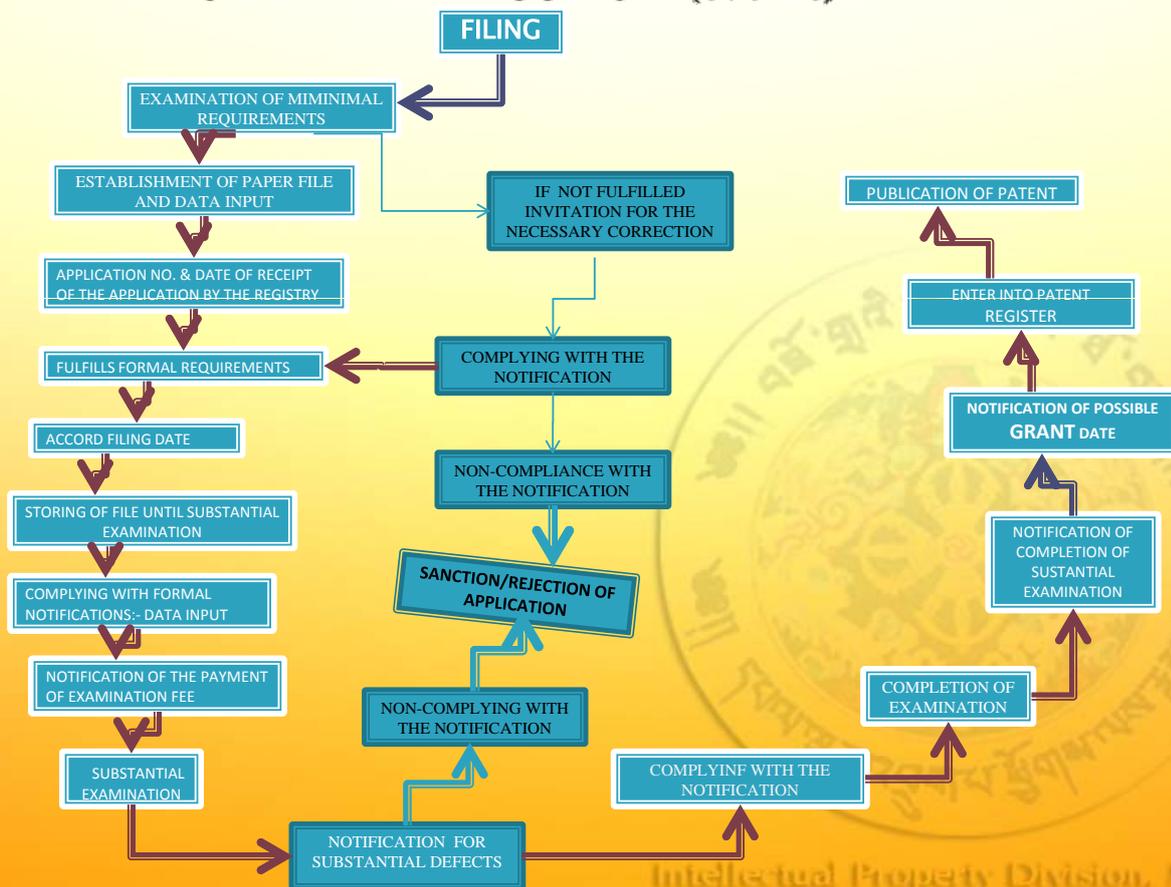
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Statistics

- ▶ Number of queries = 10 from foreign applicants since 2002
 - ▶ Number of applications received = 3
 - ▶ Granted = 0
- Fields of invention = Pharmaceutical and electrical.

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NATIONAL PATENT PROCEDURE (outline)



CHALLENGES

1. Weak local industrial base and lack of innovative culture
 2. Lack of internal expertise (*both legal and technical*)
 3. Constraints in training examiners on search and substantive examination (*including interpretation of ISA & IPEA reports*)
 4. Absence of patent attorneys in Bhutan
 5. Confusion as a late starter in the game
- A watermark for the Intellectual Property Division, MoEA is visible in the background.

WAY FORWARD

1. Operating patent registry

- Incorporating patent registration system into IPAS software
- Linking with regional offices/WIPO for substantive search and examination.

2. Long term hands on training for examiners

- Search and examination
- Understanding and interpretation of search and examination reports

3. Accession to PCT (*Patent Cooperation Treaty*)

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THANK YOU
for your kind attention

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