

Progress of the ASEAN Patent Examination Cooperation (ASPEC) Programme for ASEAN Work Sharing and Development of Community of Practice in ASEAN

Workshop on Technical Requirements to Facilitate ASPEC
Work Sharing and ASEAN IP Portal

Eric Toh

Registry of Patents


16 July 2014



INTELLECTUAL PROPERTY
OFFICE OF SINGAPORE


ASPEC: Work Sharing in ASEAN

- The first regional patent **work-sharing** programme among ASEAN IP Offices
- **Fast-track** for applicants in any **9 ASEAN IP Office** based on 1 allowable claim.
- Expect **significant time savings**.
- **Improved quality** of search and examination
- Operates in English language.
- One Common Form.
- Free-of-charge



ASEAN Patent Exam Co-operation (ASPEC)

A regional work-sharing initiative by participating ASEAN Member States IP Offices



INTELLECTUAL PROPERTY OFFICE BRUNEI DARUSSALAM

SINGAPORE

LAOS

CAMBODIA

THAILAND

MYIPO

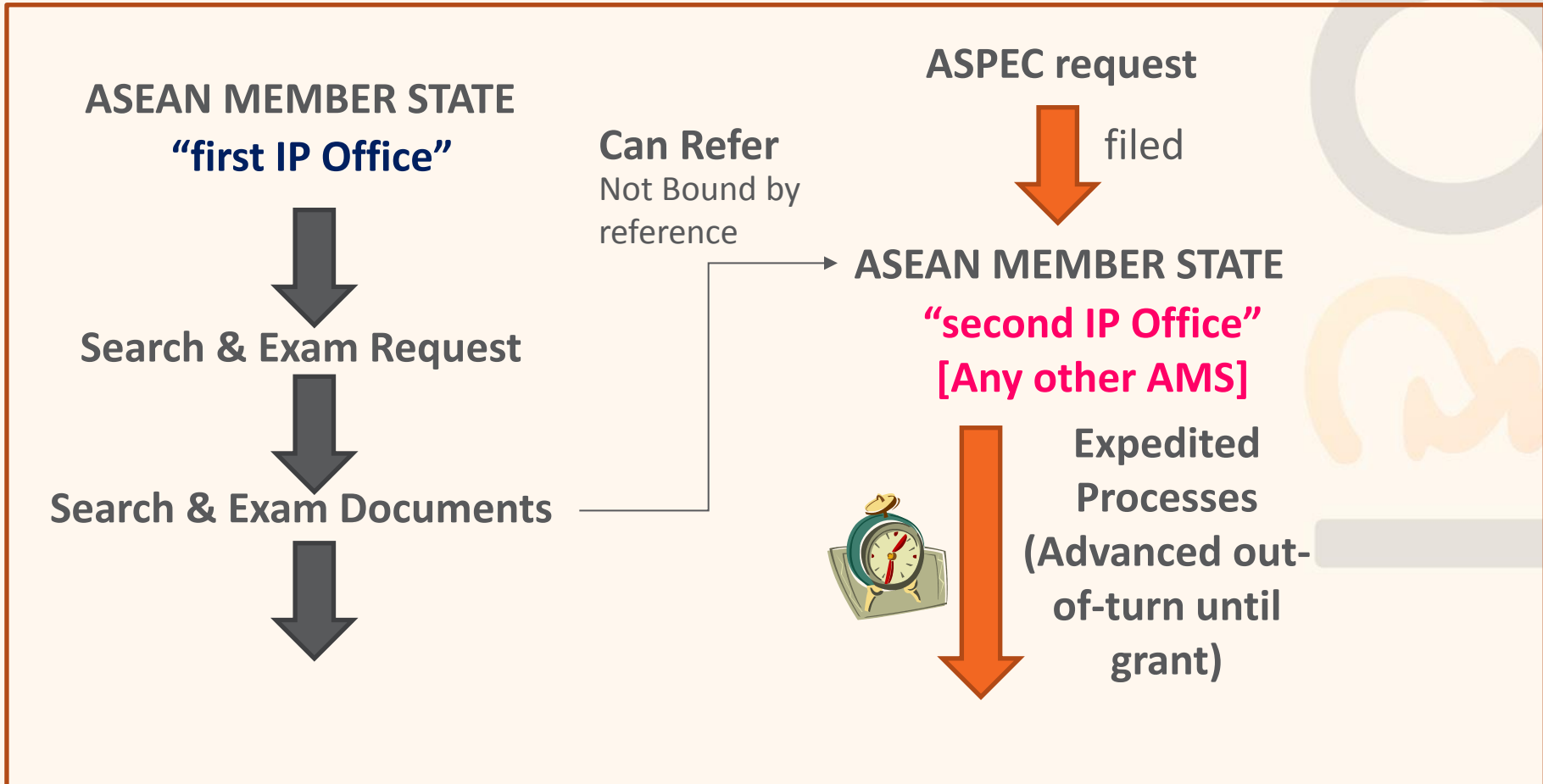
noip vietnam

IP PHL

IPOS
INTELLECTUAL PROPERTY OFFICE OF SINGAPORE

How does ASPEC Work?

ASPEC Concept



Progress of the ASPEC Programme

Event	Key Developments and Milestones
15 Jun 2009	Commencement of the ASPEC Programme
Apr 2012	<ol style="list-style-type: none">i. Adoption of the English language as the operational language;ii. Optional requirement for a claims correspondence table
July 2013	<ol style="list-style-type: none">i. Accelerated prosecution of corresponding patent application(s) at the second ASEAN Member State (AMS) IP Office(s) until grant when an ASPEC request is filed;ii. Relaxation of translation verification requirements;iii. Requirement of at least one claim to be determined by the first AMS IP Office as allowable/patentable
Nov 2013	ASPEC requests can be filed at any time before the final decision of grant or refusal issued by the AMS IP Office
Q4 2013	Initial ASPEC requests made to AMS IP Offices
Q4 2013 – H1 2014	Office Actions based on initial ASPEC requests established by AMS IP Offices
July 2014	*NEW* Expansion of the current ASPEC eligibility requirements to include the scenario where PCT national phase entries into more than one AMS IP Office are now regarded as corresponding applications (where the PCT application has no earlier Paris Convention priority claim from an earlier filed patent application)

Community of Practice (CoP) in ASEAN

Objective

To promote understanding and work-sharing among ASEAN patent examiners

CoP events organised:

1st ASEAN CoP for Patent Examiners, Singapore
(28 August 2013)



2nd ASEAN CoP for Patent Examiners,
Singapore (6-8 May 2014)



Community of Practice (CoP) in ASEAN

Programme Highlights from the last ASEAN CoP for Patent Examiners event:

- Country presentations on patentable subject matter
- Case studies
- Round-table discussion
- Visit to the first Zero Energy Building in Southeast Asia
- Feedback from attorneys
- Search strategies

Community of Practice (CoP) in ASEAN

- The emphasis of the last ASEAN CoP for Patent Examiners was on practical and real world issues that examiners encounter, and the format encouraged networking and input from all participants.
- Case studies were used to identify similarities and differences in law and practice, as well as tips for efficient search and examination.
- Discussion groups also brainstormed examination issues relating to quality, examination tools and ongoing examiner development.
- Top external speakers were invited to lead on discussions of topical issues, which provided industry insights and kept patent examiners up-to-date on relevant patent practices.

Community of Practice (CoP) in ASEAN

Survey Results Post-Event

- i. A useful learning platform for examiners to learn about patent examination practices of different IP offices and applying them to their current work;
- ii. A great opportunity to enable networking and interaction among ASEAN patent examiners beyond work practices;
- iii. Relevance and usefulness from the speakers' topics in enriching examiners' professional development and technical knowledge; and
- iv. Support in enhancing examiners' professionalism and working knowledge in patent examination practices through case studies and group discussions.

Community of Practice (CoP) in ASEAN

Comments from Participants Post-Event

✓ “ASPEC is **useful** as examiners can share their search reports. It will **avoid the examiners wasting their time** by doing duplicate search and examination. Moreover, the examiners can get more information and more details pertaining to prior art.” (Malaysia)

✓ “Work-sharing workshops such as the ASEAN Patent Examiners CoP provide opportunities to learn from experiences of other nations. ASPEC is based on **mutual trust amongst IP Offices**, and I am pleased to note that the trust is there between IP Offices. As an examiner looking into ASPEC, I believe that **ASPEC is useful for IP Offices** as the work sharing arrangement **reduces time taken for patent examination**. This would, in turn, **benefit businesses** as the reduction in wait time means that they would be able to get their patents granted faster, providing them more opportunities to exploit their patents for profit.” (Indonesia)

✓ “It is a useful opportunity for the ASEAN IP offices to understand, interact, share and learn experiences together. It is important for **further integration among ASEAN countries in searching and examining activities**.” (Viet Nam)



Community of Practice (CoP) in ASEAN

What's Next?

- Regular ASEAN CoP events to be organised annually at AMS IP Offices
- Possible Examiner exchange programmes among AMS IP Offices
- Leveraging on work-sharing platforms to foster continual examiner interaction

Thank You



INTELLECTUAL PROPERTY
OFFICE OF SINGAPORE