



OUTLINE OF PATENT QUALITY MANAGEMENT SYSTEM IN MyIPO

**SURAYA MOHAMAD
SENIOR PATENT EXAMINER**

19 April 2016



OUTLINE OF PRESENTATION

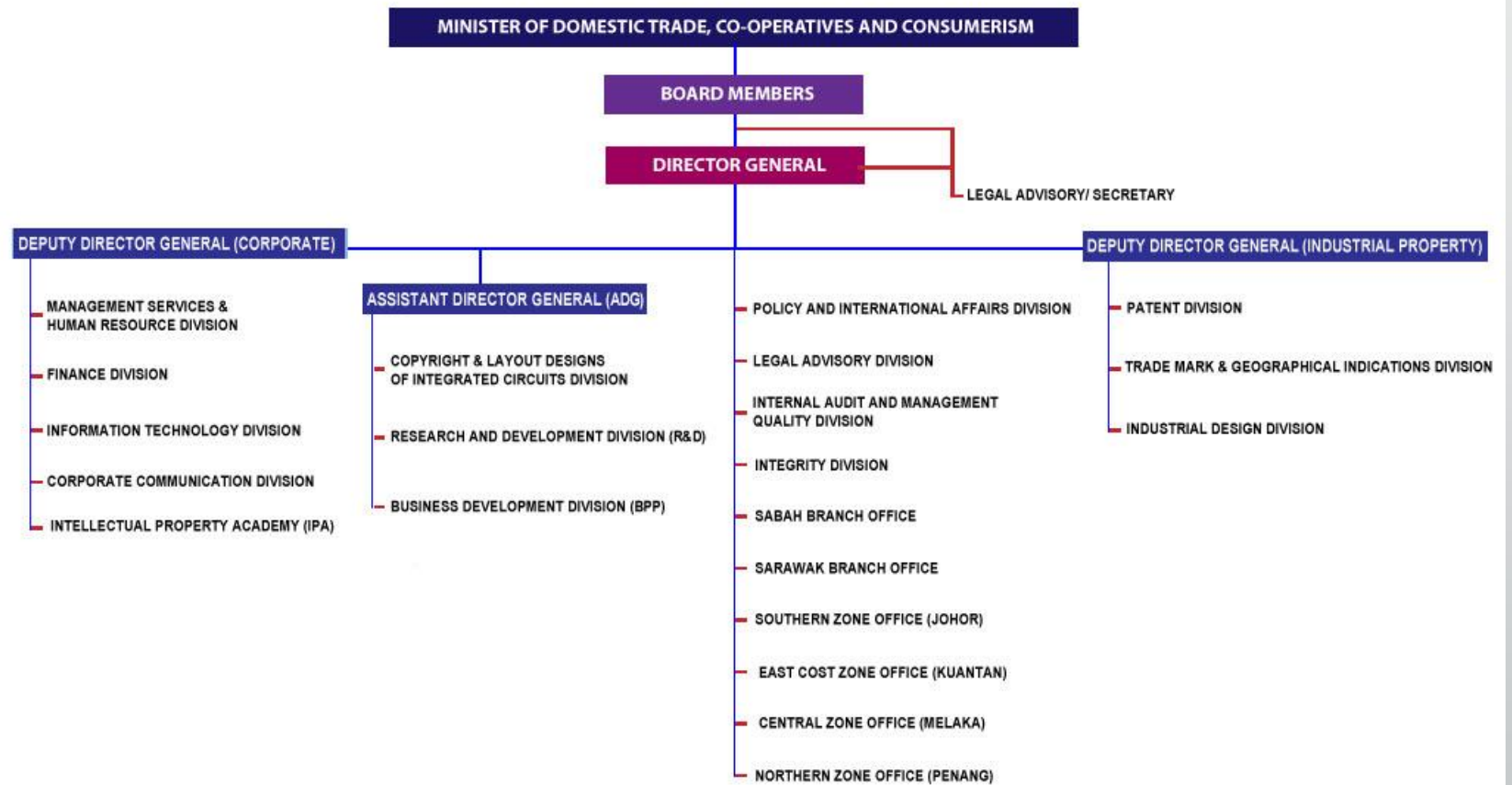
1. OUR ORGANIZATION

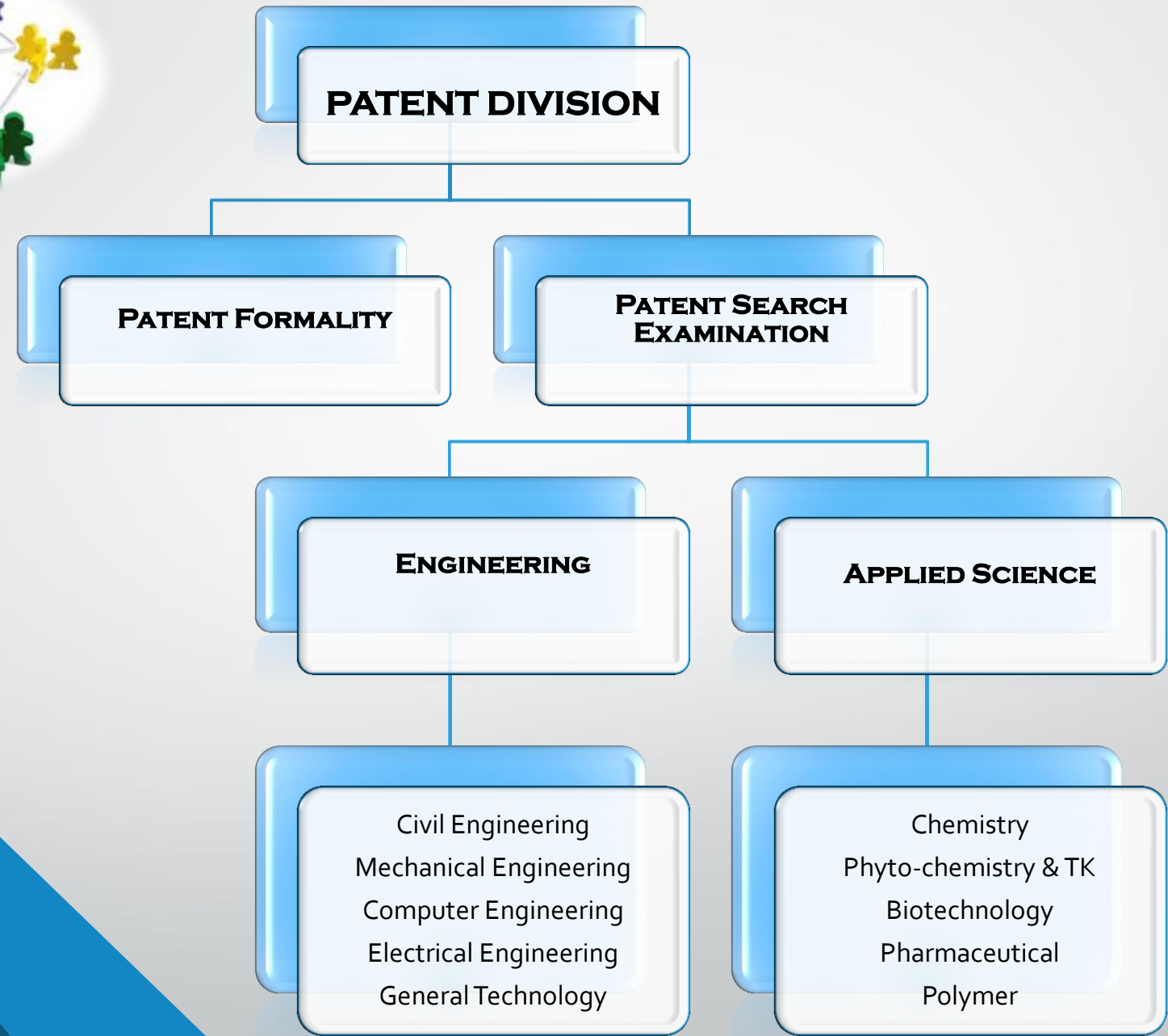
2. PATENT QUALITY MANAGEMENT
– OUR INITIATIVES

INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA (MyIPO)

- The Intellectual Property Corporation of Malaysia (MyIPO) is established on 3rd March 2003 under the Intellectual Property Corporation of Malaysia Act 2002 (Act 617)
- fully autonomous in its administration and finance

ORGANIZATION CHART





SHOULD WE CARE ABOUT PATENT QUALITY ?

Patent quality is the capacity of a granted patent to meet (or exceed) the statutory standards of patentability most importantly, to be novel , involves an inventive step, and be clearly and sufficiently claimed and described.



IMPORTANCE OF PATENT QUALITY

Low patent quality can cause :

Uncertainty about the validity of granted patents; the scope of granted patents; whether a particular invention is patentable; and whether a valid patent will be fully enforced.



THESE UNCERTAINTIES CAN LEAD TO

The increased of disputes over patents, and more uncertain patents means that litigation becomes more complex and expensive, adding again to both the private and social costs of the system as a whole



INITIATIVES FOR ACQUIRING PATENT QUALITY

1ST INITIATIVE – ENHANCEMENT OF EXAMINER'S SKILL AND KNOWLEDGE

1. COMPETENCY BASED TRAINING MODULE FOR NEW EXAMINERS
2. RPET PROGRAM CONDUCTED BY IP AUSTRALIA
3. EXPERT TRAINING FROM OTHER IP OFFICES
4. EDUCATION FUND FOR EXAMINERS TO FURTHER STUDY

INITIATIVES FOR ACQUIRING PATENT QUALITY

2ND INITIATIVE – STANDARDIZATION OF STANDARD CLAUSE

COMMITTEE OF STANDARD CLAUSE IS FORMED TO ESTABLISH A GUIDE FOR ORDERLY PROCESS AND CONSISTENT IN DECISION MAKING AND ADMINISTRATIVE DISCRETION

INITIATIVES FOR ACQUIRING PATENT QUALITY

3RD INITIATIVE – TO REVISE PATENT EXAMINATION GUIDELINES

TASK FORCE IS FORMED TO REVISE PATENT EXAMINATION GUIDELINES

- CONSISTENT WITH INTERNATIONAL OBLIGATIONS
E.G TPPA
- CONSISTENT WITH NEW AMENDMENT OF MALAYSIAN PATENTS ACT 1983

INITIATIVES FOR ACQUIRING PATENT QUALITY

4TH INITIATIVE – MENTOR MENTEE

QA/QC OF SEARCH AND EXAMINATION REPORT
CONDUCTED BY SENIOR EXAMINERS/HEAD OF UNIT

- EXAMINERS ARE REQUESTED TO OUTLINE THEIR SEARCH STRATEGIES AND PATENTABILITY ASSESSMENT



INITIATIVES FOR ACQUIRING PATENT QUALITY

5TH INITIATIVE – QUALITY MANAGEMENT SYSTEM

MyIPO PATENT EXPEDITED EXAMINATION
FOR A CLEAR CUT CASE IS CERTIFIED
WITH MS ISO 9001 : 2008 SINCE 2011

INITIATIVES FOR ACQUIRING PATENT QUALITY

6TH INITIATIVE – SUBSCRIBED PATENT AND NON-PATENT SEARCHING TOOLS

EPOQUENET, STN, IEEE, MyTKDL,
WORLD TRADITIONAL MEDICINE
PATENT DATABASE (WTMPD)

INITIATIVES FOR ACQUIRING PATENT QUALITY

7TH INITIATIVE – WORK SHARING WITH OTHER OFFICES

1. MODIFIED SUBSTANTIVE EXAMINATION

PRESCRIBED COUNTRIES (EP, US, GB, AU, JP, KR & PCT)

2. ASPEC

ASEAN MEMBER STATES (AMS) SEARCH & EXAMINATION REPORT AS REFERENCE

3. PPH – JAPAN

JPO SEARCH & EXAMINATION REPORT AS GUIDANCE



THANK YOU FOR YOUR ATTENTION

SURAYA MOHAMAD
suraya@myipo.gov.my

