

**ADDITIONAL INPUTS FROM THE
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA (MyIPO)
PURSUANT TO THE DECISION OF THE
29th STANDING COMMITTEE ON THE LAW OF PATENTS (SCP)**

Additional inputs for the preparation of the following documents :

- I) A draft reference document on the exception regarding compulsory licenses. The inputs may relate to, for example, challenges faced by Member States in implementing the exception and the results of the national/regional implementation;

Refer to Annex I

- II) A further study on inventive step (part 3), giving a particular attention to the topics suggested in paragraph 8 of Annex to document SCP/24/3 (proposal by Spain), in particular, assessment of inventive step in the chemical sector;

Refer to Annex II

- III) updated document on the confidentiality of communications between clients and their patent advisors, based on document SCP/29I5;

No updated document

- IV) A document compiling information on patent law provisions and practices that contributed to effective transfer of technology in Member States.

Patent Law provisions provide:

- **Regulation 12 of the Patents Act 1983, the applicant is required to provide the content of the patent application i.e. the description should:**
 - **state the title of the invention;**
 - **specify the technical background art;**
 - **disclose the invention in such terms that it can be understood and, in a manner, sufficiently clear and complete for the invention to be evaluated and to be carried out by a person having ordinary skill in the art, and state any advantages effects of the invention with reference to the background art;**

- briefly describe figures in the drawing;
 - describe the best mode contemplated by the applicant for carrying out the invention; and
 - indicate the way in which the invention is industrially applicable.
- **Section 34 of the Patents Act allows for public inspection after 18 months from the priority date or filing date for the following information:**
 - the name, address and description of the applicant and the name and address of his agent;
 - the application number;
 - the filing date of the application and if priority is claimed, the priority date;
 - the particulars of the application including description, claim or claims, drawing or drawings if any, and the abstract;
 - any change in ownership of the application and any reference to a licence contract.
 - **Part IX of the Patents Act defines licence contracts and rights of the licensee and licensor.**

Updated information on:

- I) Certain aspects of the applicable national or regional patent law, available at: http://www.wipo.int/scp/en/annex_ii.html;

No information to be updated.

- II) National and regional laws on opposition systems and other administrative revocation and invalidation mechanisms, available at: http://www.wipo.int/scp/en/revocation_mechanisms/; and

Currently no oppositions system for patent.

- III) International worksharing and collaborative activities for search and examination of patent applications, available at: <http://www.wipo.int/patents/en/topics/worksharing/>.

Enhancement of information related to Modified Substantive Examination in website will be updated soon.