

Submission of Information by Third Parties

Singapore

On 5 August 2019, the Intellectual Property (Dispute Resolutions) Bill (“Bill”)¹ was passed in Parliament. Among others, the Bill formalizes the third party observations process for patent applications.

Amendment 10 of the Bill introduces new section 32 of the Patents Act as follows:

10. The Patents Act is amended by inserting, immediately after section 31, the following section:

“Observations by third party on patentability

32.—(1) Where an application for a patent has been published, any other person may make observations in writing to the Registrar on the question whether the invention is a patentable invention, stating reasons for the observations, and the Registrar must, subject to subsection (2), consider the observations in accordance with the rules.

(2) The observations must be received by the Registrar before the Registrar sends to the applicant in the application for the patent —

- (a) a copy of an examination report under section 29(4);
 - (b) a copy of a search and examination report under section 29(5); or
 - (c) a copy of a supplementary examination report under section 29(6).
- (3) A person does not become a party to any proceedings under this Act before the Registrar by reason only that the person makes observations under this section.”

The above entered into force on 1 October 2021.

¹Intellectual Property (Dispute Resolution) Bill. Bill No: 17/2019.