

Global Patent Prosecution Highway Pilot Programme
Guidelines for Filing a Request at the Intellectual Property Office of Singapore
Relying on the National Search & Examination Results from other Offices

1. Background

- 1.1 With effect from 1 November 2014, the Intellectual Property Office of Singapore (IPOS) has joined the Global Patent Prosecution Highway (GPPH) network and is a participating office of the GPPH pilot programme. Under the GPPH pilot, a request for accelerated examination of an IPOS patent application (IPOS application) can be made by relying on the patent search and examination results (national work products) established by any of the other GPPH participating offices. These offices are known as Offices of Earlier Examination (OEE).
- 1.2 A list of the GPPH participating offices can be found in Annex I.

2. Requirements for requesting accelerated examination of an IPOS patent application

- 2.1 Both the IPOS application for which acceleration is requested and the OEE application(s) forming the basis of the GPPH request shall have the same earliest date (whether this is a priority date or a filing date).
- 2.2 The OEE application has at least one claim that is determined to be allowable/patentable by the OEE.
- 2.3 All claims in the IPOS application must sufficiently correspond or be amended to sufficiently correspond to one or more of the claims found allowable/patentable by the OEE. Claims will be considered to sufficiently correspond where, accounting for differences due to translations and claim format, the claims are of the same or similar scope, or the claims are narrower in scope. In this regard, a claim that is narrower in scope occurs when a claim in the IPOS application is amended to be further limited by an additional technical feature that is supported in the specification.
- 2.4 Examination has not begun on the IPOS application.
- 2.5 Diagrams depicting a list of scenarios in which a request for accelerated examination of the IPOS application can be made under the GPPH pilot programme are found in Annex II. This list of scenarios is non-exhaustive.

3. Procedures for requesting accelerated examination of an IPOS patent application

- 3.1 File duly completed Patents Form 11 (Request for Search and Examination Report) or Patents Form 12 (Request for Examination Report). These forms can be found at: <https://digitalhub.ipos.gov.sg/> (electronic versions for online filing).
- 3.2 The Patents Form 11 or Patents Form 12 must be accompanied by:
- (a) a copy of all office actions of the OEE application being relied upon;
 - (b) a copy of the allowable/patentable patent claims referred to in (a) above; and

- (c) a claims correspondence table showing the relatedness of the allowable/patentable claims referred to in (a) above to the claims in the current IPOS application. The format of the Claims Correspondence Table is found in Annex III.
- 3.3 If the documents listed in (a) and (b) above are available in the OEE Dossier Access System, they need not be filed with the Patents Form 11 or Patents Form 12. A list of the available Dossier Access Systems is found in Annex IV.
- 3.4 For the avoidance of doubt, a copy of the patent grant without the documents listed in (a), (b) and (c) above will not qualify for the GPPH.
- 3.5 The checkbox for “ASPEC/PPH” must be selected in the Patents Form 11 or Patents Form 12.
- 3.6 If the request for GPPH is sought after the Patents Form 11 or Patents Form 12 is filed, an email must also be sent to IPOS at PT_acceleration@ipos.gov.sg. The email must contain in its subject, the title "GPPH acceleration requested" and should also inform whether any amendments are required to conform the Singapore claims to the foreign allowed claims. Upon receipt of the email, IPOS will advise if examination has started on the IPOS application, and if examination has not started, we will invite the applicant to submit the relevant PPH documents in 3.2 via ad-hoc correspondence at <https://digitalhub.ipos.gov.sg/>.
- 3.7 For the avoidance of doubt, email notification to IPOS is not required if GPPH is made at the point of filing Patents Form 11 or Patents Form 12 and the checkbox for “ASPEC/PPH” is selected.
- 3.8 Any subsequent correspondences with IPOS must also be marked with the phrase “GPPH acceleration requested”.

4. Cited Documents

A copy of each of the documents cited in the documents submitted under paragraph 3.2 (a) is not required at the time of filing the GPPH request. IPOS may, however, require the applicant to furnish a copy of any document cited subsequently.

5. Translations

- 5.1 The documents in paragraph 3.2 must be accompanied by an English translation if they are not originally in English, at the time of filing the GPPH request.
- 5.2 The documents in paragraph 4 may be filed in their original language. However, IPOS may subsequently request for an English translation of a document or a part of a document if an English abstract of the cited document is not available.
- 5.3 If it is not possible for IPOS to understand the English translation of any document, IPOS can request the applicant to resubmit the English translation of that document.

6. Examination of IPOS patent application under the GPPH pilot

- 6.1 IPOS will treat a GPPH request as a request for accelerated examination under the GPPH pilot programme. The IPOS application will be examined in accordance with the

Singapore Patents Act (Cap. 221) and the Singapore Patents Rules. The legislations can be found at: <https://www.ipos.gov.sg/resources/ip-legislation>

- 6.2 Applicants should seek professional advice on patent matters in Singapore, in particular, with reference to section 30 (Grant of patent) and section 69 (Restrictions on relief for infringement) of the Singapore Patents Act (Cap. 221).

7. Enquiries

For enquiries relating to the Global Patent Prosecution Highway pilot programme, please send an email to PT_acceleration@ipos.gov.sg.

INTELLECTUAL PROPERTY OFFICE OF SINGAPORE

Date: 1 November 2014

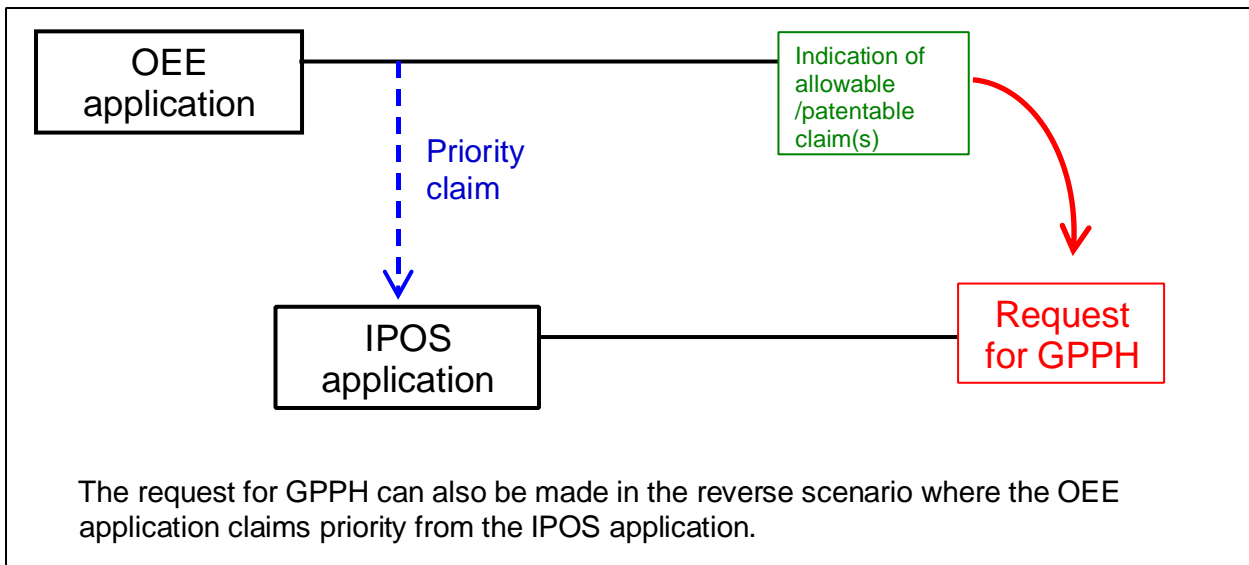
Last updated: July 2023

Annex I

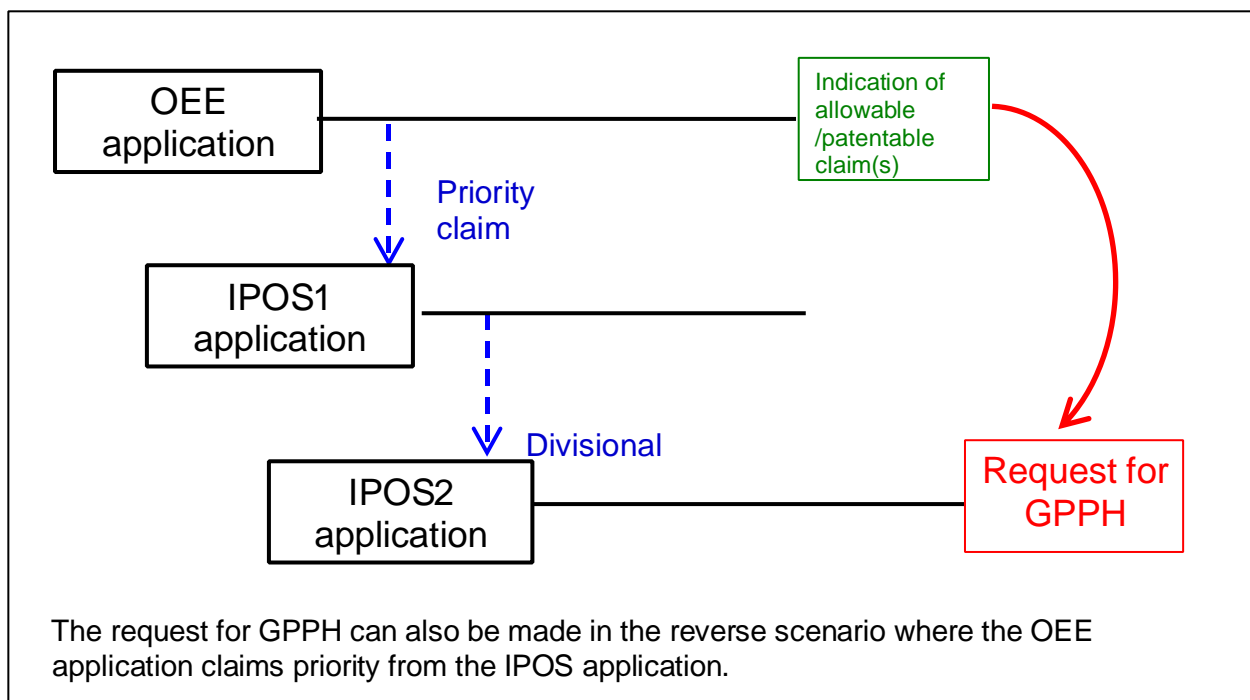
| | Global Patent Prosecution Highway Participating Offices | International Searching Authority and International Preliminary Examining Authority |
|----|---|--|
| 1 | IP Australia | Yes |
| 2 | Austrian Patent Office | Yes |
| 3 | Canadian Intellectual Property Office | Yes |
| 4 | National Institute of Industrial Property of Chile | Yes |
| 5 | Danish Patent and Trademark Office | No |
| 6 | Estonian Patent Office | No |
| 7 | Finnish Patent and Registration Office | Yes |
| 8 | German Patent and Trademark Office | No |
| 9 | Hungarian Intellectual Property Office | No |
| 10 | Icelandic Intellectual Property Office | No |
| 11 | Intellectual Property Office of New Zealand (IPONZ) | No |
| 12 | Israel Patent Office | Yes |
| 13 | Japan Patent Office | Yes |
| 14 | Korean Intellectual Property Office | Yes |
| 15 | National Institute for the Defense of Competition and the Intellectual Property Protection of Peru (INDECOPI) | No |
| 16 | Nordic Patent Institute | Yes |
| 17 | Norwegian Industrial Property Office | No |
| 18 | Patent Office of the Republic of Poland | No |
| 19 | National Institute of Industrial Property (Portugal) | No |
| 20 | Russian Federal Service for Intellectual Property | Yes |
| 21 | Intellectual Property Office of Singapore | Yes |
| 22 | Spanish Patent and Trademark Office | Yes |
| 23 | Superintendence of Industry and Commerce (SIC) (Colombia) | No |
| 24 | Swedish Intellectual Property Office | Yes |
| 25 | United Kingdom Intellectual Property Office | No |
| 26 | United States Patent and Trademark Office | Yes |
| 27 | Visegrad Patent Institute | Yes |

Annex II

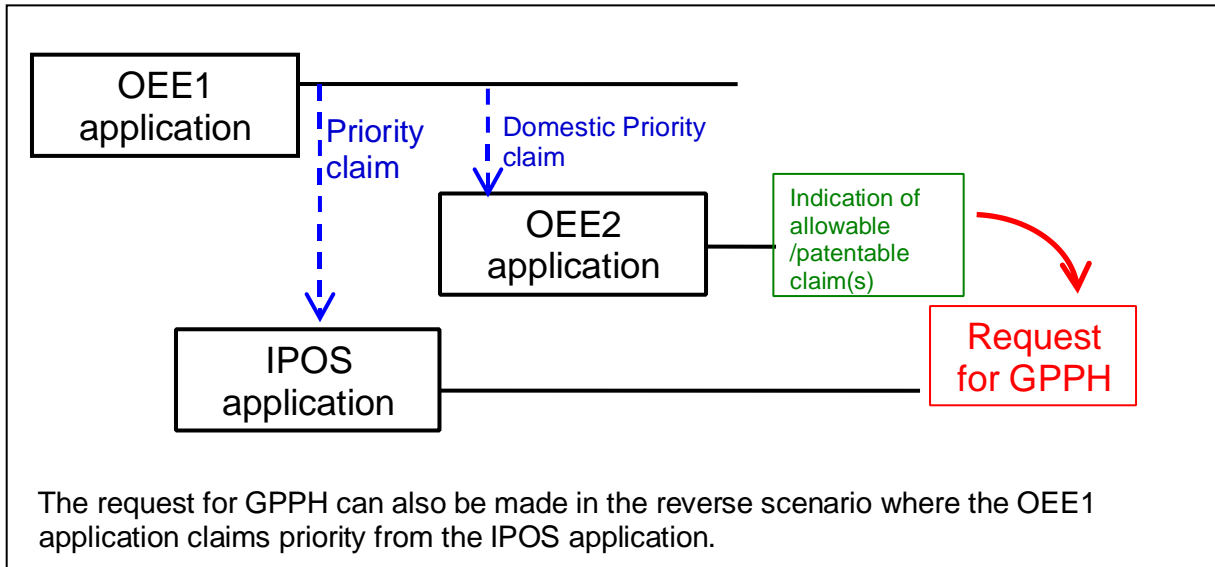
Scenario (1): The IPOS application validly claims priority under section 17 of the Singapore Patents Act (Cap. 221) from the OEE application being relied upon for the GPPH request.



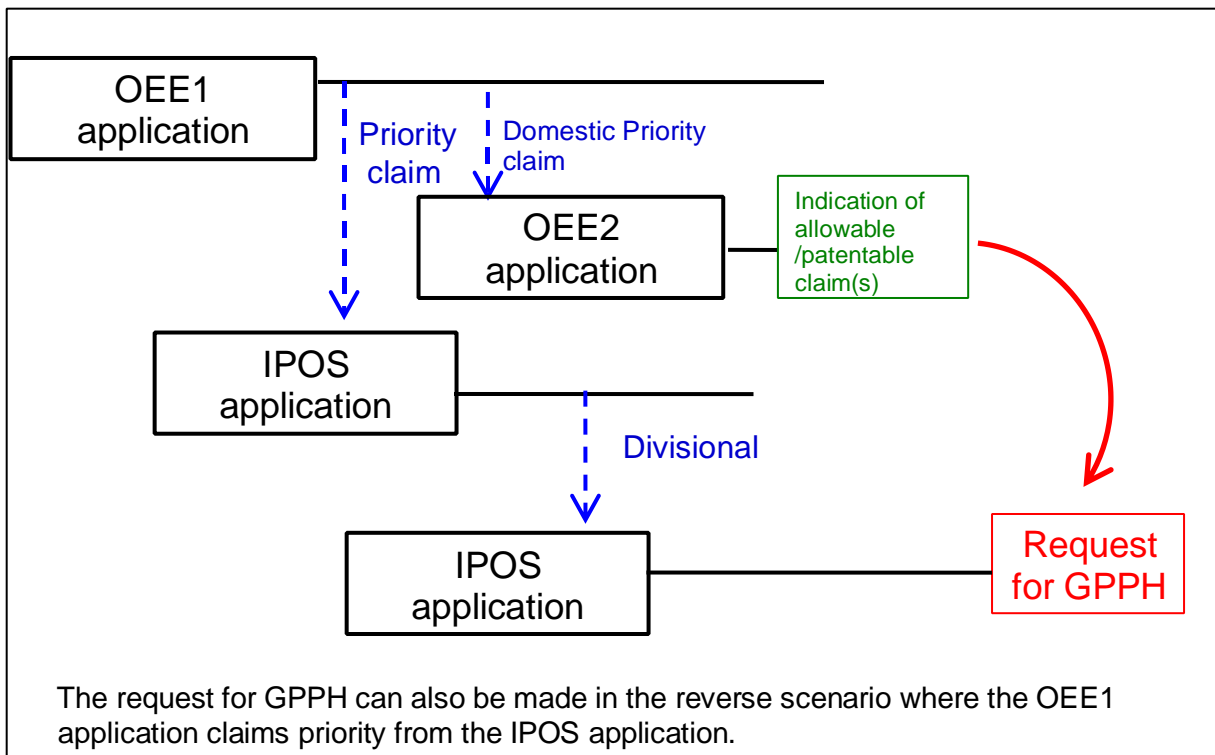
Scenario (2): The IPOS application is a divisional application of the IPOS application referred to in (1) above, and said divisional application validly claims priority under section 17 of the Singapore Patents Act (Cap. 221) from the OEE application being relied upon for the GPPH request.



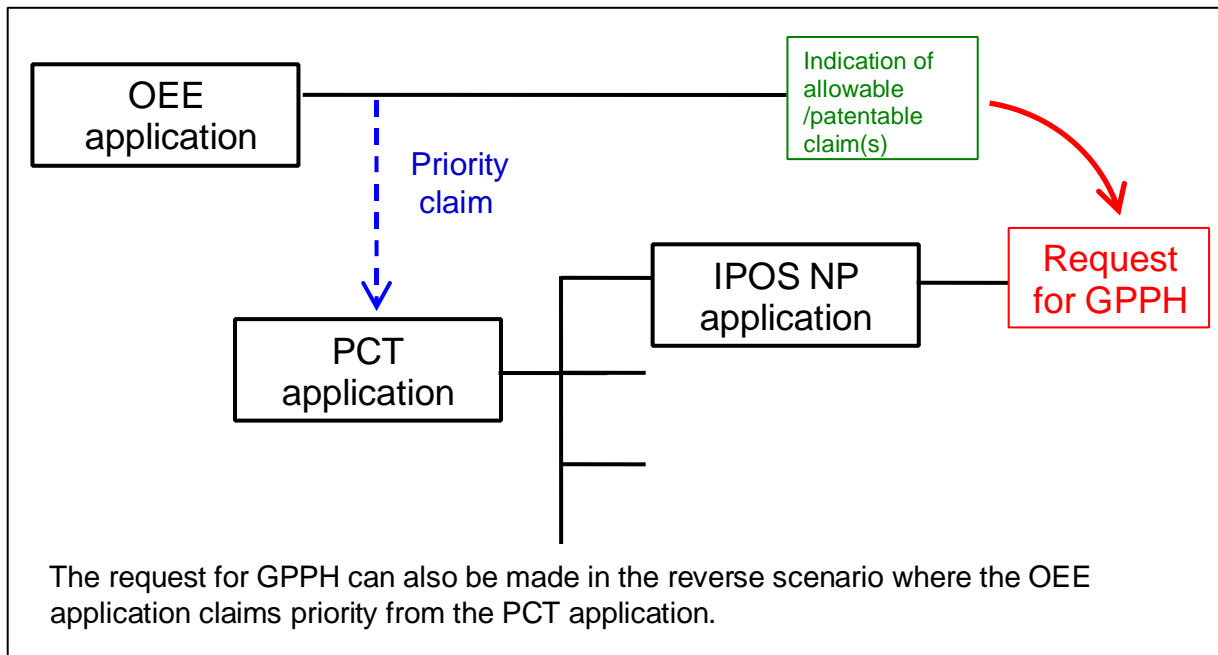
Scenario (3): The IPOS application validly claims priority under section 17 of the Singapore Patents Act (Cap. 221) from the OEE application (“OEE1 application”), and the OEE application being relied upon for the GPPH request (“OEE2 application”) also validly claims domestic priority from OEE1 application.



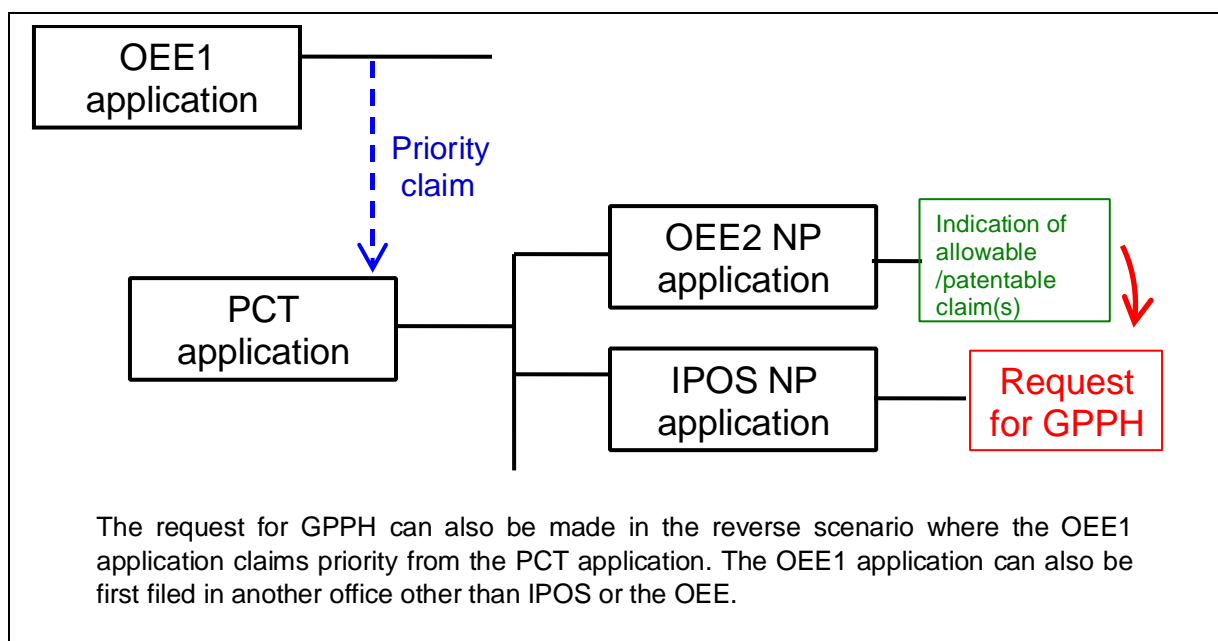
Scenario (4): The IPOS application is a divisional application of the IPOS application referred to in (3) above, and said divisional application validly claims priority under section 17 of the Singapore Patents Act (Cap. 221) from the OEE application (“OEE1 application”), and the OEE application being relied upon for the GPPH request (“OEE2 application”) also validly claims domestic priority from OEE1 application.



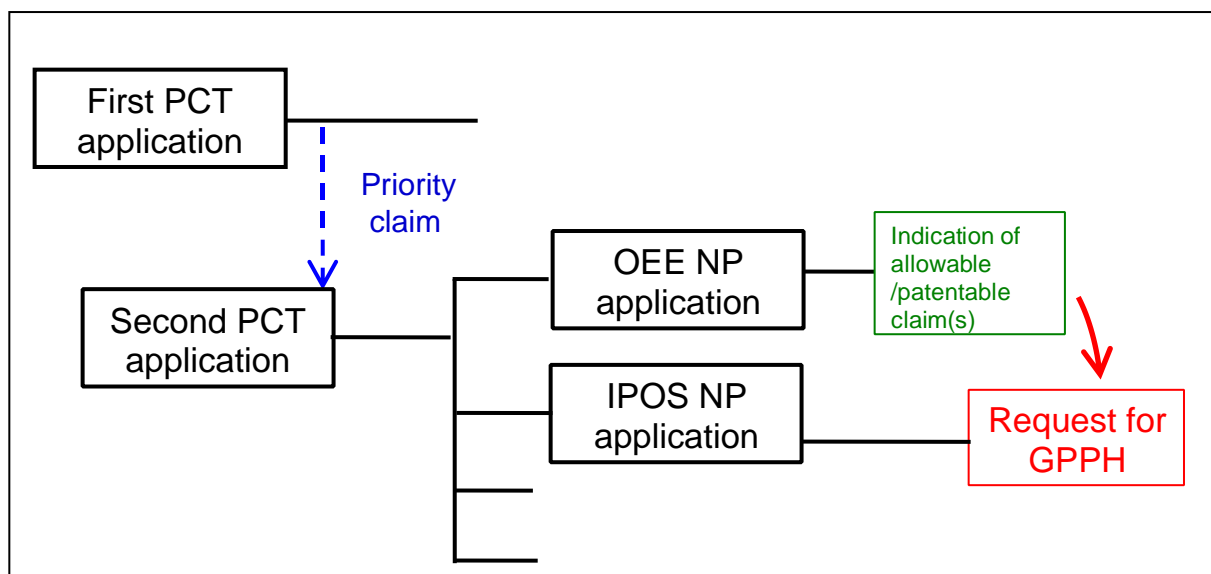
Scenario (5): The IPOS application is a national phase entry of a PCT application (“IPOS NP application”), and the IPOS application validly claims priority under section 17 and section 87 of the Singapore Patents Act (Cap. 221) from the OEE application. The OEE application is being relied on for the GPPH request.



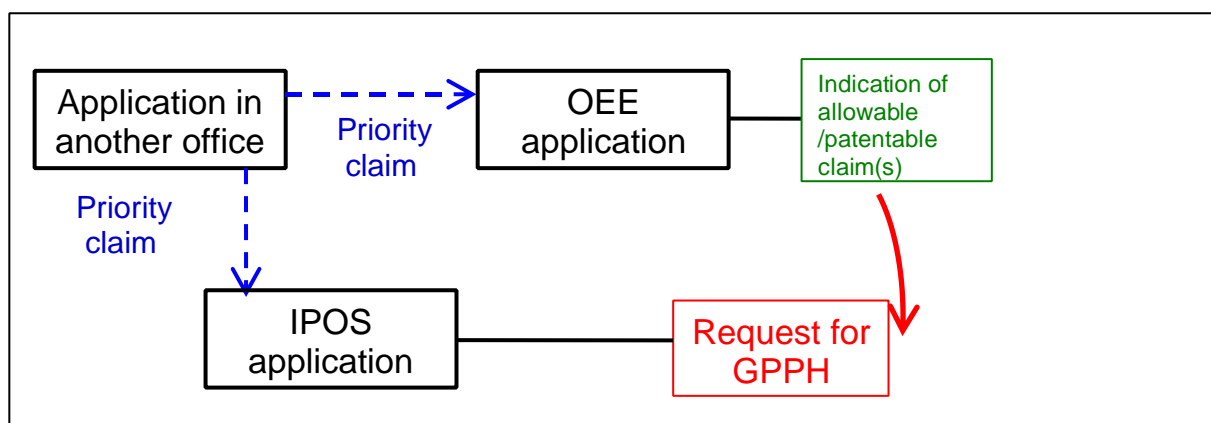
Scenario (6): The IPOS application is a national phase entry of a PCT application (“IPOS NP application”), and the IPOS application validly claims priority under section 17 and section 87 of the Singapore Patents Act (Cap. 221) from the OEE application (“OEE1 application”). The OEE application being relied upon for the GPPH request (“OEE2 NP application”) is a national phase entry of the same PCT application, and OEE2 NP application validly claims priority from OEE1 application.



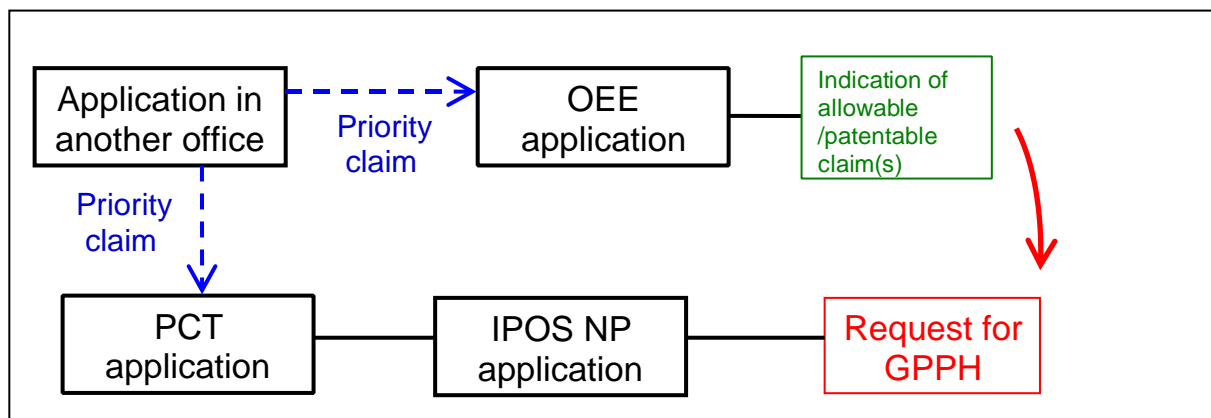
Scenario (7): There are two PCT applications, the second application validly claiming priority from the first application. The IPOS application (“IPOS NP application”) is a national phase entry of the second PCT application, and the IPOS NP application validly claims priority under section 17 and section 87 of the Singapore Patents Act (Cap. 221) from the first PCT application. The OEE application (“OEE NP application”) being relied upon for the GPPH request is a national phase entry of the second PCT application, and the OEE NP application validly claims priority from the first PCT application.



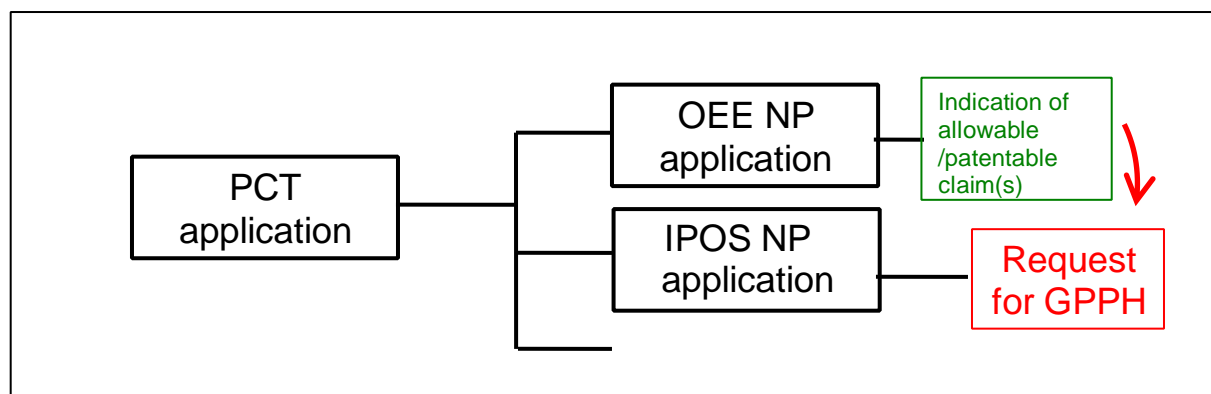
Scenario (8): There is a first application filed in an office other than the IPOS or the OEE. The IPOS application validly claims priority under section 17 of the Singapore Patents Act (Cap. 221) from the first application. The OEE application being relied upon for the GPPH request also validly claims priority from the first application.



Scenario (9): The IPOS application (“IPOS NP application”) is a national phase entry of a PCT application, and the IPOS NP application validly claims priority under section 17 and section 87 of the Singapore Patents Act (Cap. 221) from an application filed in another office. The OEE application being relied upon for the GPPH request also validly claims priority from the application filed in another office.



Scenario (10): The IPOS application (“IPOS NP application”) and the OEE application (“OEE NP application”) being relied upon for the GPPH request, are national phase entries of the same PCT application.



Annex IV

| Office | Dossier Access System |
|---|--|
| IP Australia | AusPat (http://pericles.ipaustralia.gov.au/ols/auspat/) |
| Canadian Intellectual Property Office | Canadian Patents Database http://www.ic.gc.ca/opic-cipo/cpd/eng/introduction.html |
| Danish Patent and Trademark Office | PVS online (http://onlineweb.dkpto.dk/pvsonline/patent?action=1&subAction=front&language=GB) |
| Estonian Patent Office | http://www1.epa.ee/patent/default2eng.asp |
| German Patent and Trademark Office | https://register.dpma.de/DPMAreger/pat/einsteiger?lang=en For further info see: http://www.dpma.de/english/service/newsandnotices/notices/notice_no12_13/index.html . |
| Hungarian Intellectual Property Office | http://epub.hpo.hu/e-aktabetekintes/?lang=EN |
| Intellectual Property Office of New Zealand | IPONZ (https://www.iponz.govt.nz/about-ip/patents/search) |
| Israel Patent Office | ILPATSEARCH, Israel Patent Office Database http://www.ilpatsearch.justice.gov.il/UI/AdvancedSearch.aspx |
| Intellectual Property Office of Singapore | https://digitalhub.ipos.gov.sg/ |
| Japan Patent Office | AIPN (http://aipn.ipdl.inpit.go.jp/) |
| Korean Intellectual Property Office | K-PION (http://k-pion.kipo.go.kr/) |
| Norwegian Industrial Property Office | https://dbsearch2.patentstyret.no/AdvancedSearch.aspx?Category=Patent |
| Patent Office of the Republic of Poland | Register Plus (http://regserv.uprp.pl/register/simpleSearch?lng=en) |
| National Board of Patents and Registration of Finland | PatInfo (http://patent.prh.fi/patinfo/default2.asp) |
| Swedish Patent and Registration Office | http://was.prv.se/spd/search?lang=en |

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| Superintendence of Industry and Commerce (Colombia) | (http://sipi.sic.gov.co/sipi/Extra/Default.aspx?sid=636329534891172414) |
| United Kingdom Intellectual Property Office | IPSUM (http://www.ipo.gov.uk/p-ipsum.htm) |
| United States Patent and Trademark Office | public PAIR (http://portal.uspto.gov/pair/PublicPair) |
| World Intellectual Property Organisation | Patentscope (http://www.wipo.int/pctdb/en/index.jsp) |
| | WIPO CASE (http://www.wipo.int/case/en/) |