



## 2006 Patent Legislation Update

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### Foreword

Dear friends, partners and clients

Welcome to the inaugural issue of Law@Nanyang, the quarterly newsletter of our law Corporation. Law@Nanyang seeks to present the latest development of Singapore law relating to company and corporate matters, intellectual property and its commercialisation, contract and fund investment issues in a succinct and easy-to-read manner.

We hope Law@Nanyang will help you stay abreast of these latest legal updates that may affect you or your company and Law@Nanyang to serve as your frontline legal information provider.

Happy reading!

Ng Kim Tean  
Managing Director

### New PCT Contracting States

#### Lao People's Democratic Republic (Country code: LA) and Honduras (Country code: HN)

The Lao People's Democratic Republic, on 14 March 2006, and Honduras, on 20 March 2006, have deposited their instruments of accession to the PCT, and on 14 and 20 June 2006, respectively, will become bound by the PCT.

Consequently, any international application filed on or after 14 June 2006 will automatically include the designation of the Lao People's Democratic Republic, and any international application filed on or after 20 June 2006 will automatically include the designation of Honduras.

Also, because the Lao People's Democratic Republic and Honduras will be bound by Chapter II of the PCT, they will automatically be elected in any demand filed in respect of an international application filed on or after 14 and 20 June 2006, respectively. Furthermore, nationals and residents of the Lao People's Democratic Republic and of Honduras will be entitled, as from 14 and 20 June 2006, respectively, to file international applications under the PCT.

### Malaysia (MY)

Malaysia (MY) became the 131st PCT Contracting State on May 16, 2006. The PCT will enter into force for that State on August 16, 2006.

### El Salvador (SV)

El Salvador (SV) became the 132nd PCT Contracting State on May 17, 2006. The PCT will enter into force for that State on August 17, 2006.

### Copy of the publication of the international application for the applicant

With effect from 1 July 2006, the International Bureau **will no longer transmit a paper copy of the published international application to the applicant**. It is planned, instead, that amended Form PCT/IB/311 will be sent to the applicant on the date of publication, notifying the applicant that international publication has taken place, of the international publication number, and a reference to the PatentScope Portal where the published international application can be searched, viewed and downloaded.

**SG Singapore (competent International Searching and Preliminary Examining Authorities)**

The Intellectual Property Office of Singapore has specified the Korean Intellectual Property Office, as a competent International Searching Authority and International Preliminary Examining Authority, for international applications filed on or after 2 June 2006 by nationals and residents of Singapore with the Intellectual Property Office of Singapore as receiving Office.

This specification is in addition to that of the Australian Patent Office, the Austrian Patent Office and the European Patent Office (the European Patent Office is a competent International Preliminary Examining Authority only if the international search is being or has been performed by the European Patent Office or the Austrian Patent Office.)

**SG Singapore (Addition of Prescribed Patent Office)**

Rule 41 of the Singapore Patent Rules has been amended to include the Republic of Korea as a Prescribed Patent Office with effect from 2 June 2006.

**A Case Study for SMEs**

**Bubbles, Brains and Bright Ideas—Descorjet S.A. (Argentina)**

Converting an invention made in a single workshop into a product exportable throughout the world and patenting it in more than 25 countries makes Descorjet into a particularly significant case study for inventors and entrepreneurs in smaller businesses.

In 2000, Argentine Hugo Olivera, a manufacturer of mechanical spare parts, heard about a waiter having to uncork more than 60 bottles of sparkling wine in the course of a party and ending up with badly grazed hands.

The waiter's problem became a challenge: with a friend, Olivera started to reflect on how to invent a means of uncorking bottles of sparkling drinks.

Shortly afterwards his friend backed out of the project and Hugo Olivera

continued, single-handed, relying on his personal savings, with the development of a working prototype and the filing of a patent application in Argentina

The company now has annual sales of about 35,000 units, with an annual growth of 15 per cent.

The company owes its success to its ability to convert what was just a good idea into a functional prototype with a professional business plan that afforded genuine business prospects on the market.

**Read the complete article at:**

[http://www.wipo.int/sme/en/case\\_studies/descorjet.htm](http://www.wipo.int/sme/en/case_studies/descorjet.htm)

**WARNING: Requests for Payment of Fees**

It has come to the attention of the International Bureau that PCT applicants and agents are receiving invitations to pay fees that do not come from the International Bureau of WIPO and are unrelated to the processing of international applications under the PCT.

The invitations often identify a particular PCT application by its international publication number (eg: WO 02 xxxxxx), publication date, title of the invention, international application number, priority information and IPC symbols.

The invitations typically refer to a payment, which is to be made in euro or US dollars, by cheque and/or money transfer to an address in Germany or Switzerland.

The International Bureau has advised PCT applicants and agents to note that it is the International Bureau of WIPO alone which publishes all PCT applications promptly after the expiration of 18 months from the priority date (see PCT Article 21(2)(a)); there is no separate fee for such international publication, and the legal effects of international publication are set out in PCT Article 29. For further details visit:

[http://www.wipo.int/pct/en/warning/pct\\_warning.htm](http://www.wipo.int/pct/en/warning/pct_warning.htm)



## PCT Notable Inventions and Inventors

PCT Publication No. [WO 03/097954](#)

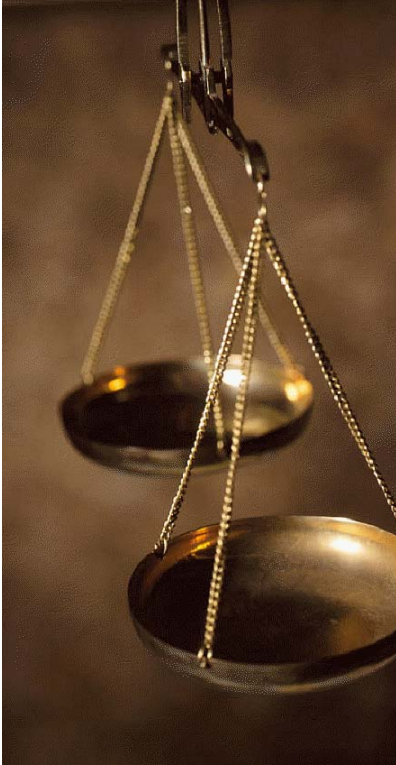
*“Building Block Comprising Light Transmitting Fibres and a Method for Producing the Same”* has been entered into the PCT’s gallery of notable inventions and inventors

Concrete that is made translucent by incorporating glass optical fibers the thickness of a hair.

Chosen as one of *Time Magazine’s* “coolest inventions of 2004”

For further details visit:

[http://www.wipo.int/pct/en/inventions/translucent\\_concrete/](http://www.wipo.int/pct/en/inventions/translucent_concrete/)



## An Interesting Patent

*And for Elvis Presley wannabes who need those signature sideburns there is ...*

United States Patent No. Des. 376,811

*“Pair of False Sideburns for Sunglasses”*



<http://www.uspto.gov>