

New patent system in Hong Kong to launch on December 19

A new patent system will be launched in Hong Kong on December 19, 2019. Notices appointing the above date as the commencement date of the Patents (Amendment) Ordinance 2016 and the Patents (General) (Amendment) Rules 2019 were gazetted today (October 11) for the launch of the new patent system.

Under the new patent system, an original grant patent (OGP) system will be introduced to provide to patent applicants an alternative route of seeking standard patent protection in Hong Kong. Patent applicants will have the option of filing standard patent applications directly in Hong Kong, thereby dispensing with any prior filing of their corresponding applications with a designated patent office outside Hong Kong as required under the existing "re-registration" system.

"The launch of the new patent system is a milestone in the development of Hong Kong's patent regime. It demonstrates our strong commitment to enhancing our intellectual property (IP) protection. It will greatly facilitate the development of Hong Kong as an innovation and IP trading hub in the long term," a spokesman for the Commerce and Economic Development Bureau said.

Apart from introduction of the OGP system, the new patent system also involves refining the existing short-term patent (STP) system to enhance its integrity while upkeeping the overall cost-effectiveness of seeking STP protection in Hong Kong.

The use of certain misleading or confusing titles/descriptions relating to patent practice in Hong Kong will also be prohibited.

The Intellectual Property Department will upload to its website (www.ipd.gov.hk) relevant materials regarding the filing requirements and procedures under the new patent system nearer the commencement date for reference by interested parties and practitioners.