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**Monthly
Updates on
Intellectual
Property**

知识产权国际动态月刊

2024.9



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立法动态 Legislation Updates

澳大利亚知识产权局费用变更，2024 年 10 月 1 日生效

近日，澳大利亚知识产权局正式发布《2024-25 年成本回收实施声明》(CRIS)，公布外观设计、商标、专利、植物育种者权利和跨塔斯曼知识产权律师 (Trans-Tasman IP Attorney) 相关的官费变更，新收费标准将于 2024 年 10 月 1 日澳大利亚东部标准时间凌晨 12 点实施。以下是关于外观设计、专利和商标的费用变更摘要，并对费用的增加（红色）和降低（绿色）进行标记。

● 外观设计

费用说明	调整前 (澳元)	调整后 (澳元)
外观设计申请费用的变更		
申请一项外观设计		
● 以首选方式 ¹ 提交	250	200
● 以获准的其他方式提交	450	400
申请多项外观设计，以首选方式提交		
● 首项设计申请费	250	200
● 后续设计附加费，每项	200	150
申请多项外观设计，以获准的其他方式提交		
● 首项设计申请费	450	400
● 后续设计附加费，每项	400	350
外观设计修改请求费		
● 以首选方式提交的，每项	250	200
● 以获准的其他方式提交的，每项	450	400
澳大利亚奥林匹克委员会根据 1987 年《奥林匹克徽章保护法》申请注册奥林匹克设计	450	400
外观设计审查费用的变更		
注册外观设计审查请求—由权利人提出	420	500
注册外观设计审查请求—由第三方提出		
● 第三方应付金额	210	250
● 权利人应付金额	210	250

¹ 局长和注册官有权决定提交和支付费用的首选方式。

● 专利

费用说明	调整前 (澳元)	调整后 (澳元)
国际专利费用的变更		
根据《专利合作条约》(“PCT”)递送国际申请的费用	200	废除
专利申请费用的变化		
临时专利申请(临时申请)		
● 以首选方式提交	110	100
● 以获准的其他方式提交	210	200
创新专利申请		
● 以首选方式提交	180	200
● 以获准的其他方式提交	380	400
标准专利申请(“标准申请”)		
● 以首选方式提交	370	400
● 以获准的其他方式提交	570	600
PCT 申请进入国家阶段		
● 以首选方式支付费用	370	400
● 以获准的其他方式支付费用	570	600
专利审查和受理费用的变化		
要求局长指示专利申请人请求审查标准申请	100	150
标准申请的审查请求(若专利局对其进行了国际初步审查)	300	350
其他情况下的标准申请审查请求	490	550
创新专利审查请求-专利权人提出	500	550
创新专利审查请求-由第三方提出		
● 第三方应付金额	250	275
● 专利权人应支付金额	250	275

费用说明	调整前 (澳元)	调整后 (澳元)
首次审查报告阶段，权利要求超项费（审查的完整说明书潜在相关权利要求 20 项以上）	新费用	
• 第 21-30 项，每项	-	125
• 30 项以上，每项	-	250
标准申请预授权（公告）阶段：		
• 一律起付金	250	300
• 预授权完整说明书中权利要求超项费		替换为增加潜在附加权利要求的调整费
- 第 21-30 项（如有），每项	125	
- 30 项以上（如有），每项	250	
• 首次审查报告和预授权（公告）阶段之间增加潜在权利要求的调整费（若审查的完整说明书潜在相关权利要求最高超过 20 项）	调整费	
- 第 21-30 项（如有），每项	-	125
- 30 项以上（如有），每项	-	250
标准专利年费变更		
第 6 年年费，以首选方式支付费用	335	345
第 6 年年费，以获准的其他方式支付费用	385	395
第 7 年年费，以首选方式支付费用	360	380
第 7 年年费，以获准的其他方式支付费用	410	430
第 8 年年费，以首选方式支付费用	390	420
第 8 年年费，以获准的其他方式支付费用	440	470
第 9 年年费，以首选方式支付费用	425	465
第 9 年年费，以获准的其他方式支付费用	475	515
第 10 年年费，以首选方式支付费用	490	540
第 10 年年费，以获准的其他方式支付费用	540	590
第 11 年年费，以首选方式支付费用	585	645
第 11 年年费，以获准的其他方式支付费用	635	695
第 12 年年费，以首选方式支付费用	710	780
第 12 年年费，以获准的其他方式支付费用	760	830
第 13 年年费，以首选方式支付费用	865	945
第 13 年年费，以获准的其他方式支付费用	915	995

费用说明	调整前（澳元）	调整后（澳元）
第 14 年年费，以首选方式支付费用	1,050	1,140
第 14 年年费，以获准的其他方式支付费用	1,100	1,190
第 15 年年费，以首选方式支付费用	1,280	1,385
第 15 年年费，以获准的其他方式支付费用	1,330	1,435
第 16 年年费，以首选方式支付费用	1,555	1,675
第 16 年年费，以获准的其他方式支付费用	1,605	1,725
第 17 年年费，以首选方式支付费用	1,875	2,010
第 17 年年费，以获准的其他方式支付费用	1,925	2,060
第 18 年年费，以首选方式支付费用	2,240	2,390
第 18 年年费，以获准的其他方式支付费用	2,290	2,440
第 19 年年费，以首选方式支付费用	2,650	2,815
第 19 年年费，以获准的其他方式支付费用	2,700	2,865
一般费用变更		
临时专利申请国际类型检索费	950	1,100
标准专利申请初步检索报告费	950	1,100
审查阶段中的标准专利申请检索费	950	1,100
创新专利转换为标准专利请求费	190	220
向专利局局长（局长）提交申请或请求： <ul style="list-style-type: none"> • 若联合申请人之间存在争议，请求进一步申请指示 • 请求判定发明专利相关资格人 • 向共同所有人提供处理专利或专利权益的指示 • 宣布某人有权获得专利或专利份额，作为更正专利注册表的先决条件。 	600	1,200
提交专利异议申请	600	1,200
请求局长举行听证会	600	1,200
出席口头听证会，每天（不足一天按一天收取）	1,000	2,000
仅以书面形式进行听证	600	1,200
药品专利延期请求费	2,000	2,500

● 商标

费用说明	调整前 (澳元)	调整后 (澳元)
在进行商标注册异议，或对国际注册指定澳大利亚的商标续展申请提出异议时，提交理由和详情声明（SGP）需征收附加费：	新费用	
<ul style="list-style-type: none"> 异议理由超过三项（如有），每项附加费 	-	250
<ul style="list-style-type: none"> 用于说明异议商标与其基本相同或具有欺骗性相似的已注册或受保护的例证商标超过 10 个，每个附加费 	-	250
对商标注册异议，或国际注册指定澳大利亚的商标续展申请异议中提交的 SGP 提出修改请求：	新费用	
<ul style="list-style-type: none"> 添加异议理由，致其超过三项（如有），每项附加费 	-	250
<ul style="list-style-type: none"> 添加用于说明异议商标与其基本相同或具有欺骗性相似的已注册或受保护的例证商标，致其超过 10 个，每个附加费 	-	250
申请： <ul style="list-style-type: none"> 以不使用为理由从商标注册表中删除商标 以不使用为理由终止对国际商标的保护 	250	350
请求商标注册官举行听证会	400	废除
仅以书面形式听证	400	500
远程出席口头听证（例如，视频会议），每天（不足一天按一天计算）	600	700
现场出席口头听证，每天（不足一天按一天计算）	800	700
异议程序中迟交证据	新费用	500

● 结论

1. 不难看出，总体费用变更（尤其是专利）以增加为主。
2. 增幅最大的是专利的一般费用，主要与专利异议和听证相关，百分比增幅高达 100%。
3. 针对权利要求 20 项以上的专利申请和商标异议增加新的收费项目。
4. 外观设计申请费平均降低了 50 澳元。

Fee changes of IP Australia from 1 October 2024

Recently, IP Australia officially released the Cost Recovery Implementation Statement 2024-25, announcing fee changes concerning design, trademark, patent, plant breeder's right, and Trans-Tasman IP Attorney, which are to be implemented on 1 October 2024, at 12am AEST. Following is the summary of fee² changes including design, patent, and trademark, with increases (red) and decreases (green) marked out.

● Design

Description of fee	Old amount	New amount
Changes to designs application fees		
Application for one design		
<ul style="list-style-type: none"> filing by preferred means³ 	\$250	\$200
<ul style="list-style-type: none"> filing by another approved means 	\$450	\$400
Application for several designs, filing by preferred means		
<ul style="list-style-type: none"> first design identified in the application 	\$250	\$200
<ul style="list-style-type: none"> each additional design identified in the application 	\$200	\$150
Application for several designs, filing by another approved means		
<ul style="list-style-type: none"> first design identified in the application 	\$450	\$400
<ul style="list-style-type: none"> each additional design identified in the application 	\$400	\$350
Request to amend design application to identify further design		
<ul style="list-style-type: none"> if the design application was filed by preferred means – for each further design identified 	\$250	\$200
<ul style="list-style-type: none"> if the design application was filed by another approved means – for each further design identified 	\$450	\$400
Application by the Australian Olympic Committee to register an Olympic design under the <i>Olympic Insignia Protection Act 1987</i>	\$450	\$400
Changes to design examination fees		
Request for examination of registered design – made by registered owner	\$420	\$500
Request for examination of registered design – made by third party		
<ul style="list-style-type: none"> amount payable by third party 	\$210	\$250
<ul style="list-style-type: none"> amount payable by registered owner 	\$210	\$250

² Fees in this text are counted in Australian dollars.

³ The Commissioner and Registrars are empowered to determine the preferred means for filing and fee payments.

● Patent

Description of fee	Old amount	New amount
Changes to international patents fees		
Fee for transmitting international application under the Patent Cooperation Treaty ('PCT')	\$200	Repealed
Changes to patent application fees		
Provisional patent application ('provisional application')		
• filing by preferred means	\$110	\$100
• filing by another approved means	\$210	\$200
Innovation patent application		
• filing by preferred means	\$180	\$200
• filing by another approved means	\$380	\$400
Standard patent application ('standard application')		
• filing by preferred means	\$370	\$400
• filing by another approved means	\$570	\$600
Entry of PCT application into national phase		
• paying fee by preferred means	\$370	\$400
• paying fee by another approved means	\$570	\$600
Changes to patent examination and acceptance fees		
Asking Commissioner to direct patent applicant to request examination of a standard application	\$100	\$150
Request for examination of a standard application – if the Patent Office conducted international preliminary examination on it	\$300	\$350
Request for examination of standard applications in other cases	\$490	\$550
Request for examination of innovation patent – made by patentee	\$500	\$550
Request for examination of innovation patent – made by third party		
• amount payable by third party	\$250	\$275
• amount payable by patentee	\$250	\$275

Description of fee	Old amount	New amount
Excess claims at first report — if there are more than 20 potential claims in relation to the examined complete specification:	New fee	
• for each of the 21st to the 30th potential claims	NA	\$125
• for each potential claim in excess of 30 potential claims	NA	\$250
Acceptance of a standard application:		
• minimum payable in all cases	\$250	\$300
• additional amount for excess claims in the complete specification at acceptance		Replaced by new adjusting amount for added potential claims
–for each of the 21st to the 30th claims (if any)	\$125	
–for each claim in excess of 30 claims (if any)	\$250	
• adjusting amount for potential claims added between first report and acceptance – if the maximum number of potential claims in relation to the complete specification exceeds 20 potential claims	New amount	
–for each of the 21st to the 30th potential claims added (if any)	NA	\$125
–for each potential claim in excess of 30 potential claims added (if any)	NA	\$250
Changes to continuation fees for standard applications and renewal fees for standard patents		
Sixth anniversary, fee paid by preferred means	\$335	\$345
Sixth anniversary, fee paid by another approved means	\$385	\$395
Seventh anniversary, fee paid by preferred means	\$360	\$380
Seventh anniversary, fee paid by another approved means	\$410	\$430
Eighth anniversary, fee paid by preferred means	\$390	\$420
Eighth anniversary, fee paid by another approved means	\$440	\$470
Ninth anniversary, fee paid by preferred means	\$425	\$465
Ninth anniversary, fee paid by another approved means	\$475	\$515
Tenth anniversary, fee paid by preferred means	\$490	\$540
Tenth anniversary, fee paid by another approved means	\$540	\$590
Eleventh anniversary, fee paid by preferred means	\$585	\$645
Eleventh anniversary, fee paid by another approved means	\$635	\$695
Twelfth anniversary, fee paid by preferred means	\$710	\$780
Twelfth anniversary, fee paid by another approved means	\$760	\$830
Thirteenth anniversary, fee paid by preferred means	\$865	\$945
Thirteenth anniversary, fee paid by another approved means	\$915	\$995

● Trademark

Description of fee	Old amount	New amount
Fourteenth anniversary, fee paid by preferred means	\$1,050	\$1,140
Fourteenth anniversary, fee paid by another approved means	\$1,100	\$1,190
Fifteenth anniversary, fee paid by preferred means	\$1,280	\$1,385
Fifteenth anniversary, fee paid by another approved means	\$1,330	\$1,435
Sixteenth anniversary, fee paid by preferred means	\$1,555	\$1,675
Sixteenth anniversary, fee paid by another approved means	\$1,605	\$1,725
Seventeenth anniversary, fee paid by preferred means	\$1,875	\$2,010
Seventeenth anniversary, fee paid by another approved means	\$1,925	\$2,060
Eighteenth anniversary, fee paid by preferred means	\$2,240	\$2,390
Eighteenth anniversary, fee paid by another approved means	\$2,290	\$2,440
Nineteenth anniversary, fee paid by preferred means	\$2,650	\$2,815
Nineteenth anniversary, fee paid by another approved means	\$2,700	\$2,865
Change to general fees		
Requesting an international-type search of a provisional application	\$950	\$1,100
Preliminary search and opinion on a standard application	\$950	\$1,100
Search of a standard application during its examination	\$950	\$1,100
Requesting conversion of an innovation application into a standard application	\$190	\$220
Filing an application or request for the Commissioner of Patents ('Commissioner') to: <ul style="list-style-type: none"> • determine how an application is to proceed, if there is a dispute between joint applicants • declare who is an eligible person in relation to an invention • give directions to co-owners on dealing with a patent or interest in it • declare a person's entitlement to a patent or a share in a patent, as a preliminary to rectifying the Register of Patents. 	\$600	\$1,200
Filing notice of opposition	\$600	\$1,200
Requesting a hearing by the Commissioner	\$600	\$1,200
Appearing and being heard at an oral hearing – for each day or part day	\$1,000	\$2,000
Being heard by written submissions only	\$600	\$1,200
Applying for extension of term of a pharmaceutical patent	\$2,000	\$2,500

Description of fee	Old amount	New amount
Filing a statement of grounds and particulars (SGP) in an opposition to registration of a trade mark, or in an opposition to extension of protection to an IRDA:	New fee	
<ul style="list-style-type: none"> for each of the fourth and further grounds (if any) 	NA	\$250
<ul style="list-style-type: none"> for each of the 11th and further registered or protected trademarks that the opposed trade mark is claimed to be substantially identical with, or deceptively similar to (if any) 	NA	\$250
Requesting amendment of an SGP filed in an opposition to registration of a trade mark, or in an opposition to extension of protection to an IRDA:	New fee	
<ul style="list-style-type: none"> for a ground proposed to be added – if that ground would be the fourth or further ground in the SGP 	NA	\$250
<ul style="list-style-type: none"> for a registered or protected trade mark proposed to be added – if that trade mark would be the 11th or further trade mark that the opposed trade mark is claimed to be substantially identical with, or deceptively similar to 	NA	\$250
Applying for: <ul style="list-style-type: none"> removal of a trade mark from the Register of Trade Marks for non- use cessation of protection of a protected international trade mark for non-use 	\$250	\$350
Requesting a hearing by the Registrar of Trade Marks	\$400	Repealed
Being heard by written submissions only	\$400	\$500
Oral hearing by remote appearance – for each day or part day (for example, by videoconference)	\$600	\$700
Oral hearing in person – for each day or part day	\$800	\$700
Late filing of evidence in opposition proceedings	New Fee	\$500

- **Conclusion**

1. It is easily recognizable that the overall fee changes are increasing, especially for patent.
2. The largest percentage increase concentrates on the general fees of patent relating to opposition and hearing, with the percentage increase up to 100%.
3. There are new fees to be charged, mainly for patent applications with more than 20 claims, and trademark opposition.
4. Design application fees witness a delightfully decrease of an average amount of 50 Australian dollars.

新加坡知识产权局发布两项专利审查新举措

新加坡知识产权局（IPOS）发布了两项关于专利审查的新举措，标题为“简化审查报告请求和其他立法修正案”和“免除检索和/或审查报告请求的延期费”。主要详细信息如下所示。

一. 简化审查报告请求

根据《专利合作条约》，审查报告取决于由 IPOS 执行的最终检索报告。为简化审查报告请求程序，申请人只需提交专利表格 12，无需提交其他文件，即不再需要提交最终国际检索报告、最终国际检索报告中提及的每份文件的副本（包括非专利文献）以及与这些文件相对应的同族专利参考文献列表。

该修正案已于 2024 年 8 月 16 日生效。需注意，在 2024 年 8 月 16 日之前提出的相关审查报告请求仍适用先前的程序。

二. 免除检索和/或审查报告请求的延期费

专利法规定提交请求的期限为 36 个月，但为了给申请人的知识产权申请提供更好的支持，IPOS 提出一项试验计划，符合条件的申请人可以免费获得⁴额外 18 个月的检索和/或审查报告请求延期，这意味着专利表格 45 最迟可以在规定期限结束后 18 个月的最后一天提交。如果申请人之前已经获得了少于 18 个月的延期，则可根据此试验计划提出的延期请求，免费将规定的期限延期长达 18 个月。

若要享受这项试验计划，申请人必须：

1. 确保申请规定的期限于 2024 年 9 月 1 日至 2026 年 8 月 31 日期间（包括首尾两天）届满；
2. 在专利表格 45 中选择新选项，将规定的期限延长 18 个月；
3. 确保遵守所有相关规定。

希望尽早收到 IPOS 的检索和/或审查报告，并利用这些报告在海外推进其相应的专利申请的申请人，可以利用 IPOS 的快速通道，包括新加坡知识产权优速计划（SG IPFAST）、东盟专利审查合作项目（ASPEC）、新加坡与越南的检索审查合作项目（CS&E）以及专利审查高速路（PPH）。

申请人也有可能在延长期内从相应的申请中获得积极的结果，这些结果可用于利用 PPH 路径⁵得到 IPOS 的加速处理。从相应申请中获得积极结果的申请人通常面临更少的程序，授权率更高。

⁴ 在此试点计划期间，免除的是提交期限延长请求（专利表格 45）的官方费用。专利表格 11（检索和审查报告请求）或专利表格 12（审查报告请求）的官方费用不免除。

⁵ IPOS 与 30 多个合作伙伴签订了 PPH 协议，包括中国、日本、韩国和美国的专利局以及欧洲专利局。

对于采取 PPH 路径的申请人，IPOS 会尽可能在 PPH 请求后 10 个月内提供第一份书面意见。

IPOS Released Two New Initiatives Concerning Patent Examination

Intellectual Property Office of Singapore (IPOS) released two new initiatives concerning patent examination, titled “Simplified Requests for Examination Reports and Other Legislative Amendments” and “No Extension of Time Fee to File a Request for a Search and/or Examination Report” respectively. Main details are shown in the following.

1. Simplified Requests for Examination Reports

To simplify the requests for examination reports relying on the final results of a search established by IPOS under the Patent Co-operation Treaty, applicants will only be required to submit Patents Form 12 without having to file further documents, i.e. the final international search results, a copy of each of the documents referred to in the final international search results (including non-patent literature) and a list of references to the patent family members corresponding to the documents.

The amendment came into operation from 16 Aug 2024. For the avoidance of doubt, the previous procedure continues to apply to relevant requests for examination reports made before 16 Aug 2024.

2. No Extension of Time Fee to File a Request for a Search and/or Examination Report

Under the Patents Rules, the period prescribed for filing a request is 36 months, but to better support applicants in their IP filings, IPOS is piloting an initiative where eligible applicants may obtain – at no cost⁶ – an additional 18 months to file requests for search and/or examination reports, which means that the Patents Form 45 could be filed as late as the last day of 18 months after the end of the period prescribed. Where an applicant had already obtained a previous extension (of less than 18 months), a request under this pilot initiative will allow the period prescribed to be extended at no cost, up to the maximum extension of 18 months.

To benefit from this pilot initiative, applicants must:

- a. ensure that the period prescribed for the application expires between 1 September 2024 and 31 August 2026 (both dates inclusive);
- b. select the new option in Patents Form 45 to extend the period prescribed by 18 months; and

⁶ The official fees for filing a request for extension of time (Patents Form 45) will be waived for the duration of this pilot initiative. Official fees for Patents Form 11 (Request for a Search & Examination Report) or Patents Form 12 (Request for an Examination Report) are not waived.

c. ensure compliance with all the relevant provisions.

Applicants who prefer to receive earlier search and/or examination reports from IPOS and use the reports to advance their corresponding patent applications overseas may continue to tap IPOS' suite of acceleration programmes with SG IP FAST, the ASEAN Patent Examination Co-operation (ASPEC), Collaborative Search and Examination (CS&E) with Vietnam and the Patent Prosecution Highway (PPH).

It is also possible that applicants obtain positive outcomes from corresponding applications during the extended period, which can be used to leverage PPH programmes⁷ for acceleration at IPOS. Applicants relying on positive outcomes from corresponding applications generally require fewer office actions and have a higher grant rate. For such applicants relying on PPH, IPOS endeavours to produce a first written opinion within 10 months of the PPH request.

⁷ IPOS has PPH arrangements with more than 30 partners, including the patent offices of China, Japan, Korea, and the United States, and the European Patent Office.

阿根廷发布新决议，要求优先权的专利申请须附授权状态报告

近日，阿根廷在 2024 年 8 月 28 日的专利公报栏中发布了新的第 INPI 364/2024 号决议，要求要求优先权的专利申请人报告其是否在原属国获得授权。该决议旨在优化申请的处理时间，从而加快处理优先权持有人真正关心的相关程序。

新决议规定，自决议生效之日起，无论未决专利申请的持有人是否支付了实质审查费，抑或申请状态如何，都必须在六十个连续日内报告要求优先权的专利是否已得原属国授权，规定期限将不会自动延长。如果在指定期限内未作答复，则申请将被视为放弃。截止日期后，相应的行政法案将在专利公报上公布。

New Resolution 364/2024 Concerning Patent Priorities in Argentina

Recently, Argentina released new Resolution INPI 364/2024, requiring patent applicants who have claimed priority to report whether it has been granted in the country of origin. The purpose of this resolution is to optimize the processing time of applications and thus expedite the resolution of those procedures in which the holders have a real interest.

The new provision establishes that holders of pending patent applications at the time of its entry into force, regardless of whether they have paid the substantive examination fee or the status of their application, must report within SIXTY (60) consecutive days whether the claimed priority has been granted in the country of origin, and the deadline will not be subject to automatic extensions. If no response is submitted within the indicated period, the application will be considered abandoned. After the deadline, the corresponding administrative act will be issued, which will be published in the Patent Bulletin.

巴西国家工业产权局公布专利申请新规

近日，巴西国家工业产权局（INPI）于 2024 年 9 月 3 日在知识产权公报上发布了两项法令，对专利申请的处理程序进行了修改。其中一项概述了解释和遵守《工业产权法》的一般原则，规定了专利申请和补充证书的格式和内容的要求。另一项修订和更新了《专利申请审查指南》第一部分。主要变化可归纳为以下几点：

首先，将专利申请的分案期限延长至一审审查程序结束，即延长至对专利申请的决定（授予、驳回或中止）公布日期。值得注意的是，这一期限不适用于 INPI 发起的自动分案，申请人可应主管局要求在上诉阶段提交分案申请。

其次，分案申请中须附含一份标记副本，突出新权利要求的显著特征（与原始申请中提交的最后一组权利要求相比）。如果原始申请和分案申请的权利要求范围存在重叠，则必须修订原始申请的权利要求，以排除分案申请中涵盖的主题。

第三，新法令还涉及专利申请的广泛修改，规定在申请日之后所做的任何修改都必须附有一份标记副本，该副本应使用删除线标出删除内容，并用下划线标出添加或替换内容，以明确标识修改之处。或者，可另提供详细说明，指出具体变更，包括页码、摘录和修改类型。

新法令将在《知识产权公报》上公布 30 天后，即于 2024 年 10 月 3 日生效，以为利益相关方提供适应新规定的过渡期。

Brazilian National Institute of Industrial Property Published New Rules on Patent Application

Recently, the Brazilian National Institute of Industrial Property (INPI) released two Ordinances in the IP Gazette dated September 3, 2024, introducing modifications to the procedures for handling patent applications. One outlines general principles to interpret and adhere to the Industrial Property Law, specifying the requirements for the format and content of patent applications and supplementary certificates. The other revises and updates the Guidelines for the Examination of Patent Applications Block I. Key changes could be concluded into the followings.

First, extending the timeframe for dividing a patent application until the conclusion of the first-instance examination process, which is now defined as the date of publishing decisions on application grant, rejection, or definitively suspension. Notably, this deadline no longer applies to automatic divisions initiated by the INPI, enabling divisional applications to be filed during the appeal stage upon the office's request.

Second, divisional applications must now include a marked-up copy highlighting the distinctive

features of the claims set in comparison to the last set presented in the original application. If there's an overlap in the scope claimed between the original and divisional applications, the original application's claims must be revised to exclude the subject matter covered in the divisional application.

Third, new Ordinances also address broader amendments to patent applications, stipulating that any modifications made after the filing date must be accompanied by a marked-up copy that clearly identifies the alterations using strikethroughs for deletions and underlining for additions or substitutions. Alternatively, a detailed explanation pinpointing the specific changes, including page numbers, excerpts, and types of modifications, can be provided.

The Ordinances will take effect 30 days after their publication in the IP Gazette, on October 3, 2024, providing stakeholders with a transition period to adapt to the new regulations.

卡塔尔专利商标局出新规

卡塔尔专利商标局发布了关于委托书的新规定及下调官费的公告。

委托书的有效期为 3 年。若委托书在卡塔尔境外制作，则须先在该国的卡塔尔领事馆认证，再到卡塔尔外交部进行认证。如果委托书未以阿拉伯语制作，则需提交由卡塔尔认可的翻译人员出具的附有宣誓书的阿拉伯语翻译件。

自 2024 年 7 月 11 日起，已下调了专利以及外观设计的官费。调整后的费用包括申请·实质审查、专利核准·登记及技术检索费等。根据修订后的规定，专利申请的申请费和实审费应在提交申请时一起缴纳，专利核准费和登记费应在专利登记时一起缴纳。此外，取消了申请过程中缴纳年费的义务，并新增了专利登记时缴纳累计年费的选项。

The Qatar Patent and Trademark Office Issued New Regulations

The Qatar Patents and Trademarks Office has issued new regulations regarding power of attorney and announced a reduction in official fees.

The power of attorney is valid for a period of three years. If the power of attorney is executed outside Qatar, it must first be authenticated by the Qatar Consulate in that country and then by the Ministry of Foreign Affairs in Qatar. If the power of attorney is not in Arabic, an Arabic translation accompanied by an affidavit from a translator recognized by Qatar must be submitted.

Effective from July 11, 2024, there has been a reduction in official fees for patents and designs. The revised fees cover application, substantive examination, patent grant, registration, and technical search fees. According to the amended regulations, the filing fee and substantive examination fee for patent applications shall be paid together upon submission of the application, while the patent grant fee and registration fee shall be paid together upon patent registration. Furthermore, the obligation to pay annual fees during the application process has been abolished, and an option to pay accumulated annual fees upon patent registration has been introduced.

台湾发布发明专利再审查加速审查新措施

台湾经济部智慧财产局宣布，2024年9月1日起试行“发明专利再审查加速审查(AEPRé)”方案。只要申请人再审查时主动修正删除初审认定不予专利的请求项，保留其他请求项者，智慧局将可提供加速审查，有助于专利申请人加速取得专利，欢迎各界多加运用。

智慧局指出，发明专利审查有初审及再审查二个阶段，若初审没有核准，申请人可以提出再审查，AEPRé加速审查是针对初审核驳审定理由仅核驳部分请求项的案件，若申请人于再审查时以“删除核驳请求项、将未核驳请求项改写为独立项”的方式进行修正，使专利范围成为初审认定的核准范围，该再审查案件即可以提出AEPRé申请，智慧局将进行加速审查，6个月内就会发出审查意见。

2023年发明专利再审查件数为6,538件，平均首次通知期间为10.1个月，平均审结期间为13.1个月。今年9月1日起试行的AEPRé可在线提出申请，程序简便且无须规费，若申请人提出AEPRé申请，智慧局会于6个月内发出再审查审查意见通知函或审定书。另智慧局评估，实际上申请人应该在2~3个月就能收到审查结果，有利于申请人快速取得专利。

China Taiwan Issued New Measures to Accelerate the Re-Examination of Invention Patents

The Taiwan Intellectual Property Office announced to pilot the scheme of "Accelerated Examination of Patent Reexamination (AEPRé)" from September 1, 2024. As long as the applicant takes the initiative to amend and delete the claims that negate the patentability in preliminary examination, and retains other claims, the Intellectual Property Office will provide accelerated examination to help applicants obtain patents faster.

The Taiwan Intellectual Property Office (TIPO) points out that the examination of invention patents comprises two stages: the preliminary examination and the re-examination. If the preliminary examination is not approved, the applicant may request a re-examination. The AEPRé scheme is targeted at cases where the preliminary examination rejected only part of the claims based on the reasons for rejection. If the applicant amends the application during the re-examination by "deleting the rejected claims and rewriting the non-rejected claims as independent claims," so that the scope of the patent becomes the approved scope as determined in the preliminary examination, the applicant can file an AEPRé application for that re-examination case. The TIPO will then conduct an accelerated examination, and an examination opinion will be issued within six months.

In 2023, the number of re-examined invention patent cases was 6,538, with an average first notification period of 10.1 months and an average case conclusion period of 13.1 months. AEPRé, which has been piloted

since September 1 this year, can be applied for online, with a simple and convenient procedure that requires no fees. If the applicant files an AEPRé application, the TIPO will issue a notification of the examination opinion or a decision of examination within six months. Furthermore, the TIPO estimates that in practice, applicants should receive the examination results within 2 to 3 months, facilitating them in obtaining patents quickly.

柬埔寨：从 2024 年 10 月 15 日起征收专利年费罚款

据柬埔寨工业、科学与技术创新部（MISTI）工业产权局（DIP）的非正式公告称，自 2024 年 10 月 15 日起，将对逾期支付专利年费和恢复专利权的行为实施新的处罚。

如果申请人未能在截止日期前支付年费，可允许 6 个月的宽限期进行延期支付。然而，如果在截止日期后的 6 个月宽限期内支付专利年费，仍将被视为专利申请撤回，或专利权失效。

值得注意的是，如果因未支付年费而导致专利申请失效，专利局仍然可以启动对该专利申请的恢复程序。此程序要求支付 25 美元的恢复费，以及从宽限期到向专利局支付年费的日期为止，每天 0.125 美元的延期滞纳金。

Cambodia: Penalty for Patent Annuity Fees Being Introduced from 15 October 2024

From 15 October 2024, a new penalty will be imposed for late payments and restoration of patents, following an unofficial announcement from Department of Industrial Property (DIP) of the Ministry of Industry, Science, Technology & Innovation (MISTI).

In the event that the applicant does not pay the annuity by the deadline, a grace period of 6 months is allowed for late payment. If the patent application is not paid within the statutory timeline (but before the end of the 6-month grace period), the patent application will be deemed withdrawn, or the patent will lapse.

It should be noted that should a patent application lapse due to non-payment of the annuity, the patent office is still able to initiate the restoration process for the patent application. This process requires payment of a restoration fee of US\$25 and additional fee of US\$ 0.125 per day from the grace period to the date of payment of the annuity with the patent office.

柬埔寨启动知识产权登记制度试点

柬埔寨经济和财政部海关总署于 2024 年 9 月 1 日启动了其知识产权登记系统（IPRRS）的试行阶段。

该系统汇编了与该国有知识产权相关的必要信息和文件，使海关当局能够快速访问这些文件，并增强他们在边境识别和拦截潜在平行进口和侵权商品的能力。这也将更好地促进海关当局依据职权采取必然行动。该系统目前正处于“试行阶段”，以支持进一步的修订或更新，解决公共使用可能引起的任何潜在技术错误。事实上，IPRRS 已全面投入使用。

备案类型

目前，IPRRS 允许两种类型的备案：

- 在柬埔寨受保护的商标、地理标志、版权和相关权利都可进行**知识产权备案**。知识产权所有人、授权代表和法定代表可在系统内记录与此类权利相关的信息和文件，包括有关可能或潜在假冒商品的信息，并将其同步给海关总署。备案将使海关当局能够更快地获取信息，从而使他们能够迅速采取行动，打击潜在的假冒或侵权商品。

- **独家经销备案**旨在简化商务部发布专有权备案通知后进行的流程。在 IPRRS 启动之前，海关总署在收到商务部签发的独家分销备案通知副本后，需要手动将信息输入其系统，以及时识别或阻止边境潜在的平行进口。据报道，这导致边境官员延迟获取必要信息。另一方面，通过 IPRRS 进行备案，当地独家经销商及其授权或法定代表可立即向海关总署提交商务部关于专有权备案的通知，确保官员可以更快地访问这些文件，从而及时采取行动。

需要注意的是，由于清关请求的数字系统目前正在开发中，寻求清关的知识产权所有者必须提交纸质诉求。

有效期

根据 IPRRS 进行的备案，其有效期与知识产权同步。如果商标权到期，则需要向商务部的知识产权部提交续展申请，然后使用 IPRRS 进行新的备案。

对于独家经销备案，其效力与商务部关于独家经销备案的通知一致。如果通知到期，则必须在商务部的知识产权部进行续展，然后使用 IPRRS 进行新的备案。

备案结果通知

备案请求的结果将在提交后两个工作日（或更短时间内）提供。如果请求成功，IPRRS 上的状态将显示为已接受，并且不会有确认备案成功的官方通知。

未在 IPRRS 上记录知识产权或独家经销权不会受到处罚。然而，这样做可以帮助海关当局迅速

采取行动打击假冒或侵权商品以及平行进口行为，从而使知识产权所有者和独家经销商受益。

Cambodia Launches Trial of Intellectual Property Rights Recordation System

The General Department of Customs and Excise (GDCE) in Cambodia's Ministry of Economy and Finance launched a trial phase of its Intellectual Property Rights Recordation System (IPRRS) on September 1, 2024.

The system compiles necessary information and documents related to intellectual property rights in the country, enabling customs authorities to swiftly access these documents and enhance their ability to identify and intercept potential parallel imports and infringing goods at the border. This will also better facilitate ex-officio actions by customs authorities. The system is currently referred to as being in a "trial phase" to support further amendments or updates to address any potential technical errors that may arise from public use. However, the IPRRS is already fully operational.

Types of Recordation

Currently, the IPRRS allows two types of recordation:

- **Intellectual property recordation** is available for trademarks, geographical indications, copyrights, and related rights that are protected in Cambodia. It allows IP owners, authorized representatives, and legal representatives to record information and documents relating to such rights, including information on possible or potential counterfeit goods, with the GDCE. Recordation will give customs authorities quicker access to the information and enable them to promptly take action against potential counterfeit or infringing goods.

- **Exclusive distributorship recordation** is meant to streamline the process that takes place after the Ministry of Commerce issues a notice of the recordation of exclusive rights. Under the current practice, after receiving a copy of a notice of the recordal of an exclusive distributorship issued by the Ministry of Commerce (MOC), the GDCE needs to enter the information into their system manually to enable them to promptly identify or stop potential parallel importation at the border. This reportedly causes delays in border officers' access to the necessary information. Recordation through the IPRRS, on the other hand, allows local exclusive distributors and their authorized or legal representatives to submit the MOC notice on the recordation of exclusive rights to the GDCE right away, ensuring that the officers have quicker access to these documents so they

can take timely action.

However, IP owners seeking customs clearance are required to submit their complaints physically, as the digital system for customs clearance requests is currently under development.

Validity

Recordation under the IPRRS remains valid for as long as the IP rights are valid. If trademark rights expire, a renewal needs to be filed with the Department of Intellectual Property in the MOC, followed by a new recordation using the IPRRS.

For exclusive distributorship recordation, the validity aligns with the MOC's notice on the recordal of exclusive distributorship. If the notice expires, a renewal must be done at the Department of Intellectual Property in the MOC, followed by a new recordation using the IPRRS.

Recordation Timeframe and Status

The result of a request for recordation will be available within two business days (or less) of filing. If the request is successful, the status on the IPRRS will appear as accepted, and there will be no official notice confirming the successful recordation.

There is no penalty for not recording IP rights or exclusive distribution rights on the IPRRS. However, doing so benefits IP owners and exclusive distributors by helping customs authorities take prompt action against counterfeit or infringing goods as well as parallel importation.

国际合作 International Cooperation

欧洲单一专利制度现已覆盖罗马尼亚

自 2024 年 9 月 1 日起，罗马尼亚正式成为单一专利（UP）体系的一部分。从该日起，所有欧洲单一专利的效力自动延伸至罗马尼亚。单一专利体系的扩张不仅使体系内的欧盟成员国数量增加到 18 个，而且在单一专利体系已经覆盖的 3.3 亿人口的基础上增加约 1900 万人的市场。

自 2023 年 6 月 1 日单一专利制度生效以来，欧洲专利局收到的单一效力请求超过 34,000 份，其中 33,000 项成功注册单一专利。单一专利受到欧洲公司的高度青睐：今年上半年，63% 的单一效力请求来自 39 个 EPO 成员国，其中超过 32% 的请求来自小企业和个人发明人。相比之下，专利指数表明 2023 年提交的传统欧洲专利，相应的数字分别为 43% 和 23%。今年到目前为止，近四分之一的欧洲专利已转化为单一专利。罗马尼亚的加入使单一专利体系更具吸引力：超过 1000 名用户表示有兴趣将其单一专利的保护范围扩大到罗马尼亚，要求将注册延迟到 9 月 1 日之后。

单一专利制度由单一专利和统一专利法院（UPC）两大支柱组成，加入体系的欧盟成员国可享受更低的成本、精简的程序、统一的保护以及更高的法律确定性。EPO 是专利所有者的一站式服务点，发明人可直接向 EPO 提交专利申请，并由 EPO 执行专利保护的相关程序，包括向其支付有吸引力的续展费和注册后手续办理（例如授权颁证）。

所有这些优势使得单一专利成为一项极具吸引力的选择，特别是对于中小型企业而言。此外，欧洲统一专利法院（Unified Patent Court, UPC）对单一专利和传统欧洲专利均拥有管辖权，这确保了统一且集中的审理程序，从而消除了在多个国家法院进行昂贵且平行的诉讼程序的必要性。

Unitary Patent now covers Romania

Effective 1 September 2024, Romania officially becomes part of the Unitary Patent (UP) system. From that date, all European patents with unitary effect automatically cover Romania. This expansion not only increases the number of participating EU Member States to 18, but also add a market of some 19 million people to the area of 330 million people already covered by the UP system.

Since the Unitary Patent entered into force on 1 June 2023, the EPO has received over 34 000 requests for unitary effect and registered 33 000 Unitary Patents. The new patent has seen high demand from European companies: In the first half of this year, 63% of all requests for unitary effect originated from the 39 EPO member states, with over 32% filed by small businesses and individual inventors. For classic European patents filed in 2023, the corresponding figures were 43% and 23% respectively, according to the

Patent Index. So far this year, almost one in four European patents granted has been converted into a Unitary Patent. Romania's accession renders the UP system even more attractive: Over 1 000 users expressed their interest in extending the scope of protection of their Unitary Patents to Romania by requesting a delay in registration until after 1 September.

Made up of two pillars – the Unitary Patent and the Unified Patent Court (UPC) – the Unitary Patent system offers lower costs, a streamlined procedure, uniform protection and greater legal certainty across participating EU Member States. Inventors can apply for and maintain patent protection at the EPO, which acts as a one-stop shop for patent owners, including when it comes to paying the attractive renewal fees and registering subsequent transactions (such as the granting of licences).

All these benefits make the Unitary Patent an attractive option, especially for SMEs. Furthermore, the UPC has jurisdiction over Unitary Patents and classic European patents. This enables a harmonised and centralised procedure that removes the need for costly parallel court proceedings before numerous national courts.

多国将自 2024 年 11 月 1 日起调整 PCT 费用

CA 加拿大

对于国际申请费和超过 30 的每页费用（根据 PCT 细则 15.2 (d)）、PCT 费用表第 4 项下的减免以及手续费（根据 PCT 细则 57.2 (d)），已确定新的加元（CAD）等值金额，并自 2024 年 11 月 1 日起适用，具体如下：

国际申请费：	加元	2,120
超过 30 页的每页费用：	加元	24
减免（根据费用表第 4 项）：		
电子提交（以字符编码格式提交的请求）：	加元	319
电子提交（以字符编码格式提交请求、说明书、 权利要求书和摘要）：	加元	478
手续费：	加元	319

此外，根据 PCT 细则 16.1 (d)，由加拿大知识产权局进行国际检索的检索费已确定为新的等值瑞士法郎（CHF），新的费用从 2024 年 11 月 1 日起适用，为 1,393 瑞士法郎。

EG 埃及

根据 PCT 细则 16.1(d)，由埃及专利局进行国际检索的检索费已确定为新的等值瑞士法郎(CHF) 数额，自 2024 年 11 月 1 日起适用，为 70 瑞士法郎。

EPO 欧洲专利局

根据 PCT 细则 16.1 (d)，由欧洲专利局（EPO）进行国际检索的检索费已确定为新的等值日元（JPY）金额，自 2024 年 11 月 1 日起适用，为 296,600 日元。

IN 印度

根据 PCT 细则 16.1 (d)，由印度专利局进行国际检索的检索费已确定为新的瑞士法郎（CHF）等值数额，自 2024 年 11 月 1 日起适用，为 101 瑞士法郎，如果由个人提交，则为 25 瑞士法郎。

JP 日本

根据 PCT 细则 16.1 (d)，由日本特许厅（JPO）进行国际检索的检索费已确定为新的美元等值金额，自 2024 年 11 月 1 日起适用，以日文提交或已根据 PCT 细则 12.31 提供日文译文的国际申请为 992 美元，以英文提交或已根据 PCT 细则 12.3 提供英文译文的国际申请为 1,173 美元。

NO 挪威

对于国际申请费和超过 30 的每页费用（根据 PCT 细则 15.2 (d)），以及 PCT 费用表第 4 项下

的减免，已确定为新的挪威克朗（NOK）等值金额，自 2024 年 11 月 1 日起适用，具体如下：

国际申请费：	挪威克朗	16,550
超过 30 张的每张费用：	挪威克朗	190
减免（根据 PCT 费用表第 4 项）：		
电子提交（以字符编码格式提交请求）：	挪威克朗	2,490
电子提交（以字符编码格式提交请求书、说明书、 权利要求书和摘要）：	挪威克朗	3,730

Countries are Adjusting PCT Fees from 1 November, 2024

CA Canada

New equivalent amounts in Canadian dollars (CAD) have been established for the international filing fee and the fee per sheet in excess of 30 (pursuant to PCT Rule 15.2(d)), for reductions under item 4 of the PCT Schedule of Fees, as well as for the handling fee (pursuant to PCT Rule 57.2(d)). These new amounts, applicable from 1 November 2024, are as follows:

International filing fee:	CAD	2,120
Fee per sheet in excess of 30 sheets:	CAD	24
Reductions (under the Schedule of Fees, item 4):		
Electronic filing (the request being in character coded format):	CAD	319
Electronic filing (the request, description, claims, and abstract being in character coded format):	CAD	478
Handling fee:	CAD	319

Furthermore, pursuant to PCT Rule 16.1(d), a new equivalent amount in Swiss francs (CHF) has been established for the search fee for an international search carried out by the Canadian Intellectual Property Office. This amount, also applicable from 1 November 2024, is CHF 1,393.

EG Egypt

Pursuant to PCT Rule 16.1(d), a new equivalent amount in Swiss francs (CHF) has been established for the search fee for an international search carried out by the Egyptian Patent Office. This amount, applicable from 1 November 2024, is CHF 70.

EP European Patent Organisation

Pursuant to PCT Rule 16.1(d), a new equivalent amount in Japanese yen (JPY) has been established for the search fee for an international search carried out by the European Patent Office (EPO). This amount, applicable from 1 November 2024, is JPY 296,600.

IN India

Pursuant to PCT Rule 16.1(d), new equivalent amounts in Swiss francs (CHF) have been established for the search fee for an international search carried out by the Indian Patent Office. These amounts, applicable from 1 November 2024, are CHF 101, or CHF 25 in the case of filing by an individual.

JP Japan

Pursuant to PCT Rule 16.1(d), new equivalent amounts in US dollars (USD) have been established for the search fee for an international search carried out by the Japan Patent Office (JPO). These amounts, applicable from 1 November 2024, are USD 992 for international applications filed in Japanese or for which a translation into Japanese has been furnished under PCT Rule 12.31, and USD 1,173 for international applications filed in English or for which a translation into English has been furnished under PCT Rule 12.3.

NO Norway

New equivalent amounts of fees in Norwegian kroner (NOK) have been established for the international filing fee and the fee per sheet in excess of 30 (pursuant to PCT Rule 15.2(d)), as well as for the reductions under item 4 of the PCT Schedule of Fees. These amounts, applicable from 1 November 2024, are as follows:

International filing fee:	NOK	16,550
Fee per sheet in excess of 30 sheets:	NOK	190
Reductions (under PCT Schedule of Fees, item 4):		
Electronic filing (the request being in character-coded format):	NOK	2,490
Electronic filing (the request, description, claims, and abstract being in character-coded format):	NOK	3,730

马德里指定印度尼西亚单独规费调整

自 2024 年 10 月 12 日起，马德里协定下国际商标注册指定印度尼西亚的，应向印度尼西亚支付的单独规费数额如下：

条目		数额 (瑞士法郎)	
		直至 2024.10.11 日	自 2024.10.12 日起
新申请或后续 指定	— 每类产品或服务	125	110
	续展		
	— 每类产品或服务	156	137
	宽限期内付款		
	— 每类产品或服务	313	275

2024 年 9 月 12 日

Change in the Amounts of the Individual Fee Concerning Madrid International Registration: Indonesia

In accordance with Rule 35(2)(d) of the Regulations under the Madrid Protocol, the Director General of the World Intellectual Property Organization (WIPO) has established new amounts, in Swiss francs, of the individual fee that is payable when Indonesia is designated in an international application, in a designation subsequent to an international registration and in respect of the renewal of an international registration in which Indonesia has been designated.

As from October 12, 2024, the amounts of the individual fee payable in respect of Indonesia will be the following:

ITEMS		Amounts (in Swiss francs)	
		until October 11, 2024	as from October 12, 2024
Application or Subsequent Designation	– for each class of goods or services	125	110
Renewal	– for each class of goods or services <i>Where payment is received within the period of grace:</i>	156	137
	– for each class of goods or services	313	275

These new amounts will be payable where Indonesia

(a) is designated in an international application which is received by the Office of origin on or after October 12, 2024; or

(b) is the subject of a subsequent designation which is received by the Office of the Contracting Party of the holder or is filed directly with the International Bureau of WIPO on or after that date; or

(c) has been designated in an international registration which is renewed on or after that date.

September 12, 2024