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**Monthly
Updates on
Intellectual
Property**

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立法动态 Legislation Updates

美国专利商标局终止“最终考虑后试点项目”

美国专利商标局（USPTO）近日宣布，将终止“最终考虑后试点项目”（AFCP 2.0），2024年12月14日将是申请人根据该项目提交请求的最后日期。此公告（1）标志着一个项目的结束，该项目曾让申请人在收到最终驳回通知后有机会从审查员处获得指导，（2）也限制了收到最终驳回通知的申请人的可选路径数量。

在 AFCP 2.0 下，申请人可以提交最终驳回后的文件，审查员则被给予额外的时间进行检索，并考虑该最终驳回后的文件能否使申请符合授权条件。如果申请人的答复未能使权利要求符合授权条件，审查员还可有额外的时间与申请人进行面谈。重要的是，参与 AFCP 2.0 的申请人无需支付费用。

USPTO 初步决定，如果不向申请人收费，则不再实施 AFCP 2.0，理由是审查员考虑申请人请求的合理性所花费的时间成本高达数百万美元。当 USPTO 就有偿实施 AFCP 2.0 征求意见时，公众并不接受支付费用的做法，于是 USPTO 决定终止 AFCP 2.0。

在没有 AFCP 2.0 作为选择的情况下，申请人仍然可以通过多种方式回应最终驳回。例如，在最终驳回通知寄出且审查程序结束后，如果申请人在最终驳回后提交的修改使申请符合授权条件或使上诉更有利，则可批准其进入申请程序。尽管 AFCP 2.0 强调了审查员可与申请人面谈，但如果审查员认为面谈将加快上诉问题的解决或申请的处置，则仍可在 AFCP 2.0 之外的规则下安排面谈。

另一种最终驳回后的回应选择是“上诉前简要复核请求和会议试点项目”，该项目允许申请人提交包含最多五页论点的文件，但要求提交上诉通知并支付相关费用。申请人也可提交继续审查请求，但需支付费用。随着 AFCP 2.0 的终止，收到最终驳回通知的申请人需要斟酌剩余选项中哪个是最佳的前进道路。

USPTO Ending the After Final Consideration Pilot Program

The U.S. Patent and Trademark Office (USPTO) recently announced that it will terminate the After Final Consideration Pilot Program (AFCP 2.0) and that December 14, 2024, will be the last date for applicants to submit requests under that program. This announcement (1) marks the end of a program that gave applicants a way to obtain guidance from an examiner after receiving a final rejection and (2) limits the number of options available to an applicant that receives a final rejection.

Under the AFCP 2.0, an applicant could submit an after-final submission, and the examiner was given

some additional time to perform a search and consider whether that after-final submission placed the application in condition for allowance. The examiner could also use the additional time to conduct an interview with the applicant if the applicant's response did not place the claims in condition for allowance. Importantly, applicants were not charged a fee to participate in the AFCP 2.0.

Citing several million dollars in costs associated with time expended by examiners considering the merits of applicants' requests, the USPTO initially determined that it would not continue the AFCP 2.0 without collecting fees from applicants. When the USPTO solicited comments on fee-based participation in the AFCP 2.0, the public was not receptive to paying a fee, and the USPTO decided to terminate the AFCP 2.0.

Without the AFCP 2.0 as an option, applicants can still respond to a final rejection in several ways. For example, after a final rejection is mailed and prosecution is closed, amendments filed by applicants subsequently after final rejection can be approved for entry if the amendments place the application in condition for allowance or in better form for appeal. Although the AFCP 2.0 emphasized examiner interviews, an examiner may still grant interviews outside the AFCP 2.0 if the examiner believes the interview will expedite issues for appeal or disposal of the application.

Another after-final response option is the Pre-Appeal Brief Review Request and Conference Pilot Program, which allows applicants to file a submission that includes up to five pages of arguments, although a notice of appeal and the associated fee are required. Applicants can file a request for continued examination, which requires a fee. With the closure of the AFCP 2.0, an applicant who receives a final rejection will need to consider which of the remaining options is the best path forward.

美国专利商标局宣布终止 3000 多件专利申请

10月2日，美国专利商标局（USPTO）发布最终命令，终止了大约 3100 项专利申请程序，原因是这些申请中，有非执业人员冒充执业人员欺诈性签署了 S 签名（即一种电子签名）。

根据专利法规（37 CFR 1.4），提交给美国专利商标局的文件上的签名必须由署名签署人亲自签署，美国专利商标局可以要求提供签名真实性的证据。若出于欺骗美国专利商标局或逃避法规等不正当目的提交文件，可能会受到制裁（37 CFR 11.18）。

2022 年 10 月，美国专利商标局联系了一名执业人员，其签名出现在该局收到的大量微实体认证表上。经过进一步调查，并在该执业人员的配合下，发现另一人正在使用该执业人员的签名。

由于不当使用执业人员签名、出于不正当目的提交文件以及违反诚信义务，美国专利商标局已发布最终命令，终止了发生此类行为的申请程序。

美国商务部负责知识产权事务的副部长兼美国专利商标局局长凯茜·维达尔（Kathi Vidal）表示：“这一欺诈行为的规模提醒所有注册执业人员，根据美国专利商标局的执业规则，他们有义务采取合理预防措施来保护自己的身份信息，并在发现任何疑似欺诈行为时向美国专利商标局报告。此外，这也提醒申请人，要确保他们与获得授权、有权在美国专利商标局执业的代表合作。防范欺诈是全员参与的工作——我们希望所有申请人都了解申请流程，所有执业人员都能保护好自己的身份信息。”

美国专利商标局通过注册纪律办公室为申请人提供了一份注册执业人员名单以供参考，同时还提供了一份受过纪律处分的执业人员名单。此外，美国专利商标局还在其网站上提供了识别和防范常见欺诈行为的技巧。

USPTO Terminates Roughly 3000 Patent Application Proceedings

On October 2, the U.S. Patent and Trademark Office (USPTO) issued a final order terminating proceedings in roughly 3,100 patent applications for the fraudulent entry of the S-signature of a registered practitioner by someone other than the practitioner.

Under the patent rules (37 CFR 1.4), signatures on papers submitted to the USPTO must be personally inserted by the named signatory, and the USPTO may require evidence of the authenticity of a signature. Submission of papers for any improper purpose, such as to deceive the USPTO or evade the rules, may result in sanctions (37 CFR 11.18).

In October 2022, the USPTO contacted a practitioner whose signature appeared on a large number of micro entity certification forms received by the agency. Upon further investigation, with the cooperation of

the practitioner, it was discovered that the signature of the practitioner was being used by another person.

Due to the improper use of a practitioner's signature, the submission of papers for improper purposes, and the violation of the duty of candor and good faith, the USPTO has issued a final order terminating proceedings in the applications in which this conduct occurred.

“The scale of this fraudulent action is a stark reminder for registered practitioners of their obligations under the USPTO Rules of Practice to take reasonable precautions to protect their credentials and alert the USPTO of any suspected fraud,” states Under Secretary of Commerce for Intellectual Property and Director of the USPTO Kathi Vidal. “Further, it is a warning to applicants to ensure they are working with a licensed representative with authority to practice before the USPTO. Preventing fraud is an all-hands-on-deck initiative – we want all applicants to be educated on the application process, and all practitioners to safeguard their credentials.”

The USPTO, through the Office of Enrollment Discipline, makes available a list of registered practitioners to assist applicants, as well as a list of disciplined practitioners. Additionally, the USPTO provides on its website tips on how to identify and avoid common scams.

乌克兰商标注册新规则生效

2024年9月18日，乌克兰商标注册新规则生效。根据乌克兰经济部2024年8月6日第19889号命令，该规则对商标注册流程提出多项新要求，涉及商标申请的准备和提交、商标国际注册申请和商标申请审查以及延伸至乌克兰的国际商标注册。该规则的规定与欧盟立法的要求一致，使国家生产者能够在欧盟保护和认可乌克兰地理标志。

主要更改包括以下内容：

- 新规则需要申请人提供新的信息，即自然人的身份证明文件、外国法人实体的注册号。
- 应用颜色有新的要求：除了颜色名称外，现在还需要根据国际公认的颜色识别系统（例如 Pantone Matching System、RAL、Focoltone 色标）指示其编号。
- 有更多类型的商标可供注册，包括位置、装饰、动作、多媒体、颜色和颜色组合。此类商标可以借助多媒体格式 MP3 和 MP4 申请注册。
- 提供了一份清单，列出了确定商标违反公共政策和公认的道德原则的理由，清单未穷尽。
- 允许发表商标免责声明，即可从受法律保护的商标中删除某些元素。这项改动使得某些单词可用作常用、通用或描述性单词，并且不需要保护。

新规则还规定了电子申请的提交和审查的详细程序。。

Ukraine's New Trademark Registration Rules Came into Force

On 18 September 2024, new rules for the registration of trademarks in Ukraine came into force ("Rules"). In line with the order of the Ministry of Economy of Ukraine No. 19889 dated 6 August 2024, the Rules establish requirements for the preparation and, filing of a trademark application, an application for international trademark registration and examination of a trademark application, and international trademark registration with extension to Ukraine. The provisions of the Rules align with the requirements of EU legislation, which enables national producers to protect and recognize Ukrainian geographical indications in the EU.

Key changes include the following:

- Additional information from the applicant is now required, i.e., identification documents for natural persons, registration numbers from foreign legal entities.
- There is new requirement for applying colors: along with the name of the color, it is now necessary to indicate its number in accordance with an internationally recognized color identification

system, for example, the Pantone Matching System, RAL, Focoltone color scale.

- More types of trademarks are now available for registration including positional, ornamental, motion, multimedia, color and color combinations. Such trademarks can be filed for registration with the help of multimedia formats MP3 and MP4.

- A non-exhaustive list of grounds for determining a trademark as being contrary to public policy and generally recognized principles of morality has been provided.

- A trademark disclaimer is now allowed, i.e., the removal of certain elements of a trademark from legal protection. This makes it possible to identify some words as commonly used, generic or descriptive and not requiring protection.

- The Rules also establish the detailed procedure of filing and prosecution of electronic applications.

俄罗斯专利维持费改 5 年一缴，费用免缴范围扩大

俄罗斯联邦政府于 2024 年 9 月 18 日正式颁布的第 1278 号决议，已于同年 10 月 5 日正式生效，该决议对多项知识产权相关业务的官方费用进行了全面调整。以下为此次调整的要点概述：

一、专利维持费缴纳方式的革新

依据第 1278 号决议，发明、实用新型及工业品外观设计的专利维持费将调整为**按每五年一个周期进行一次性缴纳**，具体涵盖专利有效期的第 1-5 年、第 6-10 年、第 11-15 年、第 16-20 年以及第 21-25 年。首个五年期的费用需与注册费、专利授权信息的公布费以及电子文件形式的专利授权费一并缴纳。对于后续五年有效期的维持费，专利权人应在前一个五年有效期届满前一年内，或在有效期届满后六个月内（但需额外支付 50% 的滞纳金）完成缴纳。

值得注意的是，此**新规同样适用于第 1278 号决议生效前已授权的专利**。若已缴纳部分五年期的费用，则完整五年期的剩余费用必须补缴。例如，若发明专利的维持费已缴纳至第八年，则需补缴第九年和第十年的费用，且需在已缴纳维持费的专利有效期内或有效期届满后六个月内完成补缴。

二、过渡期费用缴纳的明确指引

在费用缴纳方面，针对过渡期的特殊情况，决议给出了明确的指引。**一般情况下**，费用的支付金额以**相关法律文件的收发日期所对应的费用规定为准**。例如，若某发明申请于 2024 年 10 月 1 日（即新规生效前）提交至俄罗斯专利局（Rospatent），则其申请注册费和形式审查费将按照申请日时生效的费用标准执行（基础费用为 3300 卢布，超过 10 项索赔的每项额外收费 700 卢布）。若以电子方式提交申请，则可享受 30% 的费用减免。然而，若实质审查的请求于 2024 年 12 月 6 日（即**新规生效后**）提出，则费用标准将按照新规执行，且**电子申请不再享受费用减免优惠**。

此外，对于**特定规费**（如《费用条例》（经第 1278 号决议修订）附录 1 中第 1.17、1.18、1.20、2.11-2.14 项所列费用），其支付金额则以**支付日期所对应的费用规定为准**。若在新规生效前发出的缴费通知中已明确应支付金额，则按通知规定执行。若 2024 年 10 月 5 日前支付的费用存在误差，**补正付款时**仅需补足至首次付款日期所对应的金额即可。

三、费用免缴申请人范围的扩大

此次决议还进一步扩大了可享受费用免缴的申请人范围。具体而言，参与或曾参与特定军事行动的人员将纳入免缴多项费用的范畴，具体清单及减免费项可参见新修订的《费用条例》及其附件。同时，小型企业以及获得国家认证的教育组织或科学组织的申请人集体也可享受费用豁免的优惠。

此外，决议还考虑了包含费减资格申请人的集体在费用豁免方面的待遇。若一个申请人集体中包含享受不同费减程度的人员，则以可获得最大减免力度的申请人**为准**进行费用支付。例如，若发

明申请由一名退休人员和一名个体企业家共同提交，则费用将根据个人企业家所享有的特权进行支付。在此之前，含费减特权申请人的集体并未被纳入费用减免的范畴之内。

Russia Adjusts Patent Maintenance Fees to a Five-Year Payment Cycle and Expands Fee Exemption Scope

Resolution No. 1278 of the Federal Government of Russia, officially promulgated on September 18, 2024, entered into force on October 5 of the same year, which comprehensively adjusted the official fees for multiple intellectual property-related businesses. Here's an overview of the key takeaways:

1. Innovation in the payment method of patent maintenance fees

Pursuant to Resolution 1278, patent maintenance fees for inventions, utility models and industrial designs will be adjusted to be paid in a lump sum every five years, covering the 1st to 5th, 6th-10th, 11th-15th, 16th-20th and 21st-25th years of the patent validity period. The fee for the first five-year period is payable together with the registration fee, the fee for the publication of the patent grant information, and the patent grant fee in the form of electronic documents. For the maintenance fees for the subsequent five-year periods, the patentee shall complete the payment within one year before the expiration of the previous five-year period, or within six months after the expiration of the validity period (subject to an additional 50% late fee).

It is important to note that this new **rule also applies to patents granted prior to the entry into force of Resolution 1278**. If part of the maintenance fee of a five-year period has already been paid, the remaining amount must be made up. For example, if the maintenance fee for an invention patent has been paid to the eighth year, the fees for the ninth and tenth years must be paid and must be completed within the validity period of the patent for which the maintenance fee has been paid or within six months after the expiration of the validity period.

2. Guidelines for the payment of fees during the transition period

In terms of fee payment for the special circumstances of the transition period, the resolution provides clear guidance. **In general**, the amount of the fee to be paid is subject to the fee regulations corresponding to the date of receipt and dispatch of the relevant legal documents. For example, if an invention application is filed with the Rospatent on October 1, 2024 (i.e., before the entry into force of the new regulations), the registration fee and the formal examination fee will be applied according to the fee standard at the filing date (the basic fee is 3300 rubles, and an additional fee of 700 rubles for each claim exceeding 10 claims). If the

application is submitted electronically, a 30% fee reduction is available. However, if the request for substantive examination is made on 6 December 2024 (i.e. **after the new rules come into effect**), the payment will be implemented in accordance with the new rules and the **fee reduction will no longer be available for electronic filing**.

Additionally, for **specific fees** (such as those listed in items 1.17, 1.18, 1.20, and 2.11-2.14 of Appendix 1 to the Fee Regulations, as amended by Resolution No. 1278), the payment amount is determined **according to the fee regulations corresponding to the payment date**. If the payment amount is specified in a payment notice issued before the new regulations take effect, the notice shall prevail. If there is an error in the fee paid before October 5, 2024, the corrective payment only needs to be made up to the amount corresponding to the first payment date.

3. Expansion of the scope of applicants for fee exemption

The resolution also further expands the scope of applicants who are eligible for fee exemption. Specifically, persons who are participating or have participated in specific military operations will be exempted from a number of fees, a list of which can be found in the newly amended Fees Regulations and its annexes. Fee waivers are also available to small businesses and collectively applicants from nationally accredited educational or scientific organizations.

Additionally, the resolution also considers the treatment of fee exemption for collectives that include applicants eligible for fee reduction. In cases where a collective of applicants comprises individuals who are entitled to different levels of fee reduction, payments will be based on the applicant who qualifies for the maximum reduction. For instance, if an invention application is jointly submitted by a retiree and a sole entrepreneur, the fees will be paid according to the privileges enjoyed by the sole entrepreneur. Prior to this, collectives containing applicants with fee reduction privileges were not included in the scope of fee reduction.

国际合作 International Cooperation

乌拉圭加入 PCT

2024 年 10 月 7 日，乌拉圭政府向世界知识产权组织（WIPO）总干事交存了《专利合作条约》（PCT）的加入书。PCT 将于 2025 年 1 月 7 日起对乌拉圭生效。

乌拉圭加入 PCT 后，PCT 联盟成员国增至 158 个。

自 2025 年 1 月 7 日起，乌拉圭的申请人和发明人将可以根据 PCT 提交专利申请，以作为在 PCT 缔约国寻求专利保护的一种手段。同样，自该日起，外国创新者和公司将可以使用 PCT 体系在乌拉圭为其发明寻求专利保护。

在交存加入书时，乌拉圭还作出了不受 PCT 第 II 章约束的保留。有关乌拉圭作为 PCT 受理局和指定局运作的信息将很快在 WIPO 网站上的《PCT 申请人指南》中提供。

Uruguay Joins the PCT

On October 7, 2024, the Government of Uruguay deposited its instrument of accession to the Patent Cooperation Treaty (PCT) with WIPO's Director General. The PCT will enter into force for Uruguay on January 7, 2025.

The accession of Uruguay to the PCT will make it the 158th member of the PCT Union.

As from January 7, 2025, applicants and inventors in Uruguay will be able to file patent applications under the PCT as a means of seeking patent protection in PCT Contracting States. Likewise, foreign innovators and companies will be able to use the PCT System to seek patent protection for their inventions in Uruguay starting from the same day.

At the time of depositing the instrument of accession, Uruguay also made a reservation that it is not bound by Chapter II of the PCT. Information about Uruguay's functioning as a PCT receiving Office and designated Office will soon be available in the PCT Applicant's Guide on WIPO website.

英国将继续出具海牙外观设计保护声明

2024 年 10 月 9 日，世界知识产权组织（WIPO）收到并公布了英国知识产权局将继续出具海牙外观设计在英国取得保护授权的声明的相关决定。

一. 根据《〈海牙协定〉1999 年文本和 1960 年文本共同实施细则》（“《共同实施细则》”）第 18 条之二第（1）款，未发出驳回通知的被指定缔约方的主管局可以在适用的驳回期限内向国际局发送一份声明，表明对作为相关缔约方国际注册对象的外观设计给予保护（“授予保护的声明”）。但是，主管局未发送这种授予保护的说明不会产生任何法律后果。根据《海牙协定》日内瓦文本（1999 年）第 14 条第（2）款（a）项，如果在适用的驳回期限内未发出驳回通知，作为国际注册对象的外观设计将受到保护。

二. 2024 年 8 月 29 日，英国知识产权局（UKIPO）在英国政府官方网站上宣布¹其根据《共同实施细则》第 18 条之二第（1）条就授予保护声明的相关决定，并将此决定通知到世界知识产权组织（WIPO）国际局。决定总结如下：

–自 2024 年 2 月以来，根据第 18 条之二（1）成功试行出具授予保护的声明后，英国知识产权局决定继续发布这些声明；

–为了帮助海牙外观设计保护指定英国的国际注册人，英国知识产权局还发布了授予保护的一般声明。该一般声明适用于在 2024 年 2 月上述试行项目开始之前在英国获得外观设计保护的注册。符合一般声明出具条件的国际注册人可以通过直接向英国知识产权局发送电子邮件申请授予保护的单独声明，该声明将确认总则声明中已经提供的信息，邮件地址为 DesignsExamination@ipo.gov.uk。

¹ 请参阅 2024 年 8 月 29 日的英国 IPO 公告，网址为 <https://www.gov.uk/government/news/ipo-introduces-statements-of-grant-for-international-designs>。

United Kingdom Will Continue Issuing Statements of Grant of Protection Concerning International Registration of Designs

On 9 October 2024, the World Intellectual Property Organization (WIPO) received and published a decision that the UK Intellectual Property Office will continue to issue statements of grant of protection concerning international registration of Designs.

1. Under Rule 18*bis*(1) of the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement (“Common Regulations”), the Office of a designated Contracting Party which has not communicated a notification of refusal may, within the applicable refusal period, send to the International Bureau a statement to the effect that protection is granted to the designs that are the subject of the international registration in the Contracting Party concerned (“statement of grant of protection”). However, no legal consequences result from the fact that such a statement of grant of protection has not been sent by an Office. It remains the case that, in accordance with Article 14(2)(a) of the Geneva Act (1999) of the Hague Agreement, the designs that are the subject of the international registration are protected if no notification of refusal has been sent within the applicable refusal period.
2. The Intellectual Property Office of the United Kingdom (UK IPO) has informed the International Bureau of the World Intellectual Property Organization (WIPO) of the announcement of August 29, 2024, on the official website of the Government of the United Kingdom² concerning the UK IPO’s decision relating to statements of grant of protection under Rule 18*bis*(1) of the Common Regulations, as summarized below:
 - following the successful trial of issuing statements of grant of protection under Rule 18*bis*(1) since February 2024, the UK IPO has decided to continue issuing these statements; and
 - to assist holders of international registrations designating the United Kingdom, the UK IPO has also issued a general statement of grant of protection. This general statement applies to international registrations of designs protection of which had been granted in the United Kingdom before the commencement in February 2024 of the above-mentioned trial. Holders of the

² See the UK IPO publication of August 29, 2024, at: <https://www.gov.uk/government/news/ipo-introduces-statements-of-grant-for-international-designs>.

international registrations subject to the general statement can request an individual statement of grant of protection, which will confirm the information already provided in the general statement, by sending an email to the UK IPO directly at: DesignsExamination@ipo.gov.uk.

中新（西兰）专利审查高速路（PPH）试点将于 2024 年 11 月 1 日启动

经中国国家知识产权局与新西兰知识产权局（IPONZ）共同决定，中新 PPH 试点将于 2024 年 11 月 1 日启动，为期两年，至 2026 年 10 月 31 日止。

中新 PPH 试点启动以后，双方申请人可以按照中新专利审查高速路试点项目下提出 PPH 请求的流程，向 CNIPA 或 IPONZ 提出 PPH 请求。

PPH 是不同国家或地区间的专利快速审查通道，通过专利审查机构之间的工作共享加快专利审查进程。自 2011 年 11 月启动首项 PPH 试点至今，国家知识产权局已经先后与 33 个国家或地区的专利审查机构建立了 PPH 合作。

The China-New Zealand Patent Prosecution Highway (PPH) Pilot Project Will Be Launched on November 1, 2024

As jointly decided by the China National Intellectual Property Administration (CNIPA) and the Intellectual Property Office of New Zealand (IPONZ), the China- New Zealand PPH pilot will be launched on November 1, 2024, for a period of two years, until October 31, 2026.

After the launch of the China- New Zealand PPH pilot, applicants from both sides can submit a PPH request to the CNIPA or IPONZ in accordance with the PPH request process under the China- New Zealand Patent Prosecution Highway Pilot Project.

The PPH is a fast-track patent examination channel between different countries or regions, speeding up the patent examination process through work sharing between patent examination authorities. Since the launch of the first PPH pilot project in November 2011, the CNIPA has established PPH cooperation with patent examination authorities in 33 countries or regions.

中国国家知识产权局-欧洲专利局关于专利合作条约国际检索单位试点项目进入第二阶段的联合公报

自 2024 年 12 月 1 日起，中国国家知识产权局-欧洲专利局 PCT 试点项目的用户可以使用人民币直接向中国国家知识产权局支付国际检索费。

欧洲专利局（EPO）和中国国家知识产权局（CNIPA）共同宣布，双方联合开展的专利合作条约（PCT）试点项目进入下一阶段。这一新阶段为提交 PCT 的中国申请人指定欧洲专利局作为其国际检索单位（ISA）提供了更大的便利：自 2024 年 12 月 1 日起，申请人将可以使用人民币通过中国国家知识产权局向欧洲专利局支付相关检索费用。

2020 年 12 月 1 日，该试点项目第一阶段正式启动。第二阶段将进一步简化申请流程，允许中华人民共和国国民和居民以人民币支付费用，使申请人更容易获得欧洲专利局高质量的国际检索和书面意见。

通过选择欧洲专利局作为其国际检索单位，申请人可以更快获得欧洲专利保护。此外，第二阶段保留了其关键优势，例如根据 PCT 第二章向欧洲专利局提交国际初步审查请求，进入欧洲阶段时将减少 75% 的审查费，且不需要欧洲补充检索和 PCT 申请翻译，从而节省了时间和成本。

试点项目上限为每年 3000 份申请，以确保广大申请人能够继续利用这些优势。

中国国家知识产权局局长申长雨指出，作为中欧两局的重要合作内容之一，试点项目开展近四年以来，超过 440 多个创新主体从中获益，受到了中国用户的广泛好评。我们对试点项目进入第二阶段表示欢迎，届时参与项目的中国用户将可以使用人民币直接缴费，更加便捷地在欧洲申请专利和获得保护。

欧洲专利局局长安东尼奥·坎普诺斯表示，这一新付款方式的推出是我们与中国国家知识产权局持续合作的一个重要里程碑。这一改进为中国申请人提供了更大的便利，同时凸显了国际合作在促进创新方面的重要性。通过简化程序和降低成本，我们将与中国国家知识产权局共同继续支持中国的创新者进入欧洲的技术市场，促进增长并加强我们地区之间的联系。

Easier Fee Payments for Chinese Applicants to the EPO

Chinese applicants can more easily use the EPO as their International Searching Authority under the PCT. They will be able to pay fees in their local currency from 1 December 2024.

The European Patent Office (EPO) and the China National Intellectual Property Administration (CNIPA) are pleased to announce the next phase in their joint Patent Cooperation Treaty (PCT) pilot project. Starting 1 December 2024, Chinese applicants designating the EPO as their International Search Authority (ISA) will

be able to pay their search fees through the CNIPA to the EPO in Renminbi (Chinese Yuan), offering greater convenience.

Building on the success of the pilot, launched on 1 December 2020, this new phase simplifies the process for Chinese nationals and residents by allowing fee payments in local currency, making it easier to access high-quality international searches and written opinions from the EPO.

By choosing the EPO as their ISA, applicants gain accelerated access to European patent protection. Additionally, phase two maintains key advantages, such as a 75% reduction in the examination fee when requesting international preliminary examination under PCT Chapter II with the EPO. No supplementary European search or translation of the PCT application are required when entering the European phase, saving both time and costs.

The pilot's capacity remains limited to 3 000 applications per year, ensuring that a broad range of applicants can continue to take advantage of these benefits.

CNIPA Commissioner Dr. Shen Changyu remarked: “As an important part of the co-operation between the CNIPA and the EPO, the pilot project has been widely welcomed by Chinese users since it was launched nearly four years ago. More than 440 innovative entities benefited from the pilot. We welcome the second phase of the project, enabling the Chinese entities to make direct payments in Renminbi and thus making it easier to apply for a patent and get protection in Europe”.

EPO President António Campinos stated: “The introduction of this new payment option represents a significant milestone in our ongoing collaboration with CNIPA. This improvement offers greater convenience for Chinese applicants by streamlining procedures and cutting costs. Together with CNIPA, we continue to support innovators in China in accessing Europe’s technology markets, promoting growth and enhancing the ties between our regions.”

自 2025 年起，欧亚外观设计专利将覆盖所有 8 个 EAPO 成员国

日前，土库曼斯坦政府已向世界知识产权组织转交了其加入《欧亚专利公约保护工业品外观设计议定书》的文书。

根据议定书第 22 条第（4）款，该议定书应在土库曼斯坦向保存人交存加入书三个月后对土库曼斯坦生效。

这意味着，从 2025 年 1 月 4 日起，申请人将能够提交一份欧亚申请（其中可以包括最多 100 项属于《工业品外观设计国际分类》同一类别的工业品外观设计），便可在所有 8 个欧亚专利组织（EAPO）成员国（包含土库曼斯坦、白俄罗斯、塔吉克斯坦、俄罗斯联邦、哈萨克斯坦、阿塞拜疆、吉尔吉斯斯坦、亚美尼亚）获得保护。

The Eurasian Design Patent Will Cover all 8 EAPO Member States Since 2025

The Government of Turkmenistan has transmitted to WIPO its instrument of accession to the Protocol to the Eurasian Patent Convention on the Protection of Industrial Designs.

Pursuant to Article 22(4) of the Protocol, it shall enter into force in respect of Turkmenistan three months after it has deposited the instrument of accession with the depositary.

This means that from January 4, 2025, applicants will be able to file one Eurasian application, which can include up to 100 industrial designs belonging to the same class of the International Classification for Industrial Designs, to obtain protection in all 8 EAPO Member States (including Turkmenistan, Republic of Belarus, Republic of Tajikistan, Russian Federation, Republic of Kazakhstan, Republic of Azerbaijan, Kyrgyz Republic, Republic of Armenia).

马德里指定越南单独规费调整

自 2024 年 11 月 17 日起，马德里协定下国际商标注册指定越南的，应向越南支付的单独规费数额如下：

条目		数额 (瑞士法郎)	
		直至 2024.11.16 日	自 2024.11.17 日起
新申请或后续 指定	每类产品或服务	142	124
续展	每类产品或服务	126	111

2024 年 10 月 17 日

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

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 Viet Nam 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 Viet Nam has been designated.

As from November 17, 2024, the amounts of the individual fee payable in respect of Viet Nam will be the following:

ITEMS		Amounts (in Swiss francs)	
		Until November 16, 2024	As from November 17, 2024
Application or Subsequent Designation	– for each class of goods or services	142	124
Renewal	– for each class of goods or services	126	111

These new amounts will be payable where Viet Nam

(a) is designated in an international application which is received by the Office of origin on or after November 17, 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.

October 17, 2024