

## PATENT ALERT

### ***Launch of new Collaborative Search and Examination between Singapore and Viet Nam patent offices***

The Intellectual Property Office of Singapore (IPOS) and IP Viet Nam (IPVN) have launched a pilot Collaborative Search and Examination (CS&E) programme, the first of its kind in ASEAN, which will run from 1 March 2023 to 28 February 2025. The CS&E programme is intended to expedite the patent search and examination process for those who wish to file for patents in both countries.

For those familiar with the existing Patent Prosecution Highway (PPH) programmes, you may wonder how the CS&E programme is different from the PPH programme, since both are accelerated patent search and examination programmes. Under the PPH, a patent applicant may rely on the positive examination result or grant of a patent in one country to expedite the examination in another country with a PPH programme in place. A CS&E programme is different in that two (or more) patent offices work together to produce the search and examination report.

To further explain how the CS&E programme between IPOS and IPVN works, an applicant who first files a patent application in either Singapore or Viet Nam may file a CS&E request with the patent office of the country of first filing (“**Office A**”). If the CS&E request is accepted, Office A will conduct a search and examination (S&E) and produce a provisional report, which will be shared with the other patent office (“**Office B**”). Following receipt of this provisional report, Office B conducts its own S&E and provides Office A with a copy of its S&E report. Office A will consider Office B’s report and issue a CS&E report which will be the official examination report. Office’s B report will be included for the applicant’s reference. The applicant may use Office’s B report to decide whether to make a corresponding patent application at Office B - a positive result from Office B may provide the applicant with greater certainty as to the patentability of its invention with Office B. If the applicant files a corresponding application with Office B, search and examination will be prioritised at Office B and decided within 2 months.

There are currently no official fees for the applicant to request the CS&E programme. However, there are certain restrictions to join the CS&E programme, including:

- the application must be first filed in Singapore or Viet Nam (i.e. no priority claim and no divisional application);
- the application should contain at most 20 claims and 3 independent claims; and
- the CS&E request must fall within the following CS&E volume cap of 20 applications annually, 2 applications monthly and no more than 2 applications per month per applicant.

If you wish to find out more about the CS&E programme, please do not hesitate to contact us.



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