

Expansion of IPOS' PPH Network to include Malaysia

IPOS' Patent Prosecution Highway (PPH) and Global PPH partner network will be expanded to 33 intellectual property (IP) offices worldwide, with Malaysia being its latest partner. The PPH pilot with the Intellectual Property Corporation of Malaysia (MyIPO) commenced on 18 January 2025 and will run for a period of 2 years ending on 17 January 2027. Similar to the existing PPH programmes, the new IPOS-MyIPO PPH programme will allow the sharing of search and examination results between the two patent offices, leading to accelerated examination of patent applications.

Requirements for requesting accelerated examination under IPOS-MyIPO PPH

To qualify for PPH, the patent applications filed with IPOS and MyIPO should either be corresponding applications linked by way of priority or related national phase applications derived from the same Patent Cooperation Treaty (PCT) application. The Office of Earlier Examination (OEE) must have at least one claim that has been determined to be allowable/patentable, and the claims in the Office of Later Examination (OLE) application must sufficiently correspond or be amended to sufficiently correspond to one or more claims found allowable/patentable by the OEE.

Additionally, the request for PPH can be filed with IPOS only if examination has not begun on the Singapore patent application. Hence, it is recommended that the PPH request be filed with IPOS at the time of filing the request for search and examination, or examination. It would also be possible to file the PPH request after the applicant has requested search and examination or examination, provided that the examiner has not started work. The documents required for the PPH request include a copy of all office actions of the MyIPO application being relied upon, a copy of the allowable/patentable claim(s) of the MyIPO application and a claims correspondence table showing the relatedness of the allowable/patentable claim(s) of the MyIPO application to the claims in the Singapore application.

The IPOS-MyIPO PPH pilot programme adds to the existing PPH programmes that IPOS has in place with various patent offices, including with the China National Intellectual Property Administration, the Mexican Institute of Industrial Property, the European Patent Office (EPO), the Saudi Authority for Intellectual Property (SAIP) and the National Institute of Industrial Property of France (INPI France), as well as with other major patent offices via the Global PPH. The PPH programme remains a key option for applicants to expedite prosecution of their patent applications as applicants can generally expect to receive fewer office actions and a higher grant rate.

If you have any queries, please do not hesitate to contact us or your regular contact in Amica Law.



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