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Notification No. B 6 — The Patents (Amendment) Bill is published for general information. It was introduced in Parliament on 6 February 2017.

Patents (Amendment) Bill

Bill No. 6/2017.

Read the first time on 6 February 2017.

A BILL

i n t i t u l e d

An Act to amend the Patents Act (Chapter 221 of the 2005 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Patents (Amendment) Act 2017 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 14

2. Section 14 of the Patents Act is amended —

(a) by deleting paragraph (c) of subsection (4) and substituting the following paragraph:

“(c) the disclosure was due to, or made in consequence of, the inventor displaying the invention at an international exhibition;”;

(b) by deleting the full-stop at the end of paragraph (d) of subsection (4) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(e) subject to subsections (5A) and (5B), the disclosure was made to the public by the inventor, or by a person who obtained the matter directly or indirectly from the inventor, in any circumstances not described in paragraphs (a) to (d).”;

(c) by inserting, immediately after subsection (5), the following subsections:

“(5A) Subsection (4)(e) applies to the disclosure of matter constituting an invention due to, or in consequence of, the publication by an intellectual property administrator (being a person who obtained the matter directly or indirectly from the inventor) of an application for an intellectual property right (being an application containing the matter, but not being the application for a patent mentioned in subsection (4)), or a registration of an intellectual property right pursuant to such an application, only if —

- (a) the application was filed, without the consent of the inventor, by a person who obtained the matter directly or indirectly from the inventor; or
- (b) the publication was erroneous by reason that — 5
 - (i) the application had been withdrawn, refused or abandoned before the date of the publication; and
 - (ii) consequently, the publication was not required under the law (whether of Singapore or elsewhere) or treaty governing the application. 10

(5B) For the purposes of subsection (4)(e), where —

- (a) the disclosure of matter constituting an invention is due to, or in consequence of, the publication by an intellectual property administrator (being a person who obtained the matter directly or indirectly from the inventor) of an application for an intellectual property right (being an application containing the matter, but not being the application for a patent mentioned in subsection (4)), or a registration of an intellectual property right pursuant to such an application; and 15 20 25
- (b) the publication was erroneous by reason that the publication occurred earlier than provided under the law (whether of Singapore or elsewhere) or treaty governing the application, 30

the matter is to be treated as disclosed to the public on the date when the publication should have occurred under that law or treaty.”;