

**Intellectual Property Office of Singapore Act
(CHAPTER 140)**

Table of Contents

Long Title

Part I PRELIMINARY

1 Short title

2 Interpretation

**Part II ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF
OFFICE**

**3 Establishment and incorporation of Intellectual Property Office of
Singapore**

4 Common seal

5 Constitution of Office

Part III FUNCTIONS, DUTIES AND POWERS OF OFFICE

6 Functions and duties of Office

7 Powers of Office

8 Directions by Minister

9 Appointment of committees and delegation of powers

Part IV PROVISIONS RELATING TO STAFF

10 Appointment of Chief Executive and employees

11 Protection from liability

12 Public servants

Part V FINANCIAL PROVISIONS

13 Funds and property of Office

14 Application of moneys

15 Bank accounts and application of revenue

16 Annual estimates

17 Investments

18 Grants

19 Power to borrow

19A Issue of shares, etc.

20 Other financial provisions

Part VI TRANSFER OF PROPERTY, ASSETS, LIABILITIES AND EMPLOYEES

21 Transfer to Office of property, assets and liabilities

22 Transfer of employees

23 Service rights, etc., of transferred employees to be preserved

24 Existing contracts

25 Pending proceedings

26 Continuation and completion of disciplinary proceedings

27 Misconduct or neglect of duty by employee before transfer

Part VII MISCELLANEOUS

28 Annual report

29 Symbol or representation of Office

30 Powers of enforcement

31 Offences committed by bodies corporate, etc.

32 Jurisdiction of court

33 Composition of offences

34 Proceedings conducted by officers of Office

35 Power of Minister to amend Third Schedule

36 Preservation of secrecy

37 Rules

38 Consequential amendments to other written laws

FIRST SCHEDULE Constitution and Proceedings of Office

SECOND SCHEDULE Financial Provisions

THIRD SCHEDULE Offences under Written Law

Legislative History

INTELLECTUAL PROPERTY OFFICE OF SINGAPORE ACT (CHAPTER 140)

An Act to establish and incorporate the Intellectual Property Office of Singapore, to provide for its functions and powers, and for matters connected therewith.

[1st April 2001]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Intellectual Property Office of Singapore Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“Chairman” means the Chairman of the Office and includes any temporary Chairman of the Office;

“Chief Executive” means the Chief Executive of the Office appointed under section 10 and includes any person acting in that capacity;

“Copyright Tribunal” means the Copyright Tribunal established under Part VII of the Copyright Act (Cap. 63);

“debenture” includes debenture stock;

“Deputy Chairman” means the Deputy Chairman of the Office and includes any temporary Deputy Chairman of the Office;

“intellectual property adviser” means any person who in the course of his profession or business provides legal or other advice relating to any intellectual property, including advice given in relation to an application for protection of an intellectual property whether in Singapore or elsewhere;

“intellectual property agent” means a person acting on behalf of another —

- (a) in connection with the application for or obtaining of a patent or any procedure relating to a patent under the Patents Act (Cap. 221);
- (b) in connection with the registration of a trade mark or any procedure

relating to a registered trade mark under the Trade Marks Act (Cap. 332); or

- (c) in connection with the registration of a design or any procedure relating to a registered design under the Registered Designs Act (Cap. 266);

“member” means a member of the Office;

“Office” means the Intellectual Property Office of Singapore established under section 3;

“securities”, in relation to a company, includes shares, debentures, bonds and other securities of the company, whether or not constituting a charge on the assets of the company;

“shares” includes stocks.

PART II

ESTABLISHMENT, INCORPORATION AND CONSTITUTION OF OFFICE

Establishment and incorporation of Intellectual Property Office of Singapore

3. There is hereby established a body to be known as the Intellectual Property Office of Singapore which shall be a body corporate with perpetual succession and a common seal and shall, by that name, be capable of —

- (a) suing and being sued;
- (b) acquiring, owning, holding and developing or disposing of property, both movable and immovable; and
- (c) doing and suffering such other acts or things as a body corporate may lawfully do and suffer.

Common seal

4.—(1) The Office shall have a common seal and such seal may from time to time be broken, changed, altered or made anew as the Office thinks fit.

(2) All deeds and other documents requiring the seal of the Office shall be sealed with the common seal of the Office.

(3) All instruments to which the common seal is affixed shall be signed by the Chief Executive and one officer of the Office or by any 2 officers of the Office generally or