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IPOPHIL EXTENDS PATENT COOPERATION TREATY FILING ASSISTANCE PROGRAM

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IPOPHIL EXTENDS PATENT COOPERATION TREATY FILING ASSISTANCE PROGRAM

In order to assist Filipino inventors and qualified foreign inventors to protect their inventions internationally through the Patent Cooperation Treaty (“PCT”) filing system, the Intellectual Property Office of the Philippines (IPOPHL) extends the PCT Filing Assistance Program (“FAP”) under Memorandum Circular 2024-004.

To recall, the PCT FAP waived the IPOPHL Search Fee and Preliminary Examination Fees under Memorandum Circular 2019-004. Subsequently, the effectivity of the PCT FAP under the said Memorandum Circular was extended for several years until 31 December 2023.

The PCT FAP aims to assist inventors, applicants and Innovation & Technology Support Offices (“ITSO”) to use the PCT method to protect their inventions internationally, promote the IPOPHL as office of first filing, and promote IPOPHL services as PCT International Authority. (Section 1 of Memorandum Circular 2024-004)

Eligible for the PCT FAP are individuals who are Filipino inventor/applicants, higher educational institutions that are member of the ITSO support network, and foreign inventor/applicants from states in the WIPO list of eligible nationals or residents for 90% reduction in certain PCT fees which designated IPOPHL as competent International Searching Authority and Preliminary Examining

Authority, and where the IPOPHL is the office of first filing from January to December 2024. (Section 2 of Memorandum Circular 2024-004)

Under the PCT FAP, the IPOPHL shall provide the following assistance for PCT filing (Section 3.1 of Memorandum Circular 2024-004):

1. Waiver of the IPOPHL Search Fee;
2. Waiver of the IPOPHL Preliminary Examination Fee;
3. Information and technical consultation regarding PCT system and process.

To avail of the benefits under the PCT FAP, inventors or applicants shall submit the duly accomplished request form to the Bureau of Patents, along with the request for an International Search Report. (Section 3.2 of Memorandum Circular 2024-004)

Monitoring of the implementation of the PCT FAP shall be done by the Bureau of Patents and the Documentation Information and Technology Transfer Bureau shall monitor availment by the ITSOs. The Bureau of Patents is tasked to consolidate and submit the report of all applications under the PCT FAP to the IPOPHL Director General. (Section 4 of Memorandum Circular 2024-004)

Implementation of the PCT FAP extension starts from 01 February 2024 and extend until 31 December 2024. Memorandum Circular 2024-004 was signed on 29 January 2024 by IPOPHL Director-General Rowel S. Barba.

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This article is intended for informational purposes only and should not be considered as legal advice.

For any questions or legal concerns regarding Patent Cooperation Treaty Applications, you may contact the author:

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