

Singapore Supplementary Examination Option Ends January 2020

October 22, 2019

The supplementary examination option in Singapore, as known as the "foreign route," will officially be ending as of January 1, 2020. The "foreign route" had allowed an applicant to rely on the allowance or grant of a corresponding patent application or the International Preliminary Report on Patentability (IPRP) in lieu of a local substantive search and examination.

For direct national applications and international applications with a filing date after January 1st 2020, examination will proceed under the local route. The local route includes a request for a search and examination, or examination only based on a corresponding search report. The application will then be substantively examined by a Singapore Examiner. Applicants will now rely on patent professionals in Singapore to file responses to substantive office actions and to interview patent examiners. Therefore, qualified patent counsel in Singapore will become even more desirable.

Applications that will remain eligible for the "foreign route" include national phase applications based on PCT applications with an international filing date before January 1, 2020 (even if national phase is entered after January 1, 2020). Critically, however, divisional applications that are filed after January 1, 2020 will not be eligible for the foreign route option.

Therefore, the proactive filing of divisional applications before January 1, 2020 can serve as an effective strategy for retaining all examination options in divisional cases.

If you have any questions about this change, or any other aspect of international patent prosecution strategies, please contact Sean Coughlin or Rebecca Wright in Lathrop Gage's Intellectual Property Practice.

If you have any questions about this alert, please contact your Lathrop Gage attorney or the attorneys listed above.