

# *Insights* Newsletter



May 2022 Edition

## Articles & News

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### USPTO Welcomes New Director Kathi Vidal

USPTO

April 15, 2022

The United States Patent and Trademark Office (USPTO) welcomed Kathi Vidal as the new Under Secretary of Commerce for Intellectual Property and agency Director, a role in which she will provide leadership and oversight to one of the largest intellectual property (IP) offices in the world and serve as principal advisor to President Biden through U.S. Secretary of Commerce Gina Raimondo on domestic and international IP policy. [+](#)



### World IP Day - What the Future Holds for Australian Innovation

Spruson &amp; Ferguson

April 26, 2022

This year, the theme for World IP Day 2022 is IP and Youth: Innovating for a better future. Young people today offer new perspectives, curiosity and creativity in driving and shaping innovative ideas for the future. And what better way to celebrate World IP Day than taking a look at students who are driving the future of Australian innovations! [+](#)



### The Full Federal Court overturns AI Inventorship in Australia

Lexology

April 20, 2022

An enlarged bench of the Full Court of the Federal Court has overturned a first instance decision, reported here, by confirming that artificial intelligence (AI) cannot be named as an inventor on an Australian patent. [+](#)

## Articles & News



### US Copyright Office refuses to register AI-generated work, finding that “human authorship is a prerequisite to copyright protection”

IP Kat

April 18, 2022

Can a work entirely created by a machine be protected by copyright?

On Valentine's Day, the US Copyright Office (Review Board) answered this question with a heart-breaking 'no' holding that "copyright law only protects "the fruits of intellectual labour" that "are founded in the creative powers of the (human) mind"" and consequently refusing to register the two-dimensional artwork 'A Recent Entrance to Paradise' below (the 'Work'). [+](#)



### EA Launches WTO Dispute Versus China

AM Badar

April 22, 2022

The European Union Chamber of Commerce filed a lawsuit against China to the World Trade Organization (WTO) on February 18. In the lawsuit, which was filed on behalf 27 countries, the European Union insisted that the Chinese Court had breached the TRIPS by obstructing patent protection efforts, especially the application of Standard Essential Patents (SEP). [+](#)



### Updated guidelines for plant transformation inventions - Brazil

Moeller IP

April 20, 2022

On March 17, 2022, the Brazilian Patent and Trademark Office (BPTO) has issued specific guidance regarding the examination of inventions related to plant transformation events (Elite events) and accessory inventions related to Elite events, namely, BPTO's Technical Note INPI/CPAPD n° 01/2022. The main concepts thereof are summarized here. [+](#)

## Articles & News



### Number of patent applications in Europe continues to grow

Wolter Kluwer

April 14, 2022

The European Patent Office (EPO) received 188600 applications in 2021, up 4.5% on the previous year and the highest number to date, according to the EPO's Patent Index 2021. Patent filings rebounded after a slight dip in 2020. [+](#)



### European Commission's Proposal For the Revision of the Geographical Indications Systems

Sedin IP

April 12, 2022

The European Commission adopted its legislative proposal for the revision of the geographical indications system for wine, spirit drinks and agricultural products. The new measures should increase the uptake of geographical indications across the European Union to benefit the rural economy and achieve a higher level of protection, especially online. The aim is to maintain the European Union's high food quality and standards and ensure that its cultural, gastronomic and local heritage is preserved and certified as authentic within the European Union and across the world. [+](#)



### Ukraine to Suspend IP Deadlines

Papula Nevinpat

April 11, 2022

The Ukrainian Parliament has passed the bill "On protection of interests of persons in the intellectual property field during state of war" (No. 7228 of 30 March 2022). [+](#)

## Articles & News

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### Russian Sanctions Create Patent Risks

JD Supra

April 4, 2022

While multi-national sanctions recently imposed on Russia were intended to punish Russia for its aggression in Ukraine, the effects of the sanctions have led to a need for tough decisions for US entities with patent interests in Russia. The prohibitions on financial exchanges with certain Russian banks will essentially prevent any payment of fees to Rospatent (the Russian patent office), and although a general license from the Department of the Treasury provides a short window for winding down certain administrative transactions, US entities engaged in patent transactions with Rospatent only have a short time to make decisions about current and future patent activities in Russia . 

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# Global Law Updates



## North & South America

### Brazil

#### **Brazil recognizes new denomination of origin**

Peduti Advogados

In February 2022 the Brazilian Patent and Trademark Office (BPTO) published the recognition of “Norte de Minas” (North of Minas Gerais State) as a Denomination of Origin (DO) to the *Aroeira* honey.

This new Denomination of Origin establishes an area of 64 municipalities where the especial characteristics of the soil and climate, the presence of the *aroeira-do-sertão* tree with its specific interrelations and the knowledge of the beekeepers of the region, result in the production of a honey with characteristics and qualities derived from their geographical environment. [+](#)

### Chile

#### **Chile Accedes to the International Trademark System**

Sedin IP

Chile acceded to the Madrid Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks. The Madrid System allows brand owners to seek trademark protection in 127 countries (including the new accession) by filing a single international trademark application. The Madrid Protocol will enter into force in Chile on July 4, 2022. [+](#)

### Brazil

#### **Update guidelines for plant transformation inventions - Brazil**

Moeller IP

On March 17, 2022, the Brazilian Patent and Trademark Office (BPTO) has issued specific guidance regarding the examination of inventions related to plant transformation events (Elite events) and accessory inventions related to Elite events, namely, BPTO’s Technical Note INPI/CPAPD n° 01/2022. [+](#)

# Global Law Updates



## Asia & Oceania

### Thailand

#### **Thailand's new Trademark Examination Guideline 2022**

Published on Lexology - Mirandah Asia

On 17 January 2022, the Department of Intellectual Property of Thailand issued the final version of the Trademark Examination Guideline (TM Guideline) which applies to all pending and new trademark applications. The new TM Guideline sheds light on many important issues - significantly, those relating to registrability. [+](#)

### Taiwan and Japan

#### **TIPO Launches Design Patent Priority Document Exchange Program with JPO**

Deep & Far Attorneys-at-Law

The Taiwan - Japan MoU on Electronic Patent Priority Document Exchange (PDX) was signed in 2013, and was applicable to both invention and utility model patent applications. As the PDX program was put to extensive use by applicants from both countries since its implementation, an additional MoU on Design Patent Priority Document Exchange was signed in 2019. [+](#)

### China

#### **CNIPA - EAPO PPH Pilot Program Extended**

Published on China National Intellectual Property Administration

According to a decision jointly made by CNIPA and EAPO PPH pilot program, launched on April 1, 2018, will be extended for another year between April 1, 2022 and March 31, 2023. Relevant requirements and procedures to submit PPH requests to the two offices remain unchanged. [+](#)

### South Korea

#### **Various IPR Amendments on Korea Acts Effective April 20**

Published on Asia IP - KWON & KIM Patent and Trademark Attorneys

Various amendments to the Korean Patent Act, Trademark Act, and Design Protection Act will take effect this April 20, 2022. This is to improve the IPR laws to be more friendly to the applicant and to remedy the mistake actively of applicants and to maximize the opportunity to acquire rights. [+](#)

### Singapore

#### **Singapore Patents: Process Changes and Fee Updates in the Intellectual Property Amendments Act 2022**

Spruson & Ferguson

We had previously reported that the Intellectual Property Office of Singapore ("IPOS") had proposed an Intellectual Property ("IP") (Amendment) Bill 2021 (the "Bill"). The Bill was passed on 12 January 2022 and the Intellectual Property (Amendment) Act 2022 (the "Amendments Act") will be coming into effect in Singapore on 29 April 2022. [+](#)

# Global Law Updates



## Europe, Middle East & Africa

### Belarus

#### **Belarus has joined the protocol on the protection of industrial designs to the Eurasian Patent Convention**

Published on Lexology - Schmitt & Orloy

The Eurasian patents for industrial designs issued under the Eurasian applications filed starting from April 19, 2022, will be valid in the territory of the Republic of Belarus. These Eurasian patents will be simultaneously valid in the Republic of Azerbaijan, the Republic of Armenia, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, and the Republic of Tajikistan. [+](#)

### UAE

#### **Update on Trademark Publication**

Abu-Ghazaleh Intellectual Property

The UAE Trademark Office announced that the publication of trademark related matters, including registration, renewal, recordal, and amendments will be only in the official gazette, cancelling the local publication procedures in local newspapers. This new practice has been applicable in the UAE starting from March 2022. [+](#)

### Iceland

#### **Iceland: Changes in Patent Regulation No. 477/2012**

ISIPO

Regulation on Patents No. 477/2012 has from 31 January 2022 been revised with Regulation no. 224/2022 (for now, only available in Icelandic). The changes were published on 25 February 2022. [+](#)

### Kuwait

#### **Kuwait: New Requirements for Trade Name Registration in Arabic**

Abu-Ghazaleh Intellectual Property

Pursuant to the Ministerial Decision No. 4 of 2022, related to the registration of trade names in Arabic, it is possible to register a trade name in Kuwait in both Arabic and Latin characters. The Latin name should be synonymous with the Arabic translation or a direct transliteration of that name. [+](#)



# Announcements



ARIPO

## Cabo Verde to become ARIPO's 22nd Member State

The Republic of Cabo Verde is to become ARIPO's 22nd Member State. On the 7th of January, 2022, the Cape Verdean Parliament approved accession of the Country to the Lusaka Agreement, Banjul, and Harare Protocols. On the 27th of January, 2022, the Parliament further approved the accession to the Swakopmund Protocol/ The Instruments of Accession will be deposited with the ARIPO Director General on a later date. [+](#)



Papula Nevinpat

## Papula-Nevinpat's announcement on Ukraine and IP services in the Eurasian Region

We are deeply saddened and shocked about the war in Ukraine and our hearts are with all the people affected. Our top priority remains on our team members and partners in Ukraine but also in the whole Eurasian region at this difficult time. At present, our team in Ukraine is safe and has been able to work remotely from home, although needless to say, there may be disruptions. [+](#)



Clarke Modet

## Patent Prosecution Highway (PPH) - Pilot Program between Brazil and France is signed

The Brazilian Patent and Trademark Office (BRPTO) informed on March 15, 2022, that two memoranda of understanding - one for technical cooperation in Industrial Property and the other for a Patent Prosecution Highway (PPH) pilot project-between Brazil and France were signed.

This partnership in the PPH program is planned for a period of five years and should start on May 1st, 2022. [+](#)



Sonodo Kobayashi

## Following the expansion of design eligible for protection under the Design Law, JPO released case studies on newly eligible registered designs

The Design Law has been amended to expand protection to new categories of designs. Recently, the JPO homepage announced a collection of new design patents which fall under the expanded protection for newly eligible designs. Specifically, the case studies involve newly protected images, buildings, and interior design. [+](#)

# Announcements



Crane IP

## Ukraine became a member of the WIPO Regional Group of the Central European and Baltic States

On March 14, 2022, Ukraine became a full member of the Regional Group of the Central European and Baltic States (CEBS) of the World Intellectual Property Organization (WIPO).

The CEBS regional group includes 20 countries (Albania, Bosnia and Herzegovina, Bulgaria, Georgia, Estonia, Latvia, Lithuania, Northern Macedonia, Moldova, Poland, Romania, Serbia, Slovakia, Slovenia, Turkey, Hungary, Ukraine, Croatia, the Czech Republic, and Montenegro) [+](#)



## China's National Intellectual Property Administration Announces Rapid 20 day Trademark Application Examination Program

On January 18, 2022, the China National Intellectual Property Administration (CNIPA) released the Measures for Rapid Examination of Trademark Applications (for Trial Implementation) that provides for examination of certain trademark applications within 20 days of approval of a request to participate. The Measures are effective immediately. [+](#)



OMC Abogados

## OMC Abogados & Consultores adds a new member to its Intellectual Property Team

OMC Abogados & Consultores is pleased to announce the incorporation of Ms. Antonella Gutiérrez to its professional staff in the intellectual property area. [+](#)



## Philippines Launches Incentive Protection Program

The Philippines has launched the Juana Patent and Juana Incentive Protection Programs (JPIP) as part of its Women's Month celebrations. The JPIP aims to increase the participation of female inventors and designers in the country's innovation scene. [+](#)

# Events



## May 2022

Monday	Tuesday	Wednesday	Thursday	Friday
02	03	04	<b>05</b>	06
			<a href="#">FICPI-US Dinner Meeting</a> - Alexandria, USA	
09	10	<b>11</b>	<b>12</b>	<b>13</b>
		<a href="#">LSPN NORTH AMERICA 2022</a> - Boston, USA	<a href="#">LSPN NORTH AMERICA 2022</a> - Boston, USA	<a href="#">AIPPI - 125th Anniversary Celebration Conference and Dinner</a> - Brussels, Belgium
16	17	<b>18</b>	<b>19</b>	20
		<a href="#">AI IP USA 2022</a> - virtual, USA	<a href="#">AI IP USA 2022</a> - virtual, USA	
<b>23</b>	<b>24</b>	25	26	27
<a href="#">Live Program: PATENT LITIGATION Masters™</a> - Hendon, USA	<a href="#">IAM Live: Auto IP USA 2022</a> - Detroit, USA			
30	31			

# Events



## June 2022

Monday	Tuesday	Wednesday	Thursday	Friday
		01	02	03
06	<b>07</b>	08	09	10
	<a href="#">The Copyright Society's Virtual Annual Meeting</a> - virtual			
<b>13</b>	<b>14</b>	15	16	17
<a href="#">IPBC Global</a> - Chicago	<a href="#">IPBC Global</a> - Chicago			
20	21	22	23	24
<b>27</b>	<b>28</b>	29	30	
<a href="#">IP Law Summit</a> - Chicago <a href="#">International Conference on Intellectual Rights and Property</a> - Dubai, UAE	<a href="#">IP Law Summit</a> - Chicago <a href="#">International Conference on Intellectual Rights and Property</a> - Dubai, UAE			

# Open Positions



Patent Attorney/ Senior Associate (EICT)



Spruson & Ferguson

China



Patent Secretary - 12 Month Fixed Term Contract



Spruson & Ferguson

Sydney, Australia



Patent Administrator - Flexible Location



Venner Shipley

United Kingdom



Practical Vocational Training (Articles)



Fairbridges Wertheim Becker

Cape Town or Gauteng, South Africa



## About HeliosCentral

HeliosCentral is the first global IP practices community that brings together law firms, companies, software, data and other IP specialists to create a collaborative online community focused on the hands-on best practices of IP operations management-- from filing to docketing to maintenance to portfolio analytics.

Founded by Helios IP and the Global IP Attorneys directory, HeliosCentral's mission is to help paralegals, administrators, managers, and other IP specialists achieve IP operations excellence. We bring together all interested stakeholders to create a collaborative community of shared interests.

### IP Firm Directory

A global professional directory that matches leading IP specialist firms with clients seeking best-in-class expertise. Find attorneys, agents, analysts, software, and other solution providers, available to assist with any IP requirements. And as a service provider, highlight your firm's capabilities, professional staff, and knowledge to gain access to the market's most active IP community.

### Insights

Access leading discussion articles, the latest news, and upcoming events to keep at the forefront of what's happening in the IP industry. Promote your capabilities, expertise, and accomplishments by publishing articles, news, and awards.

### Community

HeliosCentral is the first open discussion forum focus on the needs of IP practitioners to understand global PTO procedures, policies, and processes. With experts from every IP country, the forum is actively moderated to timely answer the most detailed questions. The forum enables Q&A collaboration between clients and in-country experts available to provide guidance on filing, docketing, renewals, formalities, and all other facets of the IP lifecycle.

### Practice Resources

As fellow practitioners, we've put together a continually expanding collection of lists, links, tools and other information to help make your work more efficient and accurate. HeliosCentral is your go to site for hands-on IP practice excellence!

For additional information or to discuss how we can assist you achieve your objectives, please contact us at: [info@helioscentral.com](mailto:info@helioscentral.com)