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## No. S 216

### PATENTS ACT 1994 PATENTS (AMENDMENT) RULES 2022

In exercise of the powers conferred by section 115 of the Patents Act 1994, the Minister for Law, after consulting with the Intellectual Property Office of Singapore, makes the following Rules:

#### **Citation and commencement**

1. These Rules are the Patents (Amendment) Rules 2022 and come into operation on 1 April 2022.

#### **Amendment of rule 31**

2. Rule 31 of the Patents Rules (R 1) is amended —

(a) by deleting “, 76, 77, 78” in paragraph (1)(b);

(b) by deleting the words “, 71(1) or 78(1)” in paragraph (3)(b)(iv) and substituting the words “or 71(1)”; and

(c) by deleting the words “or 76(1)” in paragraph (3)(b)(vi).

#### **Deletion of heading and rules 76, 77 and 78**

3. The Patents Rules are amended —

(a) by deleting the heading “INFRINGEMENT PROCEEDINGS BEFORE REGISTRAR” above rule 76; and

(b) by deleting rules 76, 77 and 78.

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**Amendment of heading**

4. The Patents Rules are amended by deleting the heading “AMENDMENT OF PATENTS IN INFRINGEMENT, RE-EXAMINATION OR REVOCATION PROCEEDINGS” above rule 85 and substituting the following heading:

“AMENDMENT OF PATENTS IN  
RE-EXAMINATION OR REVOCATION  
PROCEEDINGS”.

**Amendment of rule 88A**

5. Rule 88A(1) of the Patents Rules is amended by deleting “, 76, 77, 78”.

**Amendment of rule 90**

6. Rule 90(4) of the Patents Rules is amended —

(a) by deleting the words “, 71(1) or 78(1)” in sub-paragraph (b)(iv) and substituting the words “or 71(1)”; and

(b) by deleting the words “or 76(1)” in sub-paragraph (b)(vi).

**Amendment of rule 91**

7. Rule 91(12) of the Patents Rules is amended —

(a) by deleting “76, 77, 78,” in sub-paragraph (b); and

(b) by deleting sub-paragraphs (iii) and (iv) of sub-paragraph (c) and substituting the following sub-paragraphs:

“(iii) any document filed under rule 53 (other than paragraph (2) thereof) or rule 88 (other than paragraph (1) thereof) in connection with any proceedings at which only the party making a request for the exercise of the discretionary powers of the Registrar is present; or

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- (iv) any request on Form HC4 filed under rule 53(2) or 88(1) in connection with any proceedings at which only the party making the request is present; and”.

### **Amendment of rule 108A**

8. Rule 108A(1) of the Patents Rules is amended by deleting “76, 77, 78,” in sub-paragraphs (a) and (b).

### **Amendment of First Schedule**

9. The First Schedule to the Patents Rules is amended —
- (a) by deleting items 29 and 30; and
  - (b) by deleting “, 76(4), 77(3), 78(2A)” in item 75.

### **Miscellaneous amendments**

10. The Patents Rules are amended —

- (a) by deleting the word “Taxation” in the following rule headings and substituting in each case the word “Assessment”:

Rule 6

Rule 7;

- (b) by deleting the word “taxation” wherever it appears in the following provisions and substituting in each case the word “assessment”:

Rule 6(1)(b), (2)(a) and (b), (4), (6) and (8)

Rule 7(1), (3)(a) and (b) and (6)

Third Schedule, item 10;

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(c) by deleting the word “taxed” wherever it appears in the following provisions and substituting in each case the word “assessed”:

Rule 6(1)

Rule 7(4);

(d) by deleting the words “by leave or direction” in the following provisions and substituting in each case the words “with permission or by direction”:

Rule 10(6)

Rule 11(8)

Rule 65(6);

(e) by deleting the words “inter partes proceedings” in the following provisions and substituting in each case the words “proceedings with notice”:

Rule 31(1)(b) and (c)

Rule 88A(1)

Rule 91(12)(b) and (c)(i) and (ii);

(f) by deleting the words “inter partes interlocutory proceedings” in the following provision and substituting the words “interlocutory proceedings with notice”:

Rule 88(3);

(g) by deleting the word “leave” wherever it appears in the following provisions and substituting in each case the word “permission”:

Rule 52(1), (7), (8) and (9)

Rule 71(5)

Rule 80(9)

Rule 94(3);

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- (h) by deleting the words “ex parte proceedings” in the following provision and substituting the words “proceedings at which only the party making the request is present”:

Rule 88(1);

- (i) by deleting the words “by leave” in the following provision and substituting the words “with permission”:

Rule 94(2);

- (j) by deleting the words “ex parte hearing under rule 88” in the following provision and substituting the words “hearing under rule 88 at which only the party making the request is present”:

First Schedule, item 73;

- (k) by deleting the words “ex parte hearing under rule 88” in the following provision and substituting the words “hearing under rule 88 at which only the party who requested the hearing was present”:

First Schedule, item 74;

- (l) by deleting the words “ex parte hearing” in the following provision and substituting the words “hearing at which only the party making the request is present”:

Second Schedule, item relating to Form HC4;

- (m) by deleting the words “ex parte hearing” in the following provision and substituting the words “hearing at which only the party who requested the hearing was present”:

Second Schedule, item relating to Form HC5; and

(n) by deleting the word “*Taxation*” in the heading above item 9 of the Third Schedule and substituting the word “*Assessment*”.

*[G.N. Nos. S 501/2009; S 730/2010; S 586/2011;  
S 210/2013; S 81/2014; S 162/2014; S 739/2014;  
S 673/2016; S 146/2017; S 573/2017; S 432/2020;  
S 688/2021]*

Made on 24 March 2022.

LAI WEI LIN  
*Permanent Secretary,  
Ministry of Law,  
Singapore.*

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