

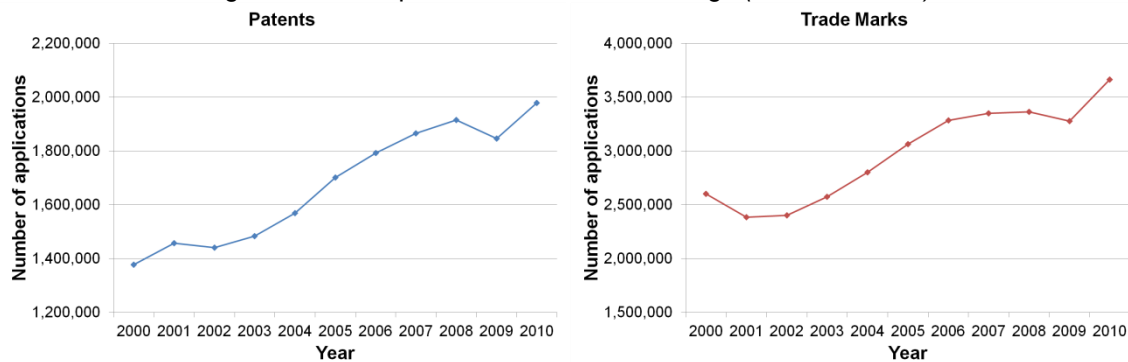
FACT SHEET

Developing Singapore as intellectual property hub for Asia

Global IP Developments

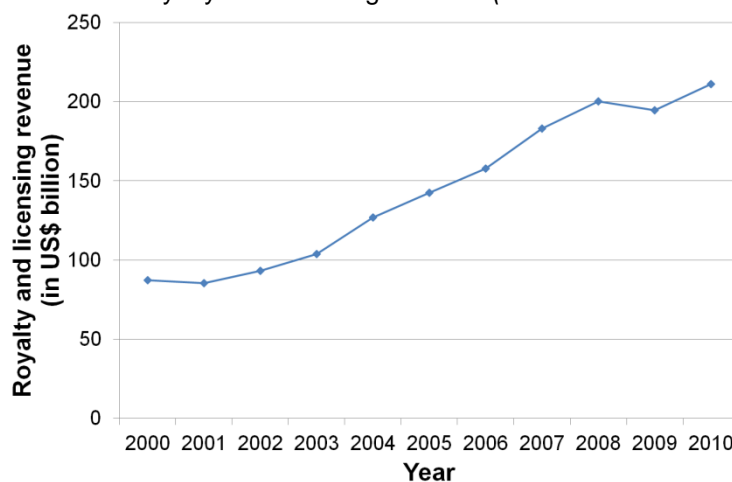
1. Intellectual property (IP) is a vital component of the knowledge economy. According to data from the World Intellectual Property Organization (WIPO), global patent filings have increased to around two million annually, up 45 per cent from 2000. Trade mark filings have also risen, by 40 per cent in the same period to 3.7 million in 2010.

Figure 1: Global patent and trade mark filings (*Source: WIPO*)



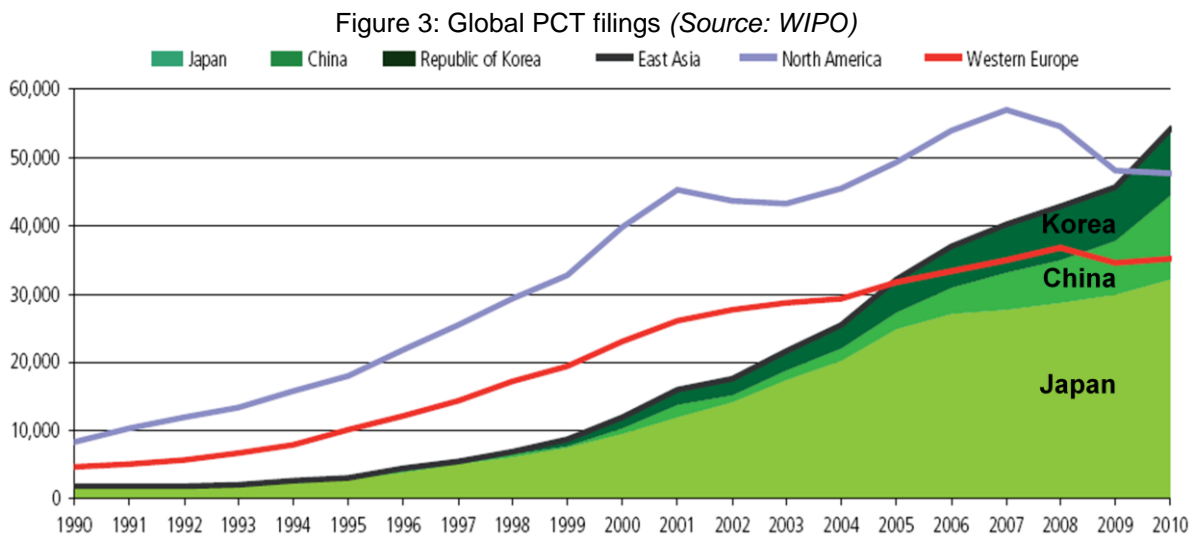
2. Global royalty and licensing revenue has more than doubled to over US\$200 billion in the last 10 years.

Figure 2: Global royalty and licensing revenue (*Source: The World Bank*)



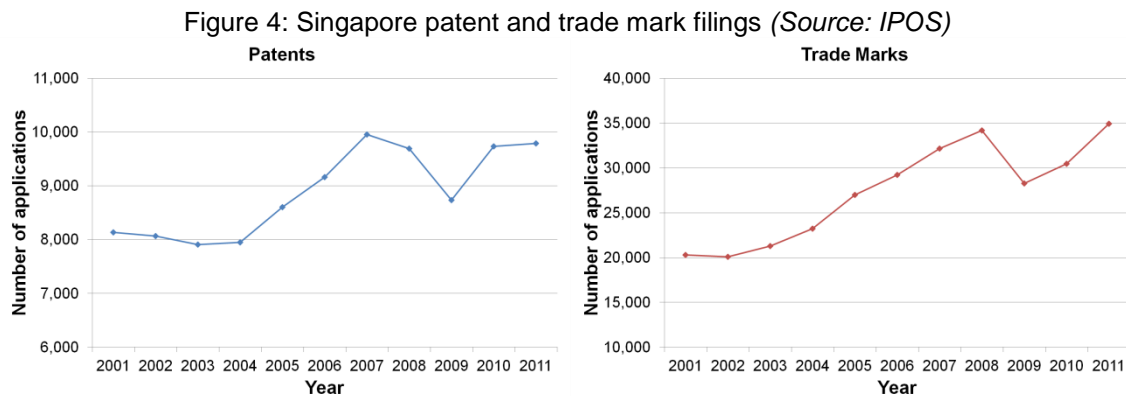
3. The growth of IP in Asia has been particularly significant. East Asia has now overtaken North America, and also Western Europe, in the number of Patent

Cooperation Treaty (PCT) international applications, used for the filing of patents in multiple jurisdictions.



Singapore's IP Landscape

4. IP filings are also growing in Singapore. Patent filings have increased by 20 per cent since 2001 to almost 10,000 in 2011, and trade mark filings by 72 per cent to nearly 35,000.



5. Singapore's IP legislative and enforcement frameworks have been considerably strengthened, giving companies confidence to invest in and create IP in Singapore.

6. Our international rankings bear testament to this. Since 2006, Singapore's IP regime has been consistently ranked amongst the best in the world by the World Economic Forum and the IMD.

7. Further details of Singapore's IP landscape can be found in the [Annex](#).

IP Hub Masterplan

8. Efforts to develop Singapore as an IP hub began in 2002. Given the growth of IP in Asia and the window of opportunity this affords, the Ministry of Law (MinLaw), together with the Intellectual Property Office of Singapore (IPOS), will be redoubling our efforts to establish Singapore as a leading IP hub for the region.

9. As the Economic Strategies Committee noted in its 2010 report, Singapore should seek to establish ourselves as Asia's Innovation Capital – a *hub for innovation and enterprise, and a location of choice for commercialisation, even for ideas not invented here*.

10. Growth in the IP services sector will support this goal. It will also support the knowledge industries in Singapore. Our R&D expenditure is set to hit 3.5 per cent of GDP by 2015. The high-tech start-up scene in Singapore has been growing healthily, with many new high-tech enterprises set up each year. The creative industries are also registering robust growth.

11. MinLaw will be convening an IP Steering Committee to develop the IP Hub Masterplan to guide the next phase of our efforts. The Committee will focus on and recommend strategies along two key thrusts – (i) develop a vibrant marketplace for IP transaction and commercialisation, and (ii) build world-class IP capabilities and infrastructure.

12. In its review, the Committee will be studying certain components of the IP value chain, specifically securing the ownership of IP, exploitation for commercial gains, and providing appropriate protection, to identify niche areas where Singapore could play a role in.

Figure 5: IP value chain



13. As WIPO noted in its 2011 report, *The Changing Face of Innovation*, there is a rising trend of IP-based knowledge markets incorporating IP intermediary services such as IP clearing-houses, exchanges, auctions, brokerages and IP-based financing. We expect that these services, while nascent, would play increasingly important roles in cross-border IP trade as well as enhance the exploitation of certain types of IP whose value might have otherwise remained untapped. Singapore aims to position itself as a key hub to tap this growth area.

14. The Committee will be convened by the second quarter of this year, and the review is expected to be completed by end 2012.

15. A number of concrete initiatives have already been worked on to launch this next phase of our development as an Asian IP hub:

¹ IP intelligence refers to the analysis of the relevant domain (for example, the technology landscape) so that one can make informed decisions about R&D investment, business strategy, etc.

Initiative	Description
Positive grant system	<ul style="list-style-type: none"> • Currently, IPOS operates a self-assessment system for patents, where patent applications that do not fully meet patentability requirements, that is, novelty, inventive step, and industrial applicability, can still be granted. Between 2008 and 2010, about 10 per cent of all patent applications do not have fully positive examination reports. • We will move to a positive grant system, where only applications that fully meet the patentability requirements can be granted. • This will increase businesses' confidence in the quality of our patents, and align our regime more closely to established patent systems adopted by the European Patent Office, Japan and the US. • This is expected to be implemented by end 2012.
Indigenous patent search and examination capabilities	<ul style="list-style-type: none"> • IPOS will develop indigenous capabilities to conduct search and examination for patent applications in niche technological areas. Today, such work is outsourced to patent offices in other countries. Having our own world-class search and examination capabilities is part of efforts to develop the suite of IP capabilities in Singapore necessary to establish our credentials as an IP hub. It may also attract companies in the region to have their patents examined in Singapore. In the longer term, our search and examination services can also be offered to other national patent offices. • The in-house search and examination team will undergo specialist training, including at reputable jurisdictions like the European Patent Office, and is expected to start operations by mid 2013.
Growing the patent agent sector	<ul style="list-style-type: none"> • The current requirements to obtain a qualification as a Singapore-registered patent agent include passing the Graduate Certificate in IP Law course, passing the Patent Agent Qualifying Examinations, and completing 12 months of internship in patent agency work, which is defined as: <ul style="list-style-type: none"> a. applying for or obtaining patents in Singapore or anywhere else; b. preparing specifications or other documents for the patent laws of Singapore or another country; c. providing advice about the validity or infringement of

Initiative	Description
	<p>patents.</p> <ul style="list-style-type: none"> • MinLaw and IPOS are reviewing these requirements for qualifying as a Singapore-registered patent agent to ensure that they are not unduly onerous, to encourage more to join the profession, and yet maintain standards. We are also working to enhance training support for local patent agent trainees. • At present, only (i) Singapore-registered patent agents with a patent agent practising certificate issued by IPOS, or (ii) advocates and solicitors with a legal practising certificate issued by the Supreme Court, are allowed to undertake patent agency work in Singapore. A firm is not allowed to carry on a business and practise patent agency work, unless at least one partner or director is one of the above. • MinLaw is considering amending the regulatory requirements to allow foreign-qualified patent agents and firms to set up in Singapore to undertake <u>offshore</u> patent agency work, e.g. the drafting and filing of patents for other jurisdictions, without having to meet the above requirements of (i) and (ii). This may appeal to firms with an established and growing client base in Asia. • A public consultation exercise will be conducted shortly.
Building IP dispute resolution capabilities	<ul style="list-style-type: none"> • IP disputes are highly complex, requiring an understanding of different disciplines like law and technology. While any High Court Judge may be able to handle IP cases, to handle increasingly complex IP cases, the Court has recently announced the formal designation of Justices Tan Lee Meng, Tay Yong Kwang, Lee Seiu Kin and Chan Seng Onn, judges with considerable experience and expertise in IP cases, as IP Judges. • To build up our capabilities in IP mediation and arbitration, IPOS will be looking to set up a panel of IP expert adjudicators comprising eminent IP professionals and academics to hear IP registration disputes on an ad-hoc basis. • IPOS has signed a Memorandum of Understanding with WIPO in September 2011 for collaboration between IPOS and the WIPO Arbitration and Mediation Centre (AMC) in Singapore. Disputes regarding the ownership and validity of IP rights filed with IPOS can now be resolved through mediation at the WIPO AMC in Singapore. Mediation, like arbitration, offers a time- and cost-efficient alternative to traditional litigation. This new option offered by IPOS may be especially advantageous for international parties seeking to settle related disputes in other

Initiative	Description
	jurisdictions, and is available from January 2012. The collaboration framework between IPOS and WIPO AMC also includes provision of specialised training in IP mediation and arbitration aimed at developing greater expertise in IP alternative dispute resolution in Singapore and the region.

**MINISTRY OF LAW
6 MARCH 2012**

Information on Singapore's IP Landscape

IP Academy

The IP Academy is a national agency set up in 2003 to deepen and broaden Singapore's knowledge and capabilities in IP protection, exploitation and management.

Programmes include outreach events to bring awareness of the relevancy of IP, foundation courses providing an overview of IP law and its application in specific sectors, and skill development courses for professionals already in the field of IP. The IP Academy also offers certification courses, together with the National University of Singapore, for those who aspire to be registered patent agents, in-house IP advisors, IP-portfolio managers, or who wish to specialise in the management of IP in a technology-related business.

For more information, please visit: <http://www.ipacademy.com.sg/>

World Intellectual Property Organisation (WIPO) Singapore Office

The WIPO office in Singapore, established in 2005, is responsible for providing information about IP services to encourage innovation and creativity in the Asia-Pacific region, with special emphasis on support services in respect of the Patent Cooperation Treaty (PCT), Madrid and Hague systems, collective management, arbitration and mediation, and development activities, in coordination with WIPO headquarters in Geneva. It also undertakes development-related, capacity-building activities to encourage innovation and creativity, and promotes consultation, dialogue and networking on IP issues among various stakeholders.

For more information on their activities, please visit:
<http://www.wipo.int/about-wipo/en/offices/singapore/>

WIPO Arbitration and Mediation Centre in Singapore

The Singapore office of the WIPO Arbitration and Mediation Centre (AMC) was set up in 2010. It provides training and advice on procedures related to arbitration, mediation and expert determination, and administers and facilitates hearings in cases conducted in Singapore under the WIPO rules. It aims to make WIPO's experience and expertise in IP disputes more accessible in the region.

For more information on WIPO AMC, please visit:
<http://www.wipo.int/amc/en/index.html>