



Correspondence Address: c/o 11 Keppel Road, #09-01 RCL Centre, Singapore 089057

Tel: (65) 6227 8986 • Fax: (65) 6227 3898

President's Report 2010

This has been a busy but exciting year. Much has happened, but more is to come.

Membership has increased over the past twelve months to 104. We now have 81 Ordinary Members and 23 Associate Members. A short form of our membership list can be found on our web site. However, due to some confusion last year, some members have not paid their annual subscriptions. The new treasurer, Low Pei Lin is sending out reminders to those members who have not yet paid their subscriptions.

As can be seen from our financial reports, we are in a healthy financial position, mainly as a result of the increase in membership.

We have also updated all information on record at our bank, and the Registrar of Societies. These will now be updated bi-annually, as is required.

Last year we held a Christmas get-together lunch, solely for fellowship purposes. We hope to make this an annual event. An Annual Lecture and Dinner is also proposed to be held in the second half of the year. Both will be subsidized from our existing funds.

Our website is now in the very capable hands of Nevin Carmichael who spends quite some time keeping it updated. We have received a number of enquiries through the web site. They are referred to the ASPA membership list on the web site and are given a summary of the effects of the Code of Conduct. The website could be made more useful by, for example, members contributing articles they or their firms have written for publication on our website, adding a warning about using unregistered persons for patent matters, providing links to relevant decisions, and other relevant links. For the first time we have placed an advertisement on our web site. Seagate asked if we could assist them by placing an advertisement for their in-house position on our web site.

I have written to three sister organisations to increase awareness of our association – IPTA, AIPLA and CIPA. Favourable responses have been received from all three. As a result of this and at the direct request of IPTA, we made submissions to IP Australia on their proposed changes to the Australian patent system and a copy of can be found on our website. Also, IPTA made submissions to IPOS on the proposed changes to the Singapore patent system, working with us on those submissions.

I met the International Education Committee of AIPLA at their annual meeting last October and suggested they conduct web based seminars on issues concerning US practice for foreign associates. They agreed to do so. I was hoping they would use Singapore as the first, but they selected Germany. Our session(s) are set for the third quarter of this year and will be the subject of a discussion at the end of the meeting.

AIPLA also organized a Global IP Practitioners Associations Leaders summit in March that I attended. A total of 13 countries were represented – USA, CA, GB, DE, ES, FR, BR, AU, SG, IN, JP, KR, and CN; plus representatives from FICPI, APAA, and AIPPI (USA). Interesting presentations and discussions took place with keynote speakers being David Kapos, the Director General of the USPTO, his deputy, and other senior officers of the USPTO,

I wrote a letter to the Straits Times in response to an article they published and my letter was subsequently published.

We have instigated co-operation with the IP Academy on the Patent Practice Modules and I recently conducted a tutorial on paper B. Tibor Gold from UK was the main tutor. The director of the IP Academy, Ho Cheng Huat has mentioned he would like to get ASPA involved in the Patent Practice Modules and that members may be asked if they would like to volunteer. I also worked with the IP Academy by giving a lecture on the role of a patent agent to the current GCIP cohort.

Considerable time was spent at committee meetings discussing perceived problems with the Qualifying Examination system and its conduct by IPOS. In particular there was discussion on the issue of the need for a more transparent process of selecting the examiners and that there be no more than two examiners for each paper. As some of the papers for the UK Qualifying Examinations were held in Singapore last year we have sought advice from IPOS on how exemptions are to be granted. For example, will exemptions be given on a paper-by-paper basis as has been given twice or only if a person has cleared all the relevant UK papers? It appears as though it is on a paper-by-paper basis. Also, we are curious as to how IPOS determine if an exemption is to be granted when many of those to whom exemption have been given never have sat equivalent examinations, and may not have done that aspect of work in Singapore under Singapore law. Michael Koch attended a meeting of the Examination Board on my behalf and raised some of these issues with them.

The Code of Conduct came into effect on 15 December 2009. After a lengthy and successful discussion session early in February 2010, a lengthy letter was sent to IPOS raising a number of queries, and seeking guidelines for the Code. IPOS have now released their guidelines. They have not advanced the interpretation of the Code to a significant extent. A copy of our submissions can be found on our web site.

After sending letters to IPOS querying the operation in Singapore of Alpha & Omega International Pte Ltd, McAlexander Sound Pte Ltd and Dr. Manju Sarkar, we have been advised by IPOS that all three have been referred to the police for attention. No action has resulted so a reminder has been sent to IPOS.

IPOS decision to not allow use of PO Box and Vbox as an address for service was also the subject of submissions by our association. In the end IPOS agreed to allow the use of a PO Box but not a Vbox. As such only one member was affected and thus we took the matter no further.

ASPA's representation at future IPOS Dialogue session was the subject of submissions to IPOS and we will now be invited to such sessions on designs and trademarks, as well as patents.

The need for examination guidelines was raised with IPOS and we suggested we could help IPOS prepare one. We also suggested they allow the applicant an

opportunity to appeal a decision of an examiner as decisions from these appeals could provide a body of case law for applicants and practitioners that is lacking at the moment.

During the year the Ministry of Law conducted a fact finding by attending various offices. They indicated they appreciated that there are deficiencies in the self-assessment system and were looking into the matter. That resulted in proposals for change to the patent system from IPOS. Again, lengthy submissions were made to IPOS after receiving comments from several members. Again, copies of our submissions can be found on our web site.

The agreement required for the renewal of SCOPE IP licenses was discussed and I wrote to IPOS regarding a lack of clarity in clause 5.2. IPOS have responded advising that the clause will be amended.

I conclude with my thanks to all members of the committee for their support, assistance and work during the past year. It is and has been much appreciated. I also extend my thanks to my secretary, Jade Thng, for all her work over the year.

Finally, Tan Tee Jim SC now leaves the committee after his year as an ex-officio member. To him I offer our deepest and most sincere thanks for all the work he has done for this association since its inception.

The ASPA Prize for the highest mark in Paper C for the 2009 Qualifying Examinations was jointly won by Mr. Freeman Yu Zenhua and Mr. Hubert Giam Choon Kong. Both will receive a certificate along with a cash prize.

A handwritten signature in black ink, appearing to read 'K. Callinan', followed by a period.

Keith Callinan
President