

PATENTS ORDINANCE (Chapter 514)

NOTICE OF SPECIFICATION OF FORMS

Pursuant to section 150 of the Patents Ordinance (Chapter 514) (the “Ordinance”), notice is hereby given that the forms specified below and attached to this notice shall, with effect from 17 July 2020, be used in connection with the proceedings described below:-

<i>Description of Proceedings</i>	<i>Form no.</i>	<i>Fee no.</i>
Request to record a designated patent application for a standard patent (R) under sections 15, 16, 22 of the Ordinance and sections 8, 18 of the Patents (General) Rules	P4	4, 7, 9
Request for grant of a short-term patent under sections 113, 116, 125 of the Ordinance and sections 58, 74 of the Patents (General) Rules	P6	6, 8, 10

During the transitional period from 17 July 2020 to 17 January 2021 (the “Transitional Period”), Forms P4 and P6 as specified in the Notice of Specification of Forms published in the Hong Kong Intellectual Property Journal on 13 December 2019 (the “[Previous Notice](#)”) may continue to be used in connection with the proceedings described therein.

This notice shall, upon the expiry of the Transitional Period, supersede the Previous Notice (to the extent applicable) in relation to Forms P4 and P6.

For the avoidance of doubt, the Chinese version of Forms P4 and P6 as specified in [the Chinese version of the Previous Notice](#) may continue to be used in connection with the proceedings described therein and shall not be affected by this notice.

10 July 2020

David WONG *Registrar of Patents*



知識產權署

Intellectual Property Department

For official use

Patents Form P4

Request to record a designated patent application for a standard patent (R)

Patents Ordinance (Cap. 514)

Patents (General) Rules (Cap. 514C)

Important notes

1. General notes:

- a. This form is available in Chinese and English. Either Chinese or English can be used as the language of proceedings. Please complete this form in English unless otherwise stated. The language of proceedings will be in English.
- b. By submitting this form, you will be treated as having given consent to the Patents Registry and its service provider to copy or communicate all the information provided to any third party (in or outside Hong Kong) who assists or supports the Patents Registry in performing its functions under the Patents Ordinance, Cap. 514 and its subsidiary legislation.
- c. This form must be signed and dated.
- d. If there is not enough space for any part on this form, please continue on an additional sheet. Number each additional sheet and state the number of additional sheet(s) in Part 11(a).
- e. Please enquire through the following means:
 - E-mail: enquiry@ipd.gov.hk
 - Internet homepage address: www.ipd.gov.hk
- f. The Patents Ordinance, Cap 514 and Patents (General) Rules, Cap 514C can be viewed at www.ipd.gov.hk.

2. Use of personal data:

Personal data collected by the Registrar of Patents ("the Registrar") in the forms filed with the Registrar will be used for the purposes set out in the Personal Information Collection Statement at https://www.ipd.gov.hk/eng/personal_information.htm.

3. Use of other information:

- a. The Patents Registry will use any information relating to any commercial enterprise or entity provided in this form and any document(s) filed in relation to it for processing your application, request or notice, and for the purposes of collection set out in the Personal Information Collection Statement at https://www.ipd.gov.hk/eng/personal_information.htm. **They may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**
- b. **DO NOT include any business information of your own or that of third parties which you consider to be confidential or commercially sensitive.** Where such information is included in this form or any document(s) filed in relation to it, the Registrar will treat it an express and voluntary consent given by you and any such third party to disclosure of all such information for the purpose of public inspection.

4. Submission of application/request/notice:

- a. In person or by mail with the appropriate fee to the Registrar of Patents, 24/F, Wu Chung House, No. 213 Queen's Road East, Wanchai, Hong Kong. The fee schedule can be viewed at www.ipd.gov.hk/eng/forms_fees.htm. Payment can be made in person by cash, or by sending a cheque/bank draft (in Hong Kong dollars which can be cleared in Hong Kong) made payable to THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION.
- b. This form can also be submitted electronically. For details, please visit [IPD's e-Filing System](#).

5. Abbreviation:

The abbreviation "CNIPA" in Part 06(f) stands for the "National Intellectual Property Administration, People's Republic of China" which was formerly known as the "State Intellectual Property Office, People's Republic of China".

01. Reference

Filer's reference

02. Details of applicant(s)

If there is more than one applicant, please provide details of **all** applicants.

(a) Name in English

If your name is not in Roman letters or in Chinese, please include a transliteration in Roman letters.

(b) Name in Chinese

(if applicable)

(c) Address

Flat/Floor/Building
Street/District/City
Country/Territory/Area

(d) Applicant type

Please mark **one** box only.

- Individual** Go to [Part 03](#)
- Incorporated** Go to [Part 02\(e\)](#) (and [Part 02\(f\)](#) if applicable)
- Unincorporated** Go to [Part 03](#)

(e) Country/Territory/Area of incorporation

(f) State of incorporation

For applicant incorporated in the United States.

03. Statement of entitlement to apply

Go to [Part 04](#) if the applicant is the person named as the applicant in the designated patent application.

If the applicant is NOT the person named as the applicant in the designated patent application, please mark the following box(es) for providing a **statement** explaining the applicant's entitlement to apply for the grant of a standard patent (R) for the invention and submit the **prescribed documents** supporting the statement. (Section 15(2)(d), Patents Ordinance and section 9, Patents (General) Rules)

Statement

Please mark the appropriate box(es).

- By virtue of assignment**
- By virtue of merger**
- Others (please specify)**

04. Title of invention

You must state the title of the invention in **both** English and Chinese.

(a) English

(b) Chinese

05. Details of designated patent application**(a) Application no.**

(b) Filing date

(c) Designated patent officePlease mark one box only.
 CN / EP(GB) / GB
(d) Publication no.

(if any)

(e) Publication date

(if any)

06. Details of international application

Go to [Part 07](#) if the designated patent application is NOT based on an international application.

If the designated patent application is based on an international application, please provide the following details. (Section 16, Patents Ordinance and section 15, Patents (General) Rules)

(a) International application no.

(b) International filing date

(c) International publication no.

(d) International publication date

(e) Date of publication in the designated patent office indicating that the international application has validly entered the national phase

(if different from the publication date in Part 05(e))

DD-MM-YYYY

or

(f) Date of issuance of the official notification by the CNIPA stating that the international application has entered the national phase in that office

DD-MM-YYYY

07. Details of earlier application

Go to Part 08 if you do NOT claim the filing date of an earlier application.

If the application is divided or derived from an earlier Hong Kong application, please provide the following details.

(a) Type

Please mark one box only.

Divisional application (section 22, Patents Ordinance)

New application filed on court order upon determination of right to patent after grant (section 55, Patents Ordinance)

(b) Earlier application no.

(c) Earlier application filing date

DD-MM-YYYY

(d) Publication date of the request to record of the earlier application

DD-MM-YYYY

08. Statement of details of priority claim (please do not submit the priority document)

Go to Part 09 if you do NOT claim priority.

Where a **claim of priority** under section 11B, Patents Ordinance is made, please provide a statement of the following details. (Section 15(2)(e), Patents Ordinance)

	Country/Territory/Area	Priority application no.	Priority application filing date
1.			DD-MM-YYYY
2.			DD-MM-YYYY
3.			DD-MM-YYYY
4.			DD-MM-YYYY

5.			DD-MM-YYYY
6.			DD-MM-YYYY

09. Statement of inventorship

Go to Part 10 if the designated patent application contains the inventor's name.

If the designated patent application does NOT contain the inventor's name, please provide a statement identifying the person(s) the applicant believes to be the inventor(s).

If the name of the inventor is not in Roman letters or in Chinese, please include a transliteration in Roman letters.

	Name in English	Name in Chinese (if applicable)
1.		
2.		
3.		
4.		
5.		
6.		

10. Statement of non-prejudicial disclosure

Go to Part 11 if you do NOT claim non-prejudicial disclosure.

Where a claim of non-prejudicial disclosure is made, please provide a statement indicating the following details relating to the previous disclosure. (Section 15(2)(f), Patents Ordinance and section 10, Patents (General) Rules)

(a) Name of the exhibition or meeting	
(b) Place of the exhibition or meeting	
(c) Opening date of the exhibition or meeting	DD-MM-YYYY
(d) Date of first disclosure <small>(if the first disclosure did not take place on the opening date of such exhibition or meeting)</small>	DD-MM-YYYY

11. List of documents

Please enter the no. of sheets of attached document(s), if any, in the following box(es).

(a) Additional sheet(s) attached to this form		sheet(s)
(b) Copy of the designated patent application as published		sheet(s)
(c) In the case of an international application, copy of:		
(i) the international application as published by the International Bureau		sheet(s)
(ii) translation of the international application published by the designated patent office		sheet(s)
(iii) publication of information in the designated patent office concerning the international application		sheet(s)
(d) Translation of abstract		sheet(s)
(e) The prescribed documents supporting the statement of entitlement to apply mentioned in Part 03 and its translation into the language of the proceedings if it is not in one of the official languages		sheet(s)
(f) Others (please specify)		sheet(s)

12. Address for service

All correspondence and/or document(s) will be sent to the address below.

(a) Name				
(b) Address You must provide an address for service in <u>Hong Kong</u> . Please note that a P.O. Box or "care of" address is not acceptable.	<table border="0" style="width: 100%;"> <tr> <td style="border-bottom: 1px solid black; padding: 2px;">Flat/Floor/Building</td> </tr> <tr> <td style="border-bottom: 1px solid black; padding: 2px;">Street/District</td> </tr> <tr> <td style="text-align: center; padding: 5px;">HONG KONG</td> </tr> </table>	Flat/Floor/Building	Street/District	HONG KONG
Flat/Floor/Building				
Street/District				
HONG KONG				
(c) Telephone no. In Hong Kong				
(d) Fax no. In Hong Kong				

13. Agent's details

Go to Part 14 if you are NOT an agent.

Please complete this part if you have been duly authorized to act as an agent on behalf of the applicant(s) for the purpose of this request.

(a) Name

(b) Address

You must provide an address in Hong Kong where you reside or carry on your business activities. Please note that a P.O. Box or "care of" address is not acceptable.

Flat/Floor/Building
Street/District
HONG KONG

14. Signature

I/We confirm that I/we have read and understood the "Important notes" of this form.

(a) Authorized signature

(b) Name of signatory

(c) Official capacity of signatory

Examples: Authorized person, Director, Partner or Principal Officer of Applicant(s)/Agent; Applicant in person

(d) Date

DD-MM-YYYY



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Intellectual Property Department

For official use

Patents Form P6

Request for grant of a short-term patent

Patents Ordinance (Cap. 514)
Patents (General) Rules (Cap. 514C)

Important notes

1. General notes:

- a. This form is available in Chinese and English. Either Chinese or English can be used as the language of proceedings. Please complete this form in English unless otherwise stated. The specification must be in English.
- b. By submitting this form, you will be treated as having given consent to the Patents Registry and its service provider to copy or communicate all the information provided to any third party (in or outside Hong Kong) who assists or supports the Patents Registry in performing its functions under the Patents Ordinance, Cap. 514 and its subsidiary legislation.
- c. This form must be signed and dated.
- d. If there is not enough space for any part on this form, please continue on an additional sheet. Number each additional sheet and state the number of additional sheet(s) in Part 13(a).
- e. Please enquire through the following means:
 - E-mail: enquiry@ipd.gov.hk
 - Internet homepage address: www.ipd.gov.hk
- f. The Patents Ordinance, Cap. 514 and Patents (General) Rules, Cap. 514C can be viewed at www.ipd.gov.hk.

2. Use of personal data:

Personal data collected by the Registrar of Patents ("the Registrar") in the forms filed with the Registrar will be used for the purposes set out in the Personal Information Collection Statement at https://www.ipd.gov.hk/eng/personal_information.htm.

3. Use of other information:

- a. The Patents Registry will use any information relating to any commercial enterprise or entity provided in this form and any document(s) filed in relation to it for processing your application, request or notice, and for the purposes of collection set out in the Personal Information Collection Statement at https://www.ipd.gov.hk/eng/personal_information.htm. **They may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**
- b. **DO NOT include any business information of your own or that of third parties which you consider to be confidential or commercially sensitive.** Where such information is included in this form or any document(s) filed in relation to it, the Registrar will treat it as an express and voluntary consent given by you and any such third party to disclosure of all such information for the purpose of public inspection.

4. Submission of application/request/notice:

- a. In person or by mail with the appropriate fee to the Registrar of Patents, 24/F, Wu Chung House, No. 213 Queen's Road East, Wanchai, Hong Kong. The fee schedule can be viewed at http://www.ipd.gov.hk/eng/forms_fees.htm. Payment can be made in person by cash, or by sending a cheque/bank draft (in Hong Kong dollars which can be cleared in Hong Kong) made payable to THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION.
- b. This form can also be submitted electronically. For details, please visit [IPD's e-Filing System](#).

5. Abbreviation:

The abbreviation "CNIPA" in Parts 06(e) and 13(j)(iii) & (iv) stands for the "National Intellectual Property Administration, People's Republic of China" which was formerly known as the "State Intellectual Property Office, People's Republic of China".

01. Reference

Filer's reference

02. Details of applicant(s)

If there is more than one applicant, please provide details of **all** applicants.

(a) Name in English

If your name is not in Roman letters or in Chinese, please include a transliteration in Roman letters.

(b) Name in Chinese

(if applicable)

(c) Address

Flat/Floor/Building
Street/District/City
Country/Territory/Area

(d) Applicant type

Please mark **one** box only.

- Individual** Go to [Part 03](#)
- Incorporated** Go to [Part 02\(e\)](#) (and [Part 02\(f\)](#) if applicable)
- Unincorporated** Go to [Part 03](#)

(e) Country/Territory/Area of incorporation

(f) State of incorporation

For applicant incorporated in the United States.

03. Title of invention

You must state the title of the invention in **both** English and Chinese.

(a) English

(b) Chinese

04. Number of independent claim(s)

The number of independent claim(s) must not exceed two. (Section 113(1A)(b)(ii), Patents Ordinance)

Number of independent claim(s) provided in the specification

05. Use of micro-organisms

Go to [Part 06](#) if the invention does NOT require the use of a micro-organism for its performance.

If the invention requires the use of a micro-organism for its performance, please mark the appropriate box(es). (Section 73 and Schedule 1, Patents (General) Rules)

(a) Is the micro-organism available to the public at the date of filing of the application; and Yes No

(b) Is the micro-organism described in the application or the specification of the patent in such a manner as to enable the invention to be performed by a person skilled in the art. Yes No

(c) If you have marked "No" in both boxes in (a) and (b), please provide the following details:

(i) Name of the depositary institution

(ii) Address of the depositary institution

(iii) Date of deposit

DD-MM-YYYY

(iv) Accession no. of the deposit

06. Details of international application

Go to [Part 07](#) if the short-term patent application is NOT based on an international application.

If the short-term patent application is based on an international application, please provide the following details. (Section 125, Patents Ordinance and section 78, Patents (General) Rules)

(a) International application no.

(b) International filing date

DD-MM-YYYY

(c) International publication no.

(d) International publication date

DD-MM-YYYY

(e) Date of entry into the national phase in the People's Republic of China

DD-MM-YYYY

or

Date of issuance of an official notification by the CNIPA as prescribed under section 78 of the Patents (General) Rules

DD-MM-YYYY

(f) Application no. of the Chinese patent application (if known)

07. Statement of reference to an earlier specified applicationGo to [Part 08](#) if you do NOT make reference to an earlier specified application.

If a reference to an earlier specified application under section 114(3)(c)(ii), Patents Ordinance is made, please provide a statement by marking the box below and provide the following details. (Sections 58(5)(i) and 67A, Patents (General) Rules).

- I/We confirm that a description and the drawings (if any) of the invention, which is the subject of the short-term patent application, are completely contained in the following earlier specified application:

Country/Territory/Area	Earlier specified application no.	Earlier specified application filing date
		DD-MM-YYYY

08. Details of earlier applicationGo to [Part 09](#) if you do NOT claim the filing date of an earlier application.

If the application is divided or derived from an earlier Hong Kong application, please provide the following details.

(a) Type

Please mark **one** box only.

Divisional application (section 116, Patents Ordinance)

New application filed on court order upon determination of right to patent after grant (section 55, Patents Ordinance)

(b) Earlier application no.

(c) Earlier application filing date

DD-MM-YYYY

09. Statement of priority claim

Go to Part 10 if you do NOT claim priority.

If a claim of priority under section 111, Patents Ordinance is made, please provide a statement of the following details. (Sections 58(5)(c), 69, Patents (General) Rules)

	Country/Territory/Area	Priority application no.	Priority application filing date
1.			DD-MM-YYYY
2.			DD-MM-YYYY
3.			DD-MM-YYYY

10. Name(s) of inventor(s) (inventor must be individual not company)

If the applicant(s) is/are not the inventor(s), a statement identifying the inventor(s) and indicating how the applicant(s) become(s) entitled to apply for a short-term patent for the invention must be made on Form P6A. (Section 113(2)(c), Patents Ordinance and section 65, Patents (General) Rules)

If the name of the inventor is not in Roman letters or in Chinese, please include a transliteration in Roman letters.

	Name in English	Name in Chinese (if applicable)
1.		
2.		
3.		
4.		
5.		

11. Statement of non-prejudicial disclosure

Go to Part 12 if you do NOT claim non-prejudicial disclosure.

If the applicant is making a claim regarding non-prejudicial disclosure under section 109, Patents Ordinance, please provide a statement giving details relating to such disclosure and provide written evidence in support of that statement. (Section 109, Patents Ordinance and sections 58(5)(f), 70, Patents (General) Rules)

(a) Statement

--

(b) Name of the exhibition

(c) Place of the exhibition

(d) Opening date of the exhibition

DD-MM-YYYY

(e) Date of first disclosure

(if the first disclosure did not take place on the opening date of such exhibition)

DD-MM-YYYY

12. Deferral of GrantGo to Part 13 if you do NOT request deferral of grant.

If a request for deferral of grant under section 119, Patents Ordinance is required, please enter the period of such deferral.

Deferral of grant up to

(The period of deferral should not exceed 12 months)

DD-MM-YYYY

13. List of documents

Please enter the no. of sheets of attached document(s), if any, in the following box(es).

(a) Additional sheet(s) attached to this form

sheet(s)

(b) Description

sheet(s)

(c) Claim(s)

sheet(s)

(d) Drawing(s)

sheet(s)

(e) Abstract (in both English and Chinese)

sheet(s)

(f) Priority document(s)

sheet(s)

(g) Translation of the priority document(s) (if the previous application is not in one of the official languages)

sheet(s)

(h) Search report

sheet(s)

(i) Translation of the search report (if not in one of the official languages)

sheet(s)

(j) In the case of an international application, copy of:

(i) the international application as published by the International Bureau

sheet(s)

- | | | |
|---|--|----------|
| (ii) the international search report | | sheet(s) |
| (iii) translation of the international application as published by the CNIPA | | sheet(s) |
| (iv) information as published by the CNIPA concerning the international application | | sheet(s) |
| (k) Statement of inventorship on Form P6A | | sheet(s) |
| (l) Sequence listing if the invention involves nucleotide and amino acid sequences
<small>(Sequence listing may be filed in electronic form even if the short-term patent application is not filed by way of electronic filing.)</small> | | sheet(s) |
| (m) Others (please specify)
<div style="border: 1px solid black; width: 300px; height: 20px; margin-top: 5px;"></div> | | sheet(s) |

14. Address for service

All correspondence and/or document(s) will be sent to the address below.

- (a) Name
- (b) Address
You must provide an address for service in Hong Kong. Please note that a P.O. Box or "care of" address is not acceptable.
- | |
|---------------------|
| Flat/Floor/Building |
| Street/District |
| HONG KONG |
- (c) Telephone no.
In Hong Kong
- (d) Fax no.
In Hong Kong

15. Agent's details

Go to Part 16 if you are NOT an agent.

Please complete this part if you have been duly authorized to act as an agent on behalf of the Applicant(s) for the purpose of this request.

- (a) Name
- (b) Address
You must provide an address in Hong Kong where you reside or carry on your business activities. Please note that a P.O. Box or "care of" address is not acceptable.
- | |
|---------------------|
| Flat/Floor/Building |
| Street/District |
| HONG KONG |

16. Signature

I/We confirm that I/we have read and understood the "Important notes" of this form.

(a) Authorized signature

(b) Name of signatory

(c) Official capacity of signatory

Examples: Authorized person,
Director, Partner or Principal Officer of
Applicant(s)/Agent; Applicant in person

(d) Date

DD-MM-YYYY