

## **ITEM FOR ESTABLISHMENT SUBCOMMITTEE OF FINANCE COMMITTEE**

### **HEAD 78 – INTELLECTUAL PROPERTY DEPARTMENT Subhead 000 Operational expenses**

Members are invited to recommend to Finance Committee the creation of the following permanent post in the Intellectual Property Department with effect from 1 April 2017, or upon approval of the Finance Committee, whichever is later –

1 Assistant Director of Intellectual Property  
(DL2) (\$161,450 - \$176,550)

### **PROBLEM**

The existing supernumerary Assistant Director of Intellectual Property (ADIP) (DL2) post in the Intellectual Property Department (IPD) will lapse on 1 April 2017. We need dedicated staffing support at the directorate level to continue with the duties and responsibilities pertinent to the patent portfolio on a permanent basis.

### **PROPOSAL**

2. We propose, with effect from 1 April 2017 or upon approval of the Finance Committee (FC) (whichever is later), to convert the supernumerary ADIP (DL2) post in IPD into a permanent post.

**/JUSTIFICATION .....**

**JUSTIFICATION**

3. The existing supernumerary ADIP post, designated as ADIP(Patents), was created for three years in April 2014 and will lapse on 1 April 2017. IPD has examined the manpower position vis-à-vis the tasks ahead and considered it essential to retain the ADIP(Patents) post on a permanent basis to continue with the duties and responsibilities pertinent to the patent portfolio as elaborated in paragraphs 4 to 16 below.

***Establishing a new patent system in Hong Kong***

4. After considering views received during a public consultation exercise and recommendations made by the Advisory Committee on Review of the Patent System in Hong Kong (the Advisory Committee)<sup>1</sup>, the Government announced in February 2013 its policy decision to, amongst other things, establish an Original Grant Patent (OGP) system in Hong Kong and refine the existing short-term patent (STP) system (collectively ‘the new patent system’). In March 2013, the Government set up the Working Group on Intellectual Property Trading (WG)<sup>2</sup> to advise on the overall strategy to promote Hong Kong as a premier Intellectual Property (IP) trading hub in the region. With the support of the ADIP(Patents), the WG completed its work and released a report in March 2015 containing 28 recommended measures including the implementation of an OGP system.

5. The new patent system will enhance our IP protection infrastructure and is an important building block for the future development of Hong Kong’s IP regime. This will also demonstrate our commitment to maintaining a patent system on par with advanced economies to the effect of attracting international IP trading and management activities to Hong Kong, thereby helping Hong Kong build a firmer foothold as an innovation and IP trading hub<sup>3</sup>.

6. With the inputs from ADIP(Patents), IPD has made progress on various fronts –

- (a) the *Patents (Amendment) Bill 2015* (the Bill) was introduced into the Legislative Council (LegCo) in November 2015. The Bill was subsequently enacted in June 2016 as the *Patents (Amendment) Ordinance 2016*;

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Encl. 1 <sup>1</sup> Terms of Reference and Membership are at Enclosure 1.

Encl. 2 <sup>2</sup> Terms of Reference and Membership are at Enclosure 2.

<sup>3</sup> Considerations of the merits and demerits of the policy change and the conclusion are set out in detail in chapter 3 of the Report of the Advisory Committee (pp 8 to 34) released in 2013.

- (b) various preparatory tasks are underway, including the drafting of subsidiary legislation on the procedural aspects, preparation of the examination guidelines, design of workflows for examination of patent applications, and the planning of the electronic system in support of the new patent system;
- (c) throughout the above process, various stakeholders were engaged to solicit their views and advice; and
- (d) on the promotion and education front, IPD has been reaching out to the public through international, regional and local conferences and seminars to publicise the progress of implementing the new patent system. IPD has also sponsored training courses and workshops on patent drafting and practice.

***Further tasks to follow through before rolling out the new patent system***

Encl. 3      7.      An array of imminent and important tasks needs to be followed through with a view to rolling out the new patent system as soon as practicable (target 2019 following a timetable at Enclosure 3), and IPD is stepping up its efforts to resolve the legal, technical and administrative issues in this relation. The major tasks underway include –

- (a) formulating legislative proposals for amending the subsidiary legislation, namely the Patents (General) Rules (Cap 514C), to provide for the detailed procedural framework concerning applications for grant of patents under the OGP system and also post-grant substantive examination of STPs;
- (b) drawing up examination guidelines and designing workflows to set out the general principles and practice to be adopted by the Patents Registry (the Registry) in processing patent cases under the new patent system;
- (c) expanding the Registry to take on a new role of undertaking tasks relating to substantive examination on a daily basis, notably by recruiting additional patent examiners for processing cases under the new patent system, and also planning appropriate training for the new recruits in order to equip them with the knowledge and skills required for conducting substantive examination of inventions;
- (d) setting up an interface for external use by the public at large (e.g. for searches and electronic filings of OGP applications) and a new electronic processing system for internal use by the Registry (mainly for processing patent applications and related matters);

/(e) .....

- (e) engaging stakeholders to keep them posted of progress and solicit inputs and advice; and
- (f) drawing up further publicity plan to promote the new patent system prior to its introduction.

### *Challenges in the longer run*

8. After the commencement of the new patent system, there will remain a sharp learning curve for the expanded Registry to become capable on its own feet in daily operation and to grow and develop to become a free-standing and credible unit with indigenous substantive examination capability<sup>4</sup>. Notably its staff must be equipped with highly specialised technical knowledge and skill sets. IPD therefore needs to sustain efforts to run, maintain and enhance the system on a long term basis, focusing on the following key areas –

- (a) operating the Registry to deal with all patent applications to a satisfactory professional standard;
- (b) handling patentability and post-registration legal issues concerning application and grant of standard patents and STPs;
- (c) conducting hearings on patent-related issues on behalf of the Registrar of Patents;
- (d) building up in-house substantive examination capability in the medium to long-term, starting with niche areas where Hong Kong has an edge in research and development in the longer run;<sup>5</sup>
- (e) exploring cooperation with other patent authorities by making reference to international developments, such as initiating discussions with other patent authorities for establishing bilateral and plurilateral Patents Prosecution Highways (PPHs)<sup>6</sup>;

/(f) .....

<sup>4</sup> Taking Singapore as an example, it took around 18 years before it set up its own search and examination unit to start conducting its indigenous substantive examination after adopting an OGP system in 1995.

<sup>5</sup> Although the Registry would initially enlist the technical assistance of the State Intellectual Property Office in the conduct of substantive examination, establishing indigenous substantive examination capacity is essential in the medium and long run for enhancing the user-friendliness as well as the overall strength and quality of our new patent system. This would also strengthen Hong Kong's bargaining position to explore co-operation with other patent authorities such as mutual facilitation of application procedures, i.e. PPHs (see footnote 6) which is in line with respective strategic observations and recommendations of the Advisory Committee and the WG, and which also meets the general expectation of the patent filers.

<sup>6</sup> Under a PPH agreement, a patent applicant can request an accelerated processing of patent application at the patent office of second filing, when the patent office of the first filing has already found corresponding patent claims allowable.

- (f) establishing a full-fledged regulatory regime for local patent practitioners in the medium and long term in consultation with all stakeholders. IPD needs to map out the strategic implementation plans in consultation with the Advisory Committee, engage in multiple rounds of consultation and discussions with stakeholders on prescribing the qualification requirements<sup>7</sup> and standards as well as transitional arrangement such as grandfathering, establishing a regulatory body and drawing up necessary legislative proposals for implementation;
- (g) conducting regular reviews of the patent law as well as operation of the new patent system, consulting stakeholders and introducing further legislative amendments as may be required<sup>8</sup>;
- (h) monitoring development of patent law and practice in the international community covering the designated patent offices under our current re-registration system and other overseas patent offices; and
- (i) sustaining and deepening education efforts.

### *Need for a permanent ADIP post*

9. While we considered it more prudent to create a supernumerary ADIP post when we first proposed to introduce the new patent system in Hong Kong in 2013, we undertook to review the long-term directorate leadership requirement of IPD, taking into account development on all material fronts. Having considered the breadth, complexity and technicality of the ongoing and future tasks as set out in paragraphs 7 to 8, as well as IPD's many other commitments following growth of departmental operations in recent years, we see the need to retain the supernumerary ADIP post on a permanent basis to continue to provide dedicated strategic inputs at directorate level on responsibilities pertinent to the patent portfolio.

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<sup>7</sup> We have initiated discussions with some local universities and their knowledge transfer offices with a view to nurturing talents with professional knowledge on patent. We will continue to encourage local universities to develop patent-related programmes.

<sup>8</sup> For example, it is necessary to review the substantive patent law covering topics like Bolar exception, provisional patent applications, maximum patent protection term and patentability issues on software patents and business methods etc. in order to build in appealing features or advantages for attracting more users.

10. First and foremost, the building and running of the new patent system is a long-term commitment to be sustained and perfected through continuous efforts over time. It will become a permanent Government function as an integral part of our IP regime as well as our legal infrastructure. The rolling out and sustaining of the new patent system in Hong Kong should definitely require long term and continuous efforts.

11. In addition, with a permanent post of ADIP(Patents) in place, we can rationalise the overall registry operation of IPD. At present, applications for patents and registered designs are processed respectively by the Patents Registry which reports to ADIP(Patents) and the Designs Registry which reports to ADIP(Registration). Having regard to the ongoing and additional commitments undertaken by ADIP (Registration) and the Registration Team (more details are set out in paragraph 15 and the relevant enclosure on the job portfolio of ADIP (Registration)), the Patents Team is taking over certain duties and responsibilities from the Registration Team, namely in overseeing the practice and procedures of the Designs Registry, including provision of legal advice on individual applications for registered designs whenever necessary. Accordingly, it will be more effective for the Designs Registry to also report to ADIP(Patents) so that he and his strengthened Patents Team will maintain policy oversight over its daily operation, including provision of legal advice on individual applications for registered designs as necessary.

Encl. 4 12. The proposed job description of the proposed permanent ADIP post is at Enclosure 4.

### ***Non-directorate support***

13. At present, the Patents Team headed by ADIP(Patents) comprises two Senior Solicitors (SS), one Solicitor, one Personal Secretary I (PS I) and one Assistant Clerical Officer. The posts of one of the SSs and one PS I are also time-limited ones. To maintain the necessary ongoing support to the proposed permanent ADIP post, we also plan to make these time-limited non-directorate posts permanent with effect from 1 April 2017.

### **ALTERNATIVES CONSIDERED**

14. Having examined the feasibility of internal staff re-deployment and outsourcing, we found them not viable to support the aforesaid initiatives under the patent portfolio.

***/Internal .....***

***Internal re-deployment***

15. Apart from the current supernumerary post of ADIP, there are four other existing ADIP (DL2) posts heading the respective legal teams of advisory, copyright, hearings and registration. All these ADIPs and their respective teams are already over-stretched with a diversity of demanding and substantial load of legal and policy work. We consider it operationally not possible for them to share out or absorb the hefty and complicated patent portfolio without affecting the discharge of their current duties. The existing and proposed organisation chart of IPD is at Enclosure 5 and the existing portfolios of all other ADIPs in IPD are at Enclosure 6.

Encl. 5

Encl. 6

***Outsourcing***

16. Engaging an outside service provider is considered inappropriate. The core issues underlying the establishment, administration and operation of the new patent system are highly legal and technical in nature, and they to a large extent contain heavy government policy content. Other than obtaining external advice for addressing certain confined legal and technical issues, we do not see it proper for outsourcing the patent portfolio to an outside service provider.

**FINANCIAL IMPLICATIONS**

17. The proposed creation of one permanent ADIP (DL2) post will bring about an additional notional annual salary cost at mid-point of \$2,056,200. The additional full annual average staff cost, including salaries and staff on-cost is \$2,637,000.

18. The additional notional annual salary cost at mid-point for the other two time-limited non-directorate posts to be made permanent as mentioned in paragraphs 13 above to support the proposed ADIP (DL2) post, i.e. one SS and one PS I in the Patents Team is \$1,772,940 and the additional full annual average staff cost, including salaries and staff on-cost, is \$2,582,000.

19. IPD will include sufficient provision in the draft Estimates of 2017-18 and subsequent years to meet the cost of the proposal.

**/PUBLIC .....**

## PUBLIC CONSULTATION

20. On 20 December 2016, we briefed the LegCo Panel on Commerce and Industry (CI Panel) on the detailed proposal on the creation of a permanent ADIP post. Members supported the submission of this proposal to the Establishment Subcommittee (ESC) and sought supplementary information on the timetable of the tasks leading to the rolling out of the new patent system. The requested information was submitted to the Clerk to CI Panel on 5 January 2017 (Enclosure 3).

## BACKGROUND

21. IPD has set up since October 2013 a dedicated Patents Team to take over all patent-related work. With the support of the ESC in January 2014 (vide EC(2013-14)19) and the approval of the FC in February 2014 (vide FCR(2013-14)59), the existing supernumerary post of ADIP was created in April 2014 for three years to head the Patents Team to undertake essential preparatory work for the implementation of the new patent system.

## ESTABLISHMENT CHANGES

22. The establishment changes in IPD for the past two years are as follows –

Establishment (Note)	Number of Posts			
	Existing (As at 1 January 2017)	As at 1 April 2016	As at 1 April 2015	As at 1 April 2014
A	9 + (1) <sup>#</sup>	9 + (1)	9 + (1)	9 + (1)
B	40	39	38	33
C	100	90	91	87
<b>Total</b>	<b>149 + (1)<sup>#</sup></b>	<b>138 + (1)</b>	<b>138 + (1)</b>	<b>129 + (1)</b>

Note :

- A – ranks in the directorate pay scale or equivalent
- B – non-directorate ranks, the maximum pay point of which is above MPS Point 33 or equivalent
- C – non-directorate ranks, the maximum pay point of which is at or below MPS Point 33 or equivalent
- ( ) – number of supernumerary directorate posts
- # – as at 1 January 2017, there was no unfilled directorate post in IPD

## CIVIL SERVICE BUREAU COMMENTS

23. The Civil Service Bureau supports the proposed creation of a permanent ADIP (DL2) post to implement and maintain the new patent system. The grading and ranking of the proposed post are considered appropriate having regard to the level and scope of responsibilities concerned.

/ADVICE .....



**ADVICE OF THE STANDING COMMITTEE ON DIRECTORATE  
SALARIES AND CONDITIONS OF SERVICE**

24. The Standing Committee on Directorate Salaries and Conditions of Service (Standing Committee) has advised that the grading proposed for the permanent ADIP (DL2) post is appropriate.

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Commerce and Economic Development Bureau  
January 2017

**Advisory Committee on Review of the Patent System in Hong Kong**

**Terms of reference**

To advise the Secretary for Commerce and Economic Development on –

- (a) how the Administration should position Hong Kong's patent system, having regard to the issues outlined in the public consultation paper of October 2011 and the responses received; and
- (b) how best to implement changes to the patent system, in the light of decisions made by the Administration on the way forward.

**Membership (as at January 2017)**

**Name**

**Professional Background**<sup>Note</sup>

**Chairman**

Mr Andrew LIAO Cheung-sing

Senior Counsel

**Members**

Mr Ewan BEWLEY

Chartered UK Patent Attorney and  
Registered European Patent Attorney

Dr Sunny CHAI Ngai-chiu

Industrial sector

Dr Jackson CHAN Chik-sum

Research and development sector

Professor Paul CHEUNG Ying-sheung

Academia

Ms Helen JIANG Hua

Patent practitioner

Mr KWONG Chi-keung

Solicitor/Chartered Arbitrator  
and Accredited Mediator

Miss Alice LEE Suet-ching	Academia
Mr Joseph Poon Wing-sang	Research and development sector
Dr Gabriel TONG Yui-lung	Industrial sector
Dr Claudia XU Jian	Academia
Director of Intellectual Property	Government
Deputy Secretary for Commerce and Economic Development (Commerce and Industry) 2	Government
Assistant Commissioner for Innovation and Technology (Funding Schemes)	Government

Note: Information is provided by members of the Advisory Committee on Review of the Patent System in Hong Kong on a voluntary basis.

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**Working Group on Intellectual Property Trading**

**Terms of reference**

- (a) To advise on the overall strategies to promote the development of Hong Kong as an intellectual property trading hub; and
- (b) To identify possible policy and other support measures to facilitate intellectual property trading in Hong Kong.

**Membership\***

<b><u>Name</u></b>	<b><u>Professional Background</u></b> <sup>Note</sup>
<b><u>Chairman</u></b>	
Mr Gregory SO	Government
<b><u>Vice-Chairman</u></b>	
Mr Andrew LIAO Cheung-sing	Senior Counsel
<b><u>Members</u></b>	
Mr Charles Nicholas BROOKE	Chartered Surveyor and Valuer
Dr Jackson CHAN Chik-sum	Research and Development
Dr Toby CHAN Lap-man	Brand owner and Licensing Services
Professor Paul CHEUNG Ying-sheung	Academia
Professor Raymond CHOY Hon-sing	Creative Industries
Ms Yvonne CHUA	Legal services/IP practitioner
Dr Roy CHUNG Chi-ping	Manufacturing

Mr Peter KUNG	Accounting and Tax services
Mr KWONG Chi-keung	Legal services/Chartered Arbitrator and Accredited Mediator
Mr Alfred KWOK Chan-fai	High-tech social entrepreneur
Mr Anson KWOK	Financial services
Mr Ronald LAI Chi-shing	Risk management and Insurance services
Dr Terence LAU Lok-ting	Research and Development
Mr Jong LEE	Private equity and strategic consulting
Mr Sunny LEE Wai-kwong	University administration
Dr Lewis LUK Tei	IP lawyer/IP practitioner
Mr WONG Ming-yam	Manufacturing
Dr Po Chi WU	Educator/Venture capitalist/Entrepreneur (US & Asia)/Scientist
Director of Intellectual Property (or representative)	Government
Commissioner for Innovation and Technology (or representative)	Government
Head of Create Hong Kong (or representative)	Government
Executive Director, Hong Kong Trade Development Council (or representative)	Trade promotion organisation

Note : Information is provided by members of the Working Group on Intellectual Property Trading on a voluntary basis.

\* Members were appointed for a term of two years with effect from 12 March 2013.

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**Timeline of Preparatory Tasks to  
Target Rolling Out the New Patent System in 2019**

<b>Item No.</b>	<b>Preparatory Tasks</b>	<b>Target Milestones</b>
1.	Amendments to <i>Patents (General) Rules</i> , Cap 514C  (a) Drafting by the Law Draftsman (b) Consultation with patent practitioners about draft provisions in batches (c) Finalizing the draft provisions for submission to the Legislative Council for negative vetting	  (a) Q1 - Q2 of 2017 (b) Q2 - Q3 of 2017 (c) Q4 of 2017
2.	Drafting of Examination Guidelines (bilingual) having taken into account stakeholders' comments	Q4 of 2016 - Q4 of 2018
3.	Recruitment and training of patent examiners with technical credentials  (a) Recruitment (b) Training	  (a) Q1 - Q2 of 2017 (b) From Q2 of 2017 onwards, provided that the recruited patent examiners can report for duties by then
4.	Setting up a new electronic information system for the new patent system  (a) Open tender of the project (b) Setting up the new system	  (a) Mid-2017 (b) Q3 of 2017 to Q2 of 2019
5.	Publicity of the new patent system	Q1 & Q2 2019

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**Job Description of  
the Assistant Director of Intellectual Property**

**Post Title** : Assistant Director of Intellectual Property (Patents)  
**Rank** : Assistant Director of Intellectual Property (DL2)  
**Responsible to** : Deputy Director of Intellectual Property

**Major Duties and Responsibilities –**

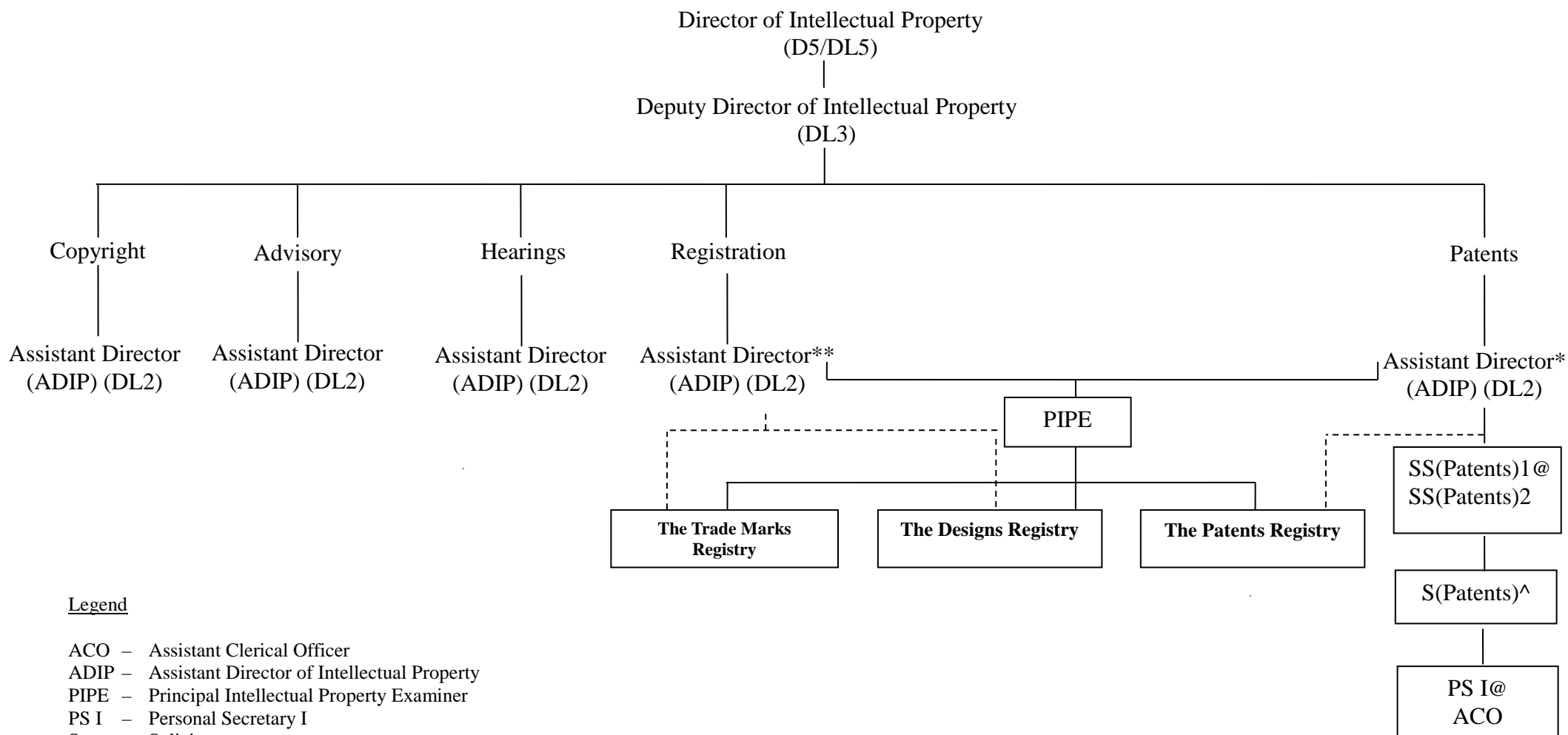
- Oversee the establishment of the Original Grant Patent (OGP) system and the refinement of the short-term patent system in Hong Kong, including rendering legal and policy advice, engaging and steering further discussions on setting out the detailed arrangement for substantive examination, formulating the necessary legal and administrative framework, drawing up strategic plans about the manpower and resources required under the new patent system, overseeing the development and implementation of an IT system for the OGP system and drawing up publicity programmes to promote the OGP system
- Maintain policy oversight of the daily operation of the expanded Patents Registry for implementing the new patent system and the Designs Registry
- Oversee the provision of policy and legal advice on further development of the local patent system
- Oversee the practice and procedures of the local patent and design registration systems
- Prepare for the establishment of the regulatory regime for provision of patent agency services in Hong Kong, including rendering legal and policy advice, drawing up strategic implementation plans in consultation with the Advisory Committee on Review of the Patent System in Hong Kong, and formulating the legal and administrative framework in support of the regulatory measures and schemes

- Review the international treaties, particularly on patent protection, make recommendations on whether they should be applied to Hong Kong, and, if so, plan for their implementation
- Assist in liaison with patent officers in overseas jurisdictions and on the Mainland for further cooperation
- Engage and seek support from relevant stakeholders from time to time
- Perform any other duties as assigned by senior officers from time to time

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## Current Organisation Chart of the Intellectual Property Department



### Legend

ACO – Assistant Clerical Officer

ADIP – Assistant Director of Intellectual Property

PIPE – Principal Intellectual Property Examiner

PS I – Personal Secretary I

S – Solicitor

SS – Senior Solicitor

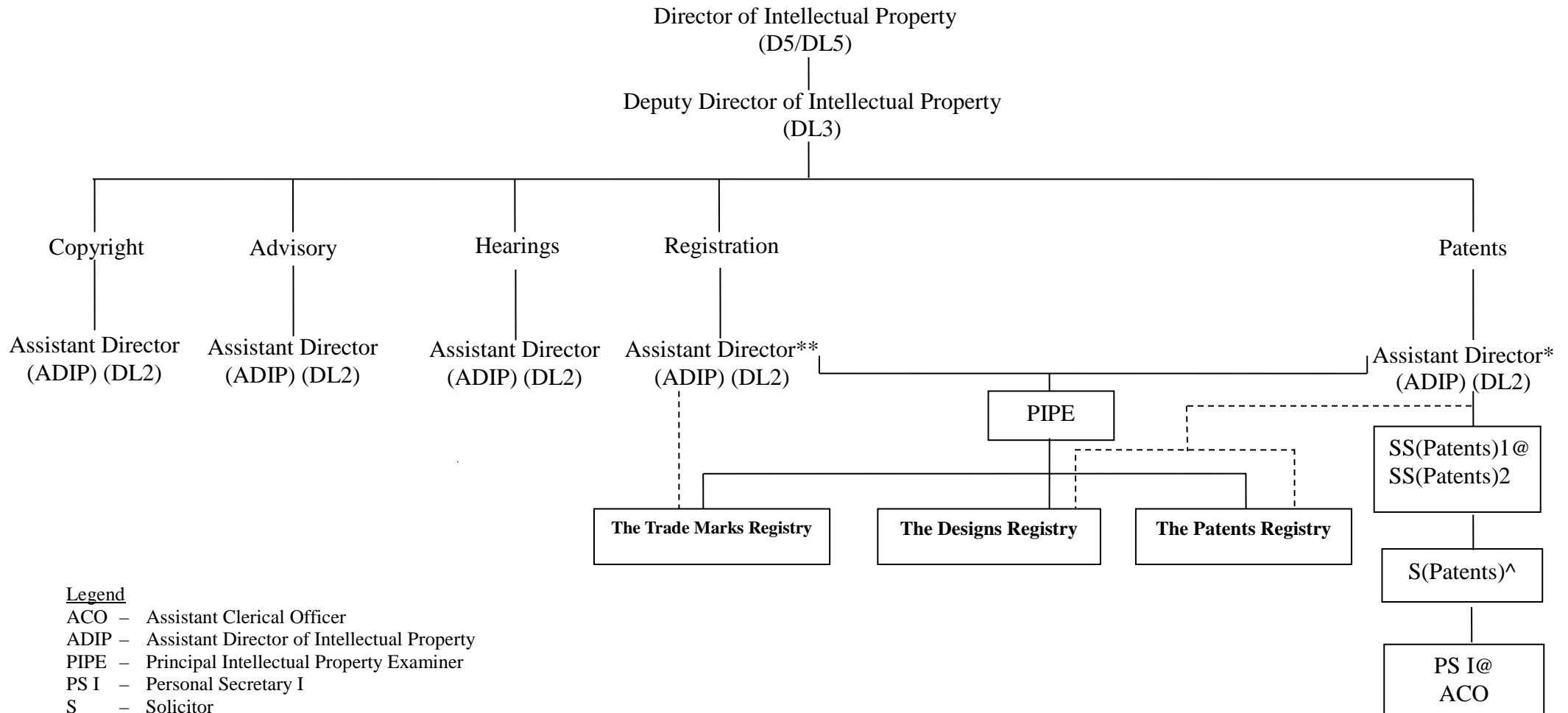
\* Supernumerary directorate post proposed to be converted into a permanent post

\*\* The existing directorate post responsible for, amongst others, overseeing both the Trade Marks Registry and the Designs Registry

@ Time-limited non-directorate posts (up to 31 March 2017)

^ At present, we have manpower strength of 1.5 Solicitors in the Patents Team. The 0.5 Solicitor has been re-deployed from the Registration Team of IPD whose duties involve 50% of each of the work related to the Registration Team and the Patents Team.

## Proposed Organisation Chart of the Intellectual Property Department



### Legend

ACO – Assistant Clerical Officer

ADIP – Assistant Director of Intellectual Property

PIPE – Principal Intellectual Property Examiner

PS I – Personal Secretary I

S – Solicitor

SS – Senior Solicitor

\* Supernumerary directorate post proposed to be converted into a permanent post

\*\* The existing directorate post responsible for, amongst others, overseeing the Trade Marks Registry

@ Proposed permanent non-directorate posts (effective 1 April 2017)

^ At present, we have manpower strength of 1.5 Solicitors in the Patents Team. The 0.5 Solicitor has been re-deployed from the Registration Team of IPD whose duties involve 50% of each of the work related to the Registration Team and the Patents Team.

**Portfolios of all other Assistant Directors of Intellectual Property (ADIP) in the Intellectual Property Department (IPD)**

**ADIP (Advisory)**

ADIP (Advisory) and the Advisory Team are fully engaged in providing legal advice on a wide range of civil matters involving Intellectual Property (IP) issues to Government bureaux and departments. The Team is also tasked with monitoring and attending to developments of international and regional IP issues from time to time, such as those relating to the World Intellectual Property Organization, Agreement on Trade-Related Aspects of Intellectual Property Rights, Asia-Pacific Economic Co-operation, as well as bilateral or multilateral negotiations (such as negotiations of Free Trade Agreements and Investment Promotion and Protection Agreements which involve IP as one of the agenda items). In addition, ADIP (Advisory) also needs to oversee and provide steer and support to the implementation of various measures recommended by the Working Group on Intellectual Property Trading (WG) for promoting and developing Hong Kong into an IP trading hub. Key tasks include: (i) working with the Department of Justice to assist the Legislative Council to scrutinize the Arbitration (Amendment) Bill 2016 with a view to facilitating and attracting more parties to resolve their IP disputes by arbitration in Hong Kong; and (ii) providing legal inputs to the legislative exercise that seeks to expand the scope of tax deduction for capital expenditure incurred for the purchase of all major types of IP Rights.

**ADIP (Copyright)**

ADIP (Copyright) and the Copyright Team are fully engaged in working out the way forward on how best the local copyright regime can be updated following the unsuccessful legislative attempt under the Copyright (Amendment) Bill 2014 by, amongst others, conducting further detailed studies and researches on international development of various copyright issues, engaging the stakeholders from time to time for discussions, planning the publicity and education programmes to promote understanding of the copyright regime and respect for the rights of others as well as putting forward recommendations on possible options regarding future legislative reforms.

**/ADIP (Hearings) .....**

## **ADIP (Hearings)**

ADIP (Hearings) and the Hearings Team responsible for adjudicating proceedings before the Registrar of Trade Marks/Designs/Patents are wholly committed in maintaining an efficient hearing system which is one of the statutory duties of IPD.<sup>1</sup>

## **ADIP (Registration)**

ADIP (Registration) and the Registration Team are wholly engaged in providing substantive legal inputs, mainly in tackling considerable number of trade mark applications, notably in determining the registrability issue by reference to the relevant statutory provisions and case law.<sup>2</sup> Besides, as the Government has proposed to implement the Madrid Protocol (MP) in Hong Kong,<sup>3</sup> ADIP (Registration) is also heavily engaged in working out the implementation model and legal, administrative and technical issues with the Central People's Government and the World Intellectual Property Organization and overseeing other implementation tasks including the drawing up of legislative proposals to amend the Trade Marks Ordinance (Cap 559) and the subsidiary legislation, formulating plans for building a dedicated information technology system for processing international applications, devising workflow for processing such applications and planning the manpower and training required. Therefore, the transfer of policy oversight over the daily operation of the Designs Registry to ADIP (Patents) will not leave ADIP (Registration) extra capacity.

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<sup>1</sup> The total number of decisions issued by IPD in 2015 was 173. The annual number of decisions varies from year to year, and can reach up to 209 (in 2013) within the recent 5-year period from 2011 to 2015.

<sup>2</sup> The annual number of trade mark applications received by IPD increased from 32 559 in 2011 to 39 179 in 2015.

<sup>3</sup> The MP is an international treaty which facilitates a trade mark owner to apply for registration in multiple jurisdictions by simply filing a single application in one language and paying one set of fees, thus saving time and costs. It also facilitates cost-effective international management of post-registration matters. Seeing the merits of applying the MP to Hong Kong, the Government conducted a public consultation in November 2014 to February 2015 on the proposed application of the MP to Hong Kong. In addition, the WG Report also specifically recommended the Government to pursue the proposed application of the MP to Hong Kong, taking into account the consultation outcome.