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28/12/2011 10:34

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Subject Comments on Patent Review

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Dear Sirs

If Hong Kong is truly serious about becoming a trading hub for IP (intellectual property), then it must have some local ability to assess the value of IP. As patents are a potentially valuable set of IP Rights (IPRs) then there should be some means of assessing their value. In order to do so, one needs competent patent examination capability as a pre-requisite to a patent's value is that it must be valid in terms of novelty, inventive step, patentable subject matter and utility. Put another way, if a patent fails to meet such criteria, then it is worthless as IP and any subsequent exercise in valuation is meaningless.

Thus, in order to ensure that patents being traded have value, some facility to assess their validity must exist and a local examination scheme would go a long way towards addressing that matter.

In addition, a local examination capability would eliminate (past) problems of short term patents being granted for inventions whose patents were rejected elsewhere.

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