



31/12/2011 18:41

To Patent Review <patent_review@citb.gov.hk>

cc

bcc

Subject Patent Review 2011/12/31

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Dear

My name is Guy Chan.

Attached is my suggestions to the first part of the review of which I think it is most important.

Should you want to contact me for the matter, you may feel free to email me.

Best regards and Have a Happy New Year.

Guy, 2011/12/31



patent review 20111231.pdf

Patenting is a very complicated issue and has no simple answer to the questions 1.56 a thru d:

- a) OGP system will only work if one can keep the cost low. If what ICT's Patent Application Grant indicates is true, the existing application process will over HK\$100K, then what would it be for an OGP system? Even there is a grant to apply for, it is still too expensive to promote local innovation, especially for individual inventors. We are more concern about the cost will cease the demand. Like me, I have an idea that may be patented but the application fee plus the maintenance fees had kept me from applying one;
- b) No one can tell if the system will be cost-effective. It is all up to who is the run with what is in his mind. Like the DNRs (Domain Name Registry), ".HK" cost over HK\$200 per year while ".com" only cost US\$10 to US\$20 per year. (".com.HK" old contract cost nothing to run before HKDNR, now the only registry for ".HK"). Any system can be cost-effective if the one who runs it wants it to be. Higher the price tag, lower the demand will make it another white elephant;
- c) Most important is to expand Patents obtained in HK be recognized by more countries thru mutual agreements or alike, then re-registration is not needed and we can focus on OGP like service. We understand it will be a tough job for our IPD and HKSAR Gov. The larger the market size the tougher to get the mutual agreements down. To list them, EU, North America, PRC, Japan ...etc.
- d) We may also setup a system in such a way that we can grant Patent to inventors with regional restrictions if there is Patent Law difference.

Other Suggestions:

1. How about to share Patent rights in lieu of application free?
2. How about set up to help inventors to marketing their inventions/patents in return obtaining commission to fund the office;
3. The office may also fund researches with a condition that the office share the right of the research results (Patent rights);