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To patent_review@citb.gov.hk

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Subject Individual Response to Section 4.1j of the Consultation Paper on the Review of the Patent System in Hong Kong

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To whom it may concern,

**** A 'Patent Safe Harbour': Focussing HK on establishing a Patent Pool Re-registration System ****

Thank you for the opportunity to submit my personal opinion regarding the above consultation paper, specifically in response to Chapter 4.1j (pg 32).

Unfortunately my schedule has not permitted me to write a detailed submission in light of this evening's deadline, therefore I have only outlined the main idea below for your records.

Specifically, it is my view that we best position our patent system 'for the purposes of encouraging local innovation, and attracting investors to use HK as a launching pad for their research and development operation', by positioning HK as the world's premier 'Patent Safe Harbour': an entrepreneurial environment where legal risks associated with experimentation and innovation are minimized, and the market and financial opportunities are maximized ...by actively encouraging legal licencing from patents that are pooled together to avoid litigation.

Here I see the re-registration of existing patents into legally supported markets of 'patent pools' to be the central element of the patent portion of our intellectual property strategy. As is known in cases where the establishment of property 'borders' are ill-defined, e.g. software patents, the use of patent pools can reduce the time-to-market, and risks associated with inadvertent patent infringement, through the legitimate licencing of relevant patents.

Therefore, per 1.56d, the focus of any patent reform would therefore not be on the establishment of an 'original grant' patent (OGP) system per se, rather modification of the existing patent re-registration system.

Given our legal heritage, our open economy and our infrastructural and industrial mix, I see the active encouragement of patent re-registration, for the purpose of establishing 'patent pools', from common-law based economies as taking a policy priority.

I wish you all a very Happy New Year!

Yours sincerely,

Pindar Wong