

Our ref: SN/12  
17 December 2015

Clerk to Bills Committee on Patents (Amendment) Bill 2015  
(Attention: Ms May Leung)

*By email: bc\_02\_15@legco.gov.hk*

Dear Sir

### **Patents (Amendment) Bill 2015**

We refer to your letter of 4 December inviting the Hong Kong General Chamber of Commerce to comment on the subject Bill.

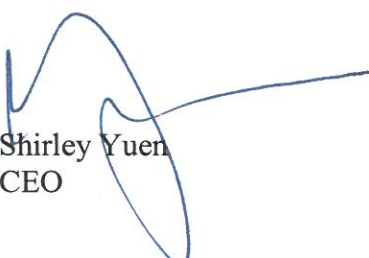
Although efforts by the Government to develop Hong Kong into a regional hub for innovation and technology are very much appreciated, we do not think that this can be achieved through the proposed legislative amendment relating to the patents system. We note that the Government, in formulating its legislative proposals, had looked into the patent systems, practices and procedures in other jurisdictions, amongst other considerations. Other than suggestions that the adoption of similar measures would be beneficial to Hong Kong, there does not however appear to be any objective and comprehensive assessment provided to demonstrate that the replication of such regimes would allow us to achieve the same degree of success here at home.

For many years it has been possible to file patents in Hong Kong using the re-registration system afforded by the current legislation. This allows an applicant, for example, for a Chinese, UK or EU patent to re-register in Hong Kong via a two-stage process. This, together with the ability to secure short term patents locally, serves Hong Kong perfectly well, in our view. It is very rare to seek patent protection in Hong Kong only.

Given the foregoing, we are doubtful whether there is the need for an original grant patent system to be introduced into Hong Kong.

We hope the views expressed are useful in the deliberations of the Bills Committee and are grateful for the opportunity to provide our comments.

Yours sincerely



Shirley Yuen  
CEO