

**Bills Committee on Patents (Amendment) Bill 2015**

**List of follow-up actions arising from the discussion  
at the meeting on 12 January 2016**

The Administration was requested to –

- (a) consider whether the terms "standard patent (O)" and "standard patent (R)" in the English text of the Bill should be amended to enhance clarity;
- (b) consider whether the drafting of the amendment to the Chinese text of section 6(5) of the Patents Ordinance ("the Ordinance") (Cap. 514) (i.e. "指定專利申請內或在任何原授標準專利申請內或在任何專利或指定專利的說明書內，") under clause 9(2) of the Bill should be improved to enhance the clarity of the relevant section;
- (c) advise the Bills Committee of the textual amendments made to new sections 9A to 9F of the new Part 1A under clause 11 of the Bill, which were based on existing sections 45, 93, 94, 96, 97 and 100 of the Ordinance;
- (d) consider whether the term "主體申請" under relevant clauses in the Chinese text of the Bill should be amended to avoid confusion and better align with the respective term in the English text; and
- (e) provide citation of court cases where possible for members' reference in relation to –
  - (i) the patentability criteria of an invention, namely, novelty, inventive step and industrial application ; and
  - (ii) the use of "Swiss-type claim" in Hong Kong to seek protection of inventions relating to secondary medical uses.