

Patents (Amendment) Act 2008
(No. 18 of 2008)

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REPUBLIC OF SINGAPORE
GOVERNMENT GAZETTE
ACTS SUPPLEMENT

Published by Authority

NO. 19]	FRIDAY, OCTOBER 3	[2008
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The following Act was passed by Parliament on 25th August 2008 and assented to by the President on 10th September 2008:—

PATENTS (AMENDMENT) ACT 2008

(No. 18 of 2008)

I assent.

S R NATHAN
President
10th September 2008.

Date of Commencement: 1st December 2008

An Act to amend the Patents Act (Chapter 221 of the 2005 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Patents (Amendment) Act 2008 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2(1) of the Patents Act is amended —

- (a) by inserting, immediately after the definition of “corresponding patent”, the following definition:

“ “Council for TRIPS” means the Council for Trade-Related Aspects of Intellectual Property Rights established under the TRIPS Agreement;”;

- (b) by inserting, immediately after the definition of “designate”, the following definition:

“ “Doha Declaration Implementation Decision” means the

Decision adopted by the General Council of the World Trade Organisation on 30th August 2003 on the implementation of paragraph 6 of the Declaration on the TRIPS Agreement and Public Health adopted in Doha on 14th November 2001;”;

- (c) by inserting, immediately after the definition of “relevant authority”, the following definition:

“ “relevant health product” means a patented invention which is a product referred to in —

(a) paragraph 1(a) of the Doha Declaration Implementation Decision; or

(b) paragraph 1(a) of the Annex to the TRIPS Agreement;” and

- (d) by deleting the full-stop at the end of the definition of “scientific adviser” and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

“ “TRIPS Agreement” means the Agreement on Trade-Related Aspects of Intellectual Property Rights, set out in Annex 1C to the WTO Agreement, as revised or amended from time to time;

“WTO Agreement” means the World Trade Organisation Agreement signed in Marrakesh in 1994 as revised or amended from time to time.”.

New section 50A

3. The Patents Act is amended by inserting, under Part X immediately before section 51, the following section:

“Application of this Part

50A. This Part shall apply only to —

- (a) any contract for the supply of a patented product;
- (b) any licence to work a patented invention; and
- (c) any contract relating to any such supply or licence,