Prosecution Highway Programme between the Intellectual Property Office of Singapore and the Intellectual Property Corporation of Malaysia

1. Background

1.1 To obtain patent protection for an invention in several countries usually requires the invention to be searched and examined in each of the countries. If the patent authorities in these countries were to share the results of their search and/or examination with each other, the opportunity for a patent office to make reference to earlier work done could have several potential benefits:

(a) Reduced work – Reference to the earlier work done could reduce or even eliminate the need for subsequent search and examination work.

(b) Accelerated examination – The reduced work could generally lead to a faster examination of the patent application.

(c) Better search and examination – Other patent offices might have access to databases unavailable (e.g. specific technical databases, local databases, databases in other languages) to the examiner, therefore the opportunity to refer to these search and examination results could provide the examiner with information on and assessment of prior art that he or she would otherwise not have access to.

2. Patent Prosecution Highway Programme

2.1 The Patent Prosecution Highway (PPH) Programme between the Intellectual Property Office of Singapore (IPOS) and the Intellectual Property Corporation of Malaysia (MyIPO) is one way for the two offices to share their search and examination results with each other.

2.2 Where IPOS is the Office of Earlier Examination (OEE) and the IPOS application contains claims that are determined to be allowable/patentable, the applicant may request accelerated examination at the MyIPO for the corresponding application filed with the MyIPO as the Office of Later Examination (OLE). The requirements and procedures for filing a request with the MyIPO for participation in the PPH programme are available from the MyIPO website at: https://www.myipo.gov.my/en/apply-for-patentutility-innovation/?lang=en%2F#pph.

2.3 Where the MyIPO is the OEE and the MyIPO application contains claims that are determined to be allowable/patentable[1], the applicant may request accelerated examination of the corresponding application filed with IPOS as the OLE by furnishing certain information of the MyIPO application as set out in the requirements and procedures below.

3. PPH Pilot Programme Commencement

3.1 The PPH pilot programme commences on 18 January 2025 for a period of 2 years, ending on 18 January 2027.

3.2 IPOS and the MyIPO will evaluate the results of the pilot programme to determine whether and how the programme should be fully implemented. The Offices may also suspend or terminate the programme if the volume of participation exceeds manageable levels, or for any other reason, by providing notice 30 (thirty) days in

[1] Allowed claims from a utility model or petty patent cannot be used to form the basis for requesting PPH in IPOS.

advance of the date of suspension or termination in writing to the other Office. Notice will be published if the PPH Programme will be suspended or terminated.

4. Requirements for requesting accelerated examination of an IPOS patent application under the PPH

4.1 Both the IPOS application for which acceleration is requested and the MyIPO application(s) forming the basis of the PPH request shall have the same earliest date (whether this is a priority date or a filing date).

4.2 The MyIPO application has at least one claim that is determined to be allowable/patentable by the MyIPO.

4.3 All claims in the IPOS application must sufficiently correspond or be amended to sufficiently correspond to one or more of the claims found allowable/patentable by the MyIPO. Claims will be considered to sufficiently correspond where, accounting for differences due to translations and claim format, the claims are of the same or similar scope, or the claims are narrower in scope. In this regard, a claim that is narrower in scope occurs when a claim in the IPOS application is amended to be further limited by an additional technical feature that is supported in the specification.

4.4 Examination has not begun on the IPOS application.

4.5 Diagrams depicting a list of scenarios in which a request for accelerated examination of the IPOS application can be made under the PPH programme are found in **Annex I**.

5. Procedures for requesting accelerated examination of an IPOS patent application under the PPH

5.1 File duly completed Patents Form 11 (Request for Search and Examination Report) or Patents Form 12 (Request for Examination Report). These forms can be found at: https://digitalhub.ipos.gov.sg/ (electronic platform for online filing).

5.2 The Patents Form 11 or Patents Form 12 must be accompanied by:

(a) a copy of all office actions of the MyIPO application being relied upon;

(b) a copy of the allowable/patentable patent claims referred to in (a) above; and

(c) a claims correspondence table showing the relatedness of the allowable/patentable claims referred to in (a) above to the claims in the current IPOS application. The format of the Claims Correspondence Table is found in **Annex II**.

5.3 The documents listed in paragraph 5.2(a) will include: (i) written opinion(s) established by the MyIPO as the national office; and (ii) the examination report and decision of grant established by the MyIPO as the national Office during the processing of a national application or a Patent Cooperation Treaty (PCT) application that has entered the national phase before the MyIPO.

5.4 For avoidance of doubt, a copy of the patent grant without the documents listed in paragraph 5.2 above will not qualify for the PPH.

5.5 The checkbox for “ASPEC/PPH” must be selected in the Patents Form 11 or Patents Form 12.

5.6 If the request for PPH is sought after the Patents Form 11 or Patents Form 12 is filed, an email must also be sent to IPOS at PT_acceleration@ipos.gov.sg. The email is to contain in its subject, the title "PPH acceleration requested" and should also inform of the intention to make a PPH request, the IPOS application number and whether any amendments are required to conform the Singapore claims to the foreign allowable/patentable claims. Upon receipt of the email, IPOS will advise if examination has started on the IPOS application. If examination has not started and no amendments are required, we will invite the applicant to submit the relevant PPH documents listed in paragraph 5.2 via ad-hoc correspondence at https://digitalhub.ipos.gov.sg/. If the applicant intends to amend the claims of the patent application for conformity with the foreign allowable/patentable claims, the Examiner will commence search and examination or examination of the patent application. If there are prescribed matters that can be resolved via an invitation to amend (ITA) without a written opinion, the Examiner will ask the Registrar to issue an ITA. To proceed with the PPH request, the applicant should file Patents Form 13A and select the box for PPH. Patents Form 13A, along with the amendments and relevant PPH documents, should be filed within 2 months from the date of the ITA.

5.7 Any subsequent correspondence with IPOS are to be marked with the phrase “PPH acceleration requested”.

6. Cited Documents

6.1 A copy of each of the documents cited in the documents submitted under paragraph 5.2 (a) is not required at the time of filing the PPH request. IPOS may, however, require the applicant to furnish a copy of any document cited subsequently.

7. Translations

7.1 The documents in paragraph 5.2 must be accompanied by an English translation if they are not originally in English, at the time of filing the PPH request. Machine translations into English are acceptable.

7.2 The documents in paragraph 6 may be filed in their original language. However, IPOS may subsequently request for an English translation of a document or a part of a document if an English abstract of the cited document is not available.

7.3 If it is not possible for IPOS to understand the English translation of any document, IPOS can request the applicant to resubmit an English translation of that document.

8. PPH Request

8.1 IPOS will treat a PPH request as a request for accelerated examination under the PPH programme. Where the PPH request is granted, the IPOS application will be processed in an accelerated manner. In those instances, where the PPH request does not meet all the requirements and procedures set forth above, the applicant will be notified and the defects in the request will be identified. The applicant will be given one opportunity to correct formal deficiencies identified in the request. If the request is not corrected, the application will be taken out of the PPH programme and the applicant will be notified.

9. Examination of IPOS patent application under the PPH

9.1 The IPOS application will be examined in accordance with the Singapore Patents Act 1994 and the Singapore Patents Rules. The legislations can be found at: https://www.ipos.gov.sg/resources/ip-legislation.

9.2 Applicants should seek professional advice on patent matters in Singapore, in particular, with reference to section 30 (Grant of patent) and section 69 (Restrictions on relief for infringement) of the Singapore Patents Act 1994.

10. Enquiries

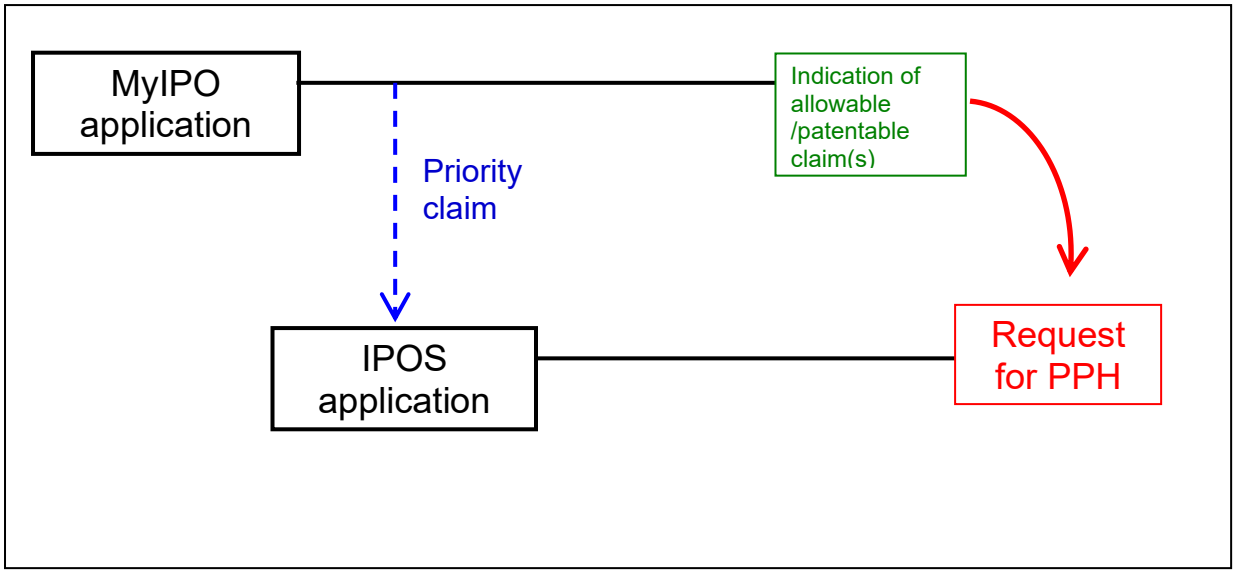
10.1 For enquiries relating to the Patent Prosecution Highway programme, please send an email to PT_acceleration@ipos.gov.sg.

INTELLECTUAL PROPERTY OFFICE OF SINGAPORE
DATE: January 2025
Last updated: June 2026

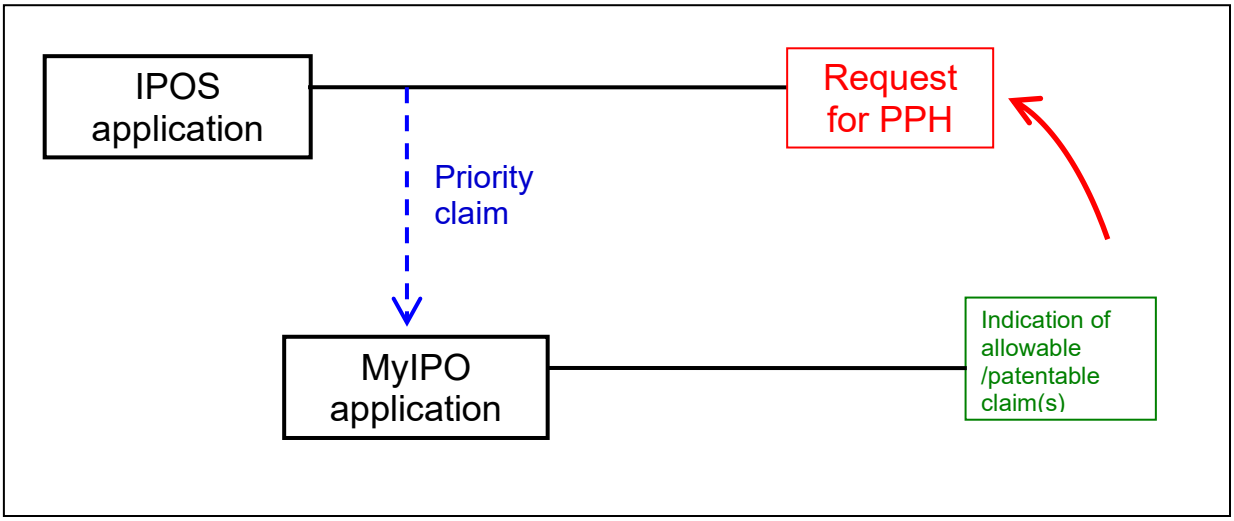
Annex I

Scenarios using the National Work Product

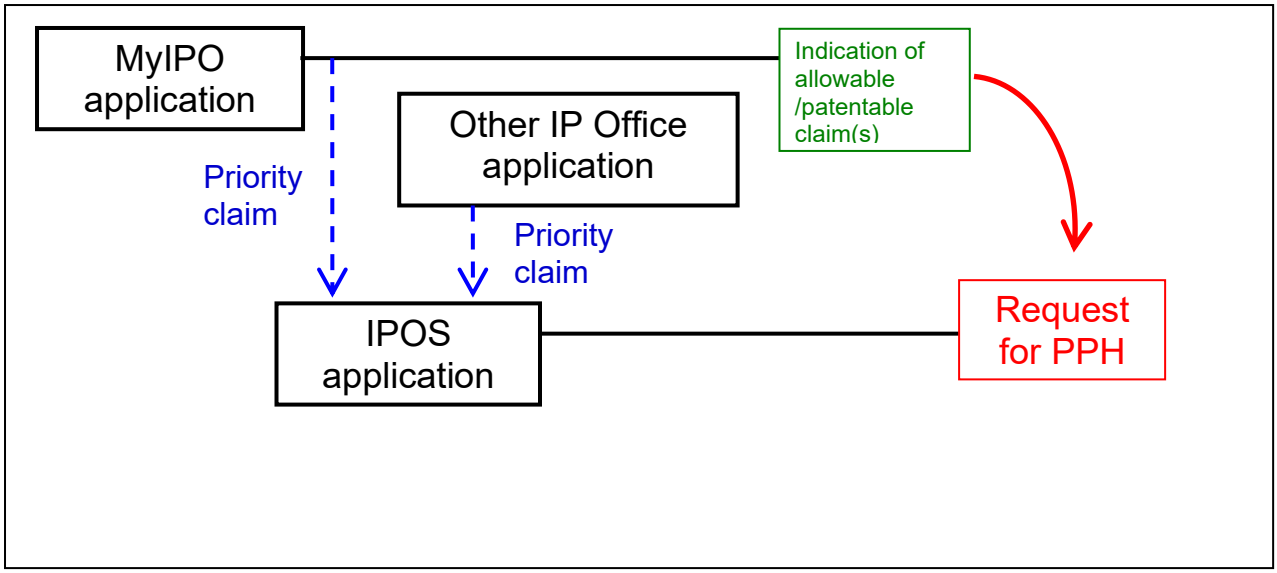
Scenario (1a): The IPOS application validly claims priority under section 17 of the Singapore Patents Act 1994 from the MyIPO application being relied upon for the PPH request.



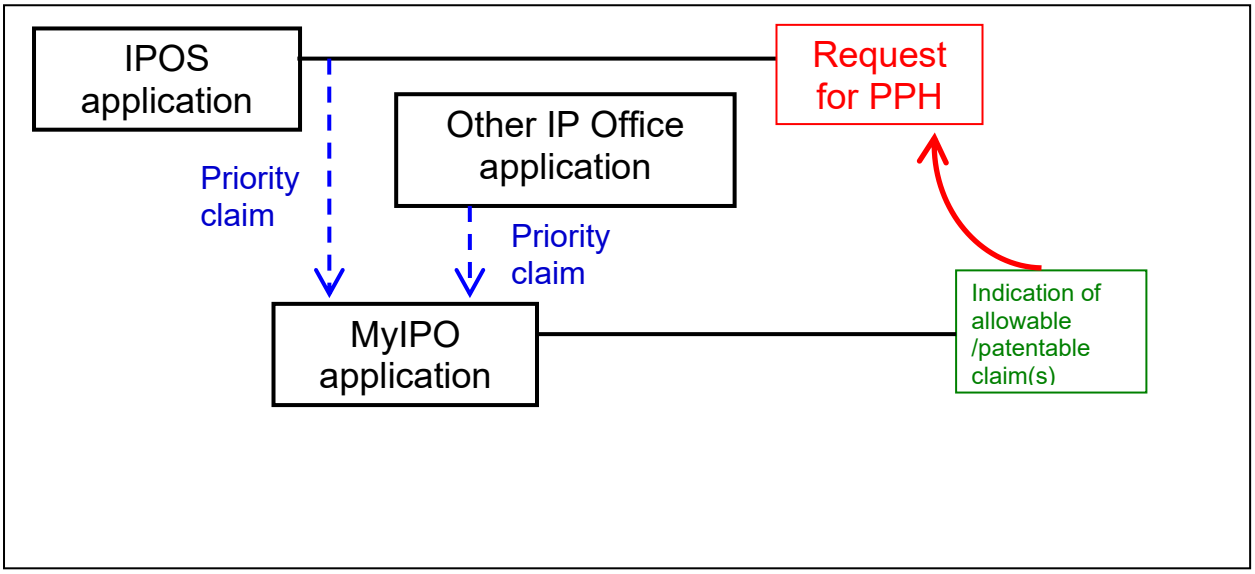
Scenario (1b): The request for PPH can also be made in the reverse of scenario (1a) where the MyIPO application claims priority from the IPOS application.



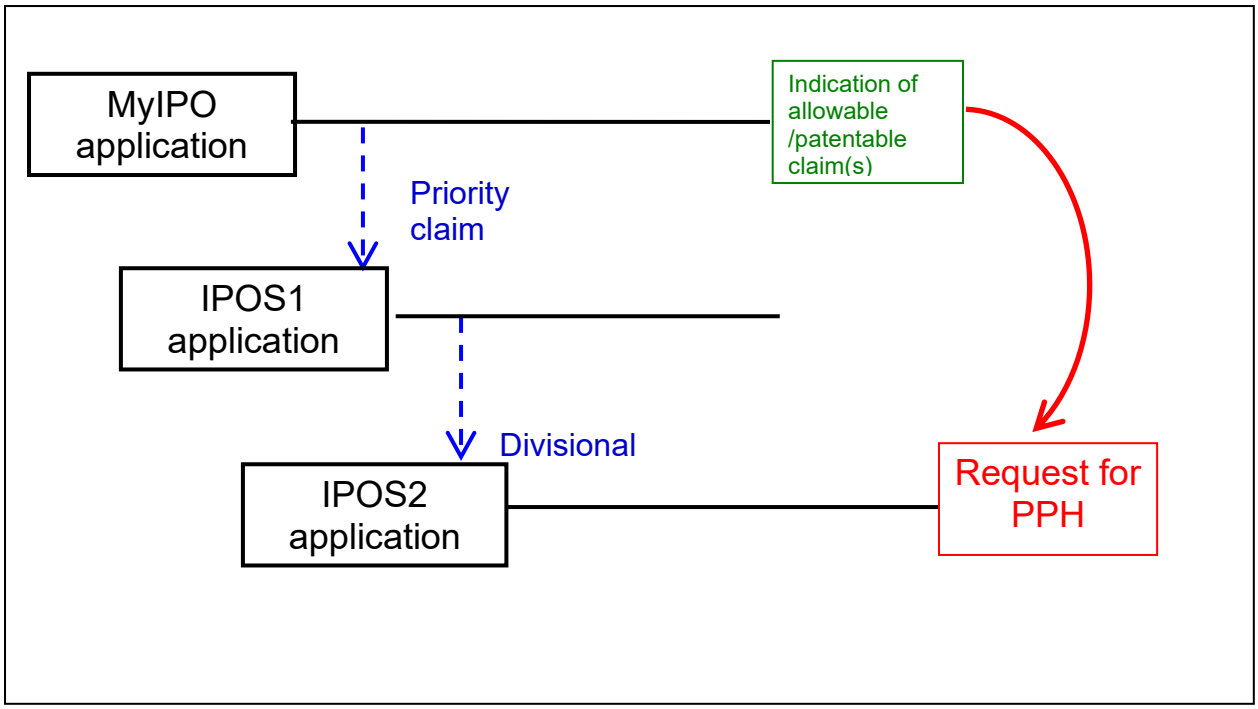
Scenario (1c): The request for PPH can also be made in a variation of scenario (1a) where the IPOS application additionally claims priority from an Other IP Office application.



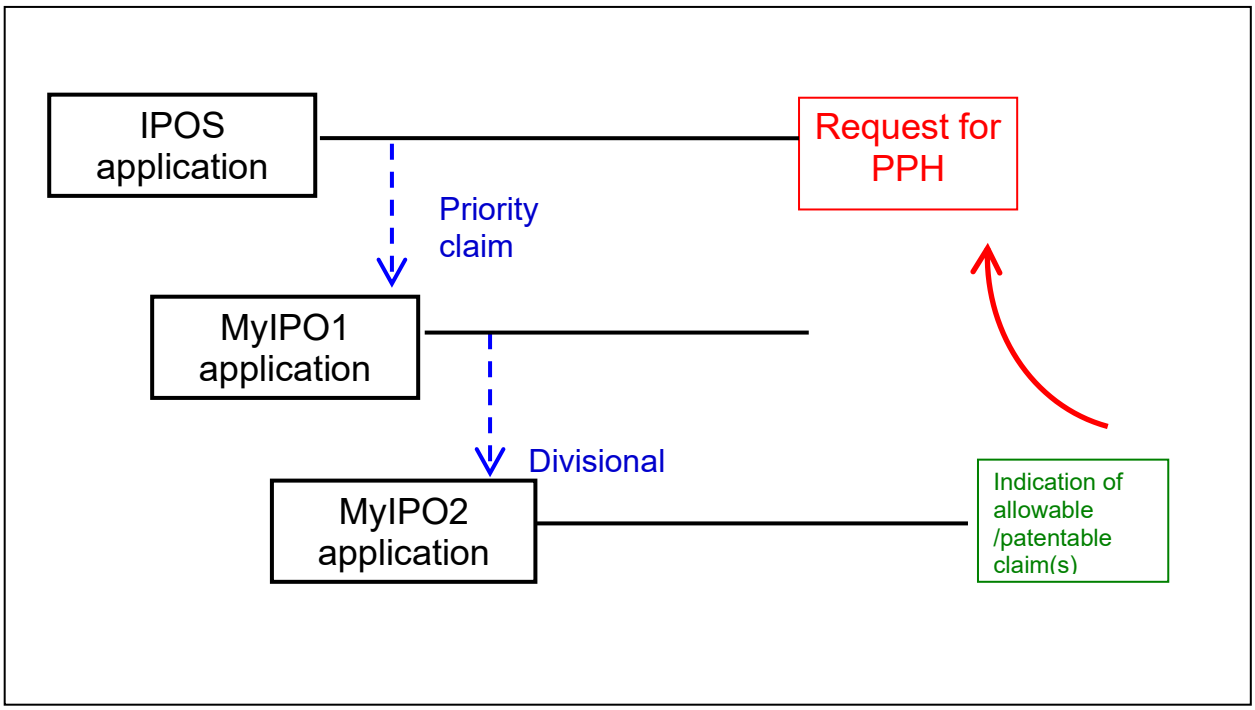
Scenario (1d): The request for PPH can also be made in the reverse of scenario (1c) where the MyIPO application additionally claims priority from an Other IP Office application.



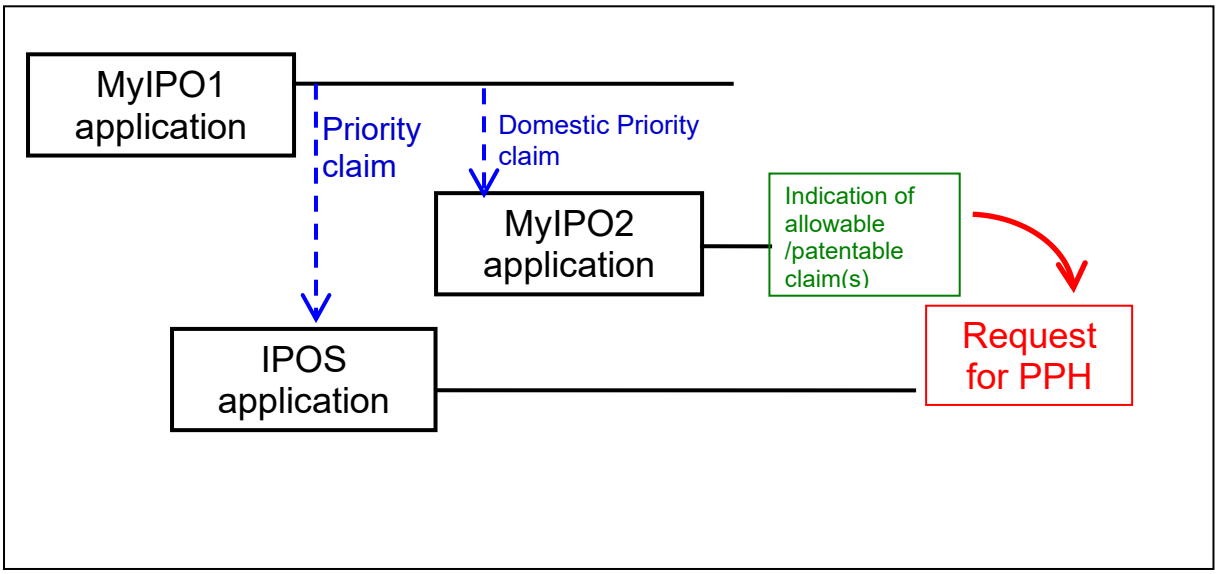
Scenario (2a): The IPOS application is a divisional application of the IPOS application referred to in (1) above, and said divisional application validly claims priority under section 17 of the Singapore Patents Act 1994 from the MyIPO application being relied upon for the PPH request.



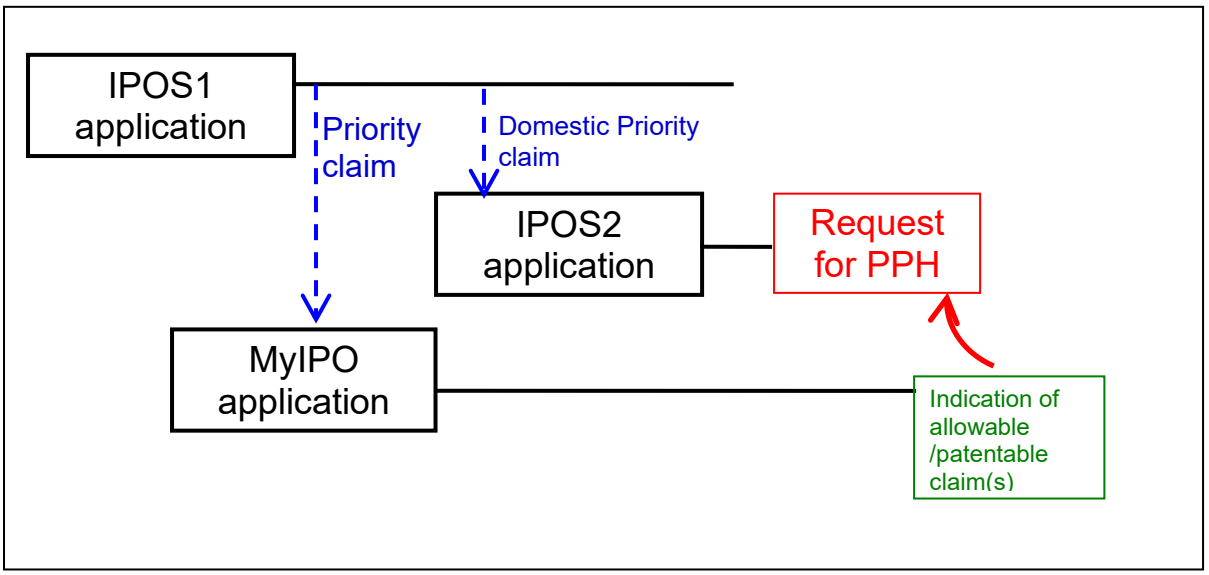
Scenario (2b): The request for PPH can also be made in the reverse of scenario (2a) where the MyIPO application claims priority from the IPOS application.



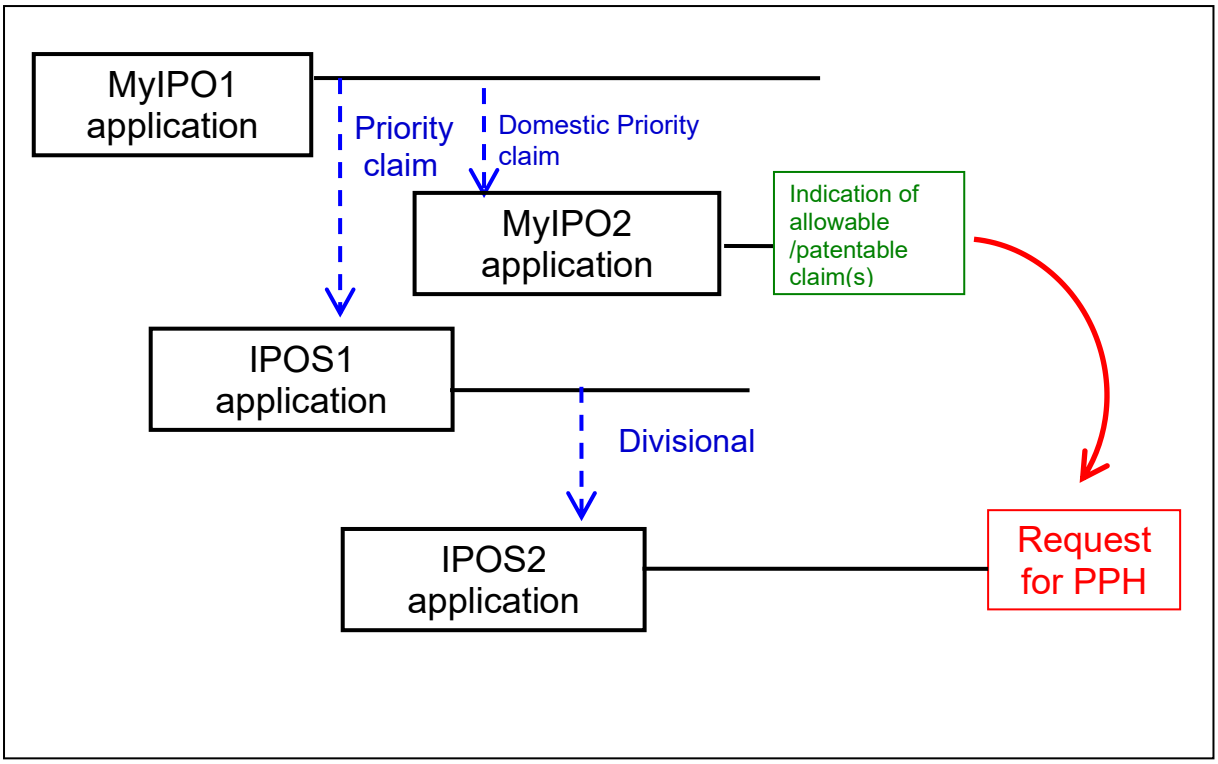
Scenario (3a): The IPOS application validly claims priority under section 17 of the Singapore Patents Act 1994 from the MyIPO application ("MyIPO1 application"), and the MyIPO application being relied upon for the PPH request ("MyIPO2 application") also validly claims domestic priority from MyIPO1 application.



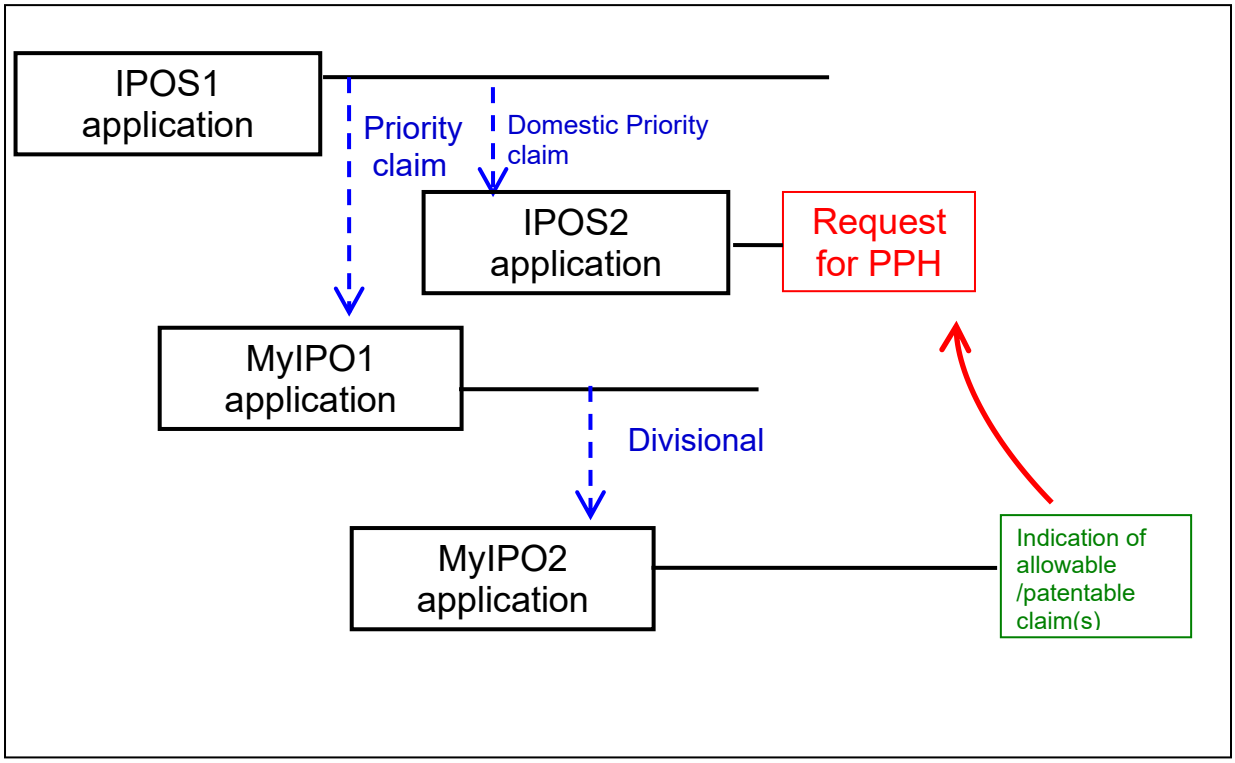
Scenario (3b): The request for PPH can also be made in the reverse of scenario (3a) where the MyIPO application claims priority from the IPOS application.



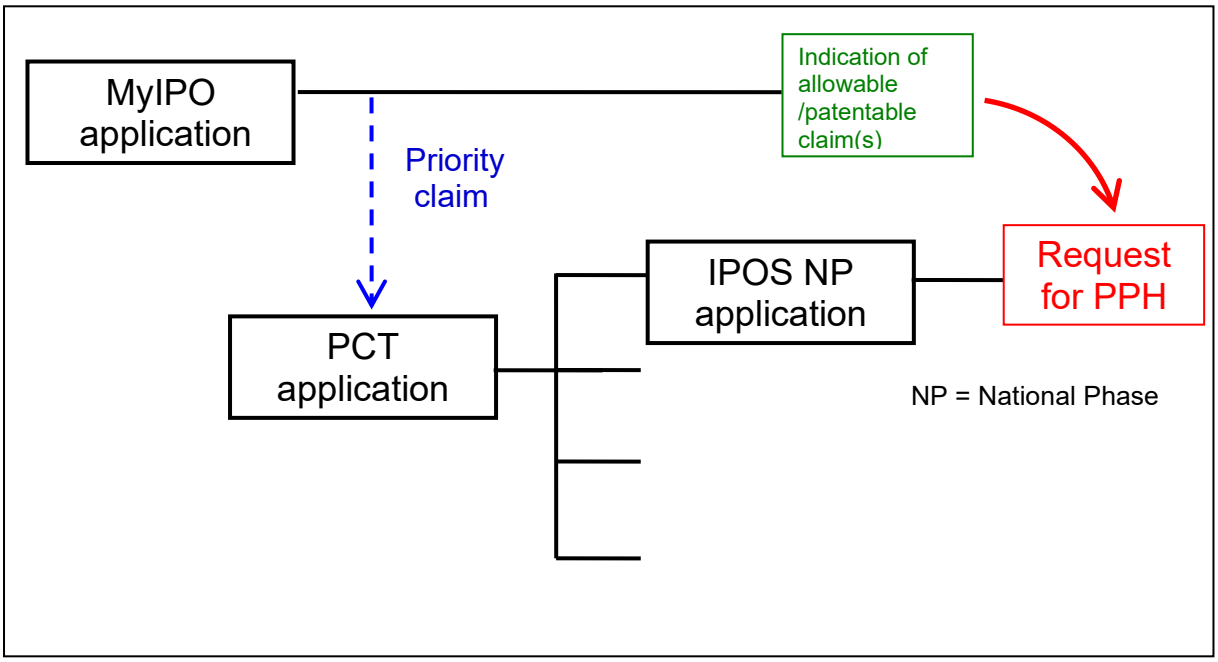
Scenario (4a): The IPOS application is a divisional application of the IPOS application referred to in (3) above, and said divisional application validly claims priority under section 17 of the Singapore Patents Act 1994 from the MyIPO application ("MyIPO1 application"), and the MyIPO application being relied upon for the PPH request ("MyIPO2 application) also validly claims domestic priority from MyIPO1 application.



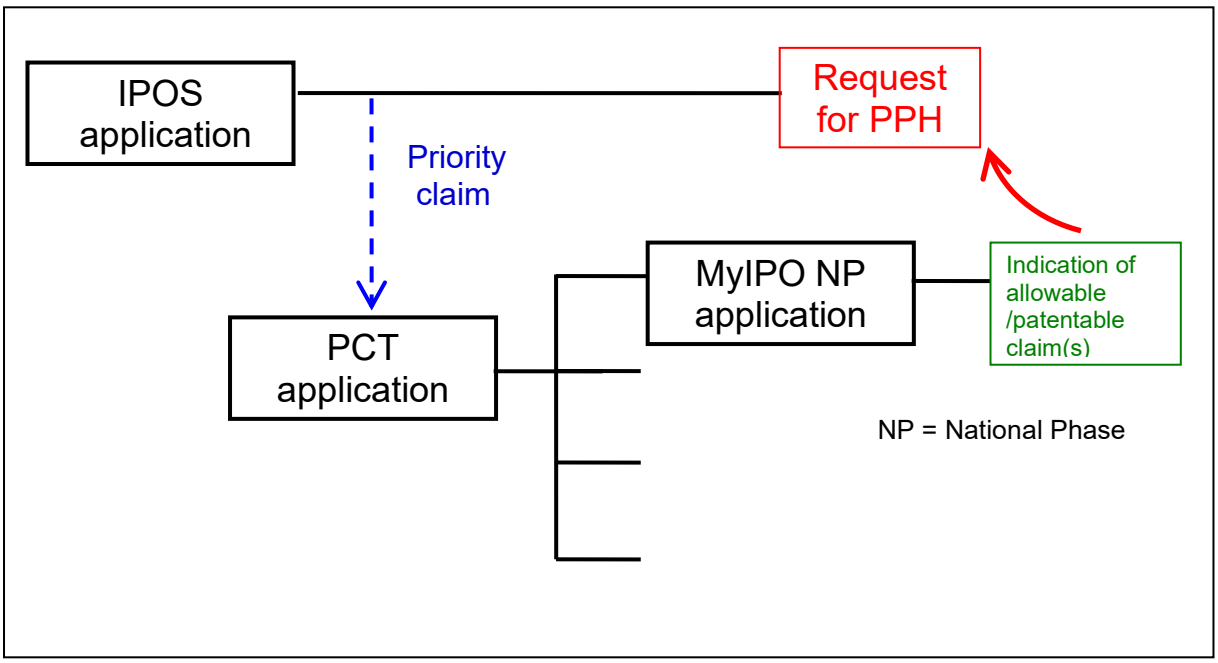
Scenario (4b): The request for PPH can also be made in the reverse of scenario (4a) where the MyIPO application claims priority from the IPOS application.



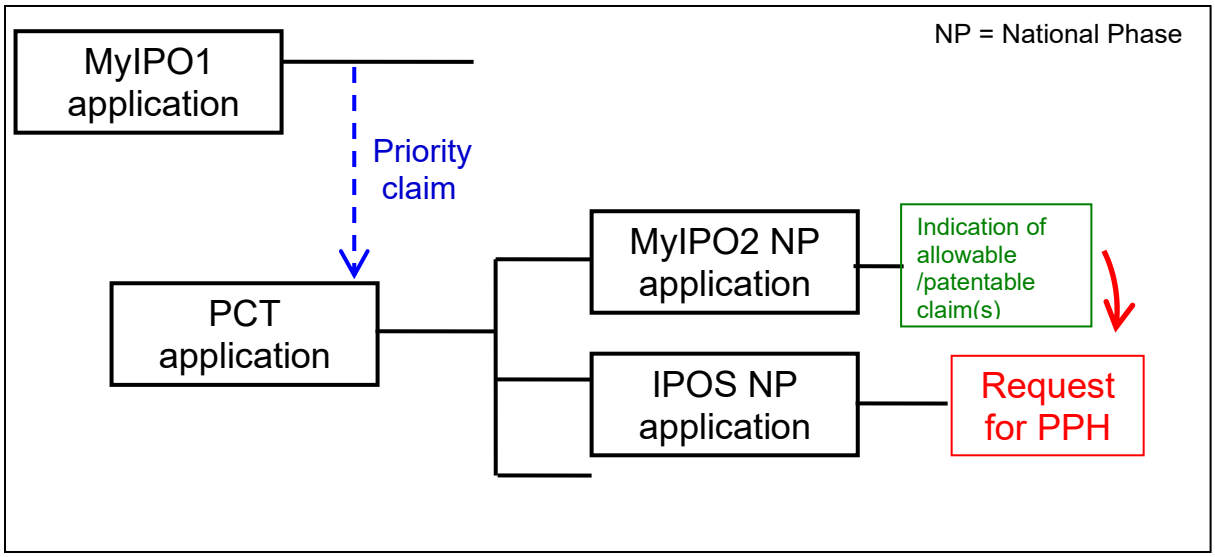
Scenario (5a): The IPOS application is a national phase entry of a PCT application ("IPOS NP application"), and the IPOS application validly claims priority under section 17 and section 87 of the Singapore Patents Act 1994 from the MyIPO application. The MyIPO application is being relied on for the PPH request.



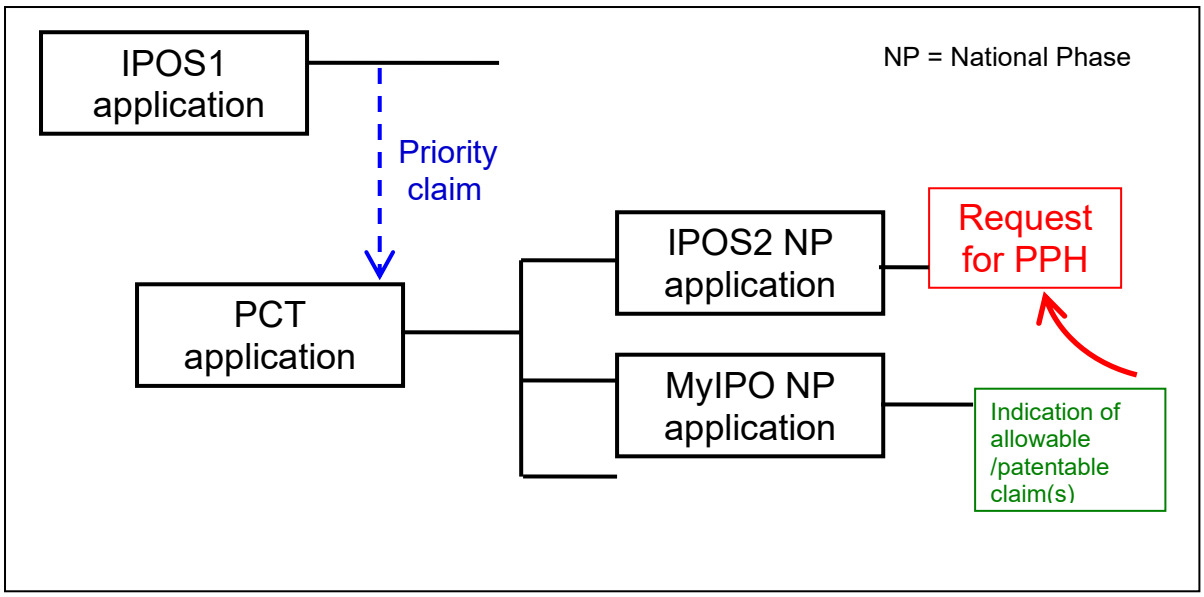
Scenario (5b): The request for PPH can also be made in the reverse of scenario (5a) where the MyIPO application is a national phase entry of a PCT application which claims priority from the IPOS application.



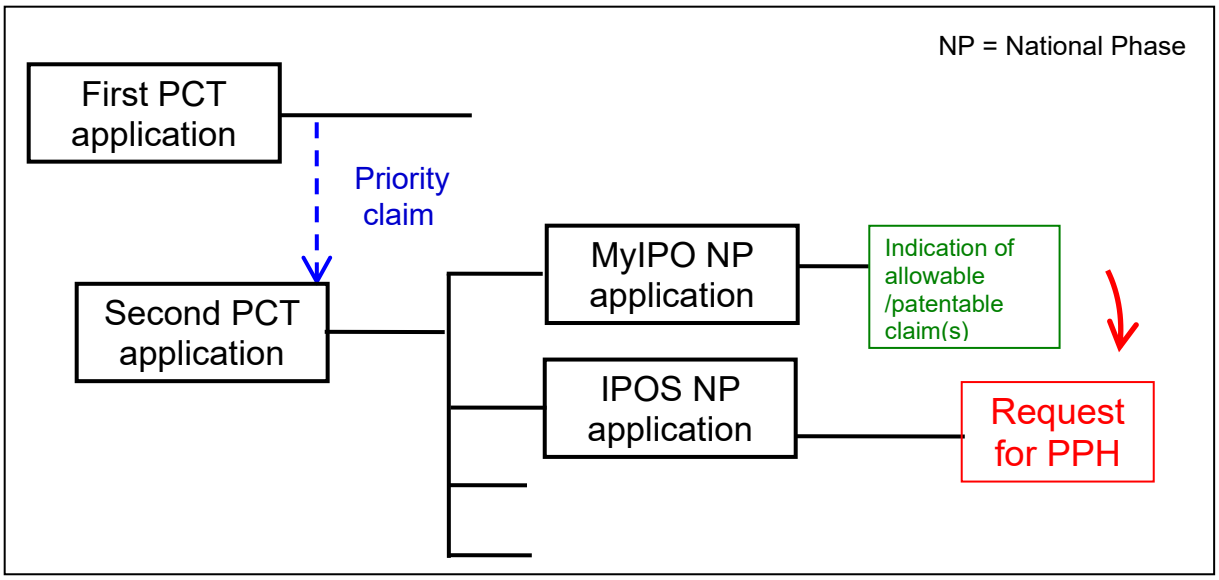
Scenario (6a): The IPOS application is a national phase entry of a PCT application ("IPOS NP application"), and the IPOS application validly claims priority under section 17 and section 87 of the Singapore Patents Act 1994 from the MyIPO application ("MyIPO1 application"). The MyIPO application being relied upon for the PPH request ("MyIPO2 NP application") is a national phase entry of the same PCT application, and MyIPO2 NP application validly claims priority from MyIPO1 application.



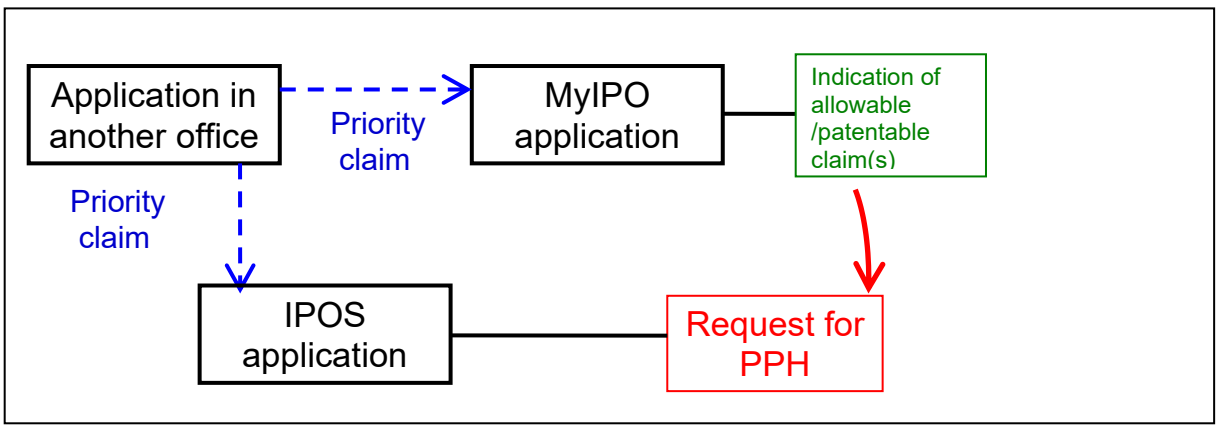
Scenario (6b): The request for PPH can also be made in the reverse of scenario (6a) where the MyIPO application is a national phase entry of a PCT application and which claims priority from the IPOS1 application. The IPOS1 application can also be first filed in another office other than IPOS or the MyIPO.



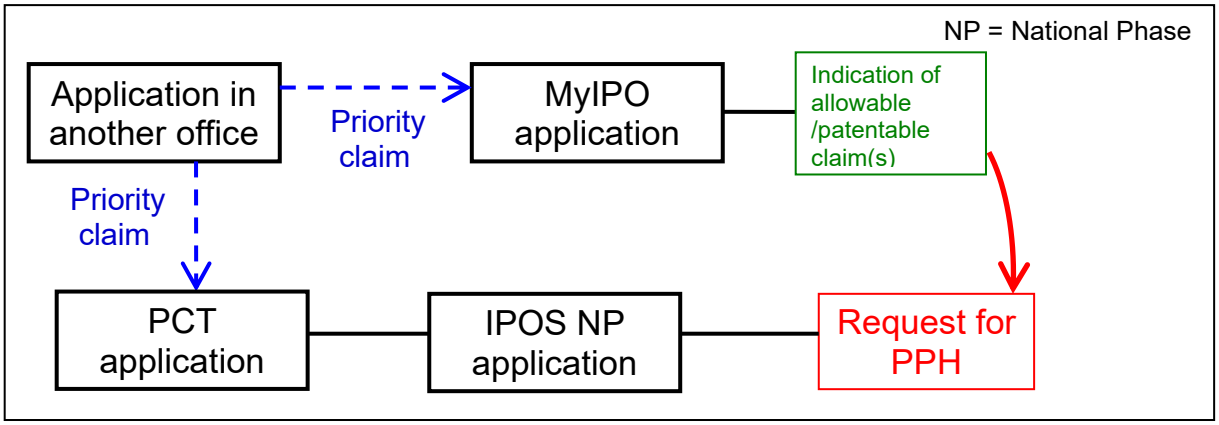
Scenario (7): There are two PCT applications, the second application validly claiming priority from the first application. The IPOS application is a national phase entry application of the second PCT application ("IPOS NP application"), and the IPOS NP application validly claims priority under section 17 and section 87 of the Singapore Patents Act 1994 from the first PCT application. The MyIPO application being relied upon for the PPH request is a national phase (NP) entry application of the second PCT application ("MyIPO NP application"), and the MyIPO NP application validly claims priority from the first PCT application.



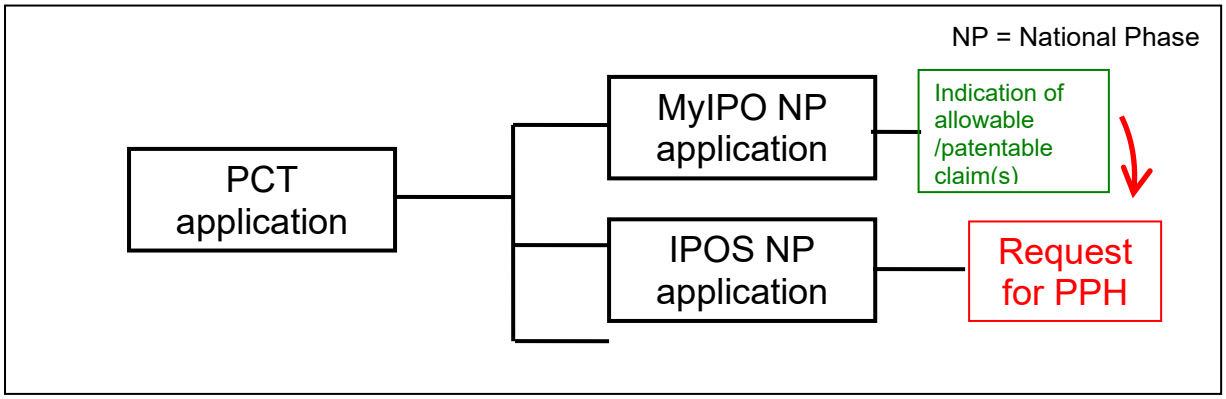
Scenario (8): There is a first application filed in an office other than the IPOS or the MyIPO. The IPOS application validly claims priority under section 17 of the Singapore Patents Act 1994 from the first application. The MyIPO application being relied upon for the PPH request also validly claims priority from the first application.



Scenario (9): The IPOS application is a national phase (NP) entry application of a PCT application ("IPOS NP application"), and the IPOS NP application validly claims priority under section 17 and section 87 of the Singapore Patents Act 1994 from an application filed in another office. The MyIPO application being relied upon for the PPH request also validly claims priority from the application filed in another office.



Scenario (10): The IPOS application ("IPOS NP application") and the MyIPO application ("MyIPO NP application) being relied upon for the PPH request, are national phase (NP) entry applications of the same PCT application.



Annex II

Claim Correspondence Table (Patent Prosecution Highway)

OFFICE OF EARLIER EXAMINATION (OEE)	
OEE APPLICATION NUMBER	

CLAIMS IN IPOS APPLICATION[2]	**EXAMINED CLAIMS IN OEE APPLICATION[3]**	**EXPLANATION REGARDING THE CORRESPONDENCE**

Sheet …./….

All the claims in the IPOS application sufficiently correspond to the patentable/allowable claims in the OEE application.

[2] Please indicate the claim number relating to a claim in the current application which corresponds to the allowable/patentable claim in the OEE application.
[3] Please indicate the claim number relating to a claim that has been determined to be allowable/patentable.