



LIM CHONG CHUAN & ASSOCIATES SDN BHD

(Company Registration No. 159490-H)

(Formerly known as Quality First Technology (M) Sdn Bhd)

BRIEF BACKGROUND OF PATENT COOPERATION TREATY (PCT) [FOR MALAYSIAN APPLICANTS]

Malaysia has become the 131st PCT Contracting State on 16 May 2006. The PCT entered into force on 16 August 2006.

Residents or nationals of Malaysia may now submit their PCT application to Malaysian Patent Office (as a receiving office) or directly to the WIPO.

TRADITIONAL PATENT FILING SYSTEM

There is no one single international patent filing system. One who wishes to seek patent protection in several countries needs to file separate applications in each country.

PCT FILING SYSTEM

PCT is an international treaty to facilitate the filing of patent applications in different countries. It allows the applicant to seek patent protection in several countries by filing ONE international application with a single receiving office, in one language and a single set of forms and fees (*international phase*), followed by filing in each designated country within stipulated time (*national phase*).

However, the decision on granting patents is made exclusively by the designated country.

WHY USE THE PCT

A significant huge amount of fees has to be paid. What you will get in return are the following:

- a) Secure an earlier filing date.
- b) Buy time – You have 30 months to designate which country to enter.
 - i) In each designated country, there may be considerable sum of expenses including translation costs, official fees for national/regional patent offices, fees for local patent agents.
 - ii) During these 30 months, you may re-assess the commercial viability of your invention before entering each designated country.
 - iii) You postpone paying the national/regional expenses.
- c) Useful documents – PCT office will provide
 - i) International Search Report;
 - ii) Written report; and
 - iii) International Preliminary Report on Patentability.

Please do not hesitate to contact us for further clarification.

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