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# New Simplified Track for the Resolution of Intellectual Property Disputes

**20 April 2022**

# LEGAL UPDATE

# In this Update

The Supreme Court of Judicature (Intellectual Property) Rules 2022 came into operation on 1 April 2022.

Our update provides a quick snapshot of the simplified process for intellectual property claims introduced by these new Rules.

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## INTRODUCTION

The Supreme Court of Judicature (Intellectual Property) Rules 2022 (“**Rules**”) came into operation on 1 April 2022. These Rules are significant as they:

- (a) consolidate the Rules of Court relating to intellectual property rights in a single piece of legislation; and
- (b) introduce an optional simplified process to resolve intellectual property disputes in a quicker and more cost-effective manner.

This update is meant to provide a quick snapshot of the simplified process for intellectual property claims.

## SIMPLIFIED PROCESS FOR INTELLECTUAL PROPERTY CLAIMS

### KEYPOINT

*The simplified process is an optional track for the litigation of intellectual property disputes facilitating quicker and more cost-effective dispute resolution.*

The Rules make it clear that the simplified process is an optional track and is not for all types of intellectual property claims. Generally, the simplified process is suitable if: (a) the monetary relief claimed by each party in the action does not or is not likely to exceed \$500,000; or (b) where all parties agree to the application of the simplified process. A case may also be suitable having regard to (among other things) whether a litigant can only afford to participate in the proceedings under the simplified process, and whether the estimated length of the trial is likely to exceed two days.

For claims under the Simplified Process, the total costs recoverable is subject to an overall cap of S\$50,000 for the trial, and an overall cap of S\$25,000 for any separate assessment of monetary relief. The Rules also provide a list of ceilings for the different types of costs that may be recoverable.

In line with the spirit of streamlining intellectual property dispute resolution, the court will also give directions on all matters relating to the dispute expeditiously and where practicable, will endeavour to ensure that the trial is completed within two days.

## **COMMENTARY**

In November 2019, the Intellectual Property (Dispute Resolution) Act 2019 came into force to, among other things, grant the Singapore High Court exclusive jurisdiction over all intellectual property disputes—what used to be shared with the State Courts and the Intellectual Property Office of Singapore, now lies exclusively with the High Court. The simplified process for Intellectual Property claims therefore works complementarily with the recent consolidation of all intellectual property disputes in the High Court by ensuring that all litigants can benefit from the specialist knowledge and experience of the bench in an efficient and cost-effective manner.

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