

LEGISLATION UPDATE

15 November 2019

CHANGES TO IP DISPUTE RESOLUTION IN SINGAPORE FROM 21 NOV

SUMMARY

On 8 July 2019, the Ministry of Law tabled the Intellectual Property (Dispute Resolution) Bill for the first time in Parliament.

This Bill brings changes to Singapore's intellectual property ("IP") dispute resolution landscape and seeks to:

- (a) ensure that our IP regime continues to support innovative activities in Singapore; and
- (b) strengthen Singapore's position as a hub for international IP dispute resolution.

This Bill was passed by Parliament on 5 August 2019 and assented to by the President on 29 August 2019.

An earlier update on the Bill may be accessed [here](#).

CHANGES FROM 21 NOVEMBER 2019

On 12 November 2019, the Intellectual Property (Dispute Resolution) Act 2019 (Commencement) Notification 2019 was gazetted. This Notification provides that certain sections of the Intellectual Property (Dispute Resolution) Act 2019 ("Act") will come into operation on 21 November 2019. These are Parts 1, 4, 10 and sections 5, 9, 12, 20(b), (e), and (i), 21, 22(c) and (d), 26, 29 and 33 of the Act. The other sections of the Act will come into operation on a date to be notified.

In summary, from 21 November 2019:

- (a) IP disputes can be arbitrated in Singapore and arbitral awards have an effect only on the parties to the arbitration;
- (b) Most civil IP proceedings will be consolidated in the High Court, thereby giving the High Court exclusive jurisdiction over most civil IP disputes.

For example, High Court decisions on appeal from the Registrar of Geographical Indications, the Registrar of Designs, the Registrar of Trade Marks and the Registrar of Plant Varieties are not appealable to the Court of Appeal unless leave to appeal has been given by the High Court or the Court of Appeal.

Also, when a question is referred to the Registrar of Patents under s20(7) or s47(8) of the Act, the Registrar may decline to deal with that issue if it appears to the Registrar that the issue involves a matter which would be more conveniently dealt with by the High Court.

The content of this article does not constitute legal advice and should not be relied on as such. Specific advice should be sought about your specific circumstances. Copyright in this publication is owned by Drew & Napier LLC. This publication may not be reproduced or transmitted in any form or by any means, in whole or in part, without prior written approval.

If you have any questions or comments on this article, please contact:



Tony Yeo

Managing Director, Intellectual Property
Director, Dispute Resolution
T: +65 6531 2512
E: tony.yeo@drewnapier.com

[Click here](#) to view Tony's profile



Yvonne Tang

Director, Intellectual Property

T: +65 6531 2575

E: yvonne.tang@drewnapier.com

[Click here](#) to view Yvonne's profile



Lim Siau Wen

Director, Intellectual Property

T: +65 6531 2589

E: siauwen.lim@drewnapier.com

[Click here](#) to view Siau Wen's profile

[Click here](#) to learn about our **Intellectual Property Practice**