

**Revisions to the Guidelines for the Collaborative Search and Examination Pilot Programme  
between the Intellectual Property Office of Singapore and the  
Intellectual Property Office of Viet Nam**

**1. Introduction**

- 1.1 The Intellectual Property Office of Singapore (IPOS) and the Intellectual Property Office of Viet Nam (IP Viet Nam) (“participating Offices”) have established a Collaborative Search and Examination (CS&E) pilot programme that will run from **1 March 2023 to 28 February 2027**.
- 1.2 The CS&E pilot programme aims to support entry of innovative enterprises into the Singapore and Viet Nam markets. The programme also serves to reflect the shared objective of the nations’ respective Intellectual Property (IP) strategies to drive innovation and support economic growth by giving enterprises a competitive edge in ASEAN.
- 1.3 The CS&E pilot programme provides applicants with search and examination results from the participating Offices early in the patent grant process.
- 1.4 The benefits include:
- (i) **Comprehensive prior art search and quality examination results** due to the combined search and examination expertise of examiners from the participating Offices.
  - (ii) **Greater consistency in search and examination** across the participating Offices leading to more certainty of patent rights.
  - (iii) **Accelerated first office action** and an indication of the patentability of the invention with input from the participating Offices. This will inform decisions on the corresponding filing in either Office.
  - (iv) **Complimentary CS&E request** during the pilot. This applies to CS&E request filed in either IPOS or IP Viet Nam. Official patent filing fees and search and examination fees still apply and will be borne by the applicant at the time of filing with the respective office. IPOS and IP Viet Nam will work on the communications to advise the applicants that the CS&E request is complimentary only during the pilot.
- 1.5 **Volume limit and monitoring of volume limit**. The number of CS&E requests will be capped at 20 requests per year for an initial duration of two years. The cap of 20 requests is a combined cap shared by the participating Offices, with a further cap of two requests per month and a restriction of two requests per entity (individual or corporate) per month. Unutilised number will be rolled over to the following month, subject to a maximum cap of four per month. This cap may be reviewed subject to agreement by IPOS and IP Viet Nam during the pilot. IPOS will be the monitoring authority responsible for keeping track of the cap of 20 requests. If a CS&E request is filed with IP Viet Nam as the first office (“Office A”), IP Viet Nam will inform IPOS’ monitoring authority of the CS&E request. IPOS’ monitoring authority will inform IP Viet Nam’s authority within three working days whether the CS&E could be accepted based on the agreed cap. Should the cap be reached, IPOS’ monitoring authority will inform IP Viet Nam’s authority accordingly.

IPOS' monitoring authority

- Huang Qinyi, Principal Assistant Director, Registry of Patents ([huang\\_qinyi@ipos.gov.sg](mailto:huang_qinyi@ipos.gov.sg))
- Debra Long, Manager, Registry of Patents ([debra\\_long@ipos.gov.sg](mailto:debra_long@ipos.gov.sg))

IP Viet Nam's authority

- Mr. Phan Thanh Hai, Director of Patent Examination Centre ([phanthanhhai@ipvietnam.gov.vn](mailto:phanthanhhai@ipvietnam.gov.vn))

**2. Eligibility Criteria for CS&E Pilot Programme**

2.1 The conditions for applications<sup>1</sup> to qualify for or remain on the CS&E pilot programmes are:

- (a) The CS&E request is within the cap on the number of requests set for CS&E<sup>2</sup>;
- (b) Applicant must fulfil the local representative/address for service requirements, as applicable in accordance with the respective national law<sup>3</sup>;
- (c) A request for CS&E stating that the applicant wishes to participate in the CS&E pilot programme needs to be submitted (see Annex A for Request for CS&E)<sup>4</sup> on the same day the applicant files the request for search and examination at Office A<sup>5</sup>;
- (d) Application should contain 20 or fewer claims<sup>6</sup>, including 3 or fewer independent claims; and
- (e) Applicant must respond within 2 weeks from the receipt of formalities deficiencies notification. Applicant who does not respond by the 2 weeks' deadline would be excluded from the CS&E pilot programme (see Annex B for notification to applicant).

**3. How the CS&E Pilot Programme works**

3.1 **What applicant needs to file.** The applicant will make a request for CS&E together with a request for search and examination at Office A<sup>7</sup>.

3.2 **When applicant needs to file.** While the revised CS&E programme offers the applicant more flexibility to manage when they wish to submit the request for CS&E, the applicant should still

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<sup>1</sup> For the avoidance of doubt, the application filed at Office A may claim priority to an earlier application filed in Viet Nam, Singapore, or any other country.

<sup>2</sup> In the case of IPOS as Office A, application should not be under other acceleration programmes (i.e., SG IP Fast, ASPEC, PPH). In the case of IP Viet Nam as Office A, application should not be under other acceleration programmes (i.e. ASPEC, PPH) or application requests for early substantive examination.

<sup>3</sup> In the case of IPOS as Office A, for the purposes of any proceeding before the Registrar, an address for service in Singapore shall be furnished. The applicant may also appoint an advocate and solicitor or any other person to act on his/her behalf and provide an address for service in Singapore (Singapore Patents Rules 31 and 91). In the case of IP Viet Nam as Office A, Vietnamese organisations and individuals, foreign individuals permanently residing in Viet Nam and foreign organisations or individuals having production or business establishments in Viet Nam shall file applications for establishment of industrial property rights either directly or through lawful representative in Viet Nam. Foreign individuals not permanently residing in Viet Nam, foreign organisations or individuals having no production or business establishments in Viet Nam shall file applications for establishment of industrial property rights through lawful representative in Viet Nam (Article 89 of the Viet Nam Intellectual Property Law).

<sup>4</sup> In the case of IPOS as Office A, filing of the documents required for CS&E will be via [IPOS Digital Hub](#). In the case of IP Viet Nam as Office A the filing documents required for CS&E will be filed electronically at: <http://dvctt.noip.gov.vn:8888/HomePage.do> or via paper.

<sup>5</sup> In the case of IPOS as Office A, the prescribed form is Patents Form 11: Request for search and examination report. In the case of IP Viet Nam as Office A, the prescribed form is Form 03-YCTD if the applicant did not tick on the request for substantive examination in Form 01-SC earlier. Additionally, in the case of IP Viet Nam as Office A, Form 01-SCA requesting for early publication should also be provided with the CS&E request.

<sup>6</sup> The patent application must contain claims and claims should be directed at a single invention. In the case of IPOS as Office A, if there are more than one invention, the search and examination will be directed at the first invention.

<sup>7</sup> Office A could be IPOS or IP Viet Nam.

observe and comply with the prescribed time periods for search and examination<sup>8</sup>, in order to fulfil the criteria for the request for CS&E and the request for search and examination to be submitted on the same day.

3.3 **Action taken by Office A.** Office A shall perform the requisite checks in paragraph 2.1 as soon as possible from the date of receipt of the request for CS&E.

3.4 Office A will perform search and examination and establish a provisional CS&E report (“Office A’s provisional CS&E report”) within three months from the date the formalities related to the request for search and examination are completed. Office A will transmit to the second Office (“Office B”) via electronic format the following information and documents for Office B to perform its search and examination:

- (a) Request for CS&E;
- (b) Specification and abstract of the application;
- (c) Examiner’s written opinion or examination report containing examiner’s opinion on the application;
- (d) A list of cited prior art references (e.g., patent documents, non-patent literature (NPL)) with information for identifying the cited prior art; and
- (e) Cited patent document(s), if any<sup>9</sup>.

3.5 The mode of document and information transmission between IPOS and IP Viet Nam could be performed via [IPOS Digital Hub](#). A [Corppass account](#) could be used by IP Viet Nam to transact via IPOS Digital Hub.

3.6 **Language.** English will be the operational language for the CS&E pilot programme.

- **When IPOS is Office A**

In respect of information and documents listed in paragraph 3.4 (a) to (d), they should be transmitted by IPOS to IP Viet Nam in English via electronic format. For document(s) listed in paragraph 3.4 (e), they should be transmitted by IPOS to IP Viet Nam via electronic format in English, where available. If document(s) listed in paragraph 3.4 (e) are not available in English, English translation will be provided by IPOS to IP Viet Nam. Machine translation in English will only be acceptable for documents listed in paragraph 3.4 (e).

- **When IP Viet Nam is Office A**

For documents listed in paragraph 3.4 (a) and (b), the English translation should be transmitted by IP Viet Nam to IPOS via electronic format. For documents listed in paragraph 3.4 (c) and (d), they should be transmitted by IP Viet Nam to IPOS via electronic format in English. For document(s) listed in paragraph 3.4 (e), they should be provided by IP Viet Nam to IPOS in English, where available. If document(s) listed in paragraph 3.4 (e) are not available in English, English translation will be transmitted by IP Viet Nam to IPOS via electronic format. Machine translation in English will only be acceptable for documents listed in paragraph 3.4 (e).

3.7 **Action taken by Office B.** Office B will complete and transmit its S&E report (“Office B’s S&E report”) containing examiner’s opinion on the application and accompanying information and

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<sup>8</sup> In the case of IPOS as Office A, the prescribed time period to file a request for search and examination report is 36 months from priority date or filing date, whichever is earlier. In the case of IP Viet Nam as Office A, the time period is 42 months from priority date or filing date, whichever is earlier. The applicant will also have to make a request for early publication of the application.

<sup>9</sup> Cited non-patent literature need not be provided.

documents listed in paragraph 3.4 (d) and (e) to Office A within the stipulated timeline<sup>10</sup> from the receipt of the information and documents listed in paragraph 3.4 (a) to (e). When IPOS is Office B, IPOS' S&E report and the documents listed in paragraph 3.4 (d) and (e) should be transmitted to IP Viet Nam as Office A via electronic format in English. When IP Viet Nam is Office B, IP Viet Nam S&E report and the documents listed in paragraph 3.4 (d) and (e) should also be transmitted via electronic format to Office A in English. Machine translation in English will be acceptable for documents listed in paragraph 3.4 (e).

- 3.8 **Further action by Office A.** Office A will make further review of the provisional CS&E report by considering Office B's S&E report as a reference.
- 3.9 Office A will issue the final CS&E report ("Office A's CS&E report") to the applicant. The language of Office A's CS&E report will be in accordance with Office A's national requirements. Office B's S&E report will be enclosed with Office A's CS&E report. Office A's CS&E report is the legally binding report for the patent application filed in Office A. Office B's S&E report is for the applicant's reference.
- 3.10 Office A will also transmit to Office B via electronic format a copy of Office A's CS&E report for information.
- 3.11 Office A's CS&E report shall be provided to the applicant no later than 10 months from the date of receipt of the CS&E request.
- 3.12 The revised CS&E programme offers two main benefits:

(a) **Support applicant's decision in making a second patent filing at Office B**

First file a patent application at either IPOS or IP Viet Nam as Office A, and obtain the CS&E report within 10 months to decide whether to file a corresponding patent application at Office B, by claiming a right of priority from the patent application filed at Office A<sup>11</sup>. When requesting for search and examination at Office B, the applicant can enclose Office A's CS&E report. If the claims filed in Office B sufficiently correspond to the claims referred to in the CS&E report issued by Office A, the search and examination process at Office B will be prioritised.

(b) **Obtain expedited examination at Office A and Office B**

Where there are corresponding patent applications filed at IPOS and IP Viet Nam, the applicant could submit the request for CS&E at Office A to obtain the CS&E report within 10 months.

The CS&E report issued by Office A, with Office B's S&E report enclosed, could aid the applicant to decide whether to proceed with a request for search and examination at Office B. When requesting for search and examination at Office B, the applicant can enclose Office A's CS&E report. If the claims filed in Office B sufficiently correspond to the claims referred to in the CS&E report issued by Office A, the search and examination process at Office B will be prioritised.

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<sup>10</sup> When IPOS is Office B, the stipulated timeline will be three months and when IP Viet Nam is Office B, the stipulated timeline will be four months.

<sup>11</sup> In order to claim a right of priority, the corresponding patent application shall be filed in Office B within 12 months from the filing date of the patent application at Office A.

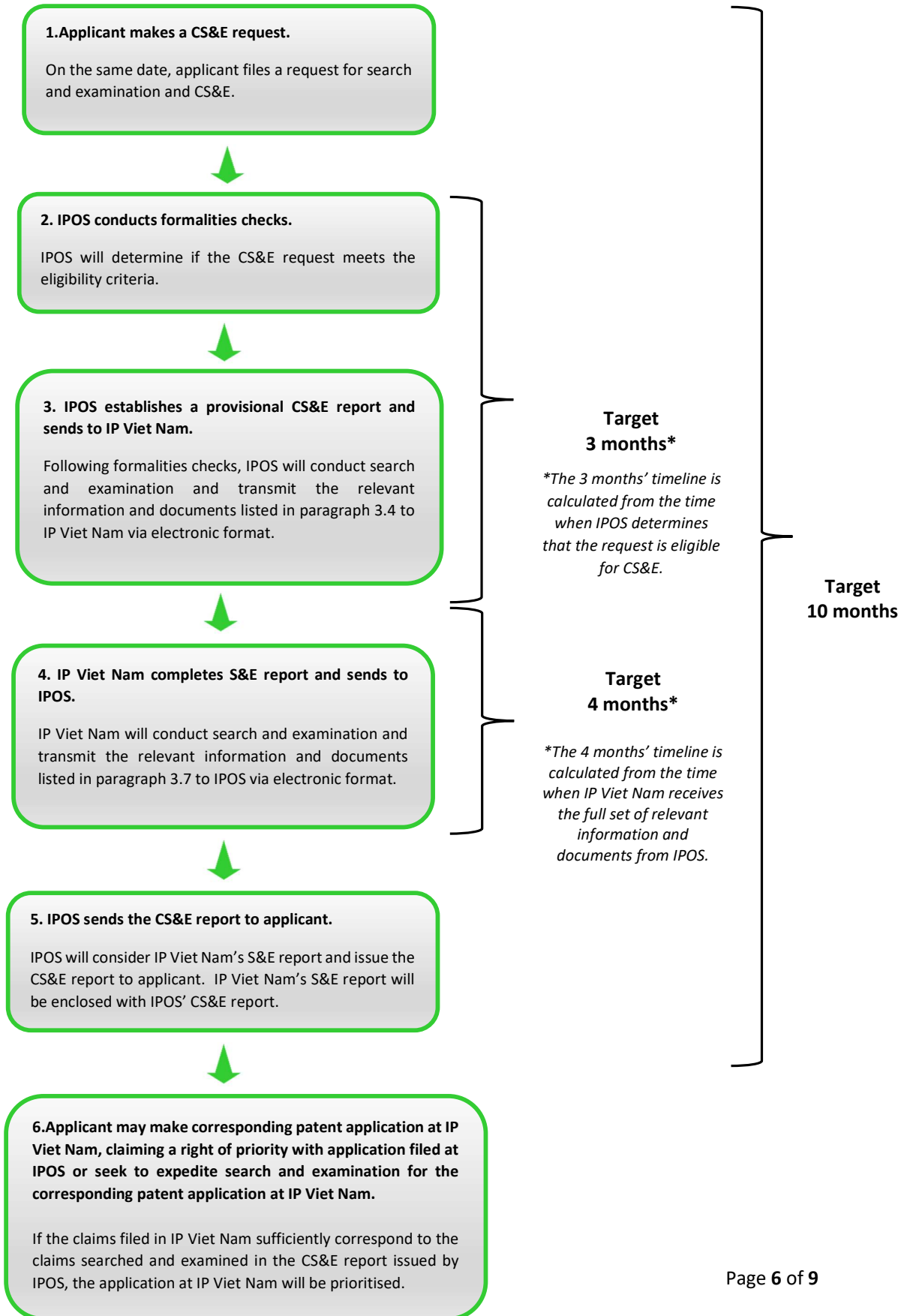
Updated Aug 2024

If the applicant has already requested for search and examination at Office B, the applicant may submit the CS&E report issued by Office A, to expedite search and examination at Office B within two months<sup>12</sup> from the issuance of the CS&E report.

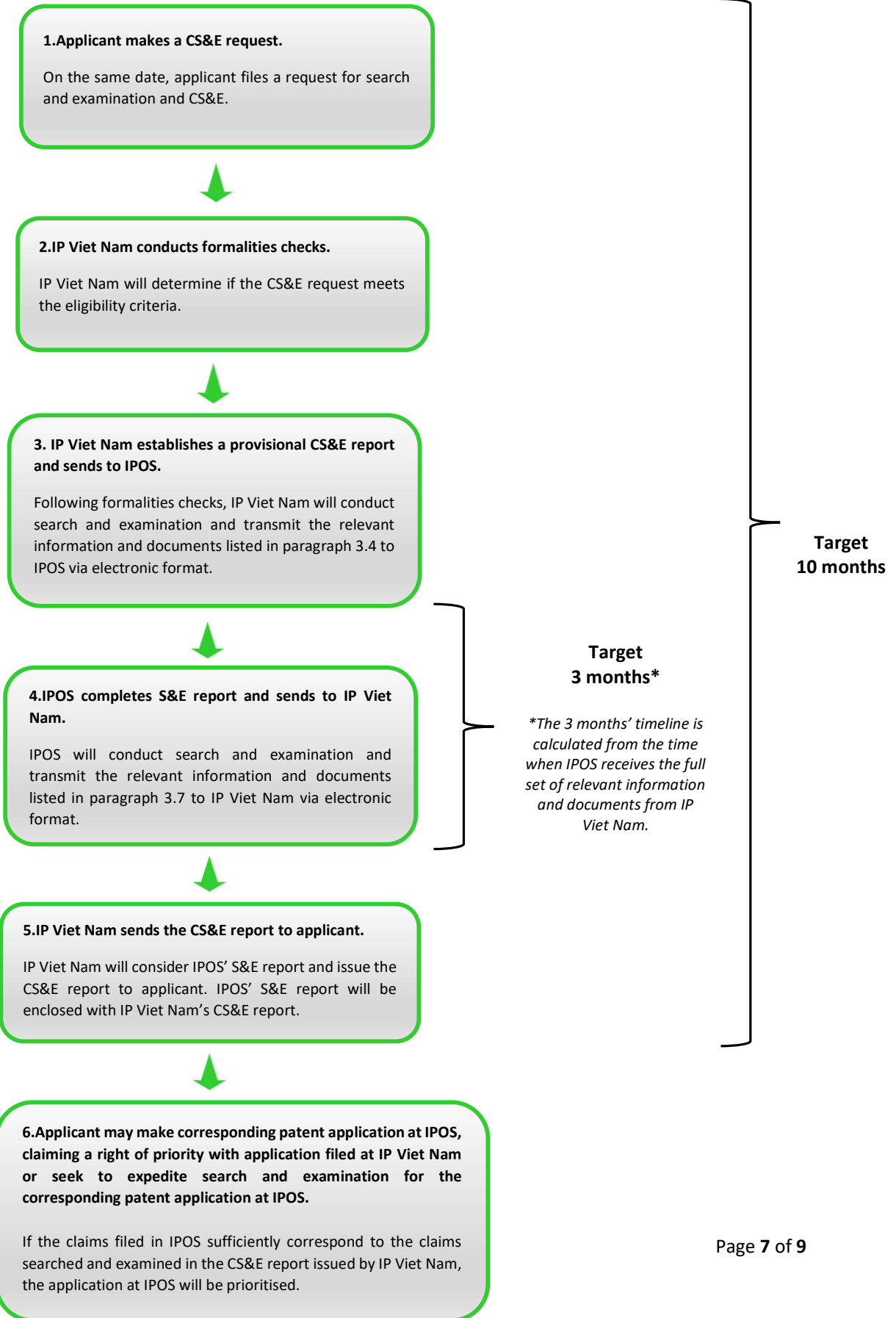
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<sup>12</sup> The two-month timeline will provide the applicant sufficient opportunity to review the CS&E report and to decide if they wish to submit the CS&E report to expedite search and examination at Office B.

**4. Simplified Flowchart for CS&E Pilot Programme**  
*(When IPOS is Office A and IP Viet Nam is Office B)*



**5. Simplified Flowchart for CS&E Pilot Programme**  
*(When IP Viet Nam is Office A and IPOS is Office B)*



**Annex A**



**IP VIET NAM**



**INTELLECTUAL PROPERTY  
OFFICE OF SINGAPORE**

**REQUEST TO PARTICIPATE IN THE  
COLLABORATIVE SEARCH AND EXAMINATION PILOT PROGRAMME BETWEEN  
THE INTELLECTUAL PROPERTY OFFICE OF SINGAPORE AND THE  
INTELLECTUAL PROPERTY OFFICE OF VIET NAM**

<b>Applicant's or agent's file reference (as applicable)</b>	
<b>Applicant</b>	
<b>Title of Invention</b>	

The applicant hereby requests for participation in the Collaborative Search and Examination (CS&E) Pilot Programme between the Intellectual Property Office of Singapore and Intellectual Property Office of Viet Nam. The applicant confirms that the CS&E request has fulfilled the local representative/address for service (as applicable)/language requirements in accordance with the respective national law<sup>13</sup>.

The applicant hereby authorises the Intellectual Property Office of Singapore and the Intellectual Property Office of Viet Nam to exchange information relating to this patent application including identified prior arts for the purpose of participating in CS&E pilot programme.

<b>Signature of applicant, agent or common representative</b>	
<b>Signature</b>	<b>Capacity</b>

<sup>13</sup> Representative/local address for service requirements: In the case of IPOS as Office A, for the purposes of any proceeding before the Registrar, an address for service in Singapore shall be furnished. The applicant may also appoint an advocate and solicitor or any other person to act on his/her behalf and provide an address for service in Singapore (Singapore Patents Rules 31 and 91). In the case of IP Viet Nam as Office A, Vietnamese organisations and individuals, foreign individuals permanently residing in Viet Nam and foreign organisations or individuals having production or business establishments in Viet Nam shall file applications for establishment of industrial property rights either directly or through lawful representative in Viet Nam. Foreign individuals not permanently residing in Viet Nam, foreign organisations or individuals having no production or business establishments in Viet Nam shall file applications for establishment of industrial property rights through lawful representative in Viet Nam (Article 89 of the Viet Nam Intellectual Property Law).  
Language requirements to be eligible for CS&E pilot programme: For filing of CS&E request with IPOS, the language for filing shall be in English. For filing of CS&E request with IP Viet Nam, the language for filing is Vietnamese.



**Annex B**

Your reference: [Applicant's reference]

Our reference: [Office's reference]

Date: [Day-Month-Year]

Writer's direct number:

[Name of Applicant

Address

Address

Address]

Dear Sir/Madam

**NOTIFICATION- COLLABORATIVE SEARCH AND EXAMINATION (CS&E) PILOT PROGRAMME BETWEEN THE INTELLECTUAL PROPERTY OFFICE OF SINGAPORE AND THE INTELLECTUAL PROPERTY OFFICE OF VIET NAM**

We refer to the deficiency notification we have issued on [Day-Month-Year], giving you till [Day-Month-Year] to remedy the deficiencies.

2. We have not received a response by the specified due date in our letter. Hence, this patent application is not able to proceed under the CS&E pilot programme.

3. If you wish to proceed the patent application under standard timelines, please submit a response to the deficiency notification by [Day-Month-Year] or your patent application [or your request for search and examination] will be refused.

[Name of Officer]

[Designation]