

**PATENTS TO COME INTO FORCE ON 31 DECEMBER 2025**

21 October 2025

The Patents (Amendment) Act 2022 (“**Amendment Act**”) came into force in 2022, except for certain provisions which were deferred. On 6 October 2025, the Minister of Domestic Trade and Cost of Living appointed 31 December 2025 as the date on which the remaining provisions of the Amendment Act shall come into operation by notification in the Gazette.

The salient amendments that will come into force under the Amendment Act on 31 December 2025 are set out below:

	Prior to Amendment Act	Under Amendment Act
1.	<p><b>Section 34(1):</b> The following information shall be made available by the Registrar for public inspection:</p> <ul style="list-style-type: none"> <li>(a) name, address and description of the applicant, and the name and address of his agent, if any;</li> <li>(b) application number;</li> <li>(c) filing date of application and, if priority is claimed, the priority date, the number of the earlier application and the name of the State in which the earlier application is a regional or an international application, the name of the country or countries for which and the office at which it was filed;</li> <li>(d) particulars of the application including the description, claim or claims, drawings, if any, and the abstract and any amendments to the application, if any; and</li> <li>(e) any change in ownership of the application and any reference to a licence contract appearing in the file relating to the application</li> </ul>	<p>Introduces a minor amendment to paragraph (c) to require the name of country in which the earlier application was filed to be made available.</p> <p>Apart from those listed from paragraphs (a) to (e), the following information must also be made available:</p> <ul style="list-style-type: none"> <li>(f) search and examination reports;</li> <li>(g) communications in respect of the patent application from the applicant to the Patent Registration Office as determined by the Registrar; and</li> <li>(h) patent and non-patent related literature citations submitted by the applicant or any other person to the Patent Registration Office.</li> </ul>
2.	None.	<p>A new <b>Section 55A</b> provides that any interested person may commence opposition proceedings by filing a notice of opposition with the Patent Registration Office against the owner of a patent, in relation to the grant of the patent, within a prescribed period.</p>
3.	None.	<p>A new <b>Section 56A</b> prohibits an interested person who has filed a notice of opposition under Section 55A, where the Registrar has not yet decided on the opposition proceedings, from instituting Court proceedings against the owner of the patent for invalidation of the patent (“<b>Invalidation Proceeding</b>”), unless both parties agree to the invalidation proceedings or the interested person is a defendant in an infringement proceeding.</p> <p>Before instituting such Invalidation Proceeding, the interested person must notify the Registrar of such intention and withdraw the notice of opposition that was filed.</p>

4.	<b>Section 57(1):</b> Any invalidated patent or claim or part of a claim shall be regarded as null and void from the date of the grant of the patent.	Amended to specify that the invalidated patent or claim or part of a claim is pursuant to Section 55A ( <i>opposition of patent</i> ) or Section 56 ( <i>invalidation of patent</i> ).
5.	<b>Section 79A(3):</b> The Registrar is prohibited from making amendments to a patent if there are any Court proceedings pending in which the validity of the patent may be put in issue.	Amends Section 79A(3) to additionally prohibit the Registrar from making amendments to a patent if opposition proceedings under Section 55A are pending before the Registrar.

The corresponding Patents (Amendment) Regulations 2025 (“**Amendment Regulations**”) will also come into operation on 31 December 2025.

The Amendment Regulations are intended to clarify certain administrative points, introduce the procedure for opposition proceedings and any relevant fees. The salient amendments to the Patents Regulations 1986 under the Amendment Regulations are set out below:

	Prior to Amendment Regulations	Under Amendment Regulations
1.	None.	<p><b>New regulations 43A to 43U</b> set out the procedures for opposition proceedings, including, among others, the following:</p> <ul style="list-style-type: none"> <li>• filing of notice of opposition;</li> <li>• filing of additional grounds of opposition;</li> <li>• filing of counterstatement to the notice of opposition and request to amend the patent;</li> <li>• provision of evidence in reply and response to patent amendment request;</li> <li>• filing of request for leave to submit further evidence;</li> <li>• provision of written statement at the request of the Registrar;</li> <li>• provision of recommendation by ad hoc opposition committee;</li> <li>• provision of decision of Registrar in opposition proceeding;</li> <li>• awarding of cost by Registrar;</li> <li>• change of patent agent or change of interested person;</li> <li>• withdrawal of notice of opposition;</li> <li>• extension of time in opposition proceedings; and</li> <li>• amendment and filing of documents in opposition proceedings.</li> </ul>
2.	None.	<p>A <b>new regulation 43K</b> allows for an ad hoc opposition committee to provide recommendations to the Registrar during opposition proceedings, whether to maintain the patent, impose amendments, or invalidate the patent and the consequence of such decision.</p>
3.	None.	<p>A <b>new regulation 43M</b> permits the Registrar to award costs to the party in whose favour the opposition decision is made. If a decision is made in favour of the interested person, the security for costs shall be returned to the interested person.</p>

4.	None.	<p>A new regulation 46A(4) allows the Registrar to defer any action in relation to a patent amendment request, if such request is made before the filing of a notice of opposition, until the expiry of the period for the filing of notice of opposition.</p> <p>If a notice of opposition is filed, the Registrar may defer such action until he notifies his decision for the opposition proceeding or until the notice of opposition is withdrawn.</p>
5.	None.	<p>A new regulation 52(5) facilitates the filing of documents or things at the Patent Registration Office to be made in a physical computer storage device according to requirements determined by the Registrar.</p>
6.	Schedule I: No prescribed fee for opposition proceedings.	Amends Schedule I to include fees related to opposition proceedings.

The Amendment Regulations can be accessed [here](#).

For further information, please contact [Charmayne Ong](#) (Partner) of the Intellectual Property Practice of Skrine.



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