

(IV) Patents

1. What is a Patent?

- Patents protect technical innovations.
- A patent gives the exclusive right to the inventor of an invention or its subsequent owner to make, use or put the invention on the market.
- An invention which is new, involves an inventive step and is capable of being industrially applied can be patented. Generally speaking, if any invention is disclosed to the public prior to the application of patent registration, the inventor will not be given any exclusive rights. The patent system encourages new technology by granting the inventor a patent which gives him the exclusive right to exploit the invention for a set term.

2. Territorial Protection

- The patent registration system of Hong Kong provides territorial protection. Hence, patents registered with the State Intellectual Property Office of the People's Republic of China or patents registries of other countries or regions do not automatically receive protection in Hong Kong.

3. Standard and Short-term Patents

- Protection under standard patents is renewable annually after the end of the third year, up to maximum term of 20 years.
- Protection under a short-term patent is renewable after the end of the fourth year, up to a maximum term of eight years.