

PAPUA NEW GUINEA

Status as of May 2005

FEATURES	STATUS	CHANGES IN LAWS SINCE 1990
Types of protection for inventions	<ul style="list-style-type: none"> • Patents 	N.A
Term of protection	<ul style="list-style-type: none"> • 20 years • Extension of patent term is not possible. 	No
Subject matters excluded from patentability or not considered to be inventions	<ul style="list-style-type: none"> • The following subject matters are excluded from patentability: <ul style="list-style-type: none"> - Scientific theories/mathematical methods - Mental acts - Business methods - Diagnostic, therapeutic and surgical methods for the treatment of humans and animals - Inventions contrary to morality/public order • The following subject matters are not considered to be inventions: <ul style="list-style-type: none"> - Discoveries - Aesthetic creations 	No
Filing language	<ul style="list-style-type: none"> • Filing an application in languages other than an official language is not possible. 	No
Certain requirements relating to filing	<ul style="list-style-type: none"> • The inventor rarely waives his right to be mentioned in the patent. 	No
	<ul style="list-style-type: none"> • It is not possible to file provisional applications. 	
	<ul style="list-style-type: none"> • The most frequent route used by foreign applicants to file patent applications is the Paris Convention route. 	
Link between different inventions in the same application	<ul style="list-style-type: none"> • The applicable law allows that the claims in a patent application relate to a group of inventions so linked as to form a single general inventive concept. 	No
Publication	<ul style="list-style-type: none"> • The information related to the application is published or open for public access when the patent is granted. 	No

Classification system	<ul style="list-style-type: none"> The patent classification system used is the International Patent Classification (IPC) system. 	N.A
Search and examination	<ul style="list-style-type: none"> The applicable law establishes a substantive search and examination system. Search and examination are separated. The filing of an application automatically implies a request for search and examination. During the examination procedure, the following criteria are examined: <ul style="list-style-type: none"> - Novelty - Inventive step/non obviousness - Industrial applicability/utility 	N.A
Specific legal provision regarding ownership of patents derived from public (government) research funding	<ul style="list-style-type: none"> No 	No
Exceptions to exclusive rights conferred by a patent	<ul style="list-style-type: none"> There are exceptions to the exclusive rights conferred by a patent as follows: <ul style="list-style-type: none"> - Compulsory licenses - Governmental use - Research and/or experimental exception - Prior user's right 	No
Options to challenge a patent	<ul style="list-style-type: none"> The only option to challenge a patent is a court procedure. 	No