

➤ Assessment of inventive step in the chemical sector (pharmaceutical inventions):

• Markush practice:

The situation involving a single claim that defines alternatives (chemical or non-chemical), the so-called "Markush practice," the requirement of a technical interrelationship and the same or corresponding special technical features, is considered met when the alternatives are of a similar nature.

• Different physical forms in the pharmaceutical compounds:

Applications for salts, crystalline forms, various isomers, enantiomers, hydrates, prodrug compounds are lacking the requirement of the inventive step and do not rise to the level of patentable inventions, unless the concerned party presents practical and laboratory studies that demonstrate an unexpected effectiveness of what is apparent and is known to the skilled person in the field.

- Similarly, the formulation of compounds in different forms of pharmaceutical formulations; tablets, syrup, injections, etc., are considered to lack the inventive step in the case of those formulations were prepared by traditional methods recognized in the field and there were no technical problems that were overcome to reach such formulations.

(iii) With regard to the secret relationship between the agent and the agent, Law 82 of 2002 on the relationship between the agent and the client and the relationship is due to the agency contract between the parties

(iv) With regard To the determine whether there are new drafts of the patent law governing technology transfer, the current law No. 82 of 2002 does not contain provisions for the transfer of technology and existing texts only for the transfer of ownership of a patent application

(ii) With regard to the existence of a national or regional law on the grievances system, Law No. 82 / 2002 provides in article 36 for grievances and objections

UPDATED INFORMATIONS ON:

(III) International work sharing and collaborative activities for search and examination of patent application:

➤ **Sharing Search and Examination Work Products**

- Utilizing the international search report and the preliminary search report prepared by other offices as a guide for the search report.

(i) With regard to the Compulsory Licenses", the decision to grant compulsory licenses has not yet been issued

(ii) further study on inventive step (part3) , giving a particular attention to the topics suggested in paragraph 8 of ANNEX to document SCP/24/3 (proposal by Spain) , in particular ,assessment of inventive step in chemical sector.

A claimed invention is considered to involve an inventive step if, having regard to the prior art it is not, at the relevant date obvious to a person skilled in the art.

The condition of inventive step is fulfilled if the invention as a whole, compared to the prior art as a whole, would not have been obvious to a person skilled in the art. Multiple items of prior art may be combined in the determination of whether the requirement of inventive step is met. Therefore, the examiner should take into consideration the claim's relation not only to individual documents or parts thereof taken separately but also to combinations of such documents or parts of documents, where such combinations are obvious to a person skilled in the art.

The invention as a whole is obvious if any item(s) of prior art or general knowledge of the person of skill in the art would have motivated or prompted the person of skill in the art on the relevant date to reach the claimed invention by substituting, combining or modifying one or more of those items of prior art with a reasonable likelihood of success. One particular way to determine inventive step is to apply the problem-solution approach

The person skilled in the art should be aware of what was common general knowledge in the art at the relevant date. he should also be presumed to have had access to everything in the "prior art," in particular, the documents cited in the search report, and to have had at his disposal the normal means and capacity for routine experimentation. If the problem on which the invention is based and which arises from the closest prior art prompts the person skilled in the art to seek its solution in another technical field, the person skilled in the art in that field is the person qualified to solve the problem. The assessment of whether the solution involves an inventive step must therefore be based on that specialist's knowledge and ability

➤ Combining Teachings:

The combination, substitution or modification of the teachings of one or more items of prior art may only lead to a lack of inventive step where a person skilled in the art would have been motivated by the prior art or his general knowledge, with a reasonable likelihood, to combine, substitute or modify one or more items of prior art. Conversely, where such combination could not have been expected from a person skilled in the art, the requirement of inventive step would be met, even if each single item would have been obvious if taken individually.

- Using the National search reports of other National offices for example via WIPO CASE, GLOBAL DOSSIER and COMMON CITATION DOCUMENT.
- **Patent Prosecution Highway (PPH):**
 - Between Egyptian Patent Office (EGPO) and Japan Patent Office (JPO) .
 - Between Egyptian Patent Office (EGPO) and Chinese Patent Office (CNIPA)
- **Training programs:**
 - The Egyptian patent office performs search and examination of some patent applications filled with the Oman Patent Office .
 - the Egyptian patent office provide training programs on search and examination for Arab and African countries in cooperation with WIPO.
 - the Egyptian patent office provide workshop training programs and on-job training on search and examination for other countries for example GCC Patent Office, Kuwait Patent and Oman Patent Office
 - The examiners participate in training programs provided by wipo in cooperation by other patent offices such as Korean Intellectual Property Office and Austrian Patent Office .
 - The examiners participate in training programs in cooperation by other patent offices such as Japanese patent office and Chinese Patent Office (CNIPA)