



## PRACTICE NOTICE No.21 OF 2023: PATENTS AND DESIGNS STAKEHOLDERS

### REQUIREMENTS AND PROCESSING OF REQUESTS TO EXPEDITE ACCEPTANCE OF PATENT APPLICATIONS

1. This Practice Notice sets out the requirements for requesting expedited acceptance of patent applications. The requirements and procedures set out below will apply from 11 April 2023.
2. The Registrar shall require evidence in terms of section 15(1)(a) of the Patents Act for any request for expedited acceptance of a patent application made within the first 12 months of the national phase entry date for PCT national phase applications, alternatively within the first 18 months from the date of application for all other applications.
3. The evidence referred to in paragraph 2 above shall be annexed to the request and must include one of the following supporting documents:
  - (a) for PCT national phase patent applications, a copy of a corresponding Written Opinion of the International Searching Authority (WO-ISA) or International Preliminary Report on Patentability (IPRP), where the WO-ISA or IPRP has considered the subject matter of at least one claim of the PCT application to be both novel and inventive; or
  - (b) a copy of a search and/or examination report of an equivalent foreign patent application where an examining patent office has considered the subject matter of at least one claim of the equivalent foreign application to be both novel and inventive; or
  - (c) an affidavit from at least one applicant, providing the reasons that expedited acceptance is required for the specific patent application, the affidavit having been properly authenticated as referred to in Rule 63 of the Uniform Rules of Court.

**Adv Rory Voller**  
**CIPC Commissioner**

7 April 2023