



Standard of Procedure for Intellectual Property Application in Xiamen University Malaysia

For the convenience of scientific researchers, our university's intellectual property could be applied for and approved through submission to Innovation Centre and Research Management Centre. This document will explain the specific operation process and will act as a guideline among XMUM researchers including lecturers and students. In this document, we emphasize on patent filing since it is the most common type of intellectual property among university researchers.

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Section A: Step-by-step Guideline for XMUM Lecturers and Students

1. First, inventor/researcher shall fill up the “Intellectual Property Application Form (Internal Review)”. This form is attached in the end of this document.
2. While filling up the form, inventor/researcher shall have all the necessary submission materials required by Intellectual Property Corporation of Malaysia (MYIPO) ready in hand. Inventor/researcher is required to attach all the submission materials that are mentioned in MyIPO for a full review. Please refer to the “Patent Application Forms and Costs in Malaysia” in Section D.
3. The completed application form should be reviewed and signed by Head of Department before being submitted to Innovation Centre for final review and approval process.
4. After the review and approval process is completed, Innovation Centre will proceed to patent filing on behalf of the university.

XMU JIAGENG EDUCATION DEVELOPMENT SDN BHD

Company No: 201201038124 (1022606-P)

Xiamen University Malaysia DULN009(B)

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Section B: Patent Filing through XMUM Innovation Centre as the Applicant

1. XMUM Innovation Centre will start to file the patent on behalf of the inventor/researcher either through e-filing system on MyIPO official website or manual filing by submitting hardcopy to MyIPO physical office.
2. After the application is submitted, MyIPO will check the requirement for the application. In case there is any correction needed, applicant/university will be given 3 months to submit the corrected version.
3. If there is no further correction in the patent filing process, MyIPO will issue Certificate of Filing for a completed application.
4. At the same time, preliminary examination of application will be done. In case there is any correction needed, applicant will be given 3 months to submit the corrected version.
5. At this stage, MyIPO will decide whether the application is accepted or refused. If accepted, MyIPO will issue a Clear Formalities Report.
6. Within 18 months from Step No. 1, applicant must file a request for Substantive/Modified Examination.
7. After the request is filed, MyIPO will let the application be laid open for public inspection. At the same time, Substantive/Modified Examination of the application will be carried out by MyIPO.
8. Throughout the examination process, in case there is any amendment in response to Substantive/Modified Examination Report, applicant is given 2 months to submit.
9. MyIPO will perform further examination towards the amendment.
10. Repeat Steps 8 and 9 until no further amendment is needed.

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11. After the examination is completed, MyIPO will decide if the application is granted or refused. If granted, MyIPO will issue Certificate of Grant to the applicant.
12. At this stage, the patent grant will be published in Official Journal.
13. From here onwards, applicant has to pay renewal fees yearly from grant for up to 20 years from Step 7.

Section C: Important Notes

Before filling up the XMUM Intellectual Property Application Form, researcher shall understand and be aware about the following matters:

- a) In order to avoid redundancy in patent filing, you are encouraged to do a “Patent Search” to rule out any possibility that the same work has already been filed before you do. This is important because your Intellectual Property application will be rejected due to duplication if MyIPO found any similar work in their database. Here is the link for Online IP Search service provided by MyIPO, <http://www.myipo.gov.my/en/search-patent/?lang=en>
- b) For every application of Patent Filing, the applicant name shall be Xiamen University Malaysia and the inventor name shall be the researcher or project leader.
- c) Throughout the process, there might be some modification or correction needed. Inventor/researcher shall work together with Innovation Centre in order to get the patent granted successfully.
- d) Read the Intellectual Property Policy of XMUM carefully. You may request a copy of the policy from Innovation Centre.
- e) For more information regarding filing a patent, you may refer to the MyIPO website, www.myipo.gov.my.
- f) For further enquiry, you may contact Innovation Centre at innovation@xmu.edu.my.

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Section D: Patent Application Forms and Costs in Malaysia

The university provides financial aid which is mainly used to subsidize the patent affairs fees (including application fees, examination fees, annual fees within three years after authorization), software registration fees and other related expenses for the university as the first applicant. The cost of hiring a patent agent is not included for subsidization. For Patent Application in Malaysia, below summarize the forms and payments that are required in each stage of patent application.

Stage 1 - Patent Filing

1. Submission Materials

- a) Fill in Form 1/ Form 14
**Form 1 - patent; Form 14 - utility innovation
- b) Specification - Description, Claims, Abstract and Drawings (if any)
- c) Form 17 - Appointment or change of patent agent
- d) Form 22 - Statement justifying the applicant’s rights to patent/certificate.

2. Price

Item	Subject Matter	Online Filing	Manual Filing
1	Filing Application for grant of patent with 10 claims or below	RM 260	RM 290
2	Request for grant of utility innovation	RM 130	RM 140
3	Appointment of patent agent	RM 70	RM 80
4	Filing Statement justifying the Applicant’s right to a patent	RM 70	RM 80

Stage 2 - Filing Request for Substantive Examination or Filing Request for Modified Substantive Examination

- 1. This stage shall be done within 18 months from the filing date.

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2. Price

Item	Subject Matter	Online Filing	Manual Filing
1	Filing Request for Substantive Examination	RM 950	RM 1100
2	Filing Request for Modified Substantive Examination	RM 600	RM 640

Stage 3 - After the patent certificate is granted, renew your patent grant annually, starting from the second year after your patent is granted, up to 20 years.



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Issued by : Innovation Centre
 Reference No. : XMUM.IC-100/2/2-V2.0
 Effective Date : 1st February 2022

INTELLECTUAL PROPERTY APPLICATION FORM (INTERNAL REVIEW)

Note: 1. Submit this form to the Innovation Centre before you file a patent or applying any intellectual property at MyIPO.
 2. Attach all the submission materials for reviewing process.

1. INVENTOR'S PERSONAL PARTICULARS					
Name (<i>with designation</i>)			Staff/Student ID No.		
Department			NRIC/Passport No.		
E-mail Address					
Office Phone No.			Mobile No.		
Inventor's Signature			Date		
2. DETAIL OF INTELLECTUAL PROPERTY (IP)					
Type of IP (<i>please tick</i>)	<input type="checkbox"/> Patent		<input type="checkbox"/> Industrial Design		
	<input type="checkbox"/> Copyright		<input type="checkbox"/> Layout-designs or Integrated		
	<input type="checkbox"/> Trademark and Service Mark		<input type="checkbox"/> Geographical Indications		
	<input type="checkbox"/> Plant Varieties		<input type="checkbox"/> Others:		
Title of Work/ Invention					
Field of Work/ Invention					
3. DETAIL OF CO-INVENTORS AND CO-OWNERS (IF ANY)					
If this is a joint work, kindly fill in the detail accordingly in the table below.					
Co-inventor's Full Name	School/ Department	% Contribution	Student/ Staff ID	NRIC No./ Passport No.	Signature
If this is a jointly-owned invention, please state the party(s) in the table below.					
Joint Applicant(s) / Co-Owner(s) Name			Justification		

Note: For the jointly owned inventions, please attach relevant document as evidence (E.g: Agreement/ Grant)

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4. ADDITIONAL INFORMATION (If any)			
5. HEAD OF DEPARTMENT / PROGRAMME CO-ORDINATOR			
Approved (please tick)		Not approved (please tick)	
Justification:		Signature	
		Date	
6. INNOVATION CENTRE			
Approved (please tick)		Not Approved (please tick)	
Signature		Signature	
Date		Date	
7. PRESIDENT			
Approved (please tick)		Not Approved (please tick)	
Signature		Signature	
Date		Date	

Office use:

Mode of IP Application	<input type="checkbox"/> Manual	<input type="checkbox"/> Online
Submission Materials	<input type="checkbox"/> Complete	<input type="checkbox"/> Incomplete
Remarks		



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