APAA Patents Committee (Singapore Group) – 2026

A. Recent Case of Interest

Ng Say Keong v Jia Le Aluminium [2025] SGHC 243

[Intellectual Property — Patent Validity — Patent Infringement]

- **Facts**

The Singapore High Court decision of *Ng Say Keong v Jia Le Aluminium [2025] SGHC 243* considered the issues of patent validity and patent infringement. In the present case, Mr Ng Say Keong (plaintiff) alleged that Jia Le Aluminium (defendant) infringed one patent owned by the plaintiff by virtue of making and importation of door products (JL door). The patent is SG 10201401033R (033R patent).

- **Issues**

(i) Is the 033R patent valid?

(ii) Did the defendant infringe the 033R patent?

- **Holding**

The High Court found the 033R patent to be valid, and that the defendant did not infringe the 033R patent.

- **Rationale**

(1) Is the 033R patent valid?

The validity of the 033R patent was challenged under Section 80(1)(a) of the Patents Act, for being unpatentable in view of JP 2005048539.

While JP2005048539 had been cited by the IPOS Patent Examiner during examination of the 033R patent and did not prevent the patent from being granted, the Court held that this did not relieve it of its duty to independently determine validity. The judge therefore conducted an independent assessment of validity in light of the evidence and submissions before the Court and, ultimately found the 033R patent to be valid.

(2) Did the defendant infringe the 033R patent?

Claim 1 of the 033R patent recites:

A sliding door system, comprising:

a. a door frame having a top inner edge;

b. a first door panel and a second door panel which are slidable with each other, characterized in that both the first door panel and the second door panel are provided with a top horizontal bar and a bottom horizontal bar, wherein the base of the bottom horizontal bar of the two panels is provided with elongated slot and one end of each of the base of the two door panels is extended to form an abutment which is slidable within the slots of each of the bottom bar; and the top horizontal bar has a male abutment and a female recess where the male abutment formed on one of the panel is slidable within the recess of the top horizontal bar of the other door panel, whereby the first door panel and the second door panel are capable of slidably positioned at juxtaposed position;

c. a pair of pivot device to pivotally mounted one panel of the door to the edge of the one of the two door panels, such that the doors at juxtaposed position is capable of swinging open about the pivot point on the door frame, thereby a widest door opening is obtained via sliding of one door panel and the swinging opening of the juxtaposed doors.

Accordingly, whether the JL door falls within the scope of the 033R patent depends on whether the JL door includes all the essential elements of the claim. There was uncertainty over the construction of the terms "elongated slot" and "the slots", which consequently affected how the term "abutment" was constructed as the abutment is "slidable within the slots".

The purposive approach to claim construction applied by the Court is well established in Singapore patent jurisprudence. Although the claims are the primary determinant of the scope of protection, they must be interpreted in the context of the specification as a whole. Nevertheless, where the claim language bears a clear and ordinary meaning, the Court will not rely on the body of the specification to ascribe a different meaning to the claims. This approach accords with Section 113(1) of the Patents Act, which provides that the extent of an invention is defined by the claims, interpreted with the aid of the description and drawings contained in the specification. Consequently, the Court found that the defendant did not infringe the 033R patent.

B. Legislation/practice update

1. Suspension and reinstatement of SG Patents Fast

SG Patents Fast is an initative to help applicants receive faster office actions for their patent filings. The program can be broadly explained as offering two acceleration tracks:

SG Patents Fast 4: Receive first office action within four months of a valid acceleration request, which attracts an additional official fee of ranging from about USD 1000 to 1400.
SG Patents Fast 8: Receive first office action within eight months of a valid acceleration request, which attracts an additional official fee of ranging from about USD 500 to 700.

This initiative was suspended in January 2026 but was reinstated in September 2026 after an internal review.

2. Enhancement of Patent Prosecution Highway (PPH) requests

On 10 June 2026, IPOS introduced measures to encourage use of the PPH, including a further accelerated first office action timelines and a simplified examination fee refund mechanism. IPOS indicated that it would endeavour to issue a first office action (or allowance) within 6 months (improved from 10 months) for accepted PPH requests filed from 1 July 2026. The simplified examination fee refund mechanism relates to an upfront 30% discount on the official examination fees payable at the time of requesting examination, rather than a full payment upfront followed by a 30% refund weeks later if the PPH is accepted.

Furthermore, IPOS also clarified when examiners may issue an Invitation To Amend (ITA) rather than a Written Opinion or Examination Report and how applicants should respond. The examiners have more flexibility in relation to issuing ITAs compared to prior this enhancement.

3. Extension of Extension of Time (EOT) official fee waiver pilot for requesting search and/or examination

On 12 August 2026, IPOS extended the extension of time official fee waiver pilot for requesting search and/or examination by one year as the pilot was slated to end on 31 August 2026. This extension covers applications with original search and/or examination deadlines up to 31 August 2027.

3. Filing Date accorded to Patent Application on Sunday and Public Holidays

By the end of 2026, patent applications will be accorded a date of filing on the day they are filed – even on Sundays and Public Holidays.

C. Patent filing statistics

Year	2020	2021	2022	2023	2024	2025
Filing numbers	13265	14590	14653	13767	13421	12886
Local applicants	1778	2024	1708	1621	1898	2283
Foreign applicants	11487	12566	12945	12146	11523	10603

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