

## 專利表格第 P6 號

## 請求批予短期專利

《專利條例》(第 514 章)

《專利(一般)規則》(第 514C 章)

## 重要須知

## 1. 一般須知：

- 中文或英文均可使用為法律程序所採用的語文。除非另有說明，請以中文填寫本表格。
- 本表格必須簽署，並註明簽署日期。
- 填寫本表格任何部分時，如空位不足，請以附頁書寫。每張附頁須加上頁碼，以及在 11(1) 部分註明附頁的頁數。
- 查詢方法如下：
  - 電郵：[enquiry@ipd.gov.hk](mailto:enquiry@ipd.gov.hk)
  - 網址：[www.ipd.gov.hk](http://www.ipd.gov.hk)

## 2. 個人資料的使用：

- 提供個人資料與否純屬自願，但如果提供的資料不足，專利註冊處可能無法處理你的申請、提交的要求或通知。
- 專利註冊處會將本表格及就本表格提交的任何文件所提供的任何個人資料，用作處理你的申請、要求或通知，以及用於 [www.ipd.gov.hk/chi/home.htm](http://www.ipd.gov.hk/chi/home.htm) 所載的收集目的。請注意，依據《專利條例》(第 514 章)第 147 條，所提供的資料全部或部分可能會提供予公眾查閱。該等資料可透過互聯網查閱。
- 專利註冊處在發放可供公眾查閱的資料前，可編輯由你主動提供載於本表格，或就本表格而提交的任何文件上無明確規定須提交的個人資料。請勿提供任何無明確規定須提交的個人資料(包括與第三者有關的個人資料)。
- 在符合《專利條例》(第 514 章)的規定下，依據《個人資料(私隱)條例》(第 486 章)第 18 和 22 條，任何人士有權查閱和改正專利註冊處備存的專利紀錄內所載其個人資料。
- 詳情請參閱載於 [www.ipd.gov.hk/chi/home.htm](http://www.ipd.gov.hk/chi/home.htm) 的收集個人資料聲明。

## 3. 其他資料的使用：

- 專利註冊處會將本表格及就本表格提交的任何文件所提供有關商業企業或實體的任何資料，用作處理你的申請、要求或通知，以及用於 [www.ipd.gov.hk/chi/home.htm](http://www.ipd.gov.hk/chi/home.htm) 所載的收集目的。依據《專利條例》(第 514 章)第 147 條，這些資料全部或部分可能會提供予公眾查閱。該等資料可透過互聯網查閱。
- 請勿提交你認為屬機密或商業敏感的自身或第三者商業資料。如本表格或就本表格提交的任何文件載有該等資料，註冊處處長將視你和有關的第三者明示及自願同意披露所有該等資料供公眾查閱。

## 4. 遞交申請／請求／通知：

請連同適當的費用，親自或以郵寄方式送交中國香港灣仔皇后大道東 213 號胡忠大廈 24 樓專利註冊處處長。費用一覽表可於：[www.ipd.gov.hk/chi/forms\\_fees.htm](http://www.ipd.gov.hk/chi/forms_fees.htm) 瀏覽。有關款項可親自以現金或郵寄支票繳交，支票須註明抬頭人為「香港特別行政區政府」。



<p>(3) 如在(2)部分<b>兩部分</b>問題的答案均為「否」，請提供以下資料：</p> <p>寄存該微生物的培養物的寄存機構名稱及地址</p> <p>寄存日期 (日日/月月/年年年年)</p> <p>存入編號 (《專利(一般)規則》第73條及附表1，詳情請瀏覽 <a href="http://www.ipd.gov.hk">www.ipd.gov.hk</a>)</p>	姓名/名稱
	地址

<p><b>05</b> 如短期專利申請是以國際申請為基礎，請填寫<b>國際申請的資料</b></p> <p>(1) 國際申請編號</p> <p>(2) 國際申請提交日期 (日日/月月/年年年年)</p> <p>(3) 國際申請發表編號</p> <p>(4) 國際申請發表日期 (日日/月月/年年年年)</p> <p>(5) 在中華人民共和國進入國家階段的日期</p> <p>或</p> <p>中華人民共和國國家知識產權局的國家申請號通知書的發文日</p> <p>(6) 中國專利申請編號(如知道)</p> <p>(《專利條例》第125條和《專利(一般)規則》第78條，詳情請瀏覽<a href="http://www.ipd.gov.hk">www.ipd.gov.hk</a>)</p>	
	<p>請在適當空格內加上記號，並填上有關日期</p> <p><input type="checkbox"/> _____ (日日/月月/年年年年)</p> <p><input type="checkbox"/> _____ (日日/月月/年年年年)</p>

**註2** 就較早時的申請的日期作出聲稱 —

- (1) 如屬分開申請，可根據《專利條例》第116條；  
 (2) 經在批予後對專利的權利的裁定而按法院命令新提交的申請，則可根據《專利條例》第55條作出聲稱。  
 《專利條例》可於 [www.ipd.gov.hk](http://www.ipd.gov.hk) 瀏覽。

**06 較早時的申請**

如此申請屬分開申請或源自較早時在香港特別行政區提出的申請，請填寫較早時的申請的資料  
**(註2)**

- (1) 聲稱享有較早時的申請所根據的條文
- (2) 較早時的申請的編號
- (3) 較早時的申請的提交日期  
 (日日/月月/年年年)

請在適當空格內加上記號

《專利條例》

第116條

第55條

**07 優先權申請的資料**

如根據《專利條例》第111條作出聲稱享有優先權的陳述，請在以下方格提供有關的陳述及資料：  
 (《專利(一般)規則》第58(5)(c)、69條，詳情請瀏覽[www.ipd.gov.hk](http://www.ipd.gov.hk))。

**陳述**

國家/地區/地方

優先權申請編號

優先權申請提交日期  
 (日日/月月/年年年)

**註3** 如申請人並非唯一的發明人，或各申請人並非共同發明人，申請人須以表格第P6A號提交陳述，識別各有關發明人的身份，以及述明他從何取得該短期專利的權利的行使權（《專利條例》第113(2)(c)條及《專利(一般)規則》第65條，詳情請瀏覽www.ipd.gov.hk）。

**08 發明人資料** (如發明人的姓名／名稱並非採用羅馬字母或中文字，請同時以羅馬字母提供姓名／名稱的音譯。) (註3)

中文姓名／名稱

英文姓名／名稱(如適用)

地址

**註4** 請參閱《專利條例》第109條及《專利(一般)規則》第58(5)(e)、58(5)(f)及70條關於不具損害性披露的權利要求。《專利條例》及《專利(一般)規則》可於www.ipd.gov.hk 瀏覽。

**09 不具損害性的披露**

如申請人按照《專利條例》第109條，就不具損害性的披露提出權利要求，請提供一份有關該項披露的詳請的陳述  
(註4)

陳述

展覽或會議的  
名稱及地點

展覽或會議  
開始日期  
(日日／月月／  
年年年年)

首次披露  
日期  
(日日／月月／  
年年年年)

**10** 如按照《專利條例》第119條要求押後批予專利，請在適當空格內加上記號及填寫該項押後期間。  
《專利條例》可於www.ipd.gov.hk 瀏覽。  
(押後期間不得超過十二個月)  
(如空格內並無加上記號，則視為毋須押後批予專利。)

要求押後批予專利至 \_\_\_\_\_  
(日日／月月／年年年年)

11 如提交本表格時附連下列文件， 請註明文件的頁數	頁 數
(1) 隨本表格夾附的附頁	
(2) 說明	
(3) 權利要求的資料	
(4) 繪圖	
(5) 撮錄(中文本及英文本)	
(6) 有關優先權的文件	
(7) 有關優先權文件的譯本	
(8) 查檢報告	
(9) 查檢報告譯本	
(10) 有關國際申請的副本 —	
<ul style="list-style-type: none"> <li>• 由國際局所發表的國際申請</li> </ul>	
<ul style="list-style-type: none"> <li>• 國際查檢報告</li> </ul>	
<ul style="list-style-type: none"> <li>• 由中華人民共和國國家知識產權局所發表的譯本</li> </ul>	
<ul style="list-style-type: none"> <li>• 由中華人民共和國國家知識產權局所發表關於國際申請的資料</li> </ul>	
(11) 按照《專利條例》第113(2)(c)條及《專利(一般)規則》第65條所提交的表格第P6A號發明權的陳述	
(12) 其他(請註明)	

**註5** 你必須提供在中國香港的送達地址。

**12 在中國香港的送達地址(註5)**

姓名／名稱

地址

電話號碼

傳真號碼

電郵地址

**註6** 如果你是代理人，你必須提供在中國香港的居住地址或進行業務活動的地址。

**13 代理人地址(註6)**

**14 簽署**

我／我們確認已閱讀及明白第一頁“重要須知”的內容。

簽署

簽署人姓名及職銜

日期(日日／月月／年年年年)



## Patents Form P6

**Request for grant of a short-term patent**

Patents Ordinance (Cap. 514)

Patents (General) Rules (Cap. 514C)

**Important notes****1. General notes:**

- a. Either Chinese or English can be used as the language of proceedings. Please complete this form in English unless otherwise stated.
- b. This form must be signed and dated.
- c. If there is not enough space for any part on this form, please continue on an additional sheet. Number each additional sheet and state the number of additional sheet(s) in Part 11(a).
- d. Please enquire through the following means:
  - E-mail: [enquiry@ipd.gov.hk](mailto:enquiry@ipd.gov.hk)
  - Internet homepage address: [www.ipd.gov.hk](http://www.ipd.gov.hk)

**2. Use of Personal data:**

- a. The provision of your personal data is voluntary. However, the Patents Registry may be unable to handle your application, filing request or notice if you do not provide sufficient information.
- b. The Patents Registry will use any personal data provided in this form and any document(s) filed in relation to it for processing your application, request or notice, as well as for the purposes of collection set out at [www.ipd.gov.hk/eng/home.htm](http://www.ipd.gov.hk/eng/home.htm). **Any of the information provided may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**
- c. The Patents Registry may redact unsolicited personal data included with this form or any document(s) filed in relation to it before making them available for public inspection. Please **DO NOT provide any personal data (including personal data relating to third parties) which are not specifically required to be submitted.**
- d. Subject to the requirements of the Patents Ordinance, Cap. 514, any person has the right to request access to and correct his/her personal data held in the patent records maintained by the Patents Registry, pursuant to sections 18 and 22 of the Personal Data (Privacy) Ordinance, Cap. 486.
- e. For further details, please see the Personal Information Collection Statement at [www.ipd.gov.hk/eng/home.htm](http://www.ipd.gov.hk/eng/home.htm).

**3. Use of Other Information:**

- a. The Patents Registry will use any information relating to any commercial enterprise or entity provided in this form and any document(s) filed in relation to it for processing your application, request or notice, and for the purposes of collection set out at [www.ipd.gov.hk/eng/home.htm](http://www.ipd.gov.hk/eng/home.htm). **They may be made available for public inspection, in full or in part, pursuant to section 147 of the Patents Ordinance, Cap. 514. Such information may be accessed through the Internet.**
- b. **DO NOT include any business information of your own or that of third parties which you consider to be confidential or commercially sensitive.** Where such information is included in this form or any document(s) filed in relation to it, the Registrar will treat it an express and voluntary consent given by you and any such third party to disclosure of all such information for the purpose of public inspection.

**4. Submission of application/request/notice:**

In person or by mail with the appropriate fee to the Registrar of Patents, 24/F, Wu Chung House, No. 213 Queen's Road East, Wanchai, Hong Kong, China. The fee schedule can be viewed at [www.ipd.gov.hk/eng/forms\\_fees.htm](http://www.ipd.gov.hk/eng/forms_fees.htm). Payment can be made in person by cash, or by sending a cheque made payable to THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION.



<b>01 Your reference</b>	
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<b>02 Details of applicant</b> <i>(If the name of the applicant is not in Roman letters or in Chinese, please include a transliteration in Roman letters.)</i>
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Name
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Name in Chinese <i>(if applicable)</i>
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Address
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<b>Note 1</b> You must state the title of the invention in both English and Chinese.
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<b>03 Title of invention</b> <i>(Note 1)</i>  English          Chinese	

<b>04 Use of micro-organisms</b>  (a) Does the invention require the use of a <b>micro-organism</b> for its performance?  (b) If you have marked "Yes", please indicate whether the micro-organism is available to the public at the date of filing of the application; and  whether the micro-organism is described in the application or the specification of the patent in such a manner as to enable the invention to be performed by a person skilled in the art.	<i>Please mark the appropriate box</i>  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No
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<p>(c) If you have marked "No" in <b>both</b> boxes in (b), please give the following details:</p> <p>Name and address of the depositary institution where a culture of the micro-organism is deposited</p> <p>Date of deposit (DD-MM-YYYY)</p> <p>Accession no. of the deposit</p> <p><i>(section 73 and Schedule 1, Patents (General) Rules, which can be viewed at www.ipd.gov.hk)</i></p>	Name
	Address

<p><b>05 Details of international application</b> If the short-term patent application is based on</p> <p>(a) International application no.</p> <p>(b) International filing date (DD-MM-YYYY)</p> <p>(c) International publication no.</p> <p>(d) International publication date (DD-MM-YYYY)</p> <p>(e) Date of entry into the national phase in the People's Republic of China</p> <p>or</p> <p>Date of issuance of the National Application Notification by the State Intellectual Property Office, People's Republic of China</p> <p>(f) Application no. of the Chinese patent application <i>(if known)</i></p> <p><i>(section 125, Patents Ordinance and section 78, Patents (General) Rules, which can be viewed at www.ipd.gov.hk)</i></p>	
	<p><i>Please mark the appropriate box and enter the date in the space provided</i></p> <p><input type="checkbox"/> _____ (DD-MM-YYYY)</p> <p><input type="checkbox"/> _____ (DD-MM-YYYY)</p>

**Note 2** A claim of earlier application date may be made under:  
 (a) section 116, Patents Ordinance for divisional application;  
 (b) section 55, Patents Ordinance for new application filed on court order upon determination of right to patent after grant.  
 The Patents Ordinance can be viewed at [www.ipd.gov.hk](http://www.ipd.gov.hk).

<b>06 Details of earlier application</b> If the application is divided or derived from an earlier Hong Kong SAR application ( <i>Note 2</i> )  (a) Section under which an earlier application is claimed  (b) Earlier application no.  (c) Earlier application filing date ( <i>DD-MM-YYYY</i> )	<i>Please mark the appropriate box</i>  Patents Ordinance  <input type="checkbox"/> Section 116 <input type="checkbox"/> Section 55

**07 Details of priority application**  
 If a statement of claim of priority under section 111, Patents Ordinance is made, please provide a statement and details in the space below:  
 (*sections 58(5)(c), 69, Patents (General) Rules, which can be viewed at [www.ipd.gov.hk](http://www.ipd.gov.hk)*)

**Statement**

Country/Territory/Area	Priority application no.	Priority application filing date ( <i>DD-MM-YYYY</i> )

**Note 3** If the applicant is not the sole inventor or the applicants are not the joint inventors, a statement identifying the inventor(s) and indicating the derivation of the applicant's entitlement to exercise his right to the short-term patent shall be made on Form P6A (section 113(2)(c), Patents Ordinance and section 65, Patents (General) Rules, which can be viewed at [www.ipd.gov.hk](http://www.ipd.gov.hk)).

**08 Details of inventor** (*If the name of the inventor is not in Roman letters or in Chinese, please include a transliteration in Roman letters.*) (**Note 3**)

Name

Name in Chinese (*if applicable*)

Address



<p>(j) In the case of an international application, copy of :</p> <p>(i) the international application as published by the International Bureau</p> <p>(ii) the international search report</p> <p>(iii) translation as published by the State Intellectual Property Office, People's Republic of China</p> <p>(iv) publication of information by the State Intellectual Property Office, People's Republic of China concerning the international application</p> <p>(k) Statement of inventorship on Form P6A in accordance with section 113(2)(c), Patents Ordinance and section 65, Patents (General) Rules</p> <p>(l) Others (<i>please specify</i>)</p>	

**Note 5** An address for service in Hong Kong, China must be supplied.

<p><b>12 Address for service in Hong Kong, China (Note 5)</b></p> <p>Name</p> <p>Address</p> <p>Telephone no.</p> <p>Facsimile no.</p> <p>E-mail address</p>	

**Note 6** If you are an agent, an address in Hong Kong, China where you reside or carry on your business activities must be supplied.

<p><b>13 Agent's address (Note 6)</b></p>	
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**14 Signature**

**I/We confirm that I/we have read and understood the “Important notes” on page 1.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Official Capacity of Signatory

\_\_\_\_\_  
Date (DD-MM-YYYY)