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Attention: This application form is available in both Chinese and English. Please send **TWO** copies of the completed form with **original signature** and a crossed cheque of HK\$3,000 payable to "Hong Kong Productivity Council" to Innovation and Technology Commission at 20/F, Wu Chung House, 213 Queen's Road East, Wanchai, Hong Kong (tel: 2737 2278) or Hong Kong Productivity Council at 78 Tat Chee Avenue, HKPC Building, Kowloon Tong, Kowloon (tel: 2788 5958). Additional pages may be attached to the form if necessary.



Innovation and Technology Commission
The Government of the Hong Kong Special Administrative Region

(For official use only)

APPLICATION FOR FUNDING SUPPORT UNDER THE PATENT APPLICATION GRANT

PART I : APPLICANT INFORMATION¹

A. Particulars of Individual Applicant /Applicant Company:

(For applicant company, please fill in the company name. For individual applicant, please put down the name printed on the HKID card. Please note that the individual applicant/applicant company is the intended owner of the patent to be filed.)

Name in English: _____

Name in Chinese: _____

Type: Individual² (Applicant must be either a Hong Kong permanent resident or a Hong Kong resident permitted to remain in Hong Kong for not less than 7 years)

HKID No.: _____³

Company (Applicant must be a local company incorporated under the Companies Ordinance (Cap 32))⁴

Mailing Address ⁵: _____

Telephone No.: _____ Mobile No.: _____ Fax No.: _____

Contact Person : [Please Select] _____

Position held: _____

Telephone No.: _____ Mobile No.: _____ Fax No.: _____

¹ For completion by every applicant. Personal particulars of applicants/inventors are required for the processing of the application under the Patent Application Grant. The information provided will be disclosed to the implementation agent of the scheme or other parties in confidence for assessment/processing purposes. Applicants have the right to request access to or correction of personal data provided in the application. Such request may be made to the Innovation and Technology Commission by telephone at 2737 2278 or fax at 2957 8726.

² Applicant under the age of 18 will require a Guarantee from his/her parent/guardian. A copy of the Guarantee can be obtained from the Innovation and Technology Commission or the Hong Kong Productivity Council.

³ For individual applicant, this application form should be submitted together with **one photocopy of HKID card**.

⁴ For applicant company, this application form should be submitted together with **one photocopy of the Certificate of Incorporation**.

⁵ **Applicant should inform the Innovation and Technology Commission immediately in writing of any change of the particulars provided above.** Correspondences sent to the mailing address provided would be deemed to have been received by the individual applicant/applicant company.

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B. Brief Description of Business (For Applicant Company only)
(preferably within 50 words)

C. Particulars of Inventor(s)⁶

Sole or first Inventor:

Name in English: [Please Select] _____

Name in Chinese: _____

Company: _____ Position held: _____

Mailing Address: _____

Telephone No.: _____ Fax No.: _____

Second joint inventor, if any

Name in English: [Please Select] _____

Name in Chinese: _____

Company: _____ Position held: _____

Mailing Address: _____

Telephone No.: _____ Fax No.: _____

Please see attached sheet for additional inventor(s)

⁶ (a) **For individual applicant, the applicant must be the sole inventor or one of the joint inventors mentioned in Section C of Part I of this application form.** The applicant may be required to prove to the satisfaction of the Innovation and Technology Commission or the implementation agent that the invention is actually invented solely by himself/herself or jointly with the other inventors.
(b) **For applicant company, the sole inventor or each of the joint inventors shall be a directly related party to the applicant company, e.g. owner, shareholder, director, or staff.** Upon request by the Innovation and Technology Commission or the implementation agent of the Patent Application Grant, the applicant company would need to provide written document on how it obtains the patent application right from the inventor(s).

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D. Declaration

I, the undersigned, also the individual applicant of this application/the authorized signatory of the applicant company, hereby declare that **I/my company have/has NEVER owned any patents in any countries or territories before and have/has NOT received any funding from the Patent Application Grant (PAG)**. I also declare that the information provided in this application is true and correct to the best of my understanding. **I have read over and fully understood the following TWO pages of declaration:**

1. I/my company have/has the ownership of the invention as mentioned in this application and thus the patent application right of the invention.
2. I/my company would be fully responsible for the safety of the invention as mentioned in this application and would ensure that any relevant legislative/regulatory requirements have been complied with when the invention is put into use.
3. Hong Kong Productivity Council (HKPC) is the implementation agent of the PAG. My application will be processed by HKPC or any other implementation agent as may be assigned by the Innovation and Technology Commission (ITC).
4. The implementation agent will conduct a patent search-cum-technical assessment on my application to ascertain my eligibility for the PAG and to assess whether the invention has a reasonable chance to obtain an invention patent. The fee charged by HKPC for a typical patent search-cum-technical assessment is approximately in the range of HK\$5,500 – HK\$11,000 depending on the complexity of the search and assessment. It may be higher if third party opinion (normally from a patent attorney) is required to assess the patentability of the invention. The cost of a typical third party opinion report is around HK\$4,500.
5. Not all inventions that are patentable would be funded by the PAG. Inventions that do not contain technology element would **not** be supported by the PAG.
6. I/my company will pay HK\$3,000 in advance as deposit for patent search-cum-technical assessment and any additional amount as may be requested by the implementation agent for completing the search-cum-assessment, or else my application will be deemed to be withdrawn. The patent search-cum-technical assessment fee is non-refundable and will only be covered by the PAG grant if my application is approved. I/my company will have to be fully responsible for the patent search-cum-technical assessment fee if the application is subsequently rejected/withdrawn/terminated.
7. Based on the result of the patent search-cum-technical assessment conducted by the implementation agent, ITC will inform me of the result of my application. Nevertheless, the ITC reserves the right to reject any applications regardless of the patentability of the invention if it is considered that the invention will likely cause discomfort or embarrassment to other parties or generate public resentment and/or repugnance on reasonable grounds. The decision of ITC on this application will be final.
8. ITC and/or the implementation agent may contact me/the contact person as mentioned in Part I/the inventor(s) direct to seek additional information/clarification relating to my application. If my application is subsequently approved by the ITC, the implementation agent will charge an administration fee for the patent application services provided after the approval of the application, which is approximately equal to 20% of the total cost involved in patent application(s).
9. If my application is approved, ITC will provide a grant of not more than HK\$150,000 or 90% of the sum of the total direct cost of the patent application(s) (including the cost for patent search-cum-technical assessment) and the administration fee mentioned above, whichever is the lower. Since the grant will also be used to cover the administration fee charged by the implementation agent (as stated in (8) above), the maximum amount of grant which could be used for the patent-search-cum-technical assessment and other direct costs of patent application should be around \$120,000, out of a maximum grant of HK\$150,000. The PAG grant may **not** be sufficient to cover the patent application expenses, and I/my company would have to bear the remaining balance.
10. Funds will only be released to the implementation agent through which the patent application(s) is/are processed. The PAG grant would be used to cover the cost for patent search-cum-technical assessment and the administration fee mentioned above, as well as other direct costs involved in the patent application process, such as attorney fees, consultant fees and filing of patent application(s). Any costs incurred (including filing of any patent applications by myself) before the date of approval of the PAG application shall **not** be reimbursed from the grant apart from the fee of patent search-cum-technical assessment mentioned above. The renewal fee of granted patents shall also **not** be covered by the PAG.
11. If my application is approved, I/my company have/has to appoint patent agent(s) to handle my patent application(s), but ITC or the implementation agent may reject the patent agent(s) so appointed if ITC or the implementation agent is not satisfied with the qualification or expertise of the patent agent in handling patent applications.

Initial and Company Chop (if applicable) Here
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12. (For individual applicant/applicant company who has already filed patent application(s) with patent office(s)) ITC and the implementation agent will **not** give priority treatment to any applications irrespective of whatever priority deadlines that have been imposed by the relevant patent office(s). ITC and the implementation agent will **not** bear any responsibility arising from such priority deadlines.
13. The PAG grant is non-transferable and will be valid for **three** years from the date of approval of my application.
14. Applications of which the subject invention has been granted patents of any kind in any countries or territories to any parties before will **not** be accepted by PAG, regardless of whether the PAG applicant is the owner of the granted patent.
15. When two or more separate PAG applications involve the same invention (having considered all materials submitted by these separate applications during PAG assessment and/or prosecution of patent application), only one of the PAG applications will be accepted. ITC and the implementation agent have the right to let all parties know their existence. Normally, the PAG application first received by ITC or the implementation agent will be accepted and the other PAG application(s) will be rejected. Likewise, if a new PAG application involves the same invention as another application already funded by the PAG (having considered all materials submitted by the two applications during PAG assessment and/or prosecution of patent application), the new application will **not** be accepted. The decision of ITC on this application will be final.
16. For any patent application that has already been funded by PAG, the divisional / continuation-in-part patent application based on the said patent application will **not** be funded by other separate PAG application(s). The decision of ITC on this PAG application will be final.
17. (For individual applicant) I declare that I am the sole inventor / one of the joint inventors of the subject invention in this application form. I understand that I may be required to prove to the satisfaction of the ITC or the implementation agent that the invention is actually invented solely by myself or jointly with the other inventors. The decision of ITC on this application will be final.
18. (For company applicant) I declare that the sole inventor or each of the joint inventors of the subject invention in this application form is a directly related party to my company, e.g. owner, shareholder, director, or staff. I understand that my company may be required to prove to the satisfaction of the ITC or the implementation agent that the invention is actually invented by the inventors listed in the form and they all have direct relationship to my company. The decision of ITC on this application will be final.
19. (For individual applicant/applicant company who has submitted more than one application) If my application is subsequently approved by the ITC, any other applications being processed would be deemed to be withdrawn and I/my company will have to pay for any patent search-cum-technical assessment fee that has been incurred in respect of the other applications.
20. Costs related to patent application for the invention contained in my application would **not** be covered by other sources of government funding e.g. Small Entrepreneur Research Assistance Programme and University-Industry Collaboration Programme etc. Likewise, costs already covered by other sources of government funding would **not** be funded by PAG.
21. The Government of the Hong Kong Special Administrative Region reserves the right to **recover the PAG grant** if I/my company have/has provided **false declaration in this application**.
22. The information provided in connection with this application will be disclosed to the implementation agent and/or other third parties (including patent attorneys) in confidence for assessment/processing purposes. ITC and the implementation agent would **not** be held liable for unauthorised disclosure of any such information or any unauthorised disclosure of the same by third parties to whom the information has been disclosed.

I have read over and fully understood all TWO pages of the declaration.

Signature

Position Held in Applicant Company
(if applicable)

Name in Block: _____

Date: _____

Name of Applicant Company with Company Chop
(for applicant company only)

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PART II : BRIEF PATENT IDEA (for completion by every applicant)

A. Title of the invention (in Chinese and English)

B. Technologies involved⁷ (Please tick one and explain the technology and/or principles involved):

- | | |
|--|--|
| <input type="checkbox"/> Electronics/Electrical | <input type="checkbox"/> Information Technology |
| <input type="checkbox"/> Metals/Plastics/Materials | <input type="checkbox"/> Biotechnology |
| <input type="checkbox"/> Textiles/Clothing | <input type="checkbox"/> Others (Please specify) |
| <input type="checkbox"/> Environment | _____ |

C. Countries/territories intended for filing the application (*list in priority order*)

1. _____ 2. _____ 3. _____

D. Description of Invention

1. Background of the invention (*preferably within 250 words*)

⁷ Patent Application Grant (PAG) is a funding scheme under the Innovation and Technology Fund (ITF). In this connection and as a condition of ITF funding, only inventions that contain technology element would be supported by the PAG. Regarding inventions that are related to food or drug, individual applicant/applicant company may need to provide the relevant scientific test result and/or laboratory evidence to ITC/implementation agent of PAG upon request.

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PART III: DETAILS OF PATENT IDEA

A. Description of Invention:

1. Description of the preferred embodiment (Description should include the construction, principles involved and methodology)

Please see attached sheet(s) for additional details

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2. Drawings with brief description (including sketches, diagrams, flow charts, tables or photographs)

Please see attached sheet(s) for additional details

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3. Intended scope of claims (particular parts of your invention that you believe to be novel) (*preferably within 300 words*)

4. Is there a prototype or a demonstration of this invention which is helpful for the assessment process?

Yes

No

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5. Is further development of your invention now in progress or scheduled?

6. Have you filed any patent applications on this invention to any patent offices? If so, please attach a copy of the filing receipt(s) and the patent specifications filed.

B. Publication

1. Has the invention been publicly disclosed, displayed, offered for sale, published, or publicly used? Briefly describe the circumstances.

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2. Are any public displays, trade shows, or publications concerning the invention planned? If so, where, to whom and when?

C. Prior Art

1. List and describe any other products/methods known to you which attempt to accomplish the same result. Indicate the disadvantages of the old products/method and the advantages of the present invention.

Please see attached sheet(s) for additional details

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2. List and describe any patents or publications known to you which are similar to the present invention.

Patent No./Title: _____
Publication Date: _____ Copy available: Yes No

Patent No./Title: _____
Publication Date: _____ Copy available: Yes No

Patent No./Title: _____
Publication Date: _____ Copy available: Yes No

Patent No./Title: _____
Publication Date: _____ Copy available: Yes No

Patent No./Title: _____
Publication Date: _____ Copy available: Yes No

Please see attached sheets for additional details

3. State why the present invention is technically and/or functionally different from the listed prior art.

Please see attached sheet(s) for additional details

*** END***