

Leaflet Patents in Hong Kong

Territory

The patent is valid for the Hong Kong Special Administrative Region of the People's Republic of China.

Duration

The patent has a duration of 20 years from the filing date of the underlying British patent, European patent or Chinese patent, provided that the annual fees are paid in due time.

Compulsory use

A patented invention capable of being commercially worked in Hong Kong must be so worked to the fullest extent that is reasonably practicable within 3 years from grant of the patent. In the case of a patented product, the demand for that product in Hong Kong must be met on reasonable terms within said period. If a patented invention without legitimate reason is not or not sufficiently worked, any person may, after expiration of 3 years from the date of grant, apply to the Court of First Instance for the grant of a compulsory license under the patent. A compulsory license may also be applied for if the patented invention is capable of being commercially worked in Hong Kong by manufacture, and its commercial working is prevented or hindered by importation of the patented product (or, in the case of a patented process, by importation of a product obtained directly by means of the process or to which the process has been applied).

Marking

Marked products may have implications for awarding compensation in case of past infringement, and patent protected products should be marked 'Patent No. ...' followed by the number of the patent concerned. It is essential that the number of the patent is mentioned.

License

We recommend you to contact us if you intend to grant a license under your patent in Hong Kong.