



ASEAN PATENT EXAMINATION CO-OPERATION (ASPEC)

**DOCUMENT SUBMISSION
GUIDELINE**



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ASEAN Patent Examination Co-operation (ASPEC) Guideline

1 Introduction

1.1 The ASEAN Patent Examination Co-operation (ASPEC) Programme is the first regional patent cooperation project. The programme commenced on 15 June 2009. ASPEC enables IP Offices from participating ASEAN member states (“AMS”) to utilise the search and examination (“S&E”) results from another participating AMS IP Office as reference in its own S&E work.

1.2 There are 9 participating AMS IP Offices: Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, the Philippines, Singapore, Thailand and Viet Nam.

1.3 The participating AMS IP Office may consider the S&E documents it receives under the ASPEC programme. It is not obliged to adopt any of the findings or conclusions reached by the other IP Office. It will proceed with and conclude its S&E work as well as decide on whether to grant the patent in the manner that is in accordance with its national laws.

1.4 For patent applicants, when an ASPEC request is filed at a participating AMS IP Office in accordance with the requirements at that Office, the applicant will be able to benefit from expedited processes from the time of filing the ASPEC request until grant.

1.5 With effect from 15 June 2021, applicant can utilise written opinion¹ established by another participating AMS IP Office².

1.6 With effect from 27 August 2025, the **Patent Cooperation Treaty ASPEC (PCT-ASPEC)** programme has been made a permanent feature of the ASPEC programme. Applicants may continue to rely on a Patent Cooperation Treaty (PCT) report (the international search report and the written opinion) issued from an ASEAN International Searching Authority/International Preliminary Examining Authority (ISA/IPEA) for ASPEC acceleration into any of the participating offices³.

2 Requirements for requesting ASPEC

2.1 A patent application in a participating AMS IP Office where the ASPEC Request Form is filed (“second IP Office”) must be a corresponding patent application of the

¹ Written opinion refers to a non-final assessment of the novelty, inventive step and industrial applicability of the claimed invention that is issued by participating AMS IP Offices. Examples of names of “written opinion” used in AMS are “written opinion” in Brunei, Singapore and the Philippines, and “adverse report” in Malaysia.

² Written opinion is an acceptable S&E result for all participating AMS IP Offices except the IP Office of Thailand.

³ Currently, ASEAN ISA/IPEA refers to the IP Offices of Singapore and the Philippines.

other participating AMS IP Office (“first IP Office”). The ASPEC Request must be supported by S&E documents of the corresponding application from the first IP Office.

2.2 All claims filed in subsequent IP Offices must sufficiently correspond to allowable/patentable claims referred to in the S&E documents from the first IP Office.

2.3 A patent application in the first IP Office is a corresponding application if it is:

1. linked by a Paris Convention priority claim to the patent application in the second IP Office, and vice-versa, or
2. the patent applications in both the first IP Office and second IP Office have the same priority claim from another member of Paris Convention or World Trade Organization, or
3. the patent applications in both the first IP Office and second IP Office are national phase entry applications from the same Patent Cooperation Treaty (“PCT”) application.

3 Procedures for requesting ASPEC

3.1 The applicant is required to file a duly completed ASPEC Request Form in the second IP Office. (Note: The ASPEC Request Form is not required to be filed in the first IP Office.)

3.2 The ASPEC Request Form shall be accompanied by the following documents⁴:

1. a copy of the (i) national written opinion or the examination report, or (ii) the written opinion, international preliminary examination report, or the international preliminary report on patentability (“WO/ISA, WO/IPEA, IPER, IPRP Chap I or IPRP Chap II”) established by an ASEAN ISA/IPEA of a corresponding application from the first IP Office. These are the minimum documents; and
2. a copy of the claims referred to in the minimum documents submitted, with at least one claim determined by the first IP Office to be allowable/patentable.

3.3 The submission by the applicant of the S&E results issued by an AMS for an unpublished application to another AMS Office is consent for the other AMS to use the S&E results⁵.

3.4 The applicant can submit more than 1 written opinion from participating AMS IP Offices if the written opinions support the scope of the patent application.

⁴ A claim correspondence table is required, except for the IP Office of the Philippines.

⁵ For unpublished applications, the S&E results issued by the IP Office of the Philippines in this regard constitute a waiver of confidentiality.

3.5 When any PCT report is issued by an ASEAN ISA/IPEA (see paragraph 3.2 (1) for the minimum documents) for an application during the international phase, it is possible to rely on the report to accelerate the application in the national phase or for a corresponding application, in the same office.

Other information

3.6 All documents for the purposes of ASPEC must be in English. An English translation of documents submitted need not be verified by a translator or by the patent agent unless requested for by the AMS IP Office.

3.7 The ASPEC Request Form and the documents referred to in the above may be filed at any time before the final decision of grant or refusal.

3.8 Subject to the requirements of the AMS IP Office (“second IP Office”), an e-ASPEC request made on the [ASEAN IP Portal](#) may replace the need for a separate ASPEC Request Form.

3.9 Mandatory requirements for filing an ASPEC application are summarized in the Table below. ASPEC acceleration would begin only when all requisite documents are submitted to the AMS IP Office (“second IP Office”).

4 Enquiries

4.1 For further enquiries relating to the ASPEC programme in the respective countries, kindly contact the following:

Country	Email
Brunei Darussalam	enquiries@bruipo.gov.bn patents@bruipo.gov.bn
Cambodia	svayrien@outlook.com Heng.arunkakda@gmail.com
Indonesia	fnarpati@gmail.com nandie92@yahoo.com rifan_fikri@yahoo.co.uk hanhanrei@gmail.com
Lao PDR	s.solasin@gmail.com dip.laopdr@gmail.com
Malaysia	aspec@myipo.gov.my
Philippines	aspec@ipophl.gov.ph
Singapore	PT_acceleration@ipos.gov.sg

Thailand	aspec@ipthailand.go.th putchakan.work@gmail.com narumol.dip@gmail.com wichittra.phl@gmail.com paphitchaya.dip@gmail.com Sup.c@outlook.com santipong.erc@gmail.com Kodchakon.nam@gmail.com
Viet Nam	daonguyen@ipvietnam.gov.vn khoanguyen76@gmail.com phuongvt2229@gmail.com hient1211@gmail.com

ASEAN Patent Examination Co-operation (ASPEC)

Request Form

1. Name of Applicant(s) (Further applicants are to be indicated on an additional sheet)

2. Utilisation of ASPEC

Participating ASEAN Member State (AMS)	ASPEC Documents From 1 st AMS IP Office			ASPEC Documents To 2 nd AMS IP Office	
	Documents ⁶ From	Application ⁷ Number of the corresponding national / international application at the 1 st AMS IP Office	Priority Patent Application Number ⁸ (where applicable)	Documents To Be Used In	Patent Application Number of the 2 nd AMS IP Office (where ASPEC is requested)
Brunei Darussalam					
Cambodia					
Indonesia					
Lao PDR					
Malaysia					
The Philippines					
Singapore					
Thailand					
Viet Nam					

3. Remarks

4. Name and Signature of Applicant or Agent/Attorney

Name and Signature

Date

⁶ Documents submitted should include a copy of the (i) national written opinion or an examination report, or (ii) the written opinion, international preliminary examination report, or the international preliminary report on patentability ("WO/ISA, WO/IPEA, IPER, IPRP Chap I or IPRP Chap II") established by an ASEAN ISA/IPEA of a corresponding application from the first IP Office. These are the minimum documents. Please submit the claims referred to in the minimum documents. A claim correspondence table is required, except for the IP Office of Philippines.

⁷A patent application from another ASPEC participating ASEAN country is a corresponding patent application if it is linked by a Paris Convention priority claim to the patent application of which ASPEC is requested for, and vice versa, or it shares the same priority claim with the patent application of which ASPEC is requested for, from another patent application of a Paris Convention member country or the patent applications are national phase entry applications from the same Patent Cooperation Treaty ("PCT") application.

⁸ Please indicate the patent application number which the corresponding patent application claims priority from, where applicable.

Mandatory requirement for making ASPEC request at AMS IP Office (“Second IP Office”)

AMS (Second IP Office)	Is the usage of local registered agent mandatory for ASPEC request?	Must the Written Opinion⁴, Search and Examination report from the first AMS IP Office be enclosed for the ASPEC request to be valid?	Must a Claims Correspondence Table be enclosed for the ASPEC request to be valid?	Is a hardcopy of the ASPEC request Form Required?	Can an E-ASPEC request via ASEAN IP Portal be made?
Brunei Darussalam	Yes, must be filed by a local agent	Yes	Yes	Yes	Not at the moment
Cambodia	Yes, the ASPEC request can only be filed by the agent or representatives on behalf of the applicant in case the applicant has no local contact in Cambodia	Yes	Yes	Yes	Yes. The request should be made by local agent or representatives
Indonesia	Yes, must be filed by a local agent	Yes	Yes	No, ASPEC should be submitted electronically through the online filing system	Not yet
Lao PDR.	Yes	Yes	Yes	Yes	Yes. Requester must be local agent

Malaysia	<p>Yes, an ASPEC request can be filed by the agent on behalf of the applicant if the applicant has neither domicile nor residence in Malaysia.</p> <p>Nevertheless, the applicant himself can file an ASPEC request if the applicant is the national of Malaysia</p>	Yes	Yes	Yes. No indication for ASPEC/PPH request in the patents' forms	Yes, the request should be made by local agent.
Philippines	Yes	Yes	<p>No</p> <p>The basis for this is the ASPEC request form for Philippines, we have this in the footnote “Documents submitted should include a copy of (i) a search report, (ii) an examination report and (iii) claims referred to in the examination report.</p> <p>A claim correspondence table is optional</p>	No, ASPEC should be submitted electronically through the online filing system	No, the request is to be filed by the local agent/representative

Singapore	Yes. Alternatively, the ASPEC request could also be made by the applicant with a valid local address for service	Yes	Yes	No. The applicant could select the ASPEC/PPH request checkbox in the Patents Form 11 or 12	Yes
Thailand	Yes, according to Ministerial Regulation No. 21 clause 13, the applicant has not domicile nor residence in Thailand shall appoint registered attorney (Who was registered by DIP Director General registration) for filling application	Yes, according to DIP Notification Re. request for utilize ASEAN Patent Search and Examination Results on substantive examination clause 3.	Yes, according to DIP Notification Re. request for utilize ASEAN Patent Search and Examination Result on substantive examination clause 2	Yes, according to DIP Notification Re. request for utilize ASEAN Patent Search and Examination Results on substantive examination clause 2	No, because every e-filing system shall comply with Regulation and Method of Government Electronic Transactions Decree
Viet Nam	Yes. The ASPEC request could also be filed applicants themselves if there is no patent agent on behalf of them	Yes	Yes	No	Yes. But the request must be filed by a patent agent or applicants themselves if there is no patent agent on behalf of them



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These guidelines will be
updated at regular intervals.