Patents
Technical Focus Group (**TFG**) Meeting Minutes

Date/Time	14 October 2026/ 2:00 PM
Location	15 Stout Street & online via MS Teams

Participants

MBIE / Intellectual Property Office of New Zealand (IPONZ)	Members
Ed Barclay Gaby Cowcill Gillian Sharp Simon Maguire Steven Hong Manasa Jayanthy (minutes) **Apologies:**	Jillian Lim - DCC Tom Robertson – Pipers Jonathan Lucas – James & Wells Sam Ting – AJ Park Jon Ashen – Blue Penguin IP & NZIPA **Apologies:** Jason Wach - NZ Law Society David Nowak – Henry Hughes David Herman – FB Rice & IPTA

Minutes

Matters arising / actions from the previous meeting	
Action	**Status**
IPONZ to provide further updates on authorisation of agent for Designs for feedback.	No update
IPONZ to Initiate Designs TFG.	No update
IPONZ to consider TFG Terms of reference.	No update
IPONZ to publish the March minutes.	To do
IPONZ to capture the feedback on postponement of acceptance functionality.	Done, see item below also.
IPONZ to publish the s 39 Manual section.	Done.
IPONZ to publish the 1953 Act examination guidance update.	Done.

Update from MBIE policy team	**Gillian Sharp**

- An update was provided on upcoming intellectual property policy work, including proposed Copyright Act changes, proposed Plant Variety Rights amendments extending the term of protection from 25 to 30 years, and ongoing work relating to geographical indications as part of the New Zealand-India Free Trade Agreement.

- Members discussed potential improvements to correction of error provisions for complete specifications, noting practical challenges that can arise where genuine filing errors occur. Examples from overseas jurisdictions and the decision in *Cavity Sliders* were discussed. MBIE policy team and IPONZ agreed to explore the issue further.

IPONZ Updates	Ed/Gaby

People: Patents team recently recruited 3 Examiners (Science) in August. The current team size is 70 Examiners.

Current filing trends and figures

Patent pendency:

- Mechanical – 17 months (down 1 month)
- ICT & Electrical cases – 21 months (no change)
- Chemistry – 28 months (no change)
- Biotech – 34 months (up 1 month)

PCT filings and requests for examination have been slightly below recent averages, contributing to a modest reduction in examination queues. There were 62 applications remaining under the Patents Act 1953 as of 1 October 2026 and one application filed under the amended transitional provisions.

- Concerns were raised regarding pendency and the practical impact that extended examination timeframes can have on applicants, particularly in relation to divisional filing decisions. IPONZ acknowledged these concerns and noted that recruitment efforts continue to focus on science disciplines, while examiner turnover remains relatively stable.

Engagement Activities:

- IPONZ provided an update on recent and upcoming engagement activities, including interactions with overseas intellectual property offices, attendance at industry conferences and technology events, university engagement activities, and participation in upcoming innovation sector events.

Patent Prosecution Highway

- IPONZ advised that the PPH agreement with CNIPA will be extended.
- Work is also underway to review PPH data, with further insights expected to be shared at a future meeting.

Postponement of acceptance

- IPONZ confirmed implementation of changes discussed at the previous TFG, including updated help text and additional examiner checks where inconsistencies are identified between correspondence and postponement instructions recorded in the case management system. No further feedback was provided at this point.

Case management system upgrade

- IPONZ provided an update on the case management system replacement project. MBIE and the supplier have agreed to reset the delivery activity of the IPONZ project through a managed pause which is anticipated to take six to 12 months providing an opportunity to adjust settings and ensure the project is well positioned for future successful delivery.
- As part of a stocktake of MBIE IT projects, MBIE has just released some high-level details of some project including the IPONZ one. The content is here. IPONZ platform upgrade | Ministry of Business, Innovation & Employment
  Feedback on improvements to current systems remains welcome.

Examination Manual Updates	Ed/Gaby
Upcoming examination manual updates: - Work on examination manual updates relating to referrals to the Māori Advisory Committee and Section 14 Manner of Manufacture is ongoing. Updates on these topics are expected before the next TFG meeting for high-level review and discussion.	

Practice Updates	Simon
Setting deadlines in examination reports: - AbbVie Inc v The Commissioner of Patents [2026] NZHC 1140. - Following discussion at the previous TFG, IPONZ outlined three proposed changes to examination reports, including setting section 67 deadlines in reports where time remains available, updating hearing request wording to better reflect available options, and identifying where section 71 extensions have been granted under section 230. The proposed changes to examination reports will be implemented shortly, with corresponding updates to the examination manual and system-generated section 230 wording to follow. - Questions were raised about whether the proposed wording could imply an expectation that applicants provide a substantive response when requesting a hearing. IPONZ clarified that the changes are intended to improve clarity around the existing hearing request process and available options, and do not reflect any change in practice.	

Any other business	Ed/Gaby
Proposed date of next meeting - late February/March 2027	

Actions summary	
IPONZ to provide further updates on authorisation of agent for Designs.	
IPONZ to initiate a Designs TFG.	
IPONZ to consider TFG Terms of Reference.	
IPONZ to publish the March minutes.	
MBIE policy team and IPONZ to consider potential amendments relating to correction of genuine clerical errors in complete specifications.	

Meeting closed at: 02:47 PM