

AGENDA ITEM 10: FUTURE WORK

The Committee decided its future work as follows:

- The non-exhaustive list of issues will remain open for further elaboration and discussion at the next session of the SCP.
- Without prejudice to the mandate of the SCP, the Committee agreed that its work for the next session be confined to fact-finding and not lead to harmonization at this stage, and would be carried out as follows:

Exceptions and Limitations to Patent Rights

- In accordance with the agreement within the Committee at SCP/28, the Secretariat will continue to work on a draft reference document on exceptions and limitations to patent rights in conjunction with patent protection, and will prepare a draft reference document on the exception regarding compulsory licensing for SCP/30. The Secretariat will invite Member States to send any additional inputs for the preparation of the draft reference document on the exception regarding compulsory licensing. The draft reference document on the research exception (document SCP/29/3) will be kept open for future discussion by the Committee at SCP/30 the Committee will decide on the topic for SCP/31.

Quality of Patents, including Opposition Systems

- The Secretariat will prepare a further study on inventive step (part 3), giving a particular attention to the topics suggested in paragraph 8 of Annex to document SCP/24/3 (Proposal by the Delegation of Spain).
- The Secretariat will prepare a background document on patents and emerging technologies and submit it to SCP/30.
- With a view to prepare a study on approaches to the quality of the patent grant process, to be submitted to SCP/31, the delegations will continue sharing their practices on this issue, including opposition systems. As a next step, special attention should also be given to the capacity building of patent examiners and offices.

Patents and Health

- The Committee will carry out a work program contained in the proposal by the Delegations of Argentina, Brazil, Chile and Switzerland (SCP/28/10 REV) regarding a regular update on publicly accessible databases of patent status information concerning medicines and vaccines, which was revised during SCP/29.

- The Secretariat will commence work on a review of existing research on patents and access to medical products and health technologies, as contained in document SCP/28/9, as revised during SCP/29, and will present a final report at SCP/31.
- The Secretariat, as well as invited relevant institutions, will share their experiences on capacity building activities relating to negotiating licensing agreements at SCP/30, giving a particular attention to paragraph 20(a) of Annex to document SCP/24/4 (Proposal by the African Group for a Work Program on Patents and Health).

Confidentiality of Communications between Clients and Their Patent Advisors

- The Secretariat will continue update the dedicated website “Confidentiality of Communications between Clients and Their Patent Advisors”. The Secretariat will invite Member States to send any additional inputs for the preparation of the updated document based on document SCP/29/5.

Transfer of Technology

- The Secretariat will continue to compile information on patent law provisions and practices that contributed to effective transfer of technology, including sufficiency of disclosure, based on the inputs to be received from Member States and discussion within the SCP.