

Standing Committee on the Law of Patents

Twenty-Sixth Session
Geneva, July 3 to 6, 2017

SUMMARY BY THE CHAIR

AGENDA ITEM 1: OPENING OF THE SESSION

1. The twenty-sixth session of the Standing Committee on the Law of Patents (SCP) was opened by Ms. Bucura Ionescu (Romania), elected Chair of the SCP. Mr. Francis Gurry, Director General, welcomed the participants. Mr. Marco Aleman, Director, Patent Law Division, acted as Secretary.

AGENDA ITEM 2: ADOPTION OF THE AGENDA

2. The SCP adopted the draft agenda (document SCP/26/1 Prov.2).

AGENDA ITEM 3: ADOPTION OF THE DRAFT REPORT OF THE TWENTY-FIFTH SESSION

3. The Committee adopted the draft report of its twenty-fifth session (document SCP/25/6 Prov.3) as proposed.

AGENDA ITEM 4: REPORT ON THE INTERNATIONAL PATENT SYSTEM

4. Discussions were based on document SCP/26/2.

5. Some delegations and one representative shared information on recent developments of their national/regional patent laws with the Committee. The Delegation of Spain made a presentation on its new patent law.

6. The SCP agreed that the information concerning certain aspects of national/regional patent laws [http://www.wipo.int/scp/en/annex_ii.html] would be updated based on input received from Member States.

AGENDA ITEM 5: EXCEPTIONS AND LIMITATIONS TO PATENT RIGHTS

7. Discussions were based on documents SCP/14/7 and SCP/19/6.
8. The Committee continued discussion on the aspects reflected in the above documents. Some delegations suggested activities to be carried out by the Committee with respect to exceptions and limitations to patent rights.

AGENDA ITEM 6: QUALITY OF PATENTS, INCLUDING OPPOSITION SYSTEMS

9. Discussions were based on documents SCP/17/7, 8 and 10, SCP/18/9, SCP/19/4, SCP/20/11 Rev., SCP/23/4, SCP/24/3, SCP/26/3 and 4.
10. The Committee discussed the responses to the Questionnaire on the Term "Quality of Patents" and Cooperation between Patent Offices in Search and Examination (documents SCP/26/3 and 4).
11. In addition, the Committee continued discussion on the issues under this agenda item. Some delegations suggested activities to be carried out by the Committee with respect to quality of patents, including opposition systems.

AGENDA ITEM 7: PATENTS AND HEALTH

12. Discussions were based on documents SCP/16/7 and 7 Corr., SCP/17/11, SCP/24/4, SCP/26/5 and 6.
13. The Committee discussed a study on constraints faced by developing countries and least developed countries (LDCs) in making full use of patent flexibilities and their impacts on access to affordable especially essential medicines for public health purposes in those countries (document SCP/26/5).
14. The Delegation of Canada introduced its proposal to conduct a review of existing research on patents and access to medical products and health technologies (document SCP/26/6). The Committee discussed the proposal, and continued further discussion on the aspects reflected in the proposals by the African Group (SCP/16/7 and 7 Corr. and SCP/24/4) and by the United States of America (SCP/17/11). Some delegations suggested other activities to be carried out by the Committee with respect to patents and health.

AGENDA ITEM 8: CONFIDENTIALITY OF COMMUNICATIONS BETWEEN CLIENTS AND THEIR PATENT ADVISORS

15. The Committee continued discussion on confidentiality of communications between clients and their patent advisors. Some delegations suggested activities to be carried out by the Committee under this agenda item. Some other delegations suggested that discussion on this agenda item be discontinued.

AGENDA ITEM 9: TRANSFER OF TECHNOLOGY

16. The Committee continued discussion on transfer of technology. Some delegations suggested activities to be carried out by the Committee under this agenda item. Some other delegations suggested that discussion on this agenda item be discontinued.

AGENDA ITEM 10: OTHER ISSUES: PROPOSAL OF THE GROUP OF COUNTRIES OF LATIN AMERICA AND THE CARIBBEAN (GRULAC) ON THE REVISION OF THE 1979 WIPO MODEL LAW FOR DEVELOPING COUNTRIES ON INVENTIONS

[...]

AGENDA ITEM 11: FUTURE WORK

[...]

17. The Secretariat informed the SCP that the dates of its twenty-seventh session, to be held in Geneva, would be announced in due course.

18. The SCP noted that the present document was a summary established under the responsibility of the Chair and that the official record would be contained in the report of the session. The report would reflect all the interventions made during the meeting, and would be adopted in accordance with the procedure agreed by the SCP at its fourth session (see document SCP/4/6, paragraph 11), which provided for the members of the SCP to comment on the draft report made available on the SCP Electronic Forum. The Committee would then be invited to adopt the draft report, including the comments received, at its following session.

19. The SCP noted the contents of this summary by the Chair.

[End of document]