



World Intellectual Property Organization (WIPO)  
International Bureau  
34, Chemin des Colombettes  
1211 Geneva 20  
Switzerland

April 22, 2014

Reference: C.8343

**To the International Bureau of the World Intellectual Property Organization (WIPO),**

Mr. Francis Gurry, Director General of the World Intellectual Property Organization, has addressed a letter to the Member States and Regional Patent Offices asking for information on the following patent-related topics. Regarding Finland, please find the requested information below.

Exceptions and limitations to patent rights

Member States and Regional Patent Offices were invited to submit information regarding the implementation of the following exceptions and limitations: acts for obtaining regulatory approval from authorities, exhaustion of patent rights, compulsory licensing and/or government use and farmers' and/or breeders' use of patented inventions.

Information regarding the Finnish implementation of the exceptions and limitations mentioned above can be found in the Questionnaire on Exceptions and Limitations to Patent Rights. The information has been submitted in October 2011 and it is still valid at this time. The responses are available at <http://www.wipo.int/scp/en/exceptions/replies/finland.html>.

Transfer of Technology

Member States and Regional Patent Offices were invited to provide practical examples and experiences on patent-related incentives and impediments to transfer of technology. Finland has provided this information in its response to the letter C.8261 on July 5, 2013. The information is still valid at this time.

Certain aspects of national/regional patent laws

Member States and Regional Patent Offices were invited to provide updated information on certain aspects of national/regional patent laws. The information provided by Finland and included in the Revised Annex II of document SCP/12/3 Rev.2 at [http://www.wipo.int/scp/en/annex\\_ii.html](http://www.wipo.int/scp/en/annex_ii.html) is still valid at this time.

Confidentiality of communications between patent advisors and their clients

Member States and Regional Patent Offices were invited to submit information regarding national/regional laws and practices relating to the confidentiality of communications between patent advisors and their clients. Finland has sub-

mitted information on this matter in its response to the letter C.8261 on July 5, 2013. However, some updates are now necessary.

A new Act on certified IPR agents will come into force 1 July, 2014. The new act repeals the current Act on Patent Attorneys (552/1967) and establishes a qualifying examination for patent, trademark and design agents. Certification also requires that the applicant fulfills other general criteria. Certification is not a prerequisite to acting as an IPR agent, but the Finnish language titles of patent agent, trade mark agent, design agent and industrial property agent are reserved for certified agents only.

Confidentiality is regulated in Section 9 of the new Act and it also applies to patent agents/attorneys that have been certified. The agent, their associate or assistant, may not reveal confidential information, including a trade secret or confidential information pertaining to a private person or a family, that has become known to them while carrying out their services. Certified patent agents are also not allowed to reveal other information on their clients acquired due to the agent-client relationship.

The new Act has clarified the situation in Finland as the previous Act on Patent Attorneys did not contain specific confidentiality provisions. There are also some general provisions in the Code of Judicial Procedure and the Administrative Procedure Act (434/2003) which cover the protection of confidential information. The secrecy provisions in the Act on Licensed Attorneys (715/2011) may also apply to some patent attorneys/agents.

The provisions of the new Act have not yet been translated into English. When the translation is ready it will also be submitted to WIPO.