

# **Second WIPO Workshop on AI and IP**

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# Session 1: AI - Inventions & Related Topics

## Definitions

- The Revised Issues paper seeks solutions to protect only AI “Output”
- The definition of “Output” needs to be considered
- Consider: protection of the AI system itself

## Sui Generis Law

- Existing patent system is capable of adapting to new technologies, with modifications as may be required.
- Incentivize not just invention, but also publication, and investment, research, development and in commercialization, which leads to innovation
- Incremental approach, taking it step by step as technology develops and AI evolve.

# Session 2: Patentability, Disclosure & Guidelines

## Patentable Subject Matter and Patentability Criteria

- TRIPS standard should be applied and not diluted
- AI innovation of existing IP frameworks can vary between the different areas of AI and by jurisdictions

## Disclosure

- Current TRIPS standard of disclosure are sufficient
- *“an inventor is expected to disclose the invention in a manner sufficiently clear and complete for the invention to be carried out by a person skilled in the art.”*

## Guidelines

- Guidelines would be welcomed and to some extent address the lack of global harmonisation.

# Session 3: Data Rights & Trade Secrets

## Data

- Consider the many different types and sources of data that exist and accordingly strengthen the incentive mechanism
- Any new *sui generis* right for data will need to be carefully weighed in terms of its potential impact on innovation.

## Trade Secrets

- Trade Secrets and Proprietary Data should have adequate protections awarded



**IFPMA**

**Thank you**

