



[WIPO SCP37 Session 5. Quality of patents, including opposition systems] JIPA's Views on AI-Related Inventions

➤ *Regardless of whether, or to what extent, AI is used,*

Requirements	Invention Eligibility
When an invention does constitute a "creation of a technical idea utilizing a law of nature". (*)	Qualified
When an invention does not constitute a "creation of a technical idea utilizing a law of nature". (*)	Not Qualified

(*) Based on the Japanese patent law

- Update to document SCP/35/7, Annex, Sections V (national/regional legal frameworks regarding the concept of inventorship) and VI (the "DABUS" case) (SCP/37/5)

Inventorship Eligibility

- ✓ Inventorship eligibility should be determined by whether the human
 - (i) has the purpose of solving a specific problem, and
 - (ii) makes a creative contribution toward solving that problem.

- Report on the sharing sessions held during SCP/35 and SCP/36 on the use of AI and other tools in patent examination procedures (SCP/37/6)

Eligibility of a Cited Invention

- ✓ Publicly available technical information can qualify as cited inventions.
- ✓ Any technical information lacking clarity in feasibility or any technical information containing false content cannot serve as a basis for cited inventions.