



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	<p>- 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)</p> <p>Inventorship Eligibility</p> <ul style="list-style-type: none">✓ Inventorship eligibility should be determined by whether the human<ul style="list-style-type: none">(i) has the purpose of solving a specific problem, and(ii) makes a creative contribution toward solving that problem.
When an invention does not constitute a "creation of a technical idea utilizing a law of nature". (*)	Not Qualified	<p>- 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)</p> <p>Eligibility of a Cited Invention</p> <ul style="list-style-type: none">✓ 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.

(*) Based on the Japanese patent law



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