



Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
(unclear law)	23/05/1995 on Patents and Utility Models (as last amended by Law No. 25.859)									
Armenia	Article 10 (3) (a) and (e) of the Industrial Property Law of 10/06/2008		X			X	X		X	X
Australia	Section 18 (3) and (4) of the Patents Act No. 83 of 1990 as last amended by Act No. 106 of 2006	X				X				X
Austria	Section 2 3) of the Patents Law BGBl. No.259/1970 as last amended by BGBl. No. 143/2001 (version of 2011 not available in English)		X				X			X
Azerbaijan	Article 7 (1) and (8) of		X				X			

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	the Law on Patents of 25/07/1997									
Bahamas	Section 9 (1) (b) of the Industrial Property Act of 1965 - Cap. 324		X				X			X
Bahrain	Article 3 (1) and (2) of Law No. (14) for the year 2006 Amending some Provisions of Law Number (1) of the Year 2004 In respect of Patents and Utility Models					X				
Barbados	Section 11 (1) (e) of the Patents Act No. 18, Cap. 314, of 26/07/2001		X				X			X
Belarus	Article 2 (3) of the Law No. 160-Z of 16/12/2002 on Patents for Inventions, Utility Models, Industrial Designs, as last		X				X			

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	amended on 24/12/2007									
Belgium	Article 4 of the Patent Law of 28/03/1984 (Consolidated version as of 01/01/2010)		X				X			X
Belize	Patents Act - Cap. 253 of 21/06/2000 as last amended by Act No. 40 of 2005			X				X		
Bhutan	Industrial Property Act of 13/07/2001			X				X		
Bosnia and Herzegovina	Article 6 (4) and (5) of the Patent Law of 28/05/2010		X				X			X
Botswana	Section 9 (2) (c) and (d) of the Industrial Property Act of 24/04/2010	X				X				X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Brazil	Article 10 (IX) of the Industrial Property Law No. 9.279 of 14/05/1996 (as last amended by Law No.10.196, of 14/02/2001)	X			X					X
Brunei Darussalam	Patents Order of 12/10/2011			X				X		
Bulgaria	Articles 7 (1) 3) and 4) and 7a (3) and (4) of the Law on Patents and Utility Model Registration No. 27/2 of 1993 as last amended on 20/07/2007		X				X			X
Burundi	Article 17 of the Law No. 1/13 of 28/07/2009 on Industrial Property	X	X		X	X	X		X	X
Cambodia	Article 4 (v) and (vi) of the Law on Patents, Utility Models and Industrial Designs of	X	X		X	X				X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	22/01/2003									
Canada	Article 2 and 27(8) of the Canadian Patent Act (R.S.C., 1985, c. P-4)			X				X		
Cape Verde	Article 15 (1) (c) and (e), (2), and (3) of the Industrial property code, Law Decree No. 4/2007 of 20/08/2007		X				X			X
Chile	Article 37 (b) and (f) of the Industrial Property Law No. 19.039 of 24/01/1991 (consolidated version of 2005 as last amended on 2007)	X	X			X				X
China	Article 25 4) of the Patent Law of 28/12/2008		X				X			
Costa Rica	Article 1 (3) and (4) (c) and (d) of the Law	X				X				X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	No.6867 of 25/04/1983 as last amended by Law No. 8632 of May 25, 2008									
Croatia	Articles 5 (4) and (5) and 6 1) of the Patent Act No. 173/2003 of 31/10/2003 as last amended by Law OG No 76/2008 of 23/07/2007		X				X			X
Cuba	Articles 21 (2) (d) and (j) and (4) and 22 (1) (a) and (b) of the Decree-Law No. 290 of 20/11/2011 on Inventions and Industrial Designs and Models	X	X		X	X	X		X	X
Czech Republic	Section 4 (b) of the of the Law on Inventions, Industrial		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	Designs and Rationalization Proposals No. 527 of November 27/11/1990 as last amended by Law No.116 of 06/04/2000 and Sections 1, 2 (b) and (c) and 3 (c) of the Law of 21/06/2000, on the Protection of Biotechnological Inventions									
Denmark	Section 1 (4),(5) and (6) of the Consolidated Patent Act No.108 of 24/01/2012		X				X			X
Democratic People's Republic of Korea	Invention Law of 13/05/1998			X				X		
Democratic Republic of	Law on Industrial Property No. 82-001 of			X				X		

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
the Congo	07/01/1982									
Djibouti	Articles 26 (a) and (d) and 27 (a) of the Protection of Industrial Property Law No.50/AN/09/6th L of 21/06/2009	X				X				X
Dominican Republic	Article 2(1) (a) and (g) and (2) (c) of the Industrial Property Law No. 20-00 of 08/05/2000 as last amended by Law No. 424-06	X				X				X
Ecuador	Article 126 (c) of the Intellectual Property Law, Codification No. 2006-013		X				X			X
Egypt	Article 2(4) and (5) of the Law on the Protection of	X				X				X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	Intellectual Property Rights No 82 of 03/06/2002									
El Salvador	Law on the Promotion and Protection of Intellectual Property Rights No. 604 of 15/07/1993			X				X		
Estonia	§§ 6 (1) and (2) 8) and 7 (2) 5) and 6) and (3) of the Patent Act (RT I 1994, 25, 406) of 16/03/1994 as last amended on 07/12/2011		X				X			X
Ethiopia	Section 4 (1) (b) of the Proclamation concerning Inventions, Minor Inventions and Industrial Designs No. 123 of 10/05/1995		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Finland	Section 1 (4), (5) and (6) of the Patents Act No. 550 of 15/12/1967 as last amended by Act No. 743/2011 of 17/06/2011		X				X			X
France	Article L 611-19 of the Intellectual Property Code of 01/07/1994, as last amended by Decree n° 2012-634		X				X			X
Gambia	Section 3 (3) (ii) of the Industrial Property, Chapter 95:03; Act No. 12 of 1997, version of 2007		X				X			X
Georgia	Article 17 (c) of the Patent Law of 05/02/1999		X				X			X
Germany	Section 2a (1) 1), (2) and (3) 2), 3) and 4) of the Patent Act of		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	16/12/1980 as last amended by Act of 31/07/2009									
Ghana	Section 2 (e), (f) and (g) of the Patents Act, Act No. 657 of 2003	X	X		X	X				X
Greece	Article 5 (8) (b) of the Law on "Technology transfer, inventions, and technological innovation" No. 1733/1987 (FEK 171, A' of 22/9/1987) as last amended by Law No. Law 3966/2011		X				X			X
Guatemala	Article 91 (b) and (c) of the Industrial Property Law, Decree No. 57-2000 of 18/09/2000			X				X		X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Guyana	Patents and Design Acts Cap 90:03 of 1937 as last revised in 1972			X				X		
Honduras	Article 7 of the Industrial Property Law, Decree Law No. 12-99-E of 30/12/1999		X				X			X
Hungary	Article 6 (4), (5), (6), (7), (8) and (9) of the Act XXXIII of 1995 on the protection of inventions by patents (Consolidated text of 01.03.2011)		X				X			X
Iceland	Article 1 §§ 4 and 5 of the Patents Act No. 17/1991 as last amended by Law no. 167/2007		X				X			X
India	Section 3 (j) of the Patent Act No. 39 of 1970 as last amended	X	X		X	X	X		X	X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	by Act No. 15 of 2005									
Indonesia	Article 7 (d) of the Law on Patents No. 14 of 01/08/2001 and Section 4 (1) and (2) (b) and (c) of the European Communities (Legal Protection of Biotechnological Inventions) Regulations of 2000	X				X				X
Ireland	Section 10 (b) of the Patent Act No. 1 of 1992 as last amended by Act no. 31 of 2006		X				X			X
Israel	Article 7 of the Patents Law No. 5727 of 08/08/1967 as last amended by Law No. 5760-1999		X				X			

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Italy	Articles 45 (4) (b), (5) and (5 bis), 81 ter (1) (b) and (2) and 81 quarter (1) (e) of the Code of the Industrial Property, Legislative Decree No. 30 of 15/02/2005 as last amended by Legislative Decree No. 131 of 13/08/2010		X				X			X
Japan	Act No. 122 of December 4, 2002, as last amended by Act No.119 of July 16, 2003			X				X		
Jordan	Article 4 (6) and (7) of the Law on Patents of Invention No. 32 for the Year 1999(as last amended by Law No. 28 of 2007)	X				X				X
Kenya	Sections 26(a) of <i>The Industrial Property Act</i> ,		X					X		

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	2001									
Kyrgyzstan	Article 5 (9) 9) of the Patent Law No. 8 of 14/01/1998, as last amended by Law No. 46 of 27/02/2003		X				X			
Lao People's Democratic Republic	Section 21 of the Intellectual Property Law of 14704/2008	X				X				
Latvia	Sections 1 (13) and 14) and 10 (1) 2) and 3) and (2) of the Patent Law of 15/02/2007		X				X			X
Lebanon	Article 2 (e) and (f) of the Patent Law No. 240 of 14/08/2000			X				X		
Lesotho	Section 4 (b) of the Industrial Property Order, Order No. 5 of 1989, as last amended		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	by Act No. 4 of 1997									
Liberia	Industrial Property Act of 20/03/2003			X				X		
Libya	Law No. 8 of 1959 on Patents and Industrial Designs and Models			X				X		
Lithuania	Article 2, § 3 2) of the Patent Law No. I-372 of 18/01/1994 as last amended by Law No. X-1119 of 10/05/2007		X				X			X
Luxembourg	Article 5 (2) of the Patent Act of 20/07/1992 as last amended by Law of 24/05/1998		X				X			X
Madagascar	Section 8 (1) (ii) of the Industrial Property Law, Ordinance No. 89 019 of 31/07/1989		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Malawi	Patents Act, Chapter 49:02 OF 1959 as last revised in 1986			X				X		
Malaysia	Section 13 (1) (b) of the Patents Act No. 291 of 1983 as last amended by Act No. 1264 of 2006		X				X			X
Mali	Law on the Protection of Industrial Property No. 87-18/AN-RM of 09/03/1987			X				X		
Malta	Section 4 (5) (e) and (f) and (6) of the Patents and Designs Act, Chapter 417, of 01/06/2002 as last amended by Act XVIII of 2005		X				X			X
Mauritius	Section 11 (3) (d), (e), (f) and (g) of the Patents, Industrial Designs and	X	X		X		X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	Trademarks Act No. 25 of 2002									
Mexico	Article 16 I) and V) of the Industrial Property Law of 25/06/1991 as last amended on 04/04/2012		X				X			X
Mongolia	Article 4 (5) 6) of the Patent Law of 25/06/1993, as last amended in 1999			X				X		X
Montenegro	Articles 5 (2) and 7 (1) 3) and (2) of the Patent Law of 31/10/2008		X				X			X
Morocco	Article 24 (b) of the Law No. 17-97 concerning Protection of Industrial Property as implemented by Law No. 31-05 of 02/03/2006		X					X		

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Mozambique	Article 30 (2) (b) of the Industrial Property Code, Decree No. 04 of 12/04/2006	X	X		X	X	X		X	X
Nepal	The Patent, Design and Trade Mark Act, Law No.2022 of 1965			X				X		
Netherlands	Articles 1, 2a (1) (2) (c) and (d), and 3 (1) (c) and (d) of the Patents Act of 15/12/1995(Text as it applies on 03/06/2009)		X				X			X
New Zealand	Patents Act 1953 (as at 01/01/2011)			X				X		
Nicaragua	Articles 6 (c) and 7 (a) of the Law on Patents, Utility Models and Industrial Designs No. 354 of 19/09/2000 as last amended by Law No. 634 of 13/09/2007			X			X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Nigeria	Section 1 (4) (a) of the Patents and Designs Act, Chapter 344, of 01/12/1971, version of 1990		X				X			X
Norway	Section 1, §§ 3, 4 and 5 of the Patents Acts No.9 of 15/12/1967		X				X			X
Oman	Sections 2 (1) (e) of the and 11 (2) (c) and (d) and (4) (b) of the Law on Industrial Property Rights, Royal Decree No. 67 of the 2008			X		X				X
Pakistan	Section 7 (4) (b) of the Patent Ordinance No. LXI of 2000 as last amended by Patent Ordinance No. 2(1)/2002	X				X				X
Panama	Article 15 1), 2) and 5) of the Law No. 35 of	X	X		X	X	X		X	X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	10/05/1996 Enacting Provisions on Industrial Property									
Papua New Guinea	Patents and Industrial Designs Act of 2000			X				X		
Paraguay	Article 5 (b) of the Patents Law No. 1630 of 29/11/2000	X				X				X
Philippines	Article 22 4) of the Intellectual Property Code, Act No. 8293 of 06/06/1997 as last amended by Act No. 9502 of 2008		X				X			X
Poland	Articles 29 (1) (ii) and (2), 75 <sup>1</sup> , 93 <sup>1</sup> (iii) and 93 <sup>2</sup> (iii) of the Industrial Property Law of 30/06/2000, as last amended by Act of 29/06/2007		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Portugal	Articles 53 (3) (b) and 54 (1) (d), (e) and (f), (2) and (3) of the Industrial Property Code, Decree-Law No. 36 of 05/03/2003 as last amended by Law No. 16 of 01/04/2008		X				X			X
Qatar	Article 4 (b) of the Patent Law no. 30 of 2006	X				X				X
Republic of Korea	Patent Act of the Republic of Korea, Act. No. 950 of 1949 as. last amended on 30/01/2009			X				X		
Republic of Moldova	Articles 6 (4) (a), (b) and (c) and 7 (1) (b) and (c) of the Law on the Protection of Inventions No. 50-XVI of 07/03/		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	2008									
Romania	Articles 7 (a), (b) and (c) and 9 (b) of the Patent Law No. 64/1991 as republished in the OJ, Part I, No. 638/18.IX.2007		X				X			X
Russian Federation	Article 1350 (1) and (6) 1) of the Patent Act (Chapter 72)		X				X			X
Rwanda	Article 18 6) and 7) of the Law No. 31/2009 of 26/10/2009 on the protection of intellectual property	X	X		X	X	X		X	X
Saint Kitts and Nevis	Patents Act (Cap. 18.25) of 2002			X				X		
Saint Lucia	Patens Act of 2001			X				X		

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Saint Vincent and the Grenadines	Section 13 (2) (h) of the Patents Act, Chapter 314, Act No. 39 of 2004		X				X			X
Samoa	Patents Act of 1972, consolidates version of 2008			X				X		
San Marino	Article 2 (4) (c), (5) and (7) (b) of the Law on Industrial Property No. 79 of 25/05/2005 as last amended in 2011			X			X			X
Sao Tomé and Príncipe	Law No. 4/2001 of 31/12/2001 on Industrial Property			X				X		
Saudi Arabia	Article 45 (c) of the Law of Patents, Layout-Designs of Integrated Circuits, Plant Varieties, and Industrial Designs of 16/07/2004	X				X				X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Serbia	Articles 7, § 3 and 9, § 1 3) and § 2 of the Patent Law of 27/12/2011		X				X			X
Singapore	Patents Act (Chapter 221) of 2005			X				X		
Slovakia	Articles 3 (a), (b), (c) and (d), 5 (2) (b) and (c), and 6 (1) (a) and (b) of the Patent Act No. 435/2001 as last amended by Act No. 202/ 2009 Coll.		X				X			X
Slovenia	Articles 2 (1) (a),(b), (2) and (3) and 4 of the Decree on the legal protection of biotechnological inventions of 2003		X				X			X
South Africa	Section 25 (4) (b) of the Patents Act No. 37 of 1952 as last amended		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	by Act No. 20 of 2005									
Spain	Articles 4 2) and 3) and 5 2) and 3) of the Law about Patents of Invention and Utility Models No. 11 of 20/03/1986 as last amended by Law No. Nº 14/2011, of 01/06/2011		X				X			X
Sri Lanka	Section 62 (3) (b) of the Intellectual Property Act No. 36 of 2003	X				X				X
Sudan	Patent Law No. 58 of 1971			X				X		
Swaziland	Patents, Utility Models and Industrial Designs Act of 1997			X				X		
Sweden	Article 1a §§ 1,2 and 3 of the Patents Act No. 837 of 01/12/1967 as		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	amended up to 01/07/2011									
Switzerland	Article 2 (2) (b) of the Federal Patents Law of 25/06/1954 as of 01/01/2012		X				X			X
Tajikistan	Article 6, § 8 of the Law on Inventions of 28/02/2004		X				X			
Thailand	Section 9 1) of the Patent Act B.E. 2522 of 11/03/1979 as amended by the Patent Act (No.2) B.E 2535 and the Patent Act (No.3) B.E. 2542	X				X				
The Former Yugoslav Republic of Macedonia	Articles 3 and 26, §1, of the Law on Industrial Property No. 07-1006/1 of 12/02/2009		X				X			X
Tonga	Industrial Property Act, Act No. 19 of 1994			X				X		

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Trinidad and Tobago	Patents Act of 1996 as last amended by Act of 05/05/2000			X				X		
Tunisia	Article 3, § 1 of the Patents Law No.2000-84 of 24/08/2000		X				X			X
Turkey	Article 6, § 3 (b) of the Decree-Law No. 551 on the Protection of Patent Rights of 27/06/1995 as last amended by Law No. 4128 of 7/11/1995		X				X			X
Turkmenistan	Section 2 (2) and (3) of the Law on patents of 01/10/1993		X				X			
Uganda	Section 7 (2) (b) of the Patents Act of 15/10/1993 as last amended on 05/03/2002		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
Ukraine	Article 6 (2) and (3) of the Law on the Protection of Rights to Inventions and Utility Models No. 3687-XII of 15/12/1993 as last amended in 2003		X				X			X
United Arab Emirates	Article 6 (1) (a) of the Federal Law No (31) of 2006 pertaining to the Industrial Regulation and Protection of Patents, Industrial Drawings, and Designs		X				X			X
United Kingdom	Schedule A2, section 76A (3) (f), (4) and (11) of the Patents Act of 1977, consolidated version of 01/10/2011		X				X			X
United Republic of Tanzania	Section 7 (2) (b) of the Patents Act, Chapter 217 of 1995		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
United States of America	Patent Law, 35 U.S.C. of 01/01/1953, 2007 version			X				X		
Uruguay	Article 13 (b) of the Law No. 17.164 Regulating Rights and Obligations Relating to Patents, Utility Models and Industrial Designs No. 1.827*R of 02/09/1999	X				X				X
Uzbekistan	Article 6, §§ 8 and 9 of the Law on Inventions, Utility Models and Industrial Designs of 29/08/2002 (version of 2008 not available in English)		X				X			
Vanuatu	Article 3 (3) (a) and (b) of the Patents Act No. 2 of 21/07/2003	X				X				X
Vietnam	Article 59 5) and 6) of the Law on Intellectual		X				X			X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	Property No. 50/2005/QH11 of 29/11/2005 as last amended by Order No. 12/2009/L-CTN of 29/06/2009									
Yemen	Article 6 4) and 5) of the Law No. 2 of 12/01/2011 on Patents, Utility Models, Layout Designs of Integrated Circuits and Undisclosed Information	X				X				X
Zambia	The Patents Act (Chapter 400) of 1958 as last amended by Act No. 26 of 1987			X				X		
Zimbabwe	Section 2A of the Patents Act (Chapter 26:03) No. 26 of 1971 as last amended by Act 9	X				X				X

Country	Provision of Law	Exclusion								
		Plant	Plant Variety	Neither	Both	Animal	Animal breeds	Neither	Both	Essentially Biological Processes
	of 2002									
Andean Community	Articles 15 (b) and 20 (c) of the Decision No. 486 of 14/09/2000	X				X				X
European Union	Articles 2 and 4 of the Directive 98/44/EC of 6/07/1998 on the legal protection of biotechnological inventions		X				X			X
OAPI	Article 6 (c) of the Bangui Agreement of 1977 as last revised in 1999		X				X			X

(2) PATENTABILITY, OR EXCLUSION FROM PATENTABILITY, OF SOFTWARE-RELATED INVENTIONS

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Albania	Articles 5(1), (2) and (3) and 112 of the Law on Industrial Property No. 9947 of 07/07/2008		X			NA	NA
Algeria	Article 7 6) of the Ordinance No. 03-07 of 19/07/2003	X				Not mentioned  (Guide pour l'élaboration d'une demande d'invention, 2001)	Not mentioned  (Guide pour l'élaboration d'une demande d'invention, 2001)
Andorra	Article 2(2) (c) and (3) of the Patent Act of 10/06/1999		X			NA	NA
Angola	Law No. 3/92 on Industrial Property of 28/02/1992				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Antigua and Barbuda	Patent Act No. 23 of 2003				X	NA	NA
Argentina	Article 6( c) of the Patents Act No. 24.481 of 1996 as amended by Law 25.859 of 2003 and Annex III of the Patentability Guidelines of INPI	X				Not specified	Patentable if it presents:  - Carácter tecnico y efecto tecnico
Armenia	Patent Law of 10/06/2008				X	NA	NA
Australia	Patent Act No. 83 of 30/10/1990 as last amended by Act No. 35 of 2012				X	NA	the general manner of manufacture requirements still apply. Thus, for example, programs per se, to the extent that they reflect purely intellectual information, are

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
							not patentable. (Patent Examiners Manual)
Austria	Section 1 (2) 3) and (3) of the Patents Law 1970 (BGBl. No. 259/1970), as last amended by Act No. 143/2001 (last amended version of 2010 not available in English)		X			?  (all in German)	?  (all in German)
Azerbaijan	All in Russian-azerbaijan language						
Bahamas	Industrial Property Act, 1965 - Cap. 324				X	NA	NA
Bahrain	Law No (1) for the year 2004 On Patents and Utility Models amended				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	by 2006						
Barbados	Patents Act, Cap. 314, No. 18 of 26/07/2001				X	NA	NA
Belarus	Law No. 160-Z of 16/12/2002 on Patents for Inventions, Utility Models and Industrial Designs (only in Russian)						
Belgium	Article 3 §§1 3) and 2 of the Patent Law of 28/03/1984 (Official Consolidation of 01/01/2010)		X			Not specified	effet technique particulier ou si, en combinaison avec un équipement, il satisfait aux autres conditions de brevetabilité
Belize	Patents Act, Chapter 253, of 21/06/2000 as last amended in 2005				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Bhutan	Industrial Property Act of the Kingdom of Bhutan of 2001				X	NA	NA
Bosnia and Herzegovina	Article 6 (6) and (7) of the Patent Law of 28/05/2010		X				
Botswana	Section 9 (1) (e) of the Industrial Property Act of 24/04/2010	X				NA	NA
Brazil	Article 10 V of the Industrial Property Law No. 9.279 of 14/05/1996 as last amended by Law No. 10.196 of 14/02/2001		X			Not specified (Guidelines for examination of 2002)	Not specified (Guidelines for examination of 2002)
Brunei	Patents Order of				X	Not mentioned	Not mentioned

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Darussalam	17/10/2011					(Patent Rules of 2012)	(Patent Rules of 2012)
Bulgaria	Article 6 (2) 3) and (3) of the Patent Law No. 27/2 of 1993 as last amended by Law No. 59/20 of July 2007		X			NA	NA
Burundi	Article 18 of the Law No. 1/13 of 28/07/2009 on Industrial Property			X		NA	NA
Cambodia	Law on Patents, Utility Models and Industrial Designs of 22/01/2003, as supplemented by Decree No. 706 of 29/06/2006				X	NA	NA
Canada	Patent Act ( R.S., 1985, c. P-4, Act current to				X	- Machine	A computer program is not, by

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	28/02/2011)					<ul style="list-style-type: none"> <li>- Method</li> <li>- Product</li> </ul> (MOPOP 16.2)	itself, statutory subject-matter.  <ul style="list-style-type: none"> <li>- Patentable if it provides a novel and inventive technological solution to a technological problem.</li> </ul> (MOPOP 16.03.02)  .
Cape Verde	Industrial Property Code, Decree-Law No. 4/2007 of 20/08/2007 Industrial Property Code				X	NA	NA
Chile	Industrial Property Law No. N° 19.039 (Consolidated Law of				X	Not specified (Guía para el examen de	Not specified (Guía para el examen de

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	2006)					patentes, 2009)	patentes, 2009)
China	Article 25 (2) of the Patent Law of 12/03/1984 as last amended on 27/12/2008				X	Not specified	<p>computer program per se not patentable since they are in the category of rules and methods for mental activities (excluded from patentability by Article 25 of the Patent Law)</p> <p>(Rule 4.2, Chapter 2, Part II, of the SIPO Guidelines of 2010)</p> <p>if all the contents of a claim include not only rules and methods for mental activities but also technical features, then the claim as a whole is not rules and methods for mental activities, and shall not be</p>

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
							excluded from patentability in accordance with Article 25  (Rule 2.2; Chapter 9, Part II, of the SIPO Guidelines of 2010)
Costa Rica	Article 1 (2) (a) of the Law on Patents, Industrial Designs and Utility Models  No. 6867 of 25/04/1983 as last amended by Law No. 8632 of 25/05/2008		X			Not specified in the  “Manual de organización y examen de solicitudes de patentes de invención de las oficinas de propiedad industrial de los países del istmo centroamericano y la república dominicana”	Not specified in the  “Manual de organización y examen de solicitudes de patentes de invención de las oficinas de propiedad industrial de los países del istmo centroamericano y la república dominicana”
Croatia		X				“computer-implemented invention”, intend to cover claims which involve computers, computer	Basic patentability considerations: in principle the same as for other subject-matter (technical character).

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
						<p>networks or other programmable apparatus whereby one or more of the features of the claimed invention are realised by means of a program or programs. Such claims may e.g. take the form of a method of operating said apparatus, the apparatus set up to execute the method, or the program itself.</p> <p>(Rule 1.9, SIPO Guidelines, PART B, Chapter B –I)</p>	(Rule 1.9, SIPO Guidelines, PART B, Chapter B –I)

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Cuba	Article 21.3 (i) of the Decree-Law No. 290 of 20/11/2011 on Inventions and Industrial Designs and Models	X				NA	NA
Cyprus	Article 5 (2) (c) of the Patent Law of 01/04/1998, No. 16(1) (version of 2006 not available in English)	X				NA	NA
Czech Republic	Section 3 (2) (c) and (3) of the Law on Inventions, Industrial Designs and Rationalization Proposals No. 527 of 27/11/1990 as last		X			NA (Czech only)	NA (Czech only)

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	amended by Act No. 207/2000 Coll. and Act No. 378/2007						
Democratic People's Republic of Korea	Invention Law of 13/05/1998				X	NA	NA
Democratic Republic of the Congo	Article 12 of the Law No. 82-001 of 07/01/1982 on Industrial Property	X				NA	NA
Denmark	Section 1 (2) (iii) of the Consolidate Patent Act No. 108 of 24/01/2012		X			NA (Danish only)	NA (Danish only)
Djibouti	Article 26 (g) of the Protection of Industrial Property Law No. 50/AN/09/6th L of	X				NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	21/06/2009						
Dominica	Patent Act No. 8 of 07/10/1999				X	Not specified (Patent Regulations of 2008)	Not specified (Patent Regulations of 2008)
Dominican Republic	Article 2 (1) e) 3 of the Law on Industrial Property No. 20-00 of 18/04/2000 as least amended by Law No. No. 424-06 of 2006		X			Not specified (rules nor guia de registro)	Not specified (rules nor guia de registro)
Ecuador	Article 125 (d) of the Intellectual Property Law (Consolidation No. 2006-13)		X			NA	NA
Egypt	Law on the Protection of Intellectual Property				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	Rights No. 82 of 2002					(Arabic only)	(Arabic only)
El Salvador	Law on the Promotion and Protection of Intellectual Property Rights (Legislative Decree No. 604 of 15/07/1993)				X	NA	NA
Estonia	§ 6(2) 5) of the Patent Act (Act No. RT I 1994, 25, 406, as last amended by Act No. RT I, 28.12.2011 of 07/12/2011)	X				NA  (Methodological Guidelines "Invention and Patent Claim" available only in Estonian)	NA  (Methodological Guidelines "Invention and Patent Claim" available only in Estonian)
Ethiopia	Section 4 (1) (c) of the Proclamation of the Industrial Property Law No. 123 of 10/05/1995	X				NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Finland	Section 1(2) 3) of the Patents Act No. 550 of 15/12/1967 as last amended by Act No. 743 of 17 /06/2011		X			NA  (Guidelines for Search and Examination - Finnish only)	NA  (Guidelines for Search and Examination - Finnish only)
France	Article L611-10 (2) (c) and (3) of the Intellectual Property Code, Law No. 92-597 of 01/07/1992 (as last amended on 13/08/2013)		X			les formulations suivantes sont acceptées:  <ul style="list-style-type: none"> <li>● programme d'ordinateur comprenant des portions /moyens / instructions de code de programme pour l'exécution des étapes du procédé selon la revendication (X) lorsque ledit programme est exécuté sur un ordinateur</li> <li>● produit programme d'ordinateur comprenant des</li> </ul>	caractère technique  (Directives examen demande de brevet, Titre I, Section C, Chap. VII, rule 1.6)

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
						portions / moyens / instructions de code de programme enregistré sur un support utilisable dans un ordinateur, comprenant : <ul style="list-style-type: none"> <li>● des moyens de programmation lisibles par ordinateur pour effectuer l'étape A,</li> <li>● des moyens de programmation lisibles par ordinateur pour effectuer l'étape B,</li> <li>● des moyens de programmation lisibles par ordinateur pour effectuer l'étape C.</li> </ul>	

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
						(Directives examen demande de brevet, Titre I, Section C, Chap. VII, rule 1.6)	
Gambia	Industrial Property Act of 1989 as last amended on 2007				X	NA	NA
Georgia	Article 16 (1) (c) of the Patent Law of 05/02/1999 as east amended on 2010	X				Not specified  (Instruction on Procedures Related with  Drafting and Filing Applications for Inventions and Utility Models and Granting a Patent)	Not specified  (Instruction on Procedures Related with  Drafting and Filing Applications for Inventions and Utility Models and Granting a Patent)
Germany	Section 1 (3) 3) and (4) of the Patent Law of		X			Not specified	The exclusion of the subject-matter or activities mentioned

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	16/12/1980 (as last amended by the Act on Improvement of Enforcement of Intellectual Property Rights of 31/07/2009)					(Guidelines for the examination procedure as of 2004, 4.3)	<p>under a) to d) is only applicable to the extent that protection is sought for them as such (Sec. 1 (2), (3) Patent Law), ie. they are only excluded from patent protection insofar as they are claimed irrespective of any concrete implementation. Where they are utilised to solve a concrete technical problem, they are generally patentable in this context.</p> <p>4.3.1. Inventions involving a computer program, an arithmetical or organisational rule, other software characteristics or a program-</p>

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
							related process are in principle eligible for patent protection provided they contain a technical teaching.  (Guidelines for the examination procedure as of 2004, 3.3.3.2.1 and 4.3)
Ghana	Patent Act, Act No. 657 of 2003				X	NA	NA
Greece	Law No. 1733/1987 on Technology Transfer, Inventions and Technological Innovation  (in Greek only)						
Guatemala	Section 91 (g) of the		X			Not specified	Not specified

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	Industrial Property Law, Decree No. 57 of 18/09/2000					(Patent Regulations 2002)	(Patent Regulations 2002)
Guinea Bissau	Industrial Property Code of 1996				X	NA	NA
Guyana	Patents and Designs Act (Cap. 90:03) of 01/01/1938 as last revised in 1972				X	NA (not specified in Patent Regulations)	NA (not specified in Patent Regulations)
Honduras	Article 5 6) of the Industrial Property Law, Decree Law No. 12-99-E of 30/12/1999		X			Not specified (Guía para usuarios de patentes)	Not specified (Guía para usuarios de patentes)
Hungary	Article 1 (2) (c) and (3) of the Law on the Protection of Inventions		X			NA (Available only in Hungarian)	NA (Available only in Hungarian)

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	by Patents No. XXXIII of 1995 (Consolidated text of 01/03/2011)						
Iceland	Article 1 (2) 3) of the Patent Act No. 17 of 1991 as last amended by Act No. 167/2007	X					
India	Section 3 (k) of the Patent Act No. 39 of 1970 as last amended by the Patents Amendment Act No. 15 of 2005		X			<p>- application for patent for a new hardware system, the possibility of a computer programme forming part of the claims depends on a case by case analysis</p> <p>- Method claims, whether</p>	<p>If a claim in a patent application is not directed at a computer programme per se it could be patentable, if all other patentability conditions are met</p> <p>(Manual of Patent Office Practice and Procedure of 2010, Rule 08.03.06.10)</p>

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
						<p>independent or dependent, reciting computer programs without process limitations in the form of hardware features are not allowable</p> <ul style="list-style-type: none"> <li>- Claims directed at computer programs coupled to hardware: allowable</li> </ul> <p>(Manual of Patent Office Practice and Procedure of 2010, Rule 08.03.06.10)</p>	
Indonesia	Law No. 14 of 10/08/2001 regarding				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	Patents						
Iran	Patent, Industrial Design and Trademark Registration Act of 29/10/2007				X	NA	NA
Iraq	Law No. 28 of 1999				X	NA	NA
Ireland	Section 9(2) (c) and (3) of the Patent Act No. 1 of 27/02/1992, as last amended by Law No. 31 of 2006		X			Not specified (Patent application Guide of 2013)	Not specified (Patent application Guide of 2013)
Israel	Patent Law no. 5727 of 1967 as last amended by Law No. 5760-1999				X	Not specified ( <a href="http://old.justice.gov.il/MOJEng/RashamHaptentim/Patents/Instruction/">http://old.justice.gov.il/MOJEng/RashamHaptentim/Patents/Instruction/</a> )	Not specified ( <a href="http://old.justice.gov.il/MOJEng/RashamHaptentim/Patents/Instruction/">http://old.justice.gov.il/MOJEng/RashamHaptentim/Patents/Instruction/</a> )

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Italy	Article 45 (2) (b) and (3) of the Industrial Property Code, Legislative Decree No. 30 of 15/02/2005		X				
Jamaica	Patents Act of 1857 as last amended in 1975				X	NA	NA
Japan	Article 2 (3) and (4) of the Patent Law No. 121 of 13/04/1959, as last amended by Act No. 63 of 2011			X		Inventions of: - Product - -process  (Rule 1.1.1 of the Examination Guidelines for Patent and Utility Model as of July 2013)	Statutory invention: the claimed invention shall be a creation of technical ideas utilizing a law of nature  ((Rule 2.2 of the Examination Guidelines for Patent and Utility Model as of July 2013))
Jordan	Law on Patents No. 32 of 1999, as last				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	amended by Law No. 28 of 2007						
Kenya	Industrial Property Act No. 3 of 27/07/2001				X	Not specified  (Guideline for the examination of Patents, Utility Models, and Industrial Designs of 2007)	Description: requires to be written substantially in normal language, possibly accompanied by flow diagrams or other aids to understanding, so that the invention may be understood by those skilled in the art who are deemed not to be programming specialists.  No specifications about patentability requirements  (Rule 6.7, Guideline for the examination of Patents, Utility Models, and Industrial Designs)

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
							of 2007)
Lao People's Democratic Republic	Intellectual Property Law of 14/01/2008				X	NA	NA
Latvia	Section 9 (2) 3) and (3) of the Patent Law of 15/02/2007		X			NA	NA
Lebanon	Patents Law No. 240 of 07/08/2000				X	NA	NA
Lesotho	Industrial Property Order No. 5 of 1989, as last amended by Act No. 4 of 1997				X	NA	NA
Liberia	Industrial Property Act				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	of 2003						
Libya	Law on Patents and Industrial Designs and Models No. 8 of 1959				X	NA	NA
Lithuania	Article 2 (2) 3) of the Patent Law No. I-372 of 18/01/1994 as last amended by Law No. X-1119 of 10/05/2007	X				NA (Rules on filing, examination of patent applications and grant of patents available only in Lithuanian)	NA (Rules on filing, examination of patent applications and grant of patents available only in Lithuanian)
Luxembourg	Article 4 (2) (c) and (3) of the Patent Act of 20/07/1992		X			NA	NA
Madagascar	Industrial Property Law, Ordinance No. 89—019 of 31/07/1989				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Malawi	Patents Act, Chapter 49:02 of 1957				X	NA	NA
Malaysia	Patents Act No. 291 of 1983 as last amended on 2006				X	Claims on: <ul style="list-style-type: none"> <li>- Product</li> <li>- Process</li> <li>- Use</li> </ul> (Rule 3.6 of the Guidelines for patent examination of 2011)	A computer programme claimed by itself or as a record on a carrier is not patentable, irrespective of its content. The situation is not normally changed when the computer programme is loaded into a known computer. If, however, the subject-matter as claimed makes a technical contribution to the prior art, patentability should not be denied merely on the ground that a computer programme is involved in its implementation  (Rule 3.6 of the Guidelines for

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
							patent examination of 2011)
Malta	Article 4 (2) (c) and (3) of the Patents and Designs Act, Chapter 417, of 01/06/2002, as amended by Acts IX of 2003 and XVIII of 2005		X			NA	NA
Mauritius	Patents, Industrial Designs and Trademarks Act No. 25 of 2002				X	NA	NA
Mexico	Article 19 IV of the Industrial Property Law of 25/06/1991, last amended version of 06/12/2005	X				Not specified (Guía del usuario de Patentes y Modelos de Utilidad de 2012)	Not specified (Guía del usuario de Patentes y Modelos de Utilidad de 2012)
Mongolia	Article 4 (5) 2) of the Patent Law of	X				NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	25/06/1993, as last amended in 1999						
Montenegro	Article 5 (2) 4) and (3) of the Law on Patents of 22/10/2008		X			NA	NA
Morocco	Article 23 (3) of the Law No. 17-97 of 15/02/2000 concerning Protection of Industrial Property as implemented by the Decree No. 2-00-368 of 07/06/2004		X			Na	NA
Mozambique	Article 30 (1) d) of the Industrial Property Code, Decree No. 4 of 12/04/2006	X				NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Nepal	The Patent, Design and Trade Mark Act No. 2022 of 1965 (version of 2006)				X	NA	NA
Netherlands	Article 2 (2) (c) and (3) of the Patent Act of 15/12/1994, (Text as it applies on 03/06/2009)		X			NA	NA
New Zealand	Section 11 of the Patents Act No. 68 of 2013		X			Process or product (Section 11 Patent Act)	(4) The Commissioner or the court (as the case may be) must, in identifying the actual contribution made by the alleged invention, consider the following:  (a) the substance of the claim (rather than its form and the contribution alleged by the applicant) and the actual

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
							<p>contribution it makes:</p> <p>(b) what problem or other issue is to be solved or addressed:</p> <p>(c) how the relevant product or process solves or addresses the problem or other issue:</p> <p>(d) the advantages or benefits of solving or addressing the problem or other issue in that manner:</p> <p>(e) any other matters the Commissioner or the court thinks relevant.</p> <p>(section 11 Patent Act)</p>

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Nicaragua	Section 6 (f) of the Industrial Property Law No. 354 of 19/09/2000 as last amended by Decree No. 16-2006		X			NA	NA
Nigeria	Industrial Property Act (Chapter 344) No. 60 of 1970 (as last amended in 1990)				X	NA	NA
Norway	Section 1, §2 3) of the Patent Act No. 9 of 15/12/1967 (as amended up to Act No. 8 of 01/07/2010)	X				NA (Guidelines for Search and Examination – Norwegian only)	NA (Guidelines for Search and Examination – Norwegian only)
Oman	Section 2 (2) of the Royal Decree No. 67/2008 on Industrial Property Rights and			X		NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	their Enforcement						
Pakistan	Patents Ordinance No. LXI of 02/12/2000 (as amended by the Patents Amendment Ordinance of 2002)				X		
Panama	Article 14 4) of the Law No. 35 of 10/05/1996 on Industrial Property		X			NA	NA
Papua New Guinea	Industrial Property Act No. 30 of 19/07/2000				X	NA	NA
Paraguay	Article 4 (d) of the Patents Law No. 1630 of 29/11/2000 as last amended by Law No. 2.593/2005		X			NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Philippines	Section 22 2of the Intellectual Property Code, Act No. 8293 of 06/06/1997(as last amended by Act No. 9502 of 2008)	X				NA	NA
Poland	Article 28 (v) of the Industrial Property Law of 30/06/2000, as amended by Act of 23/01/2004 and Act of 29/06/2007	X				NA (Guidance inventor. Methods of examination of the patentability of inventions and utility Models. –Polish only-)	NA (Guidance inventor. Methods of examination of the patentability of inventions and utility Models. –Polish only-)
Portugal	Article 52 (1) d) of the Industrial Property Code, Decree-Law No. 36 of 05/03/2003 as last amended by Law No. 16		X			Not specified  (from the Portuguese Institute of Industrial Property website: <a href="http://www.marcaspatente">http://www.marcaspatente</a> )	<ul style="list-style-type: none"> <li>- a technical solution to a technical problem</li> <li>- involve technical considerations or represent a technical</li> </ul>

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	of 01/04/2008					<a href="http://www.marcaspatentes.pt/index.php?section=340">s.pt/index.php?section=340</a> )	contribution in a technological domain  (from: the Portuguese Institute of Industrial Property website: <a href="http://www.marcaspatentes.pt/index.php?section=340">http://www.marcaspatentes.pt/index.php?section=340</a> )
Qatar	Article 4 (2) (a) of the Decree Law No. 30 of 2006 To Issue Patents Law	X				NA	NA
Republic of Korea	Patent Act promulgated on 28/11/1949 by Military Act No. 950, as last amended by Act No. 11117 of 02/12/2012				X	Not specified  (Patent Examination Guidelines)	where data processing with a computer program is specifically executed using a hardware, a data processing unit (machine) operating in association with the computer program, its operating method, and a computer readable

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
							medium carrying the computer program, the invention is viewed as a statutory invention  (Patent Examination Guidelines: Part III, Chapter 1, Rule 4.1.8)
Republic of Moldova	Article 6 (2) (c) and (3) of the Law on the protection of Inventions No. 50-XVI of 07/03/2008		X			NA	NA
Romania	Article 8 (1) (c) and (2) of the Patent Law no. 64 of 1991 as republished in the Official Gazette of Romania, Part I, No. 456/18.VI.2008		X			Not specified  (The Patent Applicant's Guide)	Not specified  (The Patent Applicant's Guide)

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Russian Federation	Article 1350 (5) 5) of the Patent Act (Chapter 72)	X				NA	NA
Rwanda	Article 18 (2) of the Law No. 31/2009 of 26/10/2009 on the Protection of Intellectual Property			X		NA	NA
Saint Kitts and Nevis	Patents Act (Cap. 18.25) of 31/12/2002				X	NA	NA
Saint Lucia	Section 9 (2) (a) (iii) of the Patents Act No. 16 of 27/08/2001	X				NA	NA
Saint Vincent and the Grenadines	Patents Act (Act No. 39 of 2004)				X	NA	NA
Samoa	Patents Act of 1972				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
San Marino	Article 2 (2) (c) and (3) of the Law No. 79 of 25/05/2005 - Industrial Property Consolidation Act		X			NA	NA
Sao Tome and Principe	Law No. 4/2001 of 31/12/2001 on Industrial Property				X	NA	NA
Saudi Arabia	Law of Patents, Layout-Designs of Integrated Circuits, Plant Varieties, and Industrial Designs of 16/07/2004				X	NA	NA
Serbia	Article 7, paragraph (5) 4) and (6), of the Law on Patents of 27/12/2011		X			NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Seychelles	Patents Act, Chapter 156 of 1901 (version of 1991)				X	NA	NA
Singapore	Patents Act No. 21 of 25/11/1994 as of 09/10/2009				X	Not specified (Patent Rules of 1995 – revised edition of 2007-)	Not specified (Patent Rules of 1995 –revised edition of 2007-)
Slovakia	Article 5 (3) d) and (4) of the Act No. 435/2001 Coll. on Patents, Supplementary Protection Certificates as last amended by Act No. 202/ 2009 Coll.		X			Not specified  (Instruction of the Industrial Property Office of the Slovak Republic Defining Uniform Layout of a Patent Application)	Not specified  (Instruction of the Industrial Property Office of the Slovak Republic Defining Uniform Layout of a Patent Application)
Slovenia	Industrial Property Act of 23/05/2001 as last amended on				X	NA  (Rules on the registers of applications and industrial	NA  (Rules on the registers of applications and industrial

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	06/02/2006					property rights and on the certificate of the priority right available only in Slovenian)	property rights and on the certificate of the priority right available only in Slovenian)
South Africa	Section 25 (2) f) and (3) of the Patents Act No. 57 of 1978 as last amended by Act, No. 20 of 2005		X			Not specified (Patent Regulations of 1978 as last amended in 2006)	Not specified (Patent Regulations of 1978 as last amended in 2006)
Spain	Article 4 4) (c) and 5) of the Law about Patents of Invention and Utility Models No. 11 of 20/03/1986 as last amended by Law No. 14/2011		X			Not specified (Directrices de examen de solicitudes de patentes-2006)	- Caracter tecnico (Directrices de examen de solicitudes de patentes-2006)
Sri Lanka	Intellectual Property Act No. 36 of 2003				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Sudan	Patent Law No. 58 of 1971				X	NA	NA
Swaziland	Patents, Utility Models and Industrial Designs Act No. 6 of 1997				X	NA	NA
Sweden	Article 1(2) 3) of the Patents Act 1967:837, as amended up to 01/07/2011	X				NA (Swedish only, the Regulations)	NA (Swedish only, the Regulations)
Switzerland	Federal Patents Law of 25/06/1954 as on 01/01/2012				X	- Procédé - Dispositive (Examen quant au fond des demandes de brevet nationales	Caractère technique (Examen quant au fond des demandes de brevet nationales -Directives- 2.1.1)

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
						-Directives- 2.1.1)	
Tajikistan	Article 6 (6) of the Law on Inventions of 28/02/2004	X				NA	NA
Thailand	Section 9 (3) of the Patent Act B.E. 2522 of 11/03/1979 as amended by the Patent Act No.3 B.E. 2542 of 1999	X				NA	NA
The Former Yugoslav Republic of Macedonia	Article 25 (3) 3) of the Law on Industrial Property No. 07-1006/1 of 12/02/2009	X				NA	NA
Tonga	Industrial Property Act No. 19 of 09/11/1994				X	NA	NA
Trinidad and	Patents Act No. 21 of				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Tobago	1996 as last amended by the Act No. 18 of 2000						
Tunisia	Chapter I, Article 2 (2) (c) of the Patents Law No. 2000-84 of 24/08/2000	X				NA	NA
Turkey	Article 6 (1) (c) of the Decree-Law on the Protection of Patent Rights No. 551 of 27/06/1995 (version of 2009 available only in Turkish)	X				Not specified (Patent Regulations)	Not specified (Not specified)
Turkmenistan	Available only in Russian						
Uganda	Patents Act of 15/10/1993 as last				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	amended in 2002						
Ukraine	Available only in Russian						
United Arab Emirates	Federal Law No. 31 of 2006 Pertaining to the Industrial Regulation and Protection of Patents, Industrial Drawings, and Designs				X	NA	NA
United Kingdom	Section 1 (2) (c) of the Patents Act of 1977(unofficial consolidation of 01/10/2011)		X			Not specified (Manual of Patent Practice as of 01/07/2013)	Substantive technical contribution (Manual of Patent Practice as of 01/07/2013, Rule 1.28)
United Republic of	Patents Act No. 1 of 1987, Chapter 217, as				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
Tanzania	last revised in 1994						
United States of America	Title 35 of the USC of 19/07/1952 as last amended on 14/01/2013				X	<ul style="list-style-type: none"> <li>- Product claim (together with a hardware)</li> <li>- Process claim</li> </ul> (Examination Guidelines for computer-related inventions, Rule 2)  CII: need to disclose the implementation of the functionality through hardware, software or combination of both.  In the case of software it has to indicate the means to	Distinction between descriptive material and non-descriptive material in relation to CII.  _ patntability: related to the structural and functional interrelation with the medium  <ul style="list-style-type: none"> <li>- Computer program per se not patentable</li> <li>- - Claimed computer readable medium encoded with a computer program: patentable</li> </ul> (Examination Guidelines for computer-related inventions,

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
						accomplish the software function.  (MPEP, Chapter 2100, Section 2181, II, B)	Rule 1)
Uruguay	Article 13 (e) of the Law No. 17.164 of 02/09/1999 Regulating Rights and Obligations Relating to Patents, Utility Models and Industrial Designs		X			Not specified  (Patents, Utility Models and Industrial Designs Regulations of 2000)	Not specified  (Patents, Utility Models and Industrial Designs Regulations of 2000)
Uzbekistan							
Vanuatu	Section 3 (3) (f) of the Patents Act No. 2 of 2003	X				NA	NA
Vietnam	Article 59 2) of the Law	X				NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	on Intellectual Property No. 50/2005/QH11 of 29/11/2005 as last amended by Law No. 36/2009/QH12						
Yemen	Law No. 2 of 2011 on Patents, Utility Models, Layout Designs of Integrated Circuits and Undisclosed Information				X	NA	NA
Zambia	Patent Act of 1958 (Chapter 400) as last amended by Act No. 26 of 28/12/1987				X	NA	NA
Zimbabwe	Patent Act (Chapter 26:03) of 01/02/1972 as last amended by Act No.				X	NA	NA

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	14/2002						
ARIPO	Harare Protocol on Patents and Industrial Designs of 10/12/1982 as last amended on 14/11/2006				X	Not specified (Harare Protocol Regulations)	Not specified (Harare Protocol Regulations)
Andean Community	Article 15 (e) of the Decision No. 486 of 14/09/ 2000 of the Commission of the Andean Community - Common Industrial Property Regime (Cartagena Agreement)		X			-	-
European Patent Convention	Article 52 (2) (c) and (3) of the European Patent Convention		X			The examiner should disregard the claim category and concentrate on its content in order to	- Technical character (Rule 3.6, Part G, Chapter II-5 of the Guidelines for examination)

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
						determine whether the claimed subject-matter, considered as a whole, has a technical character.  (Rule 3.6, Part G, Chapter II-5 of the Guidelines for examination as of 2012)	as of 2012)
GCC	Article 3 (1) 1) of the Patent Regulation of the Cooperation Council for the Arab States of the Gulf (as at 23/04/2002)	X				NA	NA
OAPI	Article 6 (g) of the Agreement Revising the Bangui Agreement of 02/03/1977, on the Creation of an African Intellectual Property	X				Not specified  (Regulations Under the Agreement Revising the Bangui Agreement and Guide	Not specified  (Regulations Under the Agreement Revising the Bangui Agreement and Guide du

Country	Statute					Guidelines (or Manual)	
	Provision of Law	Provision on patentability of software				Permissible form of claim	Explanation or Requirements concerning software
		Excluded	Excluded as such	allowed	No explicit provision		
	Organization (Bangui Agreement) as last revised in 1999					du déposant)	déposant)

[End of Annex II and of document]