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ORGANIZATION

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Standing Committee on the Law of Patents

Thirty-Eighth Session
Geneva, November 2 to 6, 2026

AGENDA

adopted by the Committee

1. Opening of the session

2. Adoption of the agenda
   See the present document.

3. Election of a Chair and two Vice-Chairs

4. Report on the international patent system: Certain aspects of national/regional patent laws
   See document SCP/38/2.

5. Exceptions and limitations to patent rights

   – Draft reference document on the exception regarding private and/or non-commercial use
   See document SCP/38/3.

   Other related documents: SCP/14/7 and SCP/19/6.

6. Quality of patents, including opposition systems

   – Update to document SCP/36/5
   See document SCP/38/4.

   – Update to document SCP/37/5, Annex, Section VI (the “DABUS” case)
   See document SCP/38/5 Corr.

– Report on the expert exchange held during SCP/37 on legal and policy options in the areas of patentability criteria and AI inventorship, along with a summary of the policy options, based on relevant WIPO documents
See document SCP/38/6.

− Proposal by the Delegation of China on information exchange concerning the protection of intellectual property in connection with outer space activities SCP/38/10
See document SCP/38/10.

– Sharing session on the use of various tools, including AI, for effective patent examination procedures and challenges faced by IP offices in developing, deploying and using such tools.

– Expert exchange on legal and policy options in the areas of patentability criteria and AI inventorship based on document SCP/38/6.

Other related documents: SCP/17/7, 8 and 10, SCP/18/9, SCP/19/4, SCP/20/11 Rev., SCP/23/4, SCP/30/9, SCP/35/8, SCP/36/5 and SCP/37/5.

7. Patents and Health

– Updates on the initiatives on publicly accessible databases of patent status information concerning medical products and health technologies

Other related documents: SCP/16/7 and 7 Corr., SCP/24/4 and SCP/28/9 Rev.

8. Confidentiality of communications between clients and their patent advisors

– Study on the categories of professionals who enjoy protection against forcible disclosure of confidential communications between clients and their patent advisors in court proceedings under national/regional laws
See document SCP/38/7.

9. Transfer of technology

– Study on the determination of inventorship and conditions of foreign filing, with a view to identifying potential challenges for innovators in the cross-border collaborative environment
See document SCP/38/8 Corr.

– Study on best practices and challenges in technology transfer in the health and green technology sectors focusing on industry-academia collaboration, considering national and international regulatory frameworks
See document SCP/38/9.

– Presentation on the status of the implementation of the “WIPO Strategy on Standard Essential Patents 2024-2026.”

– Presentation on the WIPO Arbitration and Mediation Center’s guidance on “WIPO ADR Options for FRAND Dispute Management and Resolution.”

Other related documents: SCP/34/7 Rev, SCP/36/9, and the WIPO Strategy on Standard Essential Patents 2024-2026.

10. Future work

11. Summary by the Chair

12. Closing of the session

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