

Standing Committee on the Law of Patents

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

PROPOSAL BY THE DELEGATION OF CHINA ON INFORMATION EXCHANGE CONCERNING THE PROTECTION OF INTELLECTUAL PROPERTY IN CONNECTION WITH OUTER SPACE ACTIVITIES

Document prepared by the Secretariat

1. The Annex to this document contains a proposal submitted by the Delegation of China on information exchange concerning the protection of intellectual property in connection with outer space activities. This proposal is submitted for consideration by the Committee under item 6 of the draft agenda: Quality of patents, including opposition systems.

2. *The members of the Standing Committee on the Law of Patents (SCP) are invited to consider the contents of the Annex.*

[Annex follows]

Proposal by the Delegation of China on Information Exchange Concerning the Protection of Intellectual Property in connection with Outer Space Activities

I. Introduction

1. Outer space technology has long represented one of the most advanced technological frontiers, and space exploration embodies humanity's shared aspiration to venture into the cosmic deep. Innovations arising from outer space activities continue to drive technological advancement across a wide range of fields.
2. Intellectual property (IP) has played a positive role in enabling countries and commercial entities to engage in outer space activities and in promoting the development of space technology. It also constitutes one of the important foundations for international cooperation in outer space and for sharing the benefits arising from space development.
3. At present, neither international IP treaties nor international treaties relating to outer space provide detailed rules regarding the ownership and protection of IP in connection with outer space. Differences among national IP regimes may create uncertainties affecting such activities.
4. It is noted that, in 1997, WIPO conducted a study on the possible need for rules and/or principles concerning the protection of IP, in particular inventions created or used in outer space. In 2004, WIPO further prepared a document on "Intellectual Property and Space Activities", which discussed issues such as the applicable law, jurisdiction and enforcement with respect to IP in outer space.

II. Proposal

5. With a view to better understanding the provisions and practices of WIPO Member States regarding patent protection in connection with outer space, it is proposed that the Standing Committee on the Law of Patents (SCP) explore the experiences of WIPO Member States in the field of IP in outer space, in particular in the patent field. The Delegation would be interested in hearing from Member States regarding their current practices on these issues, including, among others, experiences relating to:

- provisions of national or regional legislation relating to IP in outer space, whether in the form of provisions specifically enacted for that purpose or existing provisions applicable *mutatis mutandis* to outer space activities, including but not limited to matters of ownership of rights, applicable law and jurisdiction;
- the effects of implementing such provisions;
- commercial cooperation arrangements and related agreements concerning IP in outer space;
- dispute resolution frameworks; and
- other issues of concern or matters yet to be addressed.

6. It is proposed that, building on WIPO's studies of 1997 and 2004¹, experiences and practices from Member States concerning the above-mentioned matters be collected and compiled prior to the thirty-ninth session of the SCP.

7. It is also proposed that an exchange session on policy experiences or an expert workshop on the relevant issues be convened at the thirty-ninth session of the SCP with the participation of WIPO Member States and relevant stakeholders.

[End of Annex and of document]

¹ <https://www.wipo.int/en/web/patents/topics/outer-space>