

Conselho Directivo

Only by email

Mr. Francis Gurry
Director General
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SWITZERLAND

Sua referência: Sua comunicação de: Nossa referência: Data: 16.09.2019
GP 268/19

SUBJECT: SCP - Reply to Circular C.8893

Dear Mr. Francis Gurry,

In reference to your circular letter C.8893, dated of July 17, 2019, pursuant to the decision of the Standing Committee on the Law of Patents (SCP), at its thirtieth session, which was held in Geneva from June 24 to 27, 2019, (document SCP/30/10, paragraph 23), Member States are kindly invited to send to the International Bureau of the World Intellectual Property Organization (WIPO) any additional inputs for the preparation of a document compiling information on patent law provisions and practices that contributed to effective transfer of technology, including sufficiency of disclosure.

ANSWER: *The Portuguese Office has already answered to circular C.8828 where information was given on patent law provisions and practices that contribute to effective transfer of technology. Therefore, at the moment, there are no additional comments to be sent to the International Bureau of the World Intellectual Property Organization.*

In addition, in order to maintain the information collected through the activities of the SCP up-to-date, Member States and Regional Patent Offices are invited to submit updated information on:

- (i) certain aspects of the applicable national or regional patent law;

ANSWER: *The Portuguese legislation (Industrial Property Code) was revised and has been in force since 1st July 2019. The amendments related to prior art, inventive step, exclusions from patentable subject matter and exceptions and limitations of the rights have already been described in circular C.8828. So, the WIPO's website is up to date.*

(ii) national and regional laws on opposition systems and other administrative revocation and invalidation mechanisms, available at:

ANSWER: *The information related to "national and regional laws on opposition systems" already sent to the International Bureau of the world Intellectual Property Organization is up to date.*

(iii) international worksharing and collaborative activities for search and examination of patent applications,

ANSWER: *The information related to "international worksharing and collaborative activities for search and examination of patent applications" available at the WIPO's website is up to date (IPT Office reply to Circular C.8585).*

(iv) compilation of laws and practices regarding the scope of client attorney privilege and its applicability to patent advisors:

ANSWER: *The information related to "laws and practices regarding the scope of client attorney privilege and its applicability to patent advisors" available at the website is up to date.*

Yours sincerely,



Ana Bandeira

President of the DC