

## **AUSTRALIA WRITTEN STATEMENT**

### **Item 8: Confidentiality of communications between clients and their patent advisors**

Australia thanks the Secretariat for preparing the report of the sharing session on recent developments and experiences with respect to confidentiality of communications between clients and their patent advisors, and welcomes the opportunity to contribute.

Australia supports the proposal of the Delegation of Switzerland that was discussed at SCP 31, that is, a non-binding soft law approach as a solution to the cross-border aspect of the client attorney privilege issue. Adoption of such an approach would provide benefits for our stakeholders, and in particular increase certainty that advice given to clients by Australian patent and trade mark attorneys is not subject to forcible disclosure overseas.

Australia considers it important that this item remains on the SCP agenda. We support further studies in this area and look forward to contributing in the future.