

32nd Session of the WIPO Standing Committee on the Law of Patents (SCP)

(Geneva, 7-10 December 2020)

Agenda item 1

General statement

Chair,

1. Germany is honoured to take the floor on behalf of the European Union and its Member States. First, we would like to congratulate you and your vice-chairs on your election. We look forward to working efficiently under the able guidance of you and your Vice-Chairs during this week. The EU and its Member States would like to thank the WIPO secretariat for preparing this meeting as well as for providing all the relevant documents.
2. Ever since the beginning of international IP cooperation and the founding of WIPO as an international agency for IP, patent law has been of core importance not only in theory but also in practice. In order to take full advantage of the patent system, it is essential to know the similarities and differences of patent law systems as well as learning from best practices. The Standing Committee on the Law of Patents is the only multilateral forum of its kind and is, therefore, of great importance for the further development, harmonisation and improvement of the patent system which is requested by users around the world.
3. The EU and its Member States welcome the work of the previous sessions of the Committee on the five main topics on the agenda of the SCP and are fully committed to constructively engage in further discussions on the basis of the agreed work programme for this week. We trust that the positive spirit as we work together on discussions and initiatives seen at recent sessions of the committee will continue.

4. Chair, for the EU and its Member States, the quality of patents including opposition systems and the confidentiality of communications between clients and their patent advisors continue to be priority issues. Further work in this area is beneficial to all countries, irrespective of their level of development, since it would enhance the credibility, reliability and stability of the international IP system. In that respect, we would like to thank the WIPO secretariat for its work in preparing the report on the sharing session on the use of Artificial Intelligence (AI) for examination of patent applications and are looking forward to another sharing session on patentability issues relating to AI scheduled for this week. AI technology provides numerous opportunities and challenges to the administration of the patent system, which are of fundamental importance for all Member States. We therefore believe that the sharing of experiences and information on these topics in the SCP is highly beneficial for all Member States.
5. The EU and its Member States are also prepared to further engage in discussions on patents and health as far as patent law questions are concerned. In that respect, we are looking forward to the two sharing sessions on this matter that will be held during this meeting. At the same time, we believe that any further work in this area should reflect a balanced approach that takes into account the various relevant factors. Discussions on other factors that may affect access to medicines should be left to other, more appropriate fora.
6. Chair, the European Union and its Member States remain fully committed to the work of this important Committee and look forward to a productive and positive session.

Thank you.