Geneva  
11/12/2017 - 00:00  
Statements on behalf of the EU  

WIPO - 27th session of the Standing Committee on the Law of Patents: General / Opening Statement  

WIPO - 27th session of the Standing Committee on the Law of Patents Geneva, 11-15 December 2017  
General / Opening Statement  

Mr Chair,  

I am speaking on behalf of the EU and its Member States. First, we wish to congratulate you, Mr Pardo, on your election as the Chair of this important Committee. We would also like to welcome the new Vice-Chairs and thank the WIPO Secretariat for its work in preparing for this meeting.  

We are pleased to note the success of the previous session of the Committee in constructively discussing and advancing the five main topics on the agenda of the SCP and in deciding on the future work of the Committee. The EU and its Member States are committed to constructively engage in our discussions on the basis of the agreed work programme for this week.  

We note that it was decided that the current session of the SCP would further elaborate and discuss the non-exhaustive list of issues which have been discussed in the Committee during its past meetings. Without prejudice to the mandate of the SCP, the Committee agreed that its work for this session be confined to fact-finding and not lead to harmonisation at this stage. However, as the EU and its Member States have repeatedly emphasised, harmonisation of substantive patent law should be seen as the mid and long term aim of this Committee. Our present fact-finding work and discussions are of course highly relevant for this future work.  

The programme for the coming days should provide opportunities for all of us to make steps forward on important issues. In particular, the EU and its Member States attach considerable importance to advancing work on the “Quality of Patents”, as we believe that work on this topic would be of interest to member states across the spectrum of development. We are also keen to continue discussions on the topic of “Client-Patent Attorney Privilege”, as convergence of differing provisions would be of benefit to users of the patent system.  

On patents and health, we believe that any further work in this area should reflect a balanced
approach, taking into account the various factors of relevance to patents and health. At the same time we would like to recall that we cannot go beyond the mandate of the SCP and WIPO, and discussions about other factors of access to medicines than patent protection should be left to other more appropriate fora.

The EU and its Member States express hope that, similarly to SCP 26, the Committee will manage to agree during this session on a work programme for its future sessions. We reiterate the importance of retaining the delicate balance between the topics discussed in the Committee.

Finally, we would like to highlight that the European Union under its enhanced cooperation procedure has made significant advances on the European Patent with unitary effect. In that context, significant advances have also been made on the creation of the Unified Patent Court. The Unitary Patent will help to attract and retain innovation, talent and investment.

Mr Chair, we remain committed to the work of this Committee and look forward to a constructive session.

Thank you.

www.eeas.europa.eu
Source URL: